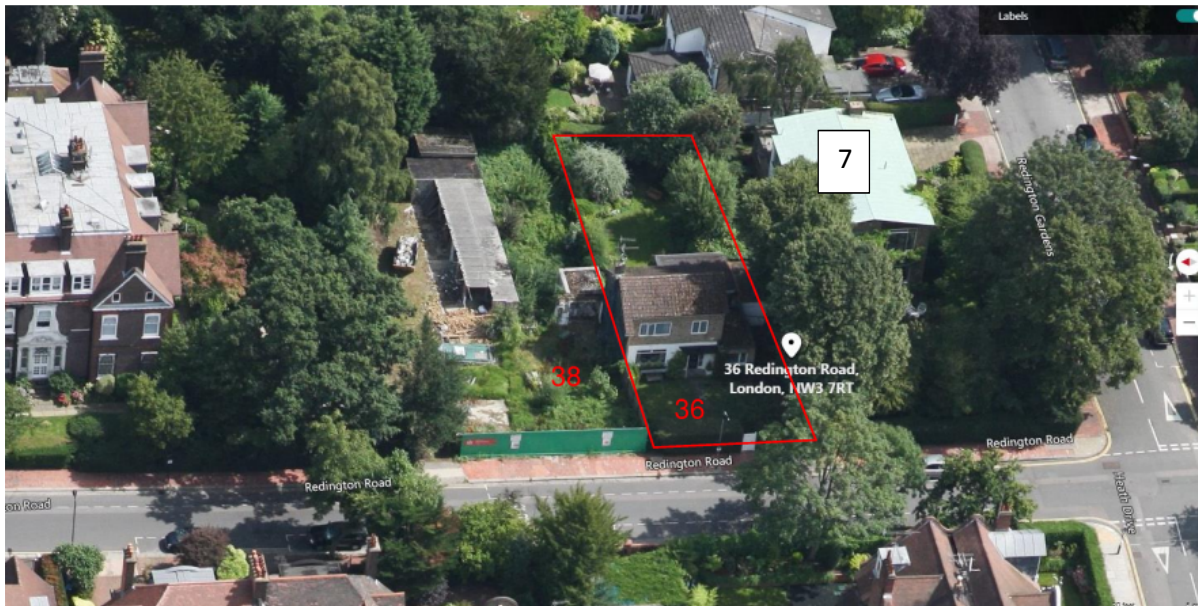


36 Redington Road, NW3 7RT – ref:
2020/4520/P



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Site photos



1. (above): Aerial photo (38 Redington Road has not been built at the time of this photograph)



2. (above): View towards front elevation of 36 Redginton Road which is under construction (38 Redginton Road is on left)



3. (above): View towards rear of 36 Redginton Road which is under construction



4. (above): View of pre-existing front elevation



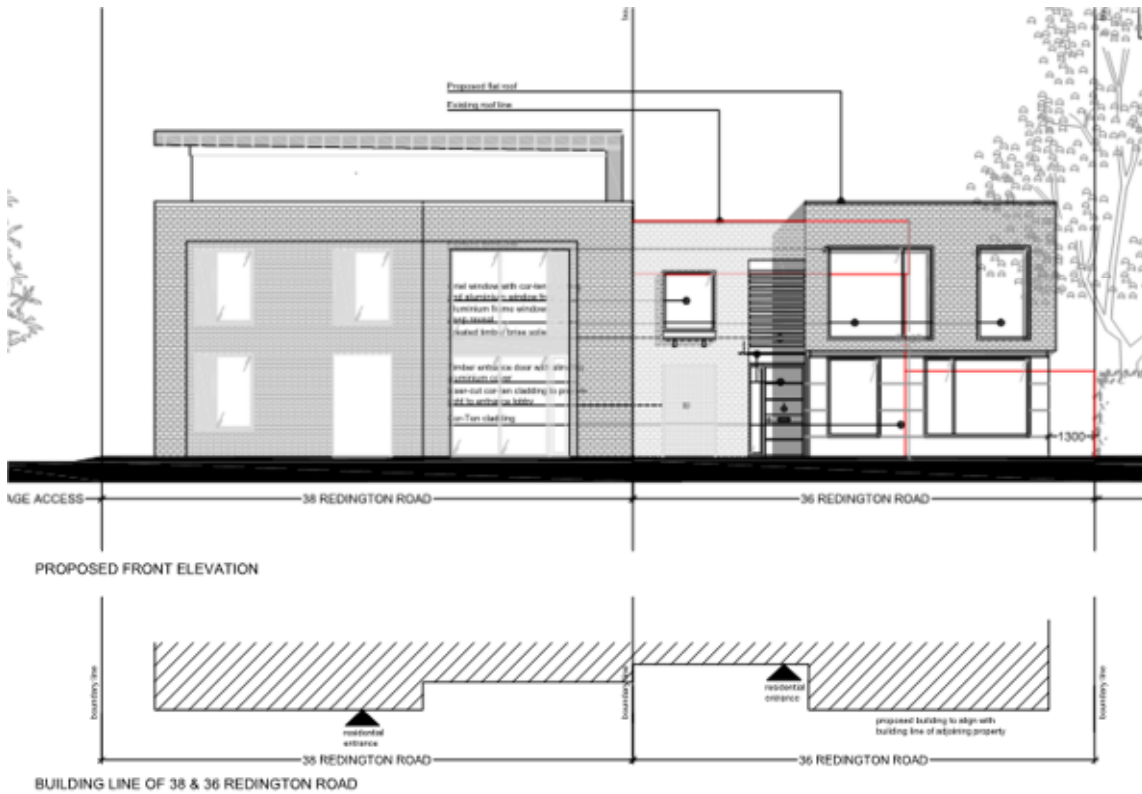
5. (above): View of pre-existing driveway and Garage of 36 Redington Rd



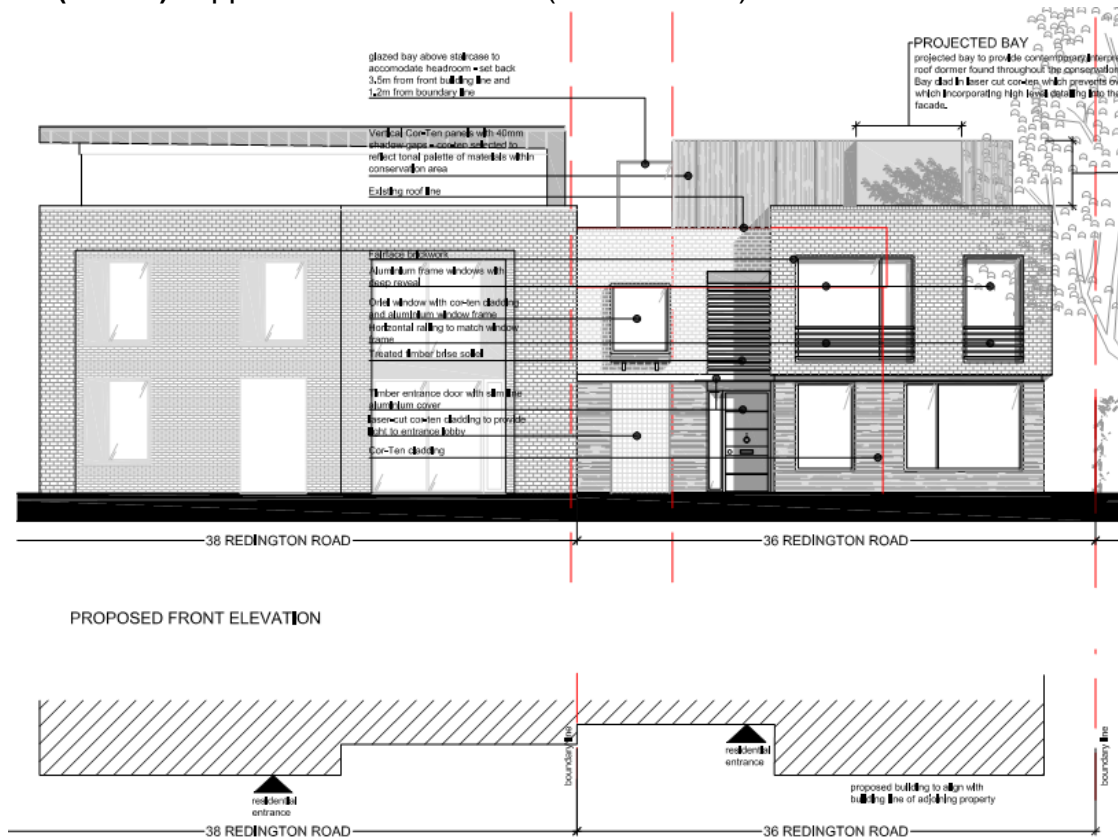
6. (above): View of pre-existing rear of 36 Redington Road



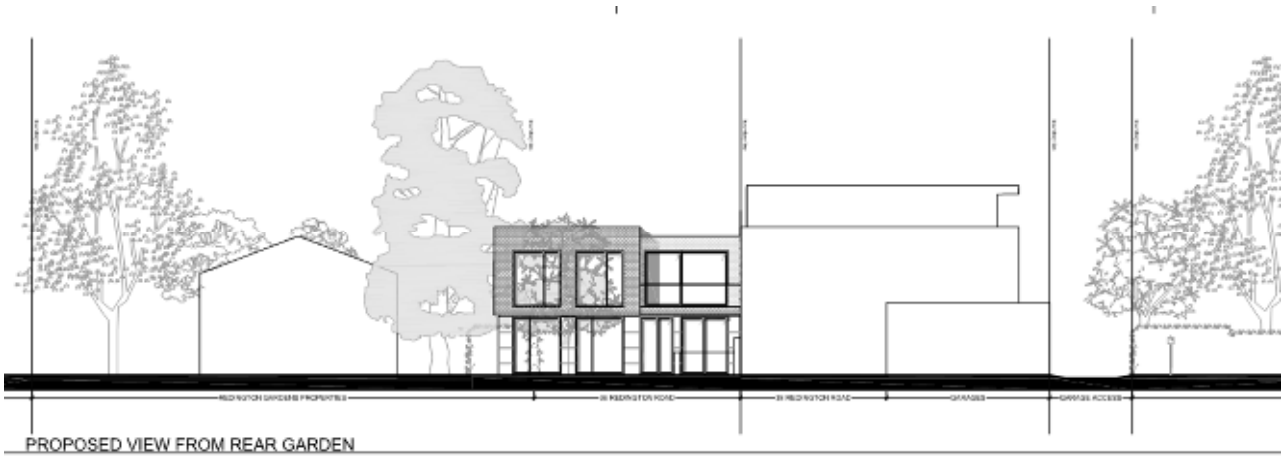
7. (above): View looking south towards boundary with 7 Redington Gardens



8. (above): Approved front elevation (2015/3004/P)



9. (above): Proposed front elevation



10. (above): Approved rear elevation (2015/3004/P)



11. (above): Proposed rear elevation

Delegated Report (Members briefing)		Analysis sheet	Expiry Date:	02/11/2020
		N/A	Consultation Expiry Date:	02/01/2021
Officer			Application Number(s)	
David Peres Da Costa			2020/4520/P	
Application Address			Drawing Numbers	
36 Redington Road London NW3 7RT			Refer to draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Erection of 3-storey plus basement house, front and rear lightwell and associated landscaping following demolition of existing dwelling (part-retrospective).				
Recommendation(s):		Grant planning permission subject to s106 legal agreement		
Application Type:		Full planning permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00
Summary of consultation responses:	<p>A site notice was displayed on Redington Road from 7/10/20 to 31/10/20 and the application was advertised in the local paper on 8/10/20 (expiring 01/11/20).</p> <p>An additional site notice was displayed on Redington Gardens from 09/12/20 to 02/01/21 and a further site notice was displayed on Redington Road from the same date.</p> <p>One objection was received from an occupier of 19 Redington Gardens who raised the following concerns:</p> <p>As a neighbour with windows facing this new structure, I am objecting to this additional roof that is now blocking my view.</p> <p>It was not part of the original planning permission and for good reason as it is an unsightly obstruction, especially its bright ochre colour, an eyesore that detract from the delicate nature of the architecture in the area.</p> <p><i>Officer's comment: It is noted that the front elevation of 19 Redington Gardens is approximately 46m from the side of the roof extension. Furthermore, a specific view from a property is not protected as this is not a material planning consideration. The Cor-Ten cladding and the brickwork is in keeping with the tonal palette of the Conservation Area. The brickwork is already found within the approved scheme on the ground floor. Cor-Ten panels above the first floor brickwork would create a balance of colour across the elevation similar to the more historic neighbours which are typically red/orange or yellow brick stock with red/brown roof tiles above.</i></p>					
CAAC/Local groups* comments: <small>*Please Specify</small>	<p>Redington Frogna! Neighbourhood Forum - object</p> <p>Redington Frogna! Neighbourhood Forum are concerned by the impact of an additional storey on the amenity, eg outlook, of a number of properties in the vicinity. The proposal fails to take account of the effect on the setting of original historic buildings (positive contributors) in Redington Gardens and opposite in Redington Road.</p> <p>With the addition of an extra storey, 36 Redington Road will effectively become a tall building in relation to 7 Redington Gardens. The development is already higher than many neighbouring properties and the proposed additional storey will add significantly to the bulk and the scale and proportions of the building. It will completely overwhelm 7 Redington Gardens.</p> <p>The unsympathetic bulk and massing of the development at 38 Redington Road should not be used as precedent to cause further harm to the garden</p>					

suburb character of the Conservation Area and to the Redington Road and Redington Gardens street scenes.

The many impacts arising from an additional storey are also contrary to policy SD 4 of the Redington Frogna! Neighbourhood Plan:

iii. Development should cause no significant detriment through loss of light or increased shading to neighbouring properties and gardens.

viii. Landscaping should be an integral part of the design and layout of development and should include trees and other planting using native species with a high value to biodiversity, as set out in section 6.2 Planting Guidance to Enhance Biodiversity and Conservation Area Character.

ix. Development that incorporates eaves and spaces for internal bat roosts, and the use of bird bricks and other features to support wildlife, will be particularly welcomed.

The Neighbourhood Forum requests that a daylight and sunlight assessment be provided for the impact on habitable rooms at 7 Redington Gardens. The sheer brick wall should be screened by evergreen climbing plants to enhance native biodiversity, such as native ivy (*Hedera helix*) and pyracantha (Firethorn *Pyracantha atalantioides*).

Officer's comment: The current application is identical to the previous application (2018/5694/P) which Planning Committee resolved to grant planning permission subject to a s106 legal agreement 11/07/19. For further details on why this previous application was eventually withdrawn please refer to the 'Background' section (paragraphs 1.2-1.5) below. The matters raised by the Neighbourhood Forum were assessed as part of this previous application. The size and bulk of the proposed extension is considered sympathetic to the existing building. The proposed roof extension would help to rebalance the second floor element at 38 Redington Road and would have a positive relationship with this building. The roof is not particularly prominent and the trees on the boundary of the neighbouring property (7 Redington Gardens) means it would have limited visibility in the summer months when looking north up Redington Road and when looking north from Heath Drive. This view without the tree cover would see the extension set in front of the similar height number 38 in the background. The Neighbourhood Forum draw attention to the unsympathetic bulk and massing when viewed from Redington Gardens.



It is not considered that the bulk and proportions of the roof extension (shown above) overwhelm 7 Redington Gardens. The pre-existing view without tree cover illustrates that the extension would be set in front of the similar height number 38 in the background (as shown below).



In the summer months, there would be limited visibility of the side elevation (as shown on the streetview photograph below).



Given the subject property's location in relation to surrounding properties, the proposed extension would not harm the outlook from neighbouring properties.



The proposed second floor extension would be set back by 2.1m from the rear elevation of the first floor of the building and would set back by approximately 0.9m from the corner of 7 Redington Gardens. In addition, the proposed second floor extension is to the northwest of this property (7 Redington Gardens). Given the significant set-back and relationship between the subject site and 7 Redington Gardens there would be minimal impact on the levels of sunlight reaching this property. Directly to the south and south east of the proposed second floor extension is the garden of 7 Redington Gardens. Given the set back of the proposed 2nd floor, combined with the offset position of 7 Redington Gardens, the proposed extension would be unlikely to result in any significant reductions of daylight to the habitable rooms of this property. Given the location of the proposed roof extension in relation to 7 Redington Gardens, the scale and bulk of the proposed house with extension would not appear overbearing when viewed from 7 Redington Gardens. Given the existing trees along the boundary, the garden of No 7 would remain largely secluded from the development at 36 Redington Road.

In response to the comments from the neighbourhood forum, details of landscaping including details of evergreen climbing plants to the side (south) elevation facing 7 Redington Gardens would be secured by condition. A condition requiring details of bird and bat boxes has also been included.

Site Description

The site is on the north-east side of Redington Road, a short distance to the north of Heath Drive, within the Redington-Frognaal Conservation Area. The site formerly contained a modest two-storey brick-built house dating from the post-war period, which had been built on previously undeveloped garden land as one half of a pair of semi-detached houses. The construction of the 3-storey including basement house permitted under 2015/3004/P is at an advanced stage.

The site is in sub-area 4 of the conservation area. The former house (now demolished) is not identified as making a positive contribution to the conservation area in the Conservation Area Statement. The other half of the semi-detached pair has been demolished and replaced with a larger house (38 Redington Road, immediately to the north).

Relevant History

Subject site

2018/5694/P: Variation of condition 2 (approved drawings) of planning permission 2015/3004/P dated 03/02/2017 (for erection of 3-storey including basement 4-bed house, front and rear lightwell and associated landscaping following demolition of existing dwelling), namely to allow an additional storey. Planning Committee resolved to grant planning permission subject to s106 legal agreement 11/07/19. The application was not finalised due to the Finney decision. Minutes from the committee meeting are set out below.

The Planning Officer clarified that the second floor would be set back by 1.7m and therefore condition 2 would need to be amended to reflect this in the plans. He also confirmed that only one parking space was proposed rather than the two spaces indicated at the front of the report.

After a request by Committee members, officers agreed that the additional condition in the supplementary information requiring a replacement tree could be amended to include a requirement to replant the replacement tree if it died within the first few years of the development being completed.

Answering a question, the Conservation Officer outlined that this was a rare case where adding mass to match the adjacent building would improve the character of the area as it would give balance to the buildings, which were effectively semi-detached, even if different in design.

On being put to the vote it was, with 10 votes unanimously in favour.

2015/3004/P: Erection of 3-storey including basement 4-bed house, front and rear lightwell and associated landscaping following demolition of existing dwelling. Granted Subject to a Section 106 Legal Agreement 03/02/2017

9120/88/1: The erection of 2 semi-detached houses and 2 private garages and the formation of a new means of access to the highway at Plot 2, 42 Redington Road. Granted 18/03/1955

38 Redington Road

2009/5829/P: Erection of a 3-storey single dwelling house (Class C3) with a two storey basement including green roof, green wall, swimming pool, front and rear light wells, ancillary single storey garage building and the demolition and rebuilding of a terrace of garages adjoining the site. Granted Subject to a Section 106 Legal Agreement 29/10/2010

Relevant policies

NPPF 2019

The London Plan March 2016, consolidated with alterations since 2011

Publication London Plan December 2020

Camden Local Plan 2017

Policy A1 Managing the impact of development

Policy A3 Biodiversity

Policy A5 Basements

Policy D1 Design

Policy D2 Heritage

Policy T2 Parking and car-free development

Redington and Frognal Neighbourhood Plan

The neighbourhood plan passed the independent examination in December 2020 and will now be subject to a referendum. A neighbourhood plan that has passed examination is given significant weight in decision making.

SD 1 Refurbishment Of Existing Building Stock

SD 2 Redington Frognal Conservation Area

SD 3 Car-Free Development

SD 4 Sustainable Development And Redington Frognal Character

SD 5 Dwellings: Extensions And Garden Development

BGI 2 Tree Planting And Preservation

UD 1 Underground Development

UD 2 Construction Management Plans

Camden Planning Guidance (2018/2019)

Altering and extending your home (adopted March 2019)

Design (adopted March 2019)

Amenity (adopted March 2018)

Basements (adopted March 2018)

Transport (adopted March 2019)

Redington Frognal Conservation Area Statement (Adopted January 2003)

Assessment

1. Proposal

- 1.1. The application seeks retrospective consent for the erection of a 3-storey plus basement house (following the demolition of the existing dwelling). Development has commenced on site in accordance with planning permission 2015/3004/P and construction is at an advanced stage. The roof extension has been constructed and this application seeks retrospective consent for these works.
- 1.2. Background
- 1.3. Planning permission was granted 03/02/2017 for the erection of 3-storey, including basement, 4-bed house following demolition of the existing dwelling (ref: 2015/3004/P). A subsequent s.73 application (2018/5694/P) sought to amend this permission to allow an additional storey. Planning Committee resolved to grant planning permission, subject to a s106 legal agreement, in July 2019. However, the officers were unable to issue the decision and legal agreement due to the *Finney v Welsh Ministers* [2019] Court of Appeal decision.
- 1.4. The Court of Appeal decision concluded that it is no longer lawful to use applications under s.73 of the Town and Country Planning 1990 (as amended) ('TCPA') to change the description of development on a planning permission. It clarifies that the locus of s.73 applications should only relate to the conditions attached to a planning permission and cannot extend to alter the description of development.
- 1.5. Given this, the application to add an additional storey (2018/5694/P) was formally withdrawn 05/10/2020 and the current application was submitted to regularise the additional storey.

2. Assessment

- 2.1. The current application is identical to the withdrawn application which committee resolved to grant 11/07/19. Redington and Frognal Neighbourhood Plan passed the independent examination in December 2020 and is therefore given significant weight. The roof extension is considered to accord with the relevant policies in the Neighbourhood Plan. The Publication London Plan December 2020 is also a material consideration. Otherwise, the Development Plan remains unchanged from when the previous application was accessed and there are no material considerations which would result in a different planning assessment from that previously made. The committee report, presented to committee 11/07/19 for the application later withdrawn, is attached as an appendix to this report. This sets out the assessment of all the relevant matters: design (including impact on the conservation area); amenity; basement; and transport. The appendix also includes the supplementary information presented to committee in the Supplementary Agenda. The following additional points are made.

2.2. Transport

- 2.3. The proposed development would normally be subject to a Construction Impact Bond but as this is a retrospective application, this would no longer be relevant. Only one parking space is proposed rather than the two spaces indicated at the front of the attached committee report. A CMP implementation support contribution was negotiated as part of the previous withdrawn application (2018/5694/P). It is still considered appropriate to secure this contribution to support the review and approval of the CMP and its ongoing monitoring. The CMP implementation support contribution would be £3,136.

2.4. Biodiversity

2.5. Policy A3 seeks to enhance nature conservation. Likewise Policy SD4 of the Redington Froggnal Neighbourhood Plan encourages development that incorporates spaces for bat roosts, and the use of bird bricks and other features to support wildlife. Given this, details of bird and bat boxes will be secured by condition.

2.6. Landscaping

2.7. A concern has been raised by the Neighbourhood Forum in relation to the side elevation facing 7 Redington Gardens. They have suggested that this elevation should be screened by evergreen climbing plants to enhance native biodiversity. The applicant has agreed to this suggestion and details of the evergreen planting would be secured by condition.

2.8. Planning Obligations

2.9. The original application (2015/3004/P) was subject to a legal agreement securing the following heads of terms:

- Construction Management Plan
- Sustainability
- Energy efficiency plan
- Highways Contribution £2000
- Approval in principle £1800
- Basement Construction Plan

2.10. A legal agreement would therefore be required to ensure these obligations would continue to be secured. In addition a CMP implementation support contribution (£3,136) would be secured as an additional head of terms.

2.11. Conclusion

2.12. Grant conditional planning permission subject to a s106 legal agreement

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members' Briefing panel on Monday 1st February 2020, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Appendix

Officer's committee report for planning
application ref: 2018/5694/P

&

Supplementary agenda for Planning
Committee 11th July 2019

Address:	36 Redington Road London NW3 7RT		3
Application Number:	2018/5694/P	Officer: David Peres Da Costa	
Ward:	Frognal & Fitzjohns		
Date Received:	19/11/2018		
Proposal: Variation of condition 2 (approved drawings) of planning permission 2015/3004/P dated 03/02/2017 (for erection of 3-storey including basement 4-bed house, front and rear lightwell and associated landscaping following demolition of existing dwelling), namely to allow an additional storey.			
Background Papers, Supporting Documents and Drawing Numbers: Superseded: 1048 (10): 02 D; 03 E; 04 C; 05 C; 06 C; 07 C; 08 C; 09 F; 10 E; Revised: 1048 (10): 01 B; 02 G; 03 H; 04 H; 05 F; 06 G; 07 F; 08 G; 09 J; 10 H; Energy & Sustainability Statement prepared by Irvineering Ltd dated 21 December 2018; Design & Access Statement prepared by Archetype dated December 2018; Design Response by Archetype to planning comments			
RECOMMENDATION SUMMARY: Grant conditional planning permission subject to a Section106 legal agreement			
Applicant: Ahmad Zolfaghari		Agent: Archetype Associates Ltd	
7/8 Regency Parade London NW3 5EG		Office 8 121 Gloucester Place London W1U 6JY	

ANALYSIS INFORMATION

1 Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	C3	<i>Dwellinghouses</i>	190m ²
As Approved	C3	<i>Dwellinghouses</i>	385m ²
As Proposed	C3	<i>Dwellinghouses</i>	434.1m ²

1 Residential Use Details:										
	Residential Type	No. of Bedrooms per Unit								
		1	2	3	4	5	6	7	8	9+
Existing	<i>House</i>				1					
As Approved	<i>House</i>				1					
As Proposed	<i>House</i>					1				

Parking Details:

	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	2	
As Approved	2	
As Proposed	2	

OFFICERS' REPORT

Reason for Referral to Committee: **The Director of Regeneration and Planning has referred the application for consideration after briefing members.**

1. SITE

- 1.1. The site is on the north-east side of Redington Road, a short distance to the north of Heath Drive, within the Redington-Frognaal Conservation Area. The site formerly contained a modest two-storey brick-built house dating from the post-war period, which had been built on previously undeveloped garden land as one half of a pair of semi-detached houses.
- 1.2. The site is in sub-area 4 of the conservation area. The former house (now demolished) is not identified as making a positive contribution to the conservation area in the Conservation Area Statement. The other half of the semi-detached pair has been demolished and replaced with a larger house (38 Redington Road, immediately to the north).

2. THE PROPOSAL

Original

- 2.1. Consent is sought for an additional storey to provide an additional bedroom with bathroom and dressing room to the 2 storey building plus basement approved 03/02/2017 (ref: 2015/3004/P). The additional storey would be set in from the parapet on all sides and would be clad in Cor-Ten panels with 40mm shadow gaps. At the rear, a sun room would be provided within the envelope provided by the Cor-Ten cladding. The cladding in the rear elevation would have a horizontal cut-out to allow daylight and sunlight to reach the proposed sun room. In all other respects, the approved scheme would remain unchanged.

Revisions

- 2.2. Following officer's comments the material of the cladding was revised from translucent rainscreen cladding to Cor-Ten. In addition, the extension was pulled away from the boundary with 38 Redington Road so that there would be a 1m gap between the extension and the side boundary. This gap was increase further (to 2.56m) following members' briefing. The staircase projection was revised so that it would be finished in full height glazing. The staircase projection was also revised following members' briefing so that it would be 1.2m from the side boundary.

3. RELEVANT HISTORY

- 3.1. Subject site

- 3.2. **2015/3004/P**: Erection of 3-storey including basement 4-bed house, front and rear lightwell and associated landscaping following demolition of existing dwelling. Granted Subject to a Section 106 Legal Agreement 03/02/2017
- 3.3. **9120/88/1**: The erection of 2 semi-detached houses and 2 private garages and the formation of a new means of access to the highway at Plot 2, 42 Redington Road. Granted 18/03/1955
- 3.4. 38 Redington Road
- 3.5. **2009/5829/P**: Erection of a 3-storey single dwelling house (Class C3) with a two storey basement including green roof, green wall, swimming pool, front and rear light wells, ancillary single storey garage building and the demolition and rebuilding of a terrace of garages adjoining the site. Granted Subject to a Section 106 Legal Agreement 29/10/2010

4. CONSULTATIONS

Conservation Area Advisory Committee

- 4.1. Hampstead CAAC - Comment
- 4.2. HCAAC has reconsidered its view on this application and wishes to comment on the proposal to ensure maximum compatibility with the materials and tone of the locality.
- 4.3. The proposed site plan is sketchy, no accurate information on trees nor on other landscaping. This should be remedied with a fuller submission.
- 4.4. The current proposal is an improvement on the scheme consented in 2017 under 2015/3004/P which was to an additionally over-developed new south building with strange pitched and mansard roofs. The pre-existing south side building was a natural small house design maintaining the forms of that immediate locality with the same roof ridge height.
- 4.5. No.36 original new building stands as an example of what the locality should not permit in development – excessive building mass, lack of landscaping, over-provision of hardstanding. The design statement's south building rear garden photo shows exactly what might not have been permitted with the taller buildings seriously dominating the smaller, out of scale and unsympathetic, offering a sheer industrialised envelope. All elements seen in that photo underline people's understandably visceral objection to much new development. It shows the danger of allowing architects to follow the fashion of their fellows in over-dramatising the likely outcome of their clients' briefs. It also shows the unfortunate consequence of over-emphasis in conservation area appraisals of only the street view.
- 4.6. The 2017 consent threatened excessive massing relative to no. 7 Redington Gardens. There is some relief in that the current proposal, even with the additional

storey, is a slightly lesser profile compared with the consented scheme. The new height and setbacks should be retained as the maximum allowable.

- 4.7. The lightweight top floor cladding is referred to as 'rainscreen' then as polycarbonate cladding. We caution the use of polycarbonate – Lexan FR should be the minimum standard. P/c has reportedly nil flame-spread rating but it is said that that can be compromised if any heat/fire source is applied to the sheeting.' notwithstanding that the sheeting is stated elsewhere as not in itself to propagate flame. In planning terms, polycarbonate might not be regarded as a permanent material, but it is held to be superior to glass particularly as to impact resistance and even clarity. The focus on this scheme would appear to be on the proposed structural framing. More detail should be offered and the previous S106A be modified to ensure exact definition of the materials to be used. The tone/colour of the proposed cladding should be neither too light nor too dark and the cladding should be designed to avoid excessive sunlight reflection to neighbouring properties.

Local Groups

- 4.8. Redington Frogna! Neighbourhood Forum - Object
- 4.9. The consent already granted for 36 Redington Road completely disregards all the Conservation Area Guidelines and, without an extra storey, is of excessive bulk and scale in relation to the plot.
- 4.10. The addition of an extra storey would create a four-storey terrace with number 38 and block views from the street of the trees behind. Buildings of such bulk, massing and lack of detail are entirely inappropriate for the Conservation Area. Furthermore, the impact of such an extension on 7 Redington Gardens is contrary to Camden's recent CPG Altering and Extending Your Home. The scale and bulk would also be overbearing in relation to 7 Redington Gardens and would reduce the afternoon sunlight and daylight to habitable rooms there. We note that a daylight and sunlight assessment has not been provided.
- 4.11. The Heath & Hampstead Society – Object
- 4.12. Not being satisfied with the permission obtained for a large house on a small site in 2015 the applicants now wish to over-develop the site.
- 4.13. The extra floor will create overlooking, and lack of privacy to No. 7 Redington Gardens in particular.
- 4.14. The design quality is not sufficient for this Conservation Area and the excessive use of glass will create light pollution and serious disturbance to the very important adjacent Green Corridor.
- 4.15. Too large and detracts from the Conservation Area. Please refuse.
- 4.16. Adjoining Occupiers

- 4.17. A site notice was displayed from 25/01/2019 to 18/02/2019 and the application was advertised in the local paper on 24/01/2019 (expiring 17/02/2019).

<i>Total number of responses received</i>	2
<i>Number in support</i>	0
<i>Number of objections</i>	2

- 4.18. Two objections were received from the occupiers of 5A Templewood Avenue and 7 Redington Gardens. The following issues were raised:

4.19. Design and impact on conservation area

- 4.20. Proposed design looks awful and inappropriate. In combination with No 38 it creates a massive total development which is inappropriate in the context of Redington Road and unacceptable in relation to the character of the conservation area. Most of the other houses in Redington Road, while being substantial three storey buildings, are lightened by fully pitched roofs above the first floor level, with dormer windows on the second floor set well back in the roof. There are also gaps between the houses which allow views of trees and create an impression of openness which is a feature of the conservation area. They also have much more variation – bay windows, decorative brickwork, recessed front doors etc. However with an increase in the height of No 36 it would, with No 38 present a solid block which is more typical of a heavily built-up inner city area than the leafy RedFrog area which is characterised by large amounts of open space. Overdevelopment.

- 4.21. Camden also say that poorly designed historic examples nearby should not stand as precedents. This is clearly a rebuttal of the argument put forward by the developer justifying the height of the extra storey that it is no higher than no. 38.

4.22. Amenity

- 4.23. Addition of another storey to the already excessive bulk of the proposed new house would have a particularly overbearing effect on 7 Redington Gardens next door. The planning consent for 24 Redington Gardens (on the other side of it) would leave No 7 hemmed in by much larger houses where it had formerly been part of a much more modest street scape of two storey houses. It would particularly impact the garden of No 7 which is currently secluded from 36 Redington Road.

- 4.24. May interfere with our (7 Redington Gardens) sunlight (especially in the afternoons) and with the access of daylight to the living rooms on that side of the house.

4.25. Justification

- 4.26. The applicant state that the reason for adding a storey is 'in order to make the project financially viable'. That is not a good reason for poor planning.

4.27. BIA

- 4.28. The Basement Impact Assessment in the new application is a re-presentation of the report dated 2015 which accompanied the earlier one. However the Council's policy on basements has changed since then. Policy A5 states that Basement Impact Assessments "need to demonstrate that proposals for basements...avoid cumulative impacts"
- 4.29. There is a double height basement beneath No38 and there is consent for large basements beneath 24, 25 and 26 Redington Gardens. The present application takes no account of these developments. Even though there is an existing consent for a basement beneath No 36, the new application should be considered as a whole and it would be wrong for permission to be granted for a new application that fails to meet an important policy.
- 4.30. The application is for a new permission for the whole development not just for a variation of the existing permission and the Council should consider all relevant aspects of the development anew, and not only the differences. The aspects which give us most concern are those which may result in damage to our property, primarily the impact of the basement and the enhanced flood risk resulting from the interference with the normal flow of water. There have been a number of basements constructed or planned nearby in the last few years and the effect of the accumulation of basements has not in our view been sufficiently explored and warrants further investigation.

5. STATUTORY PROVISIONS

- 5.1. The statutory provisions principally relevant to the determination of these applications are:
- Section 38(6) of the Planning and Compulsory Purchase Act 2004
 - Sections 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Listed Buildings Act").
- 5.2. Section 72(1) of the Listed Buildings Act requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area when considering applications relating to land or buildings within that Area.
- 5.3. The effect of this section of the Listed Buildings Act is that there is a statutory presumption in favour of the preservation of the character and appearance of Conservation Areas. Considerable importance and weight should be attached to their preservation. A proposal which would cause harm should only be permitted where there are strong countervailing planning considerations which are sufficiently powerful to outweigh the presumption. The NPPF provides guidance on the weight that should be accorded to such harm and in what circumstances such harm might be justified (paras193-202).

6. POLICIES

- 6.1. ***National and regional policy***
NPPF 2012

The London Plan March 2016, consolidated with alterations since 2011
Draft New London Plan showing Minor Suggested Changes (Aug 2018)

6.2. Camden Local Plan 2017

Policy A1 Managing the impact of development
Policy A5 Basements
Policy D1 Design
Policy D2 Heritage
Policy T2 Parking and car-free development

6.3. Redington and Frognal Neighbourhood Plan

The Neighbourhood Forum carried out formal consultation on a Draft Plan in Spring 2017, so the plan is a material consideration in decision making. The plan is expected to be submitted for examination later this year. Content of the emerging plan is a material consideration when making decisions in the area but the weight is currently limited.

6.4. Supplementary Planning Policies

Redington Frognal Conservation Area Statement (Adopted January 2003)

Camden Planning Guidance

Altering and extending your home (adopted March 2019)
Design (adopted March 2019)
Amenity (adopted March 2018)
Basements (adopted March 2018)
Transport (adopted March 2019)

7. ASSESSMENT

7.1. Planning permission was granted 03/02/2017 for the erection of 3-storey including basement 4-bed house following demolition of existing dwelling (ref: 2015/3004/P). The current application seeks to amend this permission by allowing an additional storey. Apart from the additional storey, the original scheme would remain unchanged.

7.2. The NPPG states “in deciding an application under section 73, the local planning authority must only consider the disputed condition/s that are the subject of the application – it is not a complete re-consideration of the application”. It also states local planning authorities should, in making their decisions, focus their attention on national and development plan policies, and other material considerations which may have changed significantly since the original grant of permission.

7.3. The main issues in the assessment would be design (including impact on conservation area); amenity; basement; and transport. The application would not trigger a requirement for affordable housing as it would not create an additional home.

7.4. Design

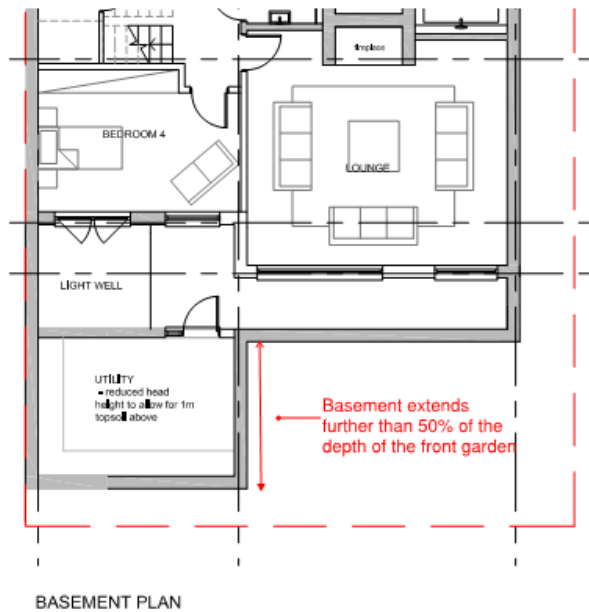
- 7.5. Camden Planning Guidance 'Altering and extending your home' states additional storeys are likely to be acceptable where there is an established form of roof addition or alteration to a terrace or group of similar buildings and where continuing the pattern of development would help to re-unite a group of buildings and townscape.
- 7.6. The roof extension would be set in by 1.9m at the rear; 1m on the south side (facing 7 Redington Gardens) and 2.56m on the north side (facing 38 Redington Road); and between 0.8m and 2m at the front. As the height of the approved parapet varies, the extension would project 2.2m above the parapet adjacent to 38 Redington Road and 1.65m above the parapet above the southern part of the building. The size and bulk of the proposed extension is considered sympathetic to the existing building. As the extension is set in by 2.56m from the boundary with 38 Redington Road, this would allow views between the adjoining buildings. Following officer's comments the staircase projection would be clad in glass to create a lightweight appearance along the party wall with 38 Redington Road and to enhance the separation between the adjoining buildings. The staircase projection has been revised and would be set in by 1.14m from the boundary with 38 Redington Road. The proposed roof extension would help to balance the second floor element at 38 Redington Road and would have a positive relationship with this building. The proposal would provide an opportunity to mellow the visual impact of No.38 within the streetscape and create a more natural unity between the contemporary intervention and the wider historical context. As a result, the proposed second floor extension is considered to preserve the character and appearance of the conservation area.
- 7.7. The Redington Frogal Conservation Area Statement includes the following guidance on roof extensions:
- 7.8. *Because alterations to the roofscape can adversely affect the character of the Conservation Area, roof extensions are unlikely to be acceptable where;*
- *It would be detrimental to the form and character of the existing building;*
 - *The property forms part of a group or terrace which remains largely but not necessarily completed, unimpaired;*
 - *The property forms part of a symmetrical composition, the balance of which would be upset ;*
 - *The roof is prominent, particularly in long views*
 - *The building is higher than many of its surrounding neighbours. Any further roof extensions are therefore unlikely to be unacceptably prominent.*
- 7.9. In this case, the roof extension would not be detrimental to the form and character of the building and would not unbalance a symmetrical composition (rather it is the reverse; the roof extension would balance the neighbouring property's existing 2nd floor). The roof is not particularly prominent and the trees on the boundary of the neighbouring property (7 Redginton Gardens) means it would have limited visibility in the summer months when looking north up Redington Road and when looking north from Heath Drive. This view without the tree cover would see the extension set in front of the similar height number 38 in the background. The 3 storey neighbouring property (38 Redington Road) would screen the proposed roof

extension when looking south down Redington Road. The application building is also lower than its immediate neighbour.

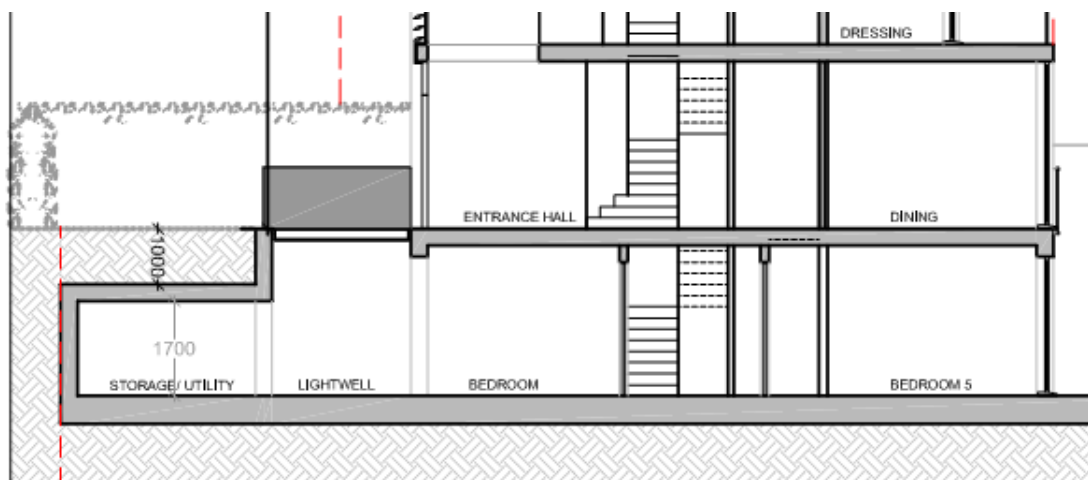
- 7.10. The Redington Froggnal Conservation Area Statement (RFCAS) also includes guidance on 'new development' as set out below:
- 7.11. *RF18: New development should be seen as an opportunity to enhance the Conservation Area. It should respect the existing built form and historic context of the area, local views, building lines, roof lines, elevational design and where appropriate, architectural characteristics, detailing, profile and materials of adjoining buildings.*
- 7.12. *RF19: The Redington / Froggnal Conservation Area has a variety of building types, ages and styles. In the past new development has not always been respectful of that context. There are, however, striking examples of modern architecture and design present in the Conservation Area. Modern architectural design should not be resisted per se, but it should respect and reflect its context. Applicants will be required to demonstrate that their proposal respects and reflects the context in terms of scale, height, massing and relationship to the street.*
- 7.13. The scheme was revised to replace the polycarbonate external cladding with Cor-Ten. This material is more familiar to the tonal palette of the Conservation Area and is already found within the approved scheme on the ground floor elevation and thus would sit naturally within the overall design. Cor-Ten panels above the first floor brickwork would create a balance of colour across the elevation similar to the more historic neighbours which are typically red/orange or yellow brick stock with red/brown roof tiles above. Whilst the material itself is different, the Cor-Ten upper storey would create a visual consistency across the overall street scene which is sympathetic to the Conservation Area. Therefore, the design seeks to respect and reflect its context as set by policy RF19 of the RFCAS. A sample of the Cor-Ten would be secured by condition to ensure the colour and tone is acceptable (Condition 3b). The drawings show laser-cut detailing on the projected bay. The architect is seeking to introduce a laser cut pattern which is inspired by nature. In order to ensure the details of the laser cut pattern are acceptable, further details of this would be secured by condition (Condition 3d).
- 7.14. **Quality of residential accommodation**
- 7.15. The development would provide a generously sized 5-bedroom house. The house would comfortably exceed the National Space Standards.
- 7.16. **Amenity**
- 7.17. The roof extension would be clad in an outer skin of Cor-Ten with laser cut detailing to allow light through to the second floor room at the front. The Cor-Ten screen would prevent any harmful overlooking and so there would be no loss of privacy to

neighbouring occupiers in the properties on the other side of Redington Road or 7 Redington Gardens.

- 7.18. The proposed second floor extension would be set back by 2.1m from the rear elevation of the first floor of the building and would set back by approximately 0.9m from the corner of 7 Redington Gardens. In addition, the proposed second floor extension is to the northwest of this property (7 Redington Gardens). Given the significant set-back and relationship between the subject site and 7 Redington Gardens there would be minimal impact on the levels of sunlight reaching this property. Directly to the south and south east of the proposed second floor extension is the garden of 7 Redington Gardens. Given the set back of the proposed 2nd floor, combined with the offset position of 7 Redington Gardens, the proposed extension would be unlikely to result in any significant reductions of daylight to the habitable rooms of this property. Given the location of the proposed roof extension in relation to 7 Redington Gardens, the scale and bulk of the proposed house with extension would not appear overbearing when viewed from 7 Redington Gardens.
- 7.19. It is noted that there are a number of mature trees along the rear boundary of 7 Redington Gardens, including 2 lime trees with a height of approximately 17m. The screening provided by the existing trees along the boundary would result in the proposed extension having minimal impact on the occupiers of 7 Redington Gardens. Given the existing trees along the boundary, the garden of No 7 would remain largely secluded from the development at 36 Redington Road.
- 7.20. **Basement**
- 7.21. A number of concerns have been raised regarding the basement. This was approved as part of the original application. The original application included the requirement for a basement construction plan (BCP) which was secured by legal agreement. The BCP and other heads of terms would be also be secured via a deed of variation should planning permission be granted. The BCP included a specific requirement to incorporate the provision of a granular drainage blanket below and/ or trench around the basement to mitigate any identified cumulative impact risk. Therefore the cumulative impacts of nearby basements would be taken into account.
- 7.22. Since the application was originally granted, the Local Development Framework has been replaced by the Local Plan. The current application does not propose any changes to the approved basement. Nevertheless, it is considered that the proposed basement would generally accord with the requirements of Policy A5 and would not harm the built and natural environment. The only size requirements the approved basement would not comply with are A5(k) (not extend into or underneath the garden further than 50% of the depth of the garden). The approved basement would not extend underneath the garden further than 50% of the depth of the rear garden but part of the basement (providing a utility room) would extend further than 50% of the depth of the front garden, although only for part of the width of the basement.



7.23. Practically, the applicant could implement the current permission (ref: 2015/3004/P) then apply for permission to extend the development to add a further storey without then need to make alterations to the basement (as this development would be treated as a householder extension). Notwithstanding this, a condition is included to require details of sustainable drainage (Condition 7) and a 1m deep substrate has been approved over the basement.



7.24. Therefore, in this particular instance, it is considered that the purpose of policy A5(k) is achieved through a subordinate basement with adequate drainage and support for a garden and vegetation.

7.25. Transport

7.26. The approved scheme included one car parking space at the front of the property. The current application does not propose any changes to the approved ground floor plan. The original permission was not secured as car capped (restricting the ability of occupiers to obtain parking permits) as this was not required under the policies in the Local Development Framework. The officer's report for the original application notes the following: *The site has the worst Public Transport Accessibility Level*

(Level 0) and the CPZ does not suffer from parking stress. Given the absence of parking stress, it would not be appropriate to secure a car-capped development in this instance.

7.27. The Local Plan includes Policy T2 which requires all new development in the borough to be car-free. This is not a new development but an amendment to a previously approved scheme. No new residential units are proposed, rather, a bedroom would be introduced. In redevelopment schemes, the Council will consider retaining or re-providing existing parking provision where it can be demonstrated that the existing occupiers are to return to the address when the development is completed. It is clear from the wording of Policy T2, that this policy is not intended to impact on rights that already exist. The original permission, including the lack of an obligation securing the property as car free, is a material consideration in the current application. Moreover, the current application does not create a new dwelling but rather seeks approval to modify the approved drawings to allow a second floor roof extension. Practically, the applicant could implement the current permission (ref: 2015/3004/P) then apply for permission to extend the development to add a further storey without then need to make the development car free (as this development would be treated as a householder extension). Therefore in this particular instance, it is not considered reasonable to require the development to be car free.

7.28. CMP

7.29. The original decision granted 03/02/2017 was subject to a legal agreement which secured a CMP. As the original application was considered by Planning Committee in May 2016 this was before CMP implementation support contributions had been introduced. As the construction impacts have increased, it would be reasonable to secure a CMP implementation support contribution to support the review and approval of the CMP and its ongoing monitoring. The CMP implementation support contribution would be £3,136. This would be an additional planning obligation.

7.30. **Trees**

7.31. The application would not involve the removal of any trees. As with the previous application a tree protection condition would be included (Condition 6). This condition would require a mitigation strategy for T5 and further investigation at the front of the site to identify any tree roots of T9 within the basement footprint (as per the previous permission).

7.32. **PLANNING OBLIGATIONS**

7.33. The original application was subject to a legal agreement securing the following heads of terms:

- Construction Management Plan
- Sustainability
- Energy efficiency plan
- Highways Contribution £2000
- Approval in principle £1800
- Basement Construction Plan

7.34. A deed of variation would therefore be required to ensure these obligations would continue to be secured. As noted above a CMP implementation support contribution (£3,136) would be secured as an additional head of terms.

7.35. **CIL**

7.36. Mayor of London's Crossrail CIL and Camden's CIL

7.37. The approved house is liable for both the Mayor of London's CIL and Camden's CIL as the development involved the creation of a new dwelling. As the roof extension would increase the floorspace, this would result in a higher CIL payment. The CIL would be calculated on the uplift in floorspace (282.1sqm). The CIL will be collected by Camden and an informative will be attached advising the applicant of the CIL requirement.

8. CONCLUSION

8.1. The proposed roof extension would help to balance the second floor element at 38 Redington Road and would have a positive relationship with this building. As the extension is set in by 2.56m with 38 Redington Road, this would allow views between the adjoining buildings. As a result the proposed second floor extension is considered to preserve the character and appearance of the conservation area.

8.2. The proposed second floor extension is to the north west of 7 Redington Gardens so there would be minimal impact on the levels of sunlight reaching this property. Directly to the south and east of the proposed second floor extension is the garden of 7 Redington Gardens so the proposed extension would not result in any reduction of daylight to the habitable rooms of this property. Given the location of the proposed roof extension in relation to 7 Redington Gardens, the scale and bulk of the proposed house with extension would not appear overbearing when viewed from 7 Redington Gardens.

9. RECOMMENDATION

9.1. Grant conditional planning permission subject to a section 106 Legal Agreement (Deed of Variation). The Deed of Variation would secure the following heads of terms (HoT):

- Construction Management Plan and CMP implementation support contribution of (£3,136) (additional HoT)
- Sustainability
- Energy efficiency plan
- Highways Contribution £2000
- Approval in principle £1800
- Basement Construction Plan

10. LEGAL COMMENTS

10.1. Members are referred to the note from the Legal Division at the start of the Agenda.

Conditions:

- 1 The development hereby permitted must be begun not later than the end of three years from the date of the original planning permission ref 2015/3004/P dated 3 February 2017.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 (REPLACEMENT CONDITION 2)

The development hereby permitted shall be carried out in accordance with the following approved plans:

1048(10): 01 B; 02 G; 03 H; 04 H; 05 F; 06 G; 07 F; 08 G; 09 J; 10 H
1048 (00): 04; 03; 05

Addendum to Arboricultural Impact Assessment prepared by Landmark Trees dated 13th April 2016; Flood Risk Assessment dated March 2016; Letter from Zussman Bear dated 17th Dec 2015; Structural Engineering Report prepared by Zussman Bear dated May 2015; Letter from Southern Testing dated 8th Oct 2015; BIA prepared by Southern Testing dated May 2015; Arboricultural Impact Assessment prepared by Landmark Trees dated 27th May 2015; Design and Access Statement prepared by Archetype dated April 2015; Code for Sustainable Homes Pre-Assessment dated Nov 2010; Construction Method Statement dated May 2015; Planning Statement prepared by PDA; Energy & Sustainability Statement prepared by Irvineering Ltd dated 21 December 2018; Design & Access Statement prepared by Archetype dated December 2018; Design Response by Archetype to planning comments

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 *Detailed design information*

Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

a) Details including sections at 1:10 of all windows (including jambs, head and cill), external doors and gates;

b) Manufacturer's specification details of all facing materials including windows and door frames and cladding (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site) with a sample panel of not less than 1m by 1m demonstrating, the proposed colour, texture, face-bond and pointing of brickwork.

c) Details including sections and elevation drawings of boundary treatment and

balustrades / railings around lightwells.

d) Details of the laser cut pattern in the cladding including elevation at 1:10

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

4 *Part M4 compliance*

The dwelling hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (2).

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy H6 of the London Borough of Camden Local Plan 2017.

5 *Details of cycle storage*

Before the development commences, details of secure and covered cycle storage area for 2 cycles shall be submitted to and approved by the local planning authority. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

6 *Details of tree protection and retention*

Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the Council in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". These details should include a mitigation strategy for T5 and further investigation at the front of the site to identify any tree roots of T9 within the basement footprint.

All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the London Borough of Camden Local Plan 2017.

7 *Sustainable urban drainage*

A) Prior to commencement of development details of a sustainable urban drainage system shall be submitted to and approved in writing by the local planning authority. Such system shall be designed to accommodate all storms up to and including a 1:100 year storm with a 40% provision for climate change, and shall demonstrate that greenfield run off rates (5l/s) will be achieved.

B) Prior to occupation of the development, evidence that the sustainable drainage system has been implemented shall be submitted to the Local Authority and approved in writing. The systems shall thereafter be retained and maintained in accordance with the approved maintenance plan.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with policies CC1, CC2 and CC3 of the London Borough of Camden Local Plan 2017.

8 *Piling method statement*

No impact piling until a piling method statement, prepared in consultation with Thames Water or the relevant statutory undertaker, detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works, has been submitted to and approved in writing by the local planning authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: To safeguard existing below ground public utility infrastructure and controlled waters in accordance with the requirements of policy CC3 of the London Borough of Camden Local Plan 2017.

9 *Remove permitted development rights*

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any Order revoking and re-enacting that Order, no development within Part 1 (Classes A-H) [and Part 2 (Classes A-C)] of Schedule 2 of that Order shall be carried out without the grant of planning permission having first been obtained from the local planning authority.

Reason: To safeguard the visual amenity of the area and to prevent over development of the site by controlling proposed extensions and alterations in order to ensure compliance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

10 *No use of roofs as terraces*

Other than where explicitly marked on the plans, no roof on the building shall be used as a roof terrace, balcony, sun terrace, sitting out area, or other amenity space.

Reason: To protect the amenity of adjoining occupiers and the area in accordance with policy A1 of the London Borough of Camden Local Plan 2017.

Informatives:

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 4 You are reminded of the need to provide adequate space for internal and external storage for waste and recyclables. For further information contact Council's Environment Services (Waste) on 020 7974 6914/5 or see the website <http://www.camden.gov.uk/ccm/content/environment/waste-and-recycling/twocolumn/new-recycling-rubbish-and-reuse-guide.en>.
- 5 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.

Supplementary Information for Planning Committee

11th July 2019

Agenda Item: 7(3)
Application Numbers: 2018/5694/P
Address: 36 Redington Road, NW3 7RT

The following alterations are required.

Amend and add the wording in **BOLD** to paragraphs 2.1, 7.1, 7.13 and 7.31 of the officer's committee report. Add Condition 10 (replacement tree) to the decision notice.

- 2.1 Consent is sought for an additional storey to provide an additional bedroom with bathroom and dressing room to the 2 storey building plus basement approved 03/02/2017 (ref: 2015/3004/P). The additional storey would be set in from the parapet on all sides and would be clad in Cor-Ten panels with 40mm shadow gaps. At the rear, a sun room would be provided within the envelope provided by the Cor-Ten cladding. The cladding in the rear elevation would have a horizontal cut-out to allow daylight and sunlight to reach the proposed sun room. ~~In all other respects, the approved scheme would remain unchanged.~~ **In addition, the following changes are proposed:**
- **The brickwork to part of the front elevation at ground floor level, would be replaced by Cor-Ten cladding to match the remainder of the ground floor;**
 - **Balustrades (aluminium horizontal railing) to two front windows at first floor level;**
 - **Folded Cor-Ten sheet band between ground and first floor of front elevation;**
 - **Addition of door to side elevation at ground floor level**
- 7.1 Planning permission was granted 03/02/2017 for the erection of 3-storey including basement 4-bed house following demolition of existing dwelling (ref: 2015/3004/P). The current application seeks to amend this permission by allowing an additional storey. Apart from the additional storey, ~~the original scheme would remain unchanged~~ **there are design changes to both the front elevation (replacement of brickwork with Cor-Ten cladding at ground floor level and addition of balustrades to first floor windows) and side elevation (addition of door at ground floor level).**

- 7.13 The scheme was revised to replace the polycarbonate external cladding with CorTen. This material is more familiar to the tonal palette of the Conservation Area and is already found within the approved scheme on the ground floor elevation and thus would sit naturally within the overall design. Cor-Ten panels above the first floor brickwork would create a balance of colour across the elevation similar to the more historic neighbours which are typically red/orange or yellow brick stock with red/brown roof tiles above. Whilst the material itself is different, the Cor-Ten upper storey would create a visual consistency across the overall street scene which is sympathetic to the Conservation Area. Therefore, the design seeks to respect and reflect its context as set by policy RF19 of the RFCAS. A sample of the Cor-Ten would be secured by condition to ensure the colour and tone is acceptable (Condition 3b). The drawings show laser-cut detailing on the projected bay. The architect is seeking to introduce a laser cut pattern which is inspired by nature. In order to ensure the details of the laser cut pattern are acceptable, further details of this would be secured by condition (Condition 3d). **The other changes to the front elevation (replacement of brickwork with Cor-Ten cladding at ground floor level and addition of balustrades to first floor windows) are considered minor and would enhance the appearance of the approved development. The inclusion of CorTen cladding to run the entirety of the ground floor (rather than part brick and part Cor-Ten) would improve the delineation of the massing and differentiate it from the brick finish of No. 38 Redington road (the other half of the semi-detached pair). The additional door to the side elevation from the kitchen would aid ease of access to the bin store.**
- 7.31 ~~The application would not involve the removal of any trees. It was reported in the officer's committee report for the previous application (ref: 2015/3004/P) that the Cherry Tree at the front of the site would be retained. However, the applicant has confirmed that this tree has been removed. We would not have objected to the Cherry tree's removal as it was a category C tree and had early stage canker. A tree replacement condition would be recommended to ensure that a tree of equal amenity value would be planted. The applicant has agreed that the replacement tree would be to the front of the site to maximize benefits to the streetscape and conservation area. As with the previous application a tree protection condition would be included (Condition 6). This condition would require a mitigation strategy for T5 and further investigation at the front of the site to identify any tree roots of T9 within the basement footprint (as per the previous permission).~~

Add the following condition to the decision notice:

Condition 10 (replacement tree)

Prior to the end of the next available planting season, replacement tree planting (for one tree) shall be carried out in accordance with details of replanting species, position, date and size, where applicable, that have first been submitted to and approved by the local planning authority in writing.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area, in accordance with the requirements of policies A2, A3, D1 and D2 of the London Borough of Camden Local Plan 2017.

Application ref: 2020/4520/P
Contact:
Tel: 020 7974
Date: 26 January 2021

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

Archetype Associates Ltd
Office 8
121 Gloucester Place
London
W1U 6JY

Dear Sir/Madam

DRAFT
FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION
Town and Country Planning Act 1990 (as amended)

DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Address:
36 Redington Road
London
NW3 7RT

Proposal:
Erection of 3-storey plus basement house, front and rear lightwell and associated landscaping following demolition of existing dwelling (part-retrospective).

Drawing Nos: 1048(10): 01 C; 02 G; 03 H; 04 H; 05 F; 06 G; 07 H; 08 G; 09 J; 10 I
1048 (00): 01 A; 04 A; 03 A; 05 A

Energy & Sustainability Statement prepared by Irvineering Ltd dated 21 December 2018;
Design & Access Statement prepared by Archetype dated December 2018

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 Approved plans

The development hereby permitted shall be carried out in accordance with the following approved plans:

1048(10): 01 C; 02 G; 03 H; 04 H; 05 F; 06 G; 07 H; 08 G; 09 J; 10 I
1048 (00): 01 A; 04 A; 03 A; 05 A

Energy & Sustainability Statement prepared by Irvineering Ltd dated 21 December 2018; Design & Access Statement prepared by Archetype dated December 2018

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 Detailed design information

Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

a) Details including sections at 1:10 of all windows (including jambs, head and cill), external doors and gates;

b) Manufacturer's specification details of all facing materials including windows and door frames and cladding (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site) with a sample panel of not less than 1m by 1m demonstrating, the proposed colour, texture, face-bond and pointing of brickwork.

c) Details including sections and elevation drawings of boundary treatment and balustrades / railings around lightwells.

d) Details of the laser cut pattern in the cladding including elevation at 1:10

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

4 Part M4 compliance

The dwelling hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (2).

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy H6 of the London Borough of Camden Local Plan 2017.

5 Cycle storage

The secure and covered cycle storage area for 2 cycles shall be provided in accordance with the details approved under ref: 2019/2736/P dated 11/09/2019 or any subsequent submission, prior to the first occupation of the dwelling hereby approved, for details of secure and covered cycle storage area for 2 cycles approved by the local planning authority. The approved facility shall be provided in its entirety prior to the first occupation of the new dwelling, and permanently retained thereafter

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

6 Tree protection

All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the tree protection details approved under 2019/2736/P dated 11/09/2019.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the London Borough of Camden Local Plan 2017.

7 Sustainable urban drainage

A) The sustainable drainage system shall be carried out in accordance with the details approved under 2019/2736/P dated 11/09/2019 and shall thereafter be retained and maintained in accordance with the approved details. Such system shall be designed to accommodate all storms up to and including a 1:100 year storm with a 40% provision for climate change, and shall demonstrate that greenfield run off rates (5l/s) will be achieved.

B) Prior to occupation of the development, evidence that the sustainable drainage system has been implemented shall be submitted to the Local Authority and approved in writing. The systems shall thereafter be retained and maintained in accordance with the approved maintenance plan.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with policies CC1, CC2 and CC3 of the London Borough of Camden Local Plan 2017.

8 Piling method statement

The piling shall be carried out in accordance with the details approved under 2019/2736/P dated 11/09/2019 or any subsequent submission of a piling method statement (prepared in consultation with Thames Water or the relevant statutory undertaker, detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) approved in writing by the local planning authority, before any impact piling commences. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: To safeguard existing below ground public utility infrastructure and controlled waters in accordance with the requirements of policy CC3 of the London Borough of Camden Local Plan 2017.

9 Removal of permitted development rights

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any Order revoking and re-enacting that Order, no development within Part 1 (Classes A-H) [and Part 2 (Classes A-C)] of Schedule 2 of that Order shall be carried out without the grant of planning permission having first been obtained from the local planning authority.

Reason: To safeguard the visual amenity of the area and to prevent over development of the site by controlling proposed extensions and alterations in order to ensure compliance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

10 No use of roofs as terraces

Other than where explicitly marked on the plans, no roof on the building shall be used as a roof terrace, balcony, sun terrace, sitting out area, or other amenity space.

Reason: To protect the amenity of adjoining occupiers and the area in accordance with policy A1 of the London Borough of Camden Local Plan 2017.

11 Replacement tree

Prior to the end of the next available planting season, replacement tree planting (for one tree) shall be carried out in accordance with details of replanting species, position, date and size, where applicable, that have first been submitted to and approved by the local planning authority in writing. Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area, in accordance with the requirements of policies A2, A3, D1 and D2 of the London Borough of Camden Local Plan 2017.

12 Bird and bat boxes

Prior to first occupation of the development a plan showing details of bird and bat box locations and types and indication of species to be accommodated shall be submitted to and approved in writing by the local planning authority. The boxes shall be installed in accordance with the approved plans prior to the occupation of the development and thereafter retained.

Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements of the London Plan (2016) and Policies A3 and CC2 of the London Borough of Camden Local Plan 2017.

13 Hard and soft landscaping

The development shall not be occupied until full details of hard and soft landscaping and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing. The details shall include evergreen climbing plants to the side (south) elevation facing 7 Redington Gardens as well as any proposed earthworks including grading, mounding and other changes in ground levels. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policies A2, A3, D1 and D2 of the London Borough of Camden Local Plan 2017.

14 Hard and soft landscaping compliance

All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development. Any trees or areas of planting (including trees existing at the outset of the development other than those indicated to be removed) which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies A2, A3, D1 and D2 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 2 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.
- 3 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 5 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.

- 6 You are reminded of the need to provide adequate space for internal and external storage for waste and recyclables. For further information contact Council's Environment Services (Waste) on 020 7974 6914/5 or see the website <http://www.camden.gov.uk/ccm/content/environment/waste-and-recycling/twocolumn/new-recycling-rubbish-and-reuse-guide.en>.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Yours faithfully

Supporting Communities Directorate