

Delegated Report		Analysis sheet		Expiry Date:	29/10/2020
		N/A		Consultation Expiry Date:	26/10/2020
Officer			Application Number(s)		
Josh Lawlor			2020/1671/P		
Application Address			Drawing Numbers		
2 Hillfield Road London NW6 1QE			See decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Erection of two storey roof extension with front and rear dormer windows, erection of four storey rear extensions from basement level with roof terraces to ground, 1 st , 2 nd , and 3 rd floor, following partial demolition of existing rear elevation and rear pitched roof, excavation for enlarged double basement including creation of 2 front lightwells, and associated alterations and cycle parking in front forecourt, all in association with the conversion of 2 dwellinghouses to 9 self-contained flats (Class C3).					
Recommendation(s):		Refuse Planning Permission			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:			No. of responses	18	No. of objections	13
Summary of consultation responses:	<p>Three site notices were displayed near the site from 02/10/2020 (expiring 16/10/2020), one was erected directly outside the site on Hillfield Road, one to the rear on Millfield Lane and another near no. 1 Gondar Gardens</p> <p>Objections were received from thirteen separate addresses as follows-</p> <p>21 Hillfield Road objected on the following grounds:</p> <ol style="list-style-type: none"> 1. Works have been going on in this site for 10 years causing immense disruption to the entire road. Ten years of industrial level activity in a residential area has already overstretched the tolerance of the local community. 2. Overdevelopment. The plans for 9 flats with a double basement, 3 storey rear extension and double extension on the roof are excessive, too high, out of keeping with scale of the houses in the area 3. No reference to affordable housing. 4. There is no mention of car parking, 5. Only space for 6 bicycles for 9 flats. <p>22 Hillfield Road objected on the following grounds:</p> <ol style="list-style-type: none"> 1. There have been on-going building works for 10 years 2. Over development and incongruous poor quality design - a double basement, two storey roof extension and a three storey rear extension is excessive. 3. Lack of cycle parking for 9 apartments. 4. No affordable housing contribution 5. Required to be car free. Additional parking stress caused by 9 more units 6. Lack of need. There is plenty of construction in the area to provide much needed accommodation <p>Flat 5 Sington House, 33a Mill Lane objected on the following grounds:</p> <ol style="list-style-type: none"> 1. Overdevelopment and not in keeping. The proposed double basement (loss of garden green space) and three storey extension is excessive 2. There is no affordable housing. 3. The cycle spaces are inadequate. 4. No mention of car free units. 5. Safety in crossing the road is already compromised by the coming and going of construction vehicles and will be more so with the additional high density housing. This corner is often used by teachers taking children from the nearby school in a 'crocodile' walk. 6. Construction has been going on here for about 9 years. I would suggest that the owner developer of the properties has been derelict in duty by not applying until now. He has shown no regard for local residents until now and sadly feel that his contempt will continue. <p>4 Hillfield Road objected on the following grounds:</p>					

1. Various applications have been submitted in the last twelve years for the development of 2 Hillfield Road (see planning history). One can only assume that it was his intention from the outset to create 9 flats in this building and that the swimming-pool was a ruse to dig out the basement.
2. The 'development' of no. 2 has been ongoing for 12 years and the only result has been the digging of a massive hole which has become a haven for rats.
3. Lorries removing the earth arrive as early as 7.30am, blocking the cul-se-sac end of Hillfield Road causing considerable inconvenience to local residents.
4. The pavement outside no 2 is cracked, sunken and broken and usually covered with clay.
5. No. 2 is hidden behind an unsightly hoarding.
6. The provision of 9 flats is clearly over development of a small site which would disrupt the existing attractive roof-line and undermine the Victorian character of Hillfield Road/Gondar Gardens.
7. The provision of 9 apartments here will put a strain on the already limited parking facilities.

7 Hillfield Road objected on the following grounds:

1. The development would undermine the consistent roof line. This development would stick out like a sore thumb. It is ugly, overbearing, and too dense
2. Loss of amenity for neighboring properties, loss of light, overshadowing, overlooking and disturbance from the terraces
3. The historic permissions have not been implemented in reasonable time but instead has just dug a very large hole, causing disruption, nuisance over the last 12 years. The developer has reduced two fine residential properties into uninhabitable derelict sites over 12 and 7 years respectively. The work associated with these two non-developments has been carried out with no regard whatsoever to the effect of those of us living in the cul-de-sac and has also gone on longer than can possibly be warranted.
4. The application building has historic importance as it was designed around the older adjacent buildings.
5. Over-development and density. It is ridiculous to put nine flats on a site which was, since at least 1980, two flats with permission to turn them (back?) into two houses. To do this by putting four flats into a double basement and extending upwards by two floors is quite simply overdevelopment on a grand scale.
6. Loss of front and rear garden - extraordinary garden grabbing on a site with very limited green space in a built up city area. Virtually no recreational space with remain. The proposal seeks to build over the whole site and squeeze every last drop of money out of the development.
7. Poor quality standard of accommodation. The flats will be very cramped and the lower ones will lack natural light.
8. Parking. There is no mention the flats being car-free and this will add to parking stress. Even if the flats were to be designated a car free, the fact that the controlled parking hours are only 10-12 weekdays means that they will not deter car ownership.
9. Affordable housing. What the borough lacks is high quality affordable housing. It does not need any more expensive properties which serve only to line the pockets of developers. There is no mention of any of these flats being affordable housing and I suspect that the most that is likely to come out of this application is a small contribution to affordable housing elsewhere. It would be great if a substantial part of the existing site (not this crazy nine flat notion) could be devoted to high quality affordable housing.
10. I would urge caution about attributing too much weight to the supportive

comments.

1 Hillfield objected on the following grounds:

1. Errors in drawings. The proposed drawings do not correlate to the plans included in the design and access statement. On the design and access statement, flat 1 is a 3 bed and flat 2 is a 2 bed. The plans show both these are 1 bed flats.
2. Daylight/Sunlight report. The applicant has not included information on the property at 1 Hillfield Road approved planning permission for an additional dwelling at lower ground floor level. Planning application - 2019/3109/P.
3. Standard of accommodation. An internal daylight/sunlight report should be carried out for the applicants proposed scheme given the lack of natural light that is likely to enter into flats 1, 2, 3 and 4. The quality of accommodation is poor with a double basement. The rooms at the bottom of the double basement in units 1 and 2 are single aspect with hardly any light.
4. Basement Impact Assessment. I note the applicant has produced a letter stating that a basement has already been implemented as per application 2007/6306 and no additional excavation works will be carried out. This point should be checked as it is not clear on the depth of the previous application versus this application. The current application concerns a double basement which was not part of any previous application and as such a Basement Impact Assessment is required.
5. Construction Management Plan. The applicant should submit a draft Construction Management Plan in line with Camden's policy for a scheme of this nature. It is a substantial development with the creation of 9 flats which will cause disruption to the local community. There should be a clear draft CMP to ensure the applicant carries out the work in the right way.
6. The applicant has an inability to carry out construction work in a timely and efficient manner. The applicant has been carrying out works to this property and Number 3 Hillfield Road (directly across the road) for over 10 years causing severe stress and disturbance to neighbours. The local community would like to view a draft CMP to understand how the applicant intends to build out the scheme in a proper manner.
7. Car Free. In line with Camden policy the proposed scheme should be car free.
8. Affordable Housing Contribution. In line with Camden's policy the proposed scheme should provide a contribution for affordable housing.
9. Cycle provision. 6 bikes for 9 flats is substantially below Camden's policy. This needs to increase in line with policy. Furthermore, in line with Camden's policy, a secure bike store should be provided. The applicant has not included any information on this and has not even shown the bike store on the 3D drawings or elevation.
10. Refuse In line with Camden's policy, a secure bin store should be provided. The applicant has not included any information on this and has not even shown the bin store on the 3D drawings or elevation.
11. Flood Risk Assessment The applicants planning document are scarce and has failed to mention this. Given the site has a history of flooding, falls within a flood risk zone and given they are proposing a double basement, an up to date flood risk assessment should be carried out.
12. Internal layout. It seems, the applicant is proposing duplex apartments in the lower basement and basement floors. This is not in line with Camden's policy in that units below ground should have part of the apartment on ground floor. The applicant's accommodation schedule in section 4 of the DAS is misleading. They have labelled the floors lower ground, upper ground and ground floor whilst on the drawings and in reality, it is lower basement, upper basement and ground floor. Flat 1 and flat 2 will all be below ground floor level and are unacceptable in terms of policy. They will provide a very poor quality of living.

13. Flats 5 and 7 sizes are below minimum standards and should be rejected. I am not sure why the applicant as stated, "All units are well planned meeting or exceeding the London plan space requirements". This is untrue. It is not suitable to have a family unit (4-bedroom apartment) on the 2nd and 3rd floor without a lift. Either a lift needs to be incorporated or the family unit removed from the top floor.
14. Height, massing and design. The proposed scheme is far too high. It will be the tallest building on this row of houses and therefore out of keeping. It is over dominating from views from the front and rear. The 3-storey extension to the rear will be overbearing and out of keeping. A double basement is over development and not in line with Camden's policy. The scheme should be rejected on grounds of overdevelopment. A double storey zinc roof is out of keeping.
15. Overlooking. A large terrace to the rear will overlook into the rear property which will be a privacy issue for the rear properties.
16. Community involvement statement. There has been no consultation with the local community, groups or stakeholders. This should be carried out for a scheme where 9 flats are proposed. Further weight to this point is added given the applicants track record of causing disruption to the local community. A Statement of Community Involvement should be produced.
17. Lack of amenity space. The poorly designed flats will also lack sufficient amenity space. The applicant states "Most units (67%) have been provided with an outdoor amenity in the form of a garden, a balcony or a terrace". 67% is an under provision and the applicant should work harder to provide private amenity space for more flats.

10 Hillfield Road objected on the following grounds:

1. This building appears to be being used as a builder's yard and workers are currently working on a house across the road (no.3.). This work started recently but no.2 has housed unknown building materials and noisy workings for several years. It has turned the end of the road into a small industrial area with trucks often creating parking problems.

The Mansions, 33 Mill Lane objected on the following grounds:

1. What is being proposed is excessive for the area
2. The proposal would affect our property by reducing sunlight exposure for one.
3. Privacy and noise is also going to be a concern with more people, windows and balconies facing our building.
4. Local street parking spaces are also going to be affected with more families moving into the immediate area.
5. We have been putting up with construction noise and disruption from this site for more than 10 years. Never mind the building site we have had to look at, out of our windows for that whole time too.

4a Hillfield Road objected on the following grounds:

1. This is just the latest change of plan for the site since we have moved into our house seven years ago, from which time number 2 has been nothing but a building site and eyesore as well as environmental hazard. We have heard all sorts of plans for the works that were being planned since the heavy construction has started, including a family house with a swimming pool. For years now there have been parking suspensions, large trucks blocking access, use of heavy machinery and ground works which have created dirt, noise and pollution and damage to our and the adjacent houses as well as disruption to our ability to walk, make use of the front garden or park our cars in front of our house.

2. The same developer is re-doing a house across the road, it is clear they are just seeking to create as many flats as possible for profit, and misleading us local residents about the plans. The sheer length of time and scale of the works (including a huge excavation at the back planned for a swimming pool/basement now clearly designed to create more flats) has been extremely disruptive and a severe nuisance for us who live nearby.
3. We have also noticed damage and cracks to the pavement and front garden and cracks on our own walls since the latest episode of works and the heavy trucks moving in and out in front of our house and the excavation of a large amount of ground just a few doors up. This causes us a lot of concern about the stability of the ground under and around our house. The issues many London buildings have with subsidence are well known, and this part of the West Hampstead is not spared from them, as shown amongst other things by the fact that our own house had an episode of subsidence about 20 years ago, which still makes it very hard for us to get home insurance, and that the house next to ours, across the road, No. 6, has iron beams installed across the floors to give it more stability. We are greatly worried about the medium-term consequences that the excavation of two underground floors on, essentially, a slope, will cause to the stability of all our homes, forcing expensive structural works on many residents. We wonder if an adequate structural analysis and assessment has been carried out and what guarantees can be given to us residents that any damage caused will be monitored and restored.
4. It does not appear to us that there has been adequate supervision or consultation by the owners, developers or council of the works at all up to this date (lasting at least seven years, and we understand even longer). We simply do not understand how long these works and the building site have been, and will be, allowed to continue in this form without any consideration of us residents directly affected.
5. In respect of the latest plans to create a large number of flats, we are astonished this would be considered by the council, given other proposed developments in the area and objections to those. The further drain on local resources, the environment, utilities and car parking spaces, all of which are already under strain in a densely populated area, will be significant and we have not seen or heard of any proposals to address concerns in these areas.
6. The plans we have seen also seem to us to create a large building completely out of proportion and character with our neighboring terraced houses at this end of Hillfield Road, and indicate to us that there is going to be a lot more heavy building work, disruption and damage to our houses and environment.
7. We urge the council to reject this new application and compel the developer and owner to complete the works in a satisfactory fashion in keeping with the existing landscape and environment as soon as possible, and to also look into the damage and disturbance caused to date. It is intolerable that the plans keep on changing, causing further delay and for us local residents, further disturbance and damage to our homes.

2b Hillfield Road objected on the following grounds:

1. Factual inaccuracy: Application “seeks to regularise a number of recently approved planning applications” is entirely fictitious in a number of ways and demonstrates that this is a site which has been poorly managed for many

many years and should be given an immediate order of completion for the existing approved planning permission, not given permission for an even bigger development which will likely take a further 15-20 years to complete based on current progress. Firstly the approved planning permissions are in no way recent. They date from 2007 (2007/2689/P, 2007/6306/P and 2008/1472/P – the original permission to develop two flats into two vertical dwelling houses and a basement for a swimming pool, and 2015 (2015/6120/P) which was an application for a Green roof which was a condition of the original approval. All that has happened since the approval of these is that the owner has dug an extraordinarily large hole in the property and caused a very significant amount of nuisance, disturbance and stress to the other residents of the cul de sac.

2. Further the application asserts that the developer is “local and [a] contractor who has a history of delivering high quality housing and been a part of the Camden community for over 10 years”. This is clearly a falsehood unless the mark of a good developer is to build extremely large holes and fail to complete any building work for over 13 years! And sadly for the residents of Hillfield Road he has been a (unwelcome) part of the community for 13 years not 10!
3. Negative visual Impact and adverse impact on the character of the street. This is an overly large, very ugly proposed development which is too big for the site in which it is proposed to sit. The design is out of character with the buildings surrounding and will have a significant negative visual impact. The application asserts that the “visual gap” due to the flat roof of the 3 properties at the end of the cul de sac will be addressed by this development. However, we believe that quite to the contrary, the excessively high and ugly roof extension at the front will only serve to exacerbate the differential between the neighbouring properties. This is particularly true given the roof of number 2A Hillfield Road will remain at the current lower height. Furthermore, the roof extension is not remotely in line with the roofs of 4, 4a and 2b Hillfield Road, which form a neat and uniform terrace. As can be seen from the application itself, the roof extension will be very significantly higher than the roofs of the other houses in the terrace. The application makes much of spurious comparisons of levels of different buildings but neglects to point out that this is a) due to the fact that the whole cul de sac is on a hill, b) the buildings as they currently stand have been in place generally for a significant period of time and c) the proposed development is not at all in line with the neighbouring properties and will be much higher and as a result a very obvious eyesore. The design of the zinc dormer roof is ghastly and totally out of character with the other roofs locally. The overbearing size of the proposal exacerbates this issue very significantly.
4. The visual impact is not only negative at the front. Although as the application points out, gardens in this part of the street are small, the presence of these gardens in marking a natural divide between this and the back of the flats above the shops on Mill Lane is a crucial part of the character of the street and this major development up to 3 stories of the small back garden will severely degrade the character the remaining houses on this side of the cul de sac and all the residents of the flats on Mill Lane.
5. Loss of amenity. The proposed rear extension is clearly far too large and will leave a very ugly and oddly small gap to the flats which are to the South. It will overlook our garden significantly reducing any privacy we may have, significantly reducing light to our garden and resulting in a major loss of amenity. The amenity loss will be even worse in number 2a Hillfield, and will also impact numbers 4 and 4a, as well as the flats on Mill Lane.

6. The application suggests that the size of the building will be the same as numbers 2b, 4 and 4a due to the fact it will have 3 stories. However, these houses only a very small 3rd storey which is not developed all the way back, so this design will be out of line and overlook our roof terraces resulting in a significant loss of amenity. The application also says it will be a similar height to the flats on Mill Lane. The flats on Mill Lane are approximately 3-4 metres higher than any of the other properties on Hillfield Road demonstrating that this proposal is clearly far too big and not in line with the other houses in this terrace. The back of the proposed property will be significantly higher than the back of our property, thus this will exacerbate the impact of overshadowing, loss of privacy and loss of light on all the other 4 properties on the cul de sac.
7. The daylight and sunlight reports demonstrates that a large number of properties will lose light. The report dismisses this as irrelevant as they are “probably” bedrooms but that total aggregate impact is clearly very large due to the very significant size of this development compared to the size of the site.
8. This development represents “garden grabbing” in the extreme. The proposal is for 9 flats in place of 2 flats currently (with current permission for 2 dwelling houses). This is a very significant increase for a relatively small plot and shows that this developer is seeking to put far too many properties into this small space. This will result in loss of amenity for the local residents with a substantial increase in noise likely from cramming 9 families into a space fit for 2.
9. The development is not designed to be car free and there is a possibility that 9 flats could result in 18 extra cars trying to park in the road. The likely impact of additional cars from this proposal will be significant. This is a tiny cul de sac where parking is already challenging. Even 9 extra cars would be unsustainable and demonstrates how inappropriate the size of this development is for this small cul de sac. It should be noted that even if the permission was granted without allowance for parking, the parking restrictions in this area are only from 10-12 so this would be unlikely to deter the future owners of these many flats from owning and parking cars in the area.
10. The proposed bike store would only support 6 bikes which is probably because there is not room for any more. It demonstrates yet again that trying to squeeze 9 flats into this small plot is far too dense.
11. The application suggests the development will bring diversity to the community but makes no mention of any units for social housing and given the price of properties in the area, is unlikely to be affordable or support the reduction of the housing list locally.
12. Summary: We object to this development as ugly, overly dense, resulting in significant loss of amenity and being out of character with the local area. It is extreme garden grabbing. Furthermore, the developer has a track record on this plot of failing to develop anything. He should not be given any more permissions but should be forced to finish what he started over 13 years ago.

Flat 18, The Mansions, 33 Mill Lane objected on the following grounds:

1. Unlike the 2008 plan, the 2020 proposal is not in keeping with the rest of the

street's charismatic houses. The 2nd floor at the front, where a pitched roof approved in the 2008 plan has been replaced by terraces, is overbearing in my opinion.

2. I have concerns that the two floors in the roof would constitute overdevelopment of the building, and set a dangerous precedent for the rest of the street. Whilst my privacy isn't infringed upon by this proposal, it would be if other houses were permitted to follow suit.

2a Hillfield Road objected on the following grounds:

1. The owner has left the property forecourt an absolute tip with construction materials piled high on an almost continual daily basis throughout the past 10 years. He has used left the front area of 2 Hillfield Road as a construction storage facility, with construction materials and hoardings completely covering the front forecourt of 2 Hillfield Road, on a continual basis which has completely ruined our own aspect from our bay window at the front for that whole time – nearly 10 years! Both ourselves (and our tenants when we have not been there, who have rented at a significantly reduced rent due to construction next door)), have literally spent all this time unable to open our front bay window blind as we would be staring at the owners construction materials, skips, piles of mud, heavy machinery, hoardings etc for around 10 years! With seemingly no end in sight and lots of false promises made by the owner whenever questioned. There have been a stream of lorries taking up parking, ruining the pavement, seemingly dropping off any picking up construction materials and creating lots of noise. And, for what? Hardly any real work has been done over 10 years by what is an apparently competent developer over this time. The net impact on the area I would assume, as well as an obviously loss of amenity is a loss of value, and rental income for the surrounding properties. I can only assume that he uses 2 Hillfield Road as a storage facility for his commercial enterprise, including in the main the forecourt of 2 Hillfield Rd.
2. 2 Hillfield is now, in effect, a hollowed out shell. Do you honestly believe that someone who is a developer would take 10+ years (ie since pre 1/1/2009) to simply turn a house into a hollowed out shell? No. Why hasn't the council imposed some sort of penalty onto him and made sure that his 2007 applications were completed and built long ago? How about a hefty fine for non-completion by a set date? How about a restriction that he can't have his materials sitting in the forecourt for year after year?
3. The owner/developer is also not short of cash and can afford to undertake the build. The owner's development business have undertaken and completed many other developments since 1/1/2009. There is simply no excuse. All we can assume is that he must have an ulterior motive here, and as residents of the area we have rights to live in the area in peace and enjoy our lives. Now, in the latest application as one of the points raised, he plans to replace building materials in the front garden with 27 refuse bins! So we will go from, pleasing aspect from our front window when we purchased in 2007, to 10+ years of looking at ugly construction materials, to 27 refuse bins?!? The developer needs to simply get on and finish building his 2 dwelling houses, which he has been given permission to complete in 2007 – thirteen years ago!, with a strict 1 year deadline for completion (not commencement) being set by the council, and a hefty fine being levied upon Mr Sebba if the completion deadline is not adhered to or for non-progress, as well as a hefty fine for using the forecourt as his construction tip.
4. 2 Hillfield Road is located in what was a quiet, leafy residential cul- de-sac

with a number of family houses. A large development such as that proposed in 2020/1671/P will destroy the ambience of the area. The 9 units as proposed will house up to 22 residents. Prior the development, 3-5 people lived at 2 Hillfield Rd. The proposed development is therefore a major increase in population density in a small cul-de-sac, which is quite a confined space and simply does not have the space for all these extra people.

5. Hillfield Road is already heavily overparked. From our own experience as prior Hillfield Road residents we had difficulty parking in our street on most evenings and have been forced to park on nearby streets. Gondar Gardens is also frequently overparked and as a result we were forced to park at the Fortune Green Road end of Hillfield Road on numerous occasions – a significant walk to our house. The additional parking that will be needed by the increased numbers of residents at 2 Hillfield Road is not available and will force more current residents to park far from their homes, causing parking problems in other streets. These issues would make overnight parking, which is already the busiest parking time, much more difficult for current residents of both Hillfield Road and Gondar Gardens. With an extra 22 residents, 6 bike parking spaces comes nowhere near addressing the significant extra congestion we will incur and have no extra space for cars as it is. Consider also that many of these 22 people will have visitors. There is already a severe shortage of parking spaces and no room to create extras.
6. Overuse of the small communal green space at the end of the cul-de-sac due to the increased population density.
7. Dramatically increased refuse outside the 2 Hillfield Road site, which will have implications for neighbours in terms of both appearance and smell. 27 extra bins?! Why should we have to deal with the smell and looking at 27 refuse bins?
8. Blocking/Loss of natural light, and potential shadowing. Significant blocking/loss of natural light /shadowing – internal. Significant blocking of light to rooms including our only kitchen, our only dining room and one of our main bedrooms. Each of these have windows which face the rear of our property on the ground floor/face 2 Hillfield Rd and benefit from light from the space above and behind. There is only a narrow corridor of space between the walls of the rear extensions of 2 and 2a Hillfield Road, which allows the light in from above and into our kitchen and dining room. In addition, natural light into a main bedroom of ours on the first floor of 2a Hillfield will be significantly diminished unacceptably, as will natural light into our upper floor bathroom as a result. Note that we were in no way consulted by the party undertaking the light study as part of this application. The garden at 2A Hillfield Road is south facing. We receive a decent amount of sun. The proposed extra height at 2 Hillfield Road and rear extension will block out light to these spaces. It will also likely cause shadowing.



9. Privacy and Overlooking. Although the garden of 2A Hillfield Road suffers from some limited privacy due to the block of council flats behind it, our privacy would be massively impaired and compromised. This overlooking and loss of privacy would be caused by new balconies and roof terrace proposed, new windows facing out from the rear.
10. Stability, Subsidence and Insurance Risk. The properties on Hillfield Road are built on clay, on a slope and are subject to subsidence risk. This risk is so significant that for houses with a bay window on the south facing side of Hillfield Road, the majority of buildings insurance companies will no longer offer buildings insurance policies to cover the risk of subsidence. We found this out to our dismay in finalising the purchase of 2a Hillfield Road in January 2007 and we tried to obtain quotes for buildings insurance over our property. We were knocked back by every insurance company we spoke to for this reason. The only way we were able to obtain buildings insurance was by continuing the policy effected by the prior owner a number of years earlier. Adding extra height and a significant increase in density to the property on the site at 2 Hillfield will significantly increase this risk to an even more dangerous level and threaten the stability of this already vulnerable group of surrounding houses. As the slope of the street is downwards from 2 Hillfield Road towards 2A and 2B, these properties are at highest risk from the planned development. Any progression of subsidence affecting our property at 2A or other neighbouring properties would have disastrous implications for present and future owners. This would not only include the financial burden and work needed to repair damage and underpin properties, but problems obtaining household insurance policies and therefore mortgages.
11. Refuse. The proposal suggests 27 refuse bins (9 food, 9 recycling, and 9 general refuse) will be outside 2 Hillfield Road - at the front of the property (as there is on where else to put them). This is a considerable increase from the 1-3 refuse bins which had been placed in front of the property. The planned layout will force us to have a direct view of these from our living room windows and the appearance and potential smell from the living room and front garden will be unpleasant for any occupants of 2A Hillfield.

12. Sewage and drainage issues. The proposal replaces what we understand were 3-4 toilets at 2 Hillfield Rd (prior to the initial application in 2007, noting that nothing much aside from creating a messy construction site has been done since) with 10-11 planned toilets together with a substantial increase in numbers of baths and showers. This will put far greater demand on sewage and drainage systems in the vicinity. We understand that 2a Hillfield Road (my property) shares the drainage facilities with 2 Hillfield Road to some extent so this will put our own property at greater risk.
13. Noise pollution. We are concerned that the large increase in population density at 2 Hillfield Road will cause an unacceptable increase in noise levels experienced by inhabitants of 2A, detracting from quality of life.
14. Hillfield Road is lined on both sides with delightful terraced houses dating from the 1800s and early 1900s. Most of these have pitched roofs and a great deal of period character. Only 2 and 2a Hillfield Road lack the pitched roof. The planned design would be completely out of character with the rest of Hillfield Road (all of which have pitched roofs on the south side) in various ways. It is noticeable that in the Design Access Statement that developer mentions that 'The site is an existing two storey, late Victorian terraced house on the Southern side of Hillfield Road. The building is part of a short terrace of 7 properties, each showing different architectural proportions. As a result the street elevation contrasts greatly with the Northern side of Hillfield Road where a regular rhythm of late Victorian houses is unbroken. The remainder of the Southern Side of Hillfield Rd, all the way up to Fortune Green, consists of properties which have pitched roofs, the same as for 2b Hillfield and 4 Hillfield. The other neighbour to 2 Hillfield (ie not our own), with the address of Gondar Gardens, is designed in keeping with Gondar Gardens, not Hillfield Road. We also note that the pictures shown in 4.1 and 4.2 are very careful not to show any more of Hillfield Road from number 6 onwards, as it would easily be seen that what is being proposed is out of character with the remainder of Hillfield Rd. The developer is simply looking to leverage off the Style of Gondar gardens, but we are Hillfield Road, not Gondar Gardens.
15. We object to the proposed rear extension, side extension, extra level and roof terrace. Note that the developer/applicant has also had planning requests turned down in the past as well, for good reason, as the impact of the loss of light, overlooking and loss of privacy to ourselves as adjoining land owners is obvious. Likewise, this application 2020/1671/P should also be rejected by the council.

Five letters of support were received from 5 Hillfield Road, 130 Prince of Wales Road, Maygrove Road and 2 Upper Hillfield Road:

1. I am a director of a company who owns a flat at 5 Hillfield Road. I strongly support this application. It is a great scheme utilizing existing plot with high architectural interest. The accommodations which will be provided are of high quality.
2. This is a very nice scheme, High quality accommodation. We need more high end, quality properties in Camden. The plan seems to be very well thought out and organised.
3. I am working locally as a letting agent and I believe the potential works would really improve the look of the properties as a whole on Hillfield Road. Currently, the missing roofline doesn't look very attractive on Hillfield Road however with the erection of a roof extension, this should match up well with the other properties and therefore give a better look overall. Not only will the

property itself, the properties alongside and the road look smarter in appearance, but this attractive area for people to buy and rent will be much more charming for residents and potential residents alike.

4. This is a very well designed and attractive scheme with a very clever use of space. It looks very modern whilst still retaining original features. The scheme seems to have been stalled for a number of years so I think this really needs to be supported as the finished scheme will be such a major improvement on how it has been. There is a dearth of quality flats and accommodation in the area and I hope it gets approval as it would attract many professional tenants.
5. Very good development for the area. It will give a nice aesthetic approach to our neighbourhood.

<p>Fortune Green and West Hampstead NF</p>	<p>The <u>Fortune Green and West Hampstead Neighbourhood Forum</u> made the following objection to the application dated 25/10/2020:</p> <p><u>Height and massing</u> The proposed development raises the roof line considerably above the roof line of adjacent neighbouring houses. This is in direct contradiction to policy 2 of the NDP.</p> <p>The proposal suggests that the buildings to the rear of the site on Mill Lane are higher than those on Hillfield Road. It is a basic premise of the architecture of West Hampstead that buildings on the main streets are higher than those in streets behind the main streets.</p> <p><u>Materials</u> The proposed roof is to be 'natural' zinc and contrary to Policy 2 of the NDP. Zinc is not one of the materials historically used for roofs in low rise streets in West Hampstead, particularly in a terraced street such as Hillfield Road which has slate or tiles on all the pitched front roofs. Indeed all the roofs in Hillfield Road have traditional pitched roofs.</p> <p><u>Loss of private green space</u> The basement in this proposal extends across the front garden, with large lightwells and hard surfacing on the small remaining space. Half the remaining small rear garden is taken by basement with a concrete pit taking up the rest of the rear garden, leaving no green space at all.</p> <p>The lightwells and the rear pit appear to be extremely dangerous for wildlife. Policy 2 and policy 16 refer to the need to maintain green space and the importance of wildlife.</p> <p><u>Basements</u> Basements, in particular two storey basements, are a matter for concern in the area as described in Policy 2 of the NDP. It also seems that any deeper basement, or added 'pits' to the rear of the building in this new application should have revised basement assessments.</p> <p><u>Overdevelopment/Massing</u> The design and access statement shows clearly that the massing of the development is greater than that of its neighbours. The rear extension is higher than all other rear extensions, and comprises an extra storey. Twenty bedrooms seems a high for a development of this size footprint.</p> <p><u>Parking</u> There is no reference to restrictions on parking rights for the flats as now generally required for all new flats in this area.</p>
<p>Thames Water</p>	<p>1. <u>Waste Comments</u></p> <p>As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise</p>

groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team.

With the information provided, Thames Water has been unable to determine the waste water infrastructure needs of this application. Thames Water has contacted the developer in an attempt to obtain this information and agree a position for FOUL WATER drainage, but have been unable to do so in the time available and as such, Thames Water request that the following condition be added to any planning permission:

"No development shall be occupied until confirmation has been provided that either: 1. Capacity exists off site to serve the development, or 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or 3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed.

Reason - Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents.

2. Surface water

With the information provided Thames Water has been unable to determine the waste water infrastructure needs of this application. Thames Water has contacted the developer in an attempt to obtain this information and agree a position for SURFACE WATER drainage, but have been unable to do so in the time available and as such Thames Water request that the following condition be added to any planning permission:

"No development shall be occupied until confirmation has been provided that either: 1. Capacity exists off site to serve the development or 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan. Or 3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed.

Reason: Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid flooding and/or potential pollution incidents.

3. Water Comments

On the basis of information provided, Thames Water would advise that with regard to water network infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommend the following informative be attached to this planning permission:

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Supplementary Comments

There is no drainage strategy and this needs to be provided.

Officer response:

- 1-2. The above waste water and surface water pre-commencement conditions would be attached to an approval of planning permission.*
- 3. The informative relating to water pressure would also be attached to the decision notice should the application have been approved.*
- 4. See sustainability section on drainage assessment*

Site Description

The application site is a late Victorian mid-terrace 2-storey building on the southern side of Hillfield Road. The terrace consists of 7 properties with the application building appearing to be part of a later infill. The remainder of the neighbouring terraced buildings are three storeys with converted lofts. To the south of the site are 4 storey buildings on Millfield Lane. The building is not located in a conservation area nor is it a listed.

The building was in use as 2 dwellings, but appears to have been derelict for approximately 10 years. The lawful use remains as 2 dwellings but both properties are not occupied nor registered for Council tax.

The site is within the Fortune Green and West Hampstead Neighbourhood Plan area.

Planning History:

2007/2689/P

On 10/08/2007 planning permission was **granted** for the vertical conversion of two flats to use as two dwellinghouses, including the erection of two storey infill side extension and single storey side and rear extension, together with the provision of first floor balcony above the bay window and alterations to the fenestration [including the provision of two Juliette balconies] on the rear elevation.

2007/2996/P

On 10/08/2007 planning permission was **granted** for the vertical conversion of two flats to use as two dwellinghouses, including the erection of two storey infill side extension and single storey side and rear extension.

2007/3748/P

On 23/08/2007 an application for planning permission was **withdrawn**. The application sought permission for alterations and additions to the existing 2 storey building accommodating 2 flats including the erection of second floor and mansard roof extension including a double rear and single side extension and alterations to the fenestration, to create 8 residential flats [3x 1-bedroom flats, 3x 2-bedroom flats, 2x 3-bedrooms].

2007/3472/P

On 06/09/2007 planning permission was **granted** for Change of use from two self-contained flats to one dwellinghouse, including reconfiguration of the main entrance on the front elevation.

2007/4125/P

On 26/10/2007 planning permission was **refused** for Extensions and alterations to the existing two-storey building used as 2 x flats, for a change of use to 2 x dwellinghouse, including mansard roof extension with dormers on the front elevation and balconies to the rear, and a part-one part-two storey rear extension, and fenestration alterations. The application was refused on the following ground.

Reason for refusal:

The proposed roof extension, by reason of its siting, bulk, mass and detailed design, would be detrimental character and appearance of the host building and the street scene, contrary to policies B1 (General Design Principles) and B3 (Alterations and Extensions) of the London Borough of Camden Replacement Unitary Development Plan 2006 and Camden Planning Guidance (2006).

2007/4665/P

On 30/11/2007 planning permission was **granted** for Extensions and alterations to convert existing 2-storey building used as 2 flats into 2 separate houses, including basement excavation, creation of two bay windows and lightwells to front garden, folding doors to rear, new door to rear, alterations to front boundary wall and installation of two main gates and access to refuse store.

2007/5292/P

On 07/01/2008 planning permission was **refused** for Extensions and alterations to the existing 2-storey building

used as 2x flats, for a change of use to 2x dwellinghouses, including the erection of a roof extension to create a second floor, together with rear extension and alterations to the rear elevation, including a terrace at rear first floor level and two terraces on the roof.

The application was refused on the following ground:

The proposed additional floor and roof extension would, by reason of its inappropriate siting and detailed design as well as its excessive bulk, dominate the existing building and appear incongruous in the street scene, contrary to policies B1 (General Design Principles) and B3 (Alterations and Extensions) of the London Borough of Camden Replacement Unitary Development Plan 2006 and Camden Planning Guidance 2006 relating to rear extensions.

2007/5924/P

On 06/03/2008 planning permission was **refused** for Change of use of 2 existing flats into 2 dwellinghouses, including the erection of a full width gable roof extension with 2 roof lights on the front roof slope and 4 windows to the rear full width dormer, 2 single storey rear extensions and new terrace to rear elevation and Juliette balconies at first floor level.

The application was refused on the following ground:

The proposed roof extension, by reason of siting, bulk and detailed design, would be detrimental to the character and appearance of the host building, contrary to policies B1 (General Design Principles) and B3 (Alterations and Extensions) of the London Borough of Camden Replacement Unitary Development Plan 2006.

2007/5926/P

On 21/02/2008 an application for planning permission was **withdrawn**. The application sought permission for Change of use of 2 existing flats into 2 dwellinghouses, including the erection of a full width gable roof extension with 2 roof lights on the front roof slope and new 2nd floor extension with terrace to rear; 2 single storey rear extensions; and a new terrace to rear elevation and Juliette balconies at first floor level.

2007/6306/P

On 19/02/2008 planning permission was **granted** for Revision of planning permission (2007/2996/P) dated 10/08/2007 (for the conversion of 2x flats to 2x houses with extensions) to excavate a basement level to provide a swimming pool, habitable rooms and a rear lower garden to each house.

2008/1154/P

On 28/04/2008 planning permission was **refused** for Vertical conversion of existing two flats to create two houses, erection of a roof extension with two velux roof lights to the front and a mansard style to the rear with 4 dormers, side and rear extensions, elevational alterations and terraces at first level.

The application was refused on the following ground:

The proposed roof extension would, by reason of its excessive bulk, mass and detailed design dominate the existing building, contrary to policies B1 (General Design Principles) and B3 (Alterations and Extensions) of the London Borough of Camden Replacement Unitary Development Plan 2006 and Camden Planning Guidance 2006.

2008/1156/P

On 28/04/2008 planning permission was **refused** for Vertical conversion of existing two flats to create two houses, erection of a roof extension with two velux roof lights to the front and doors and windows to the rear, a two storey extension and terraces at first and second floor level to the rear and an extension to the side.

The application was refused on the following ground:

The proposed roof extension and associated second floor level extension to create the roof terrace would, by reason of their excessive bulk, mass and detailed design dominate the existing building and appear incongruous in the street scene, contrary to policies B1 (General Design Principles) and B3 (Alterations and Extensions) of the London Borough of Camden Replacement Unitary Development Plan 2006 and Camden Planning Guidance 2006.

2008/1472/P

On 07/10/2008 planning permission was **granted** for Vertical conversion of existing 2x flats to create 2x dwelling houses, enlargement of the front roof including the insertion of two roof lights in the new roof slope and the erection of two new dormer roof extensions in the rear roof slope, side and rear extensions, elevational alterations and terraces at first level.

2A Hillfield Road

2008/2487/P

On 04/08/2008 planning permission was **granted** for the Erection of a roof extension to the existing two-storey single-family dwellinghouse (Class C3).

2011/3937/P

13/10/2011 On planning permission was **granted** for Renewal of planning permission granted on 4/8/2011 (ref. 2008/2487/P) for (Erection of a roof extension to the existing two-storey single-family dwelling house).

2B Hillfield Road

2013/0727/P

On 04/04/2013 planning permission was **granted** for the Erection of a single storey rear extension and associated landscaping in connection with dwelling house (Class C3).

Relevant policies

The National Planning Policy Framework 2019

The London Plan 2021

Camden Local Plan (July 2017)

- G1 Delivery and location of growth
- H1 Maximising housing supply
- H4 Maximising the supply of affordable housing
- H6 Housing choice and mix
- H7 Large and small homes
- H5 Protecting and improving affordable housing
- H3 Protecting existing homes
- A1 Managing the impact of development
- A5 Basements
- D1 Design
- T1 Prioritising walking, cycling and public transport
- T2 Parking and car free development
- CC5 Waste
- CC1 Climate change and mitigation
- CC2 Adapting to climate change

Fortune Green and West Hampstead Neighbourhood Plan (2015) (NP)

- Policy 1 Housing
- Policy 2 Design and Character
- Policy 7 Sustainable Transport
- Policy 8 Cycling
- Policy 17 Green/Open Space

Supplementary Guidance - Camden Planning Guidance

- [Basements](#) - January 2021

- [Amenity](#) - January 2021
- [Design](#) - January 2021
- [Home improvements](#) - January 2021
- [Housing](#) - January 2021
- [Transport](#) - January 2021
- [Employment sites and business premises](#) - January 2021
- [Energy efficiency and adaptation](#) - January 2021

Department for Communities and Local Government (2015)

Technical housing standards – Nationally described space standard

Assessment

1. Proposed Development

- 1.1. Planning permission is sought for the erection of a two storey mansard style roof extension with front and rear dormers, erection of four storey rear extensions from basement level with roof terraces to ground, 1st, 2nd, and 3rd floor, following partial demolition of existing rear elevation and rear pitched roof, excavation for enlarged double basement including creation of two front lightwells, plus associated alterations, all to facilitate the conversion of 2 dwellings (Class C3) to 9 self-contained flats (Class C3).

Detailed description of the proposed development

- 1.2. The 2nd floor roof extension would have vertical walls with three sets of brick faced dormer windows facing towards the street. The two dormers over the existing bay would have timber framed doors to enable the use of the 2nd floor bay roofs as terraces with a metal balustrade provided around the perimeter. There would be a mansard-style roofslope above the vertical brick extension. The pitch and design of the two storey extension provides the appearance of a double height mansard roof extension.
- 1.3. The mansard would have a pitch of 70 degrees which would rise from behind the parapet. The mansard would have a total depth of 12m, height 4.5m from eaves to ridge. The mansard cheeks would be red brick with two sets of chimneys to each side with height of 5m from the existing parapet level. To the rear the mansard would have a row of black aluminium framed sliding doors to provide access onto a terrace (30sqm). The mansard would be finished in natural zinc and have aluminium framed rooflights.
- 1.4. There would be an extension to the existing basement to form a double basement for habitable space. This excavation would include the formation of double height front lightwells with a total depth of 6m. There would be multi-paned timber framed windows to the front lightwell.
- 1.5. The proposed rear extensions would be four storeys from basement level, with a height of 13m from basement level to parapet. The extensions would be full width at basement level (12m) and 11m in width from ground to fourth floor.
- 1.6. The applicant has not provided a demolition plan for the rear elevation to indicate what parts of the rear would be demolished. However the 3D views shown in figure 2 indicate that, together with the pitched roof, almost the entire rear elevation would be demolished. It appears only the ground floor bay and two storey projection (from ground) would be retained, shown in figure 1 below.



Figure 1: Photo of rear from basement level

- 1.7. There would be a 7sqm terrace at natural ground level adjacent to the boundary with no. 2a. The proposed rear elevation indicates Juliet balconies to the ground, 1st and 2nd floor rear extension. There would also be balconies to the roof of the rear ground floor bay and roof of the existing 1st floor flat roof projection. As stated above, a large (30sqm) terrace would be provided at 3rd floor roof level. The balconies and terraces would be secured by black powder coated metal balustrades. The extension would be made of red faced brick with black aluminium windows and doors. There would be angled and side facing windows to each flank elevation at ground, 1st and 2nd floor.
- 1.8. 4 Sheffield stands to store up to 8 bicycles would be installed in the front garden. 10 refuse bins would be positioned in the front garden.
- 1.9. The proposed dwelling size mix would consist of 4 x 1 bed, 2 x 2 bed, 1 x 3 bed and 2 x 4 bed. These flats would be arranged as follows: 2 x 1 bed (Flat 1 and 2) at basement level; 1 x 3 bed (Flat 3) and 1 x 4 bed (Flat 4) duplex flats over basement and ground floor; 2 x 1 bed (Flat 5 and 7) and 1 x 2 bed (Flat 6) at 1st floor; 1 x 2 bed (Flat 8) at 2nd floor; 1 x 4 bed (Flat 9) duplex flat over 2nd and 3rd floor.

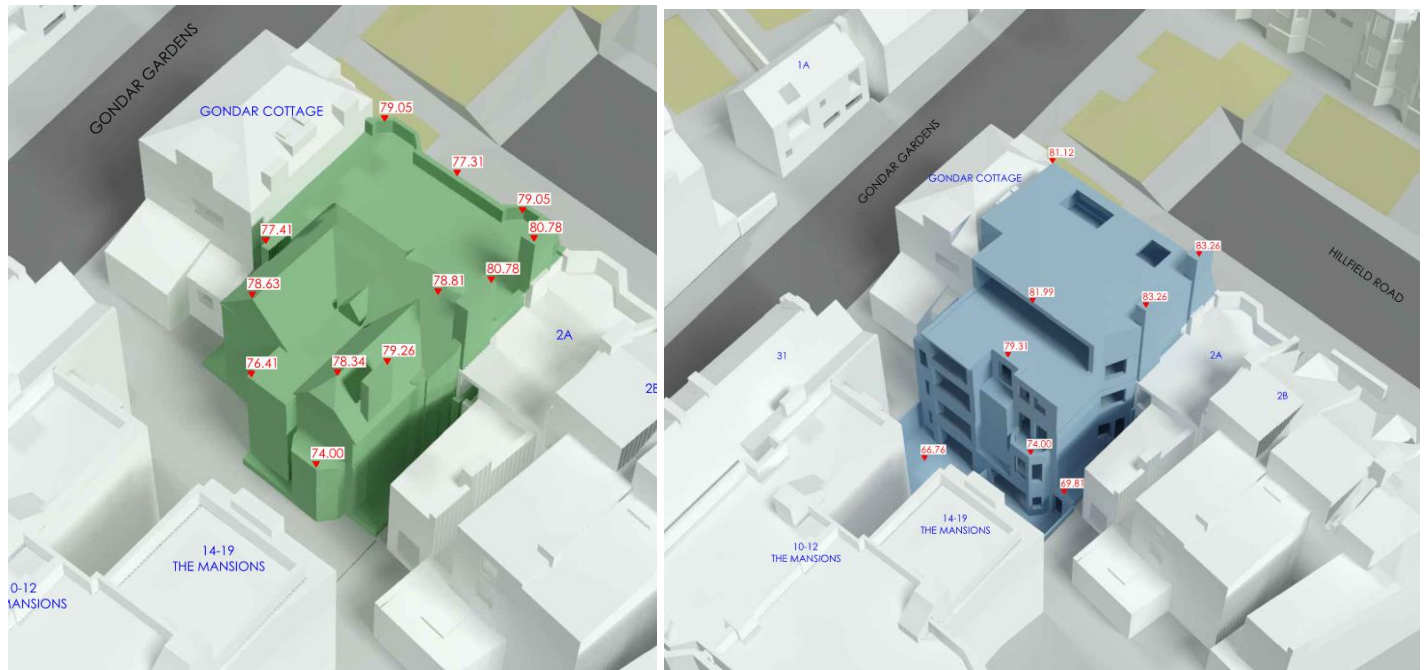


Figure 2: 3D views of existing (left) and proposed (right) rear



Figure 3: Front aerial depiction of proposal

2. Assessment

2.1. The principal considerations material to the determination of this application are as follows:

- Land use
- Housing (incl. standard of accommodation)
- Affordable Housing contribution
- Design
- Impacts on residential amenities of neighbouring occupiers;
- Basement
- Transport (car-free development, cycle parking, access and highway issues)
- Construction Management Plan
- Sustainability
- Community Infrastructure Levy (CIL)

3. Land Use

3.1. Housing is regarded as the priority land-use of the Local Plan, and the Council will make housing its top priority when considering the future of unused and underused land and buildings. As such the development to provide 9 residential units is compliant with policies H1 (maximising housing supply) and G1 (Delivery and Location of growth).

4. Housing

4.1. Policy H7 (Large and small homes) seeks to ensure a range of homes for different sizes that will contribute to the creation of mixed, inclusive and sustainable communities, and seeks to ensure that all residential development contributes to meeting the priorities set out in the Dwelling Size Priority Table. The table identifies 2 and 3 bedroom market housing units as being high priority and 1 and 4 bedroom units as lower priority. Policy 1 of the Fortune Green and West Hampstead NDP states that residential

development shall provide a range of housing types, to meet a range of needs, as appropriate, related to the scale of the development. Policy 2 criteria ii encourages the provision of three and four bedroom units suitable for families.

- 4.2. The proposal would provide 4 x 1 beds, 2 x 2 beds, 1 x 3 bed and 2 x 4 beds flats. This is a mix of higher priority and lower priority dwelling sizes and is thus compliant with Local Plan policy H7 and Policy 2 of the NDP.

Standard of Accommodation

- 4.3. Local Plan Policy D1 (explanatory note 7.32) requires that all housing development is designed and built to create high quality homes. Local Plan Policy H6 states that the Council will seek to secure high quality accessible homes in all developments that include housing. It will encourage all housing to provide functional, adaptable and accessible spaces and expect all self-contained homes to meet nationally described space standard. The considerations with regards to the amenity of the proposed housing are as follows:

- Design and layout
- Daylight/sunlight
- Outlook
- Privacy
- Noise and vibration
- External amenity space
- Wheel chair accessibility

Design and layout

- 4.4. The 9 flats would comply with minimum internal space standards as per the Government's Nationally Described Internal space standards. The flats would incorporate adequate storage space and have a permanent partition between eating and sleeping areas. The below table summarises each flats GIA in relation to minimum standards.

Floor Levels and Flat number	GIA (gross internal area) sqm	Minimum GIA requirement
1 bed Flat 1 and Flat 2 at basement level	53 and 51	50 for a 1 storey 2 person dwelling
3 bed Flat 3 duplex over basement and ground	115	102 for a 2 storey 6 person dwelling
4 bed Flat 4 duplex over basement and ground	129	124 for a 2 storey 8 person dwelling
1 bed Flat 5 at 1 st floor	42	50 for 1 storey 2 person dwelling
2 bed Flat 6 at 1st floor	63	70 for a 1 storey 4 person dwelling
1 bed Flat 7 at 1 st floor	40	50 for a 1 storey 2 person dwelling
2 bed Flat 8 at 1st floor	66	61 for 1 storey 3 person dwelling
4 bed Flat 9 duplex over 2 nd and 3 rd floor	160	124 for a 2 storey 8 person dwelling

- 4.5. The flats from ground to third floor would have a minimum floor to ceiling height of 2.3m for at least 75%

of the Gross Internal Area of each unit.

- 4.6. The proposed section A-A indicates that the lower floor (ie. bottom basement level) Flats 1 and 2 would have a floor to ceiling height of 2.2m. This would fail to comply with the minimum 2.3m requirements as per the Government space standards.

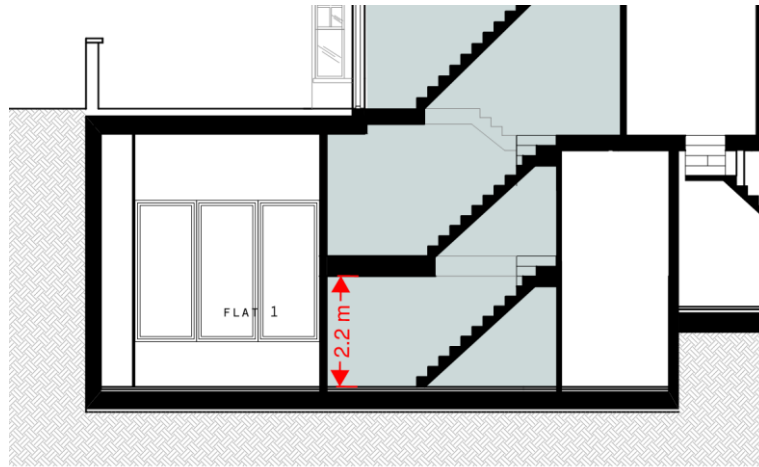


Figure 4: Proposed section AA of double basement floor to ceiling height

Amenity for occupants

Daylight/sunlight

- 4.7. Maximising the provision of dual aspect homes has many inherent benefits including better daylight, a greater chance of direct sunlight for longer periods, natural cross-ventilation, a greater capacity to address overheating and a choice of views. A daylight/sunlight report was submitted with the application to enable an assessment of the daylight and sunlight received internally.
- 4.8. It is acknowledged in assessing this that some flats have balconies and outdoor amenity space but does not impact on the overall light levels achieved within the properties.

Daylight

- 4.9. All relevant rooms within the scheme have been technically assessed for daylight quantum, expressed as Average Daylight Factor (ADF), and distribution, expressed as No Sky Line (NSL) and Room Depth Criterion (RDC).
- 4.10. BRE guidance states that ADF is a measure of the overall amount of daylight in a space. ADF provides an absolute measure of daylight expressed as a ratio of daylight for the room in question as a proportion of the daylight outside at any moment in time. ADF is dependent on the area of sky visibility, which is closely related to VSC, the area of the window serving the room, the glazing transmittance, the total area of the room's surfaces and the internal reflectance of the room.
- 4.11. BS 8206-2 Code of Practice for daylighting recommends an ADF of 5% for a well daylit space and 2% for a partly daylit space. Below 2% the room will look dull and electric lighting is likely to be turned on. The ADF for a living room should be above 1.5% (i.e. the room should enjoy a minimum of 1.5% of the average external daylight at any moment in time), whilst that for a kitchen should be in excess of 2% and should be in excess of 1% for a bedroom.
- 4.12. In terms of ADF, the BRE Guidelines recommend that in cases where one room serves more than one purpose the minimum ADF should be that for the room type with the higher value; thus for rooms designated as a 'living room/kitchen/dining room' (LKD), the higher value for the kitchen use is required. Accordingly, it is considered reasonable to apply the minimum ADF value for a kitchen (2%) as a target

value for a room designated as an LKD.

4.13. In daylight terms, 24 out of 28 habitable rooms would meet the required ADF. These rooms are located on ground, 1st, 2nd and 3rd floor level. The following flats would have an acceptable level of daylight:

- 1 bed Flat 5 at 1st floor,
- 2 bed Flat 6 at 1st floor,
- 1 bed Flat 7 at 1st floor,
- 2 bed Flat 8 at 1st floor,
- 4 bed Flat 9 duplex over 2nd and 3rd floor

4.14. There are four habitable rooms which fail the ADF BRE standard. These flats are located at basement level. The rooms which fail ADF as shown in Appendix 3 of the daylight and sunlight report are summarised below:

Floor Level, Flat number and room ref.	Room use	ADF Proposed
Basement Flat 1 R1	LKD	1.35
Basement Flat 2 R4	LKD	1.74
Basement Flat 3 R5	LKD	1.35
Basement Flat 4 R6	LKD	0.93

4.15. It is noted that Flats 3 (3 bed) and 4 (4 bed) are duplex flats with bedrooms on ground floor. It is important to note that the LKD rooms fall significantly short of the required 2%, with 3 out of the 4 rooms measuring below 1.5%. As a result of the substandard daylight to the basement level LKD, flats 1, 2, 3 and 4 would have an unacceptable level of daylight.

4.16. On balance, the proposal is considered to provide a poor quality of daylight for future occupiers.

Sunlight

4.17. In order to assess levels of sunlight in compliance with BRE guidance, Annual Probable Sunlight Hours (APSH) and Winter Probable Sunlight Hours (WPSH) assessments have been undertaken for all living room windows facing within 90 degrees of due south.

4.18. BRE guidance recommends that interiors where occupants expect sunlight should receive at least one quarter (25%) of APSH, including at least 5% in the winter months (21 Sep- 21 March). Lounges or LKD's are more important than bedrooms for receiving sunshine.

4.19. The submitted daylight / sunlight report shows that, in sunlight terms, five out of the nine LKD's would fail to meet BRE target of 25% annual sunlight. Two proposed flats effectively only face north- the front basement Flats 1 & 2 – and their lounges and bedrooms all receive zero sunlight which is unacceptable. These single aspect units with their LKDs oriented north are not recommended and will have a very poor level of amenity. Three flats (Flat 4 at basement/ground, Flat 5 at 1st floor and Flat 8 at 2nd floor, all double aspect) have lounges which also fail the BRE 25% target for sunlight. The lounge of Flat 3 at basement only just meets the target at exactly 25%. In addition all basement lounges and two on 1st and 2nd floors get zero winter sun.

4.20. Overall 5 out of 9 LKD's would have poor access to sunlight. This is particularly noticeable for the basement flats- Flats 1 and 2 will get no sunlight whatsoever, due to their almost total north orientation; duplex Flat 4's south-facing lounge falls significantly short of the required 25% and also all its bedrooms fail. Duplex Flat 3 is double aspect and has a lounge and one bedroom meeting targets. The low figures for the other two flats' lounges on 1st and 2nd floors are compensated by the flats being double aspect and having all their bedrooms meeting targets, so at least some rooms overall will receive adequate sunlight.

Outlook and ventilation

- 4.21. Outlook is the visual amenity enjoyed by occupants when looking out of their windows or from their garden.
- 4.22. Flat 4, 3, 6, 8 and 9 would be dual aspect. The majority of bedrooms from ground to 3rd floor would have a window with a reasonable outlook. Ground floor Flat 4 bedroom 2 and 1st floor Flat 6 bedroom 2 would only have outlook into a modest lightwell. However these units are dual aspect and overall would have an acceptable quality of outlook and ventilation.
- 4.23. The future occupants of the basement Flats 1 and 2 would have a very poor quality of outlook as the each living room and bedroom would only have views into a front lightwell which is two storeys below ground level. Their sole view would be enclosed by a solid wall over 5m high and 3m away. There would be no windows to provide natural cross-ventilation. It is expected that cooking fumes from the kitchens located away from the front lightwells would not have proper airing without mechanical ventilation. The outlook and ventilation for the basement 1 bed units is considered to be unacceptable.

Privacy

- 4.24. Policy A1 of the Local Plan states the Council will seek to ensure that the amenity of neighbours is protected from development. To ensure privacy, CPG Amenity (2018) suggests a minimum distance of 18m between the windows of habitable rooms in existing properties directly facing the proposed development.
- 4.25. A fence would be installed at basement level to separate the amenity area of Flat 3 and 4. Whilst there would inevitably be an element of overlooking between the proposed flats, reasonable separation distances have been maintained between LKD area windows within the development. The basement amenity area and terraces at ground, 1st, 2nd and 3rd floor would lead to mutual overlooking, but would not lead to overlooking of habitable rooms within the proposed development. However it is noted that the balconies at 1st, 2nd and 3rd would lead to overlooking of neighbouring windows- see Amenity section below for assessment.
- 4.26. Privacy has been considered as part of the design process, and noting the density and constraints of the site, the proposal would offer a good level of privacy for future occupiers.

External amenity space

- 4.27. The proposal incorporates outdoor amenity spaces with basement level amenity areas and terraces at ground, 1st, 2nd and 3rd floor. However as stated above the balconies at 1st, 2nd and 3rd floor would lead to overlooking of neighbouring windows- see Amenity section below for assessment. Should the development have been considered acceptable, these flat roofs would be conditioned to not be used as an amenity space. Therefore Flats 4, 5, 6, 7, 8 and 9 would not have access to any outdoor amenity space. This is a result from the overdevelopment of the site with the proposal providing too high a density in relation to the size and constraints of the site. However despite this, the lack of outdoor amenity space for these units is considered acceptable.

Wheelchair accessibility

- 4.28. Policy H6 includes a requirement for 90% of new build homes to comply with M4(2) (accessible and adaptable dwellings) and a requirement for 10% of new build homes to comply with M4(3) (wheelchair user dwellings). This does not appear possible given the reliance on stairs and no lift. The existing building does not have a lift and the addition of a lift is not considered to be practicable. An exception can be made in this circumstances due to the constraints of the existing building.

Summary

- 4.29. The two basement level 1 bed units (Flats 1 and 2) and basement and ground level duplex 3 bed and 4

bed units (Flats 3 and 4) would have an unacceptable standard of accommodation. The LKD rooms for these units fall significantly short of the required 2% ADF value for internal daylight; one of them falls significantly short of the required 25% value for sunlight and 2 others receive no sunlight at all. The basement level 1 bed units (Flat 1 and 2) would also have an unacceptable quality of outlook, ceiling height and ventilation. The proposed development therefore has an unacceptable standard of accommodation for future occupants, contrary to policy D1.

5. Affordable housing

- 5.1. Policy H4 aims to maximise the supply of affordable housing. The Council expects a contribution towards affordable housing from all developments that provide one or more additional homes and involve a total addition to residential floorspace of 100sqm GIA or more.
- 5.2. The Council will assess the capacity for additional homes on the basis of multiples of 100sqm GIA, rounding the additional residential floorspace to the nearest 100sqm GIA so the assessed capacity will always be a whole number. A sliding scale target applies to developments that provide one or more additional homes and have capacity for fewer than 25 additional homes, starting at 2% for one home and increasing by 2% for each home or 100sqm added to capacity.
- 5.3. The applicant has not provided the existing or proposed GIA. As per para 4.24 of CPG Housing 2021 the GIA can be produced by converting the Net Internal Area (NIA) by multiplying by 1.187. Based on measuring the plans, the proposed NIA is 718sqm, therefore the proposed GIA is 1,342 sqm. The existing NIA is approximately 547 sqm based on measuring the floor plans, therefore the existing GIA is 1,022 sqm. The uplift in GIA is therefore 320 sqm which is rounded to 300 sqm which equates to a capacity for 3 additional homes *at a 6% contribution. The Council's current adopted multiplier for calculating a payment-in-lieu (PIL) with market residential schemes is £5,000 per sqm. This provides an overall requirement of £78,700. The calculation is as follows:*
- $$6\% \times 260 = 15.6$$
- $$15.6 \times £5,000 = £78,000$$
- 5.4. This is based on measurements taken from the submitted plans by the applicant. This payment would be secured through a Section 106 legal agreement if the proposal were considered acceptable in all other regards. The failure to grant planning permission and therefore enter into a S106 legal agreement to secure a payment in lieu of affordable housing would also form a reason for refusal.

6. Design

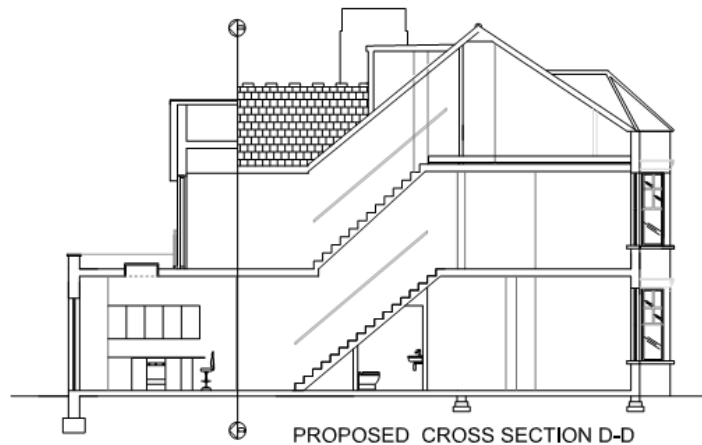
- 6.1. Two storey front roof extension
- 6.2. Policy 2 of the Neighbourhood Plan (NP) states that development should have regard to the form, structure and heritage of its context - including the scale, mass, orientation, pattern and grain of surrounding buildings, streets and spaces. Roof extensions are likely to be unacceptable where there is likely to be an adverse effect on the appearance of the building or the surrounding street scene. The Council do not object to the principle of a roof addition- indeed a sensitively designed roof extension would continue a pattern of development which would help to re-unite this terrace. In 2008 an application has been approved for the enlargement of the front roof with rear dormer under ref. 2008/1472/P dated. 07/10/2008.
- 6.3. Hillfield Road is a fine example of a late Victorian terrace, the street has a consistent roof form and visually pleasing architectural style which is domestic in character. The surrounding properties generally have slate pitched roofs with a projecting hipped roofs over the bays. The 2008 approved scheme replicated the pitched roof form of others within the street and incorporated a projecting hipped roof over

the 2 bays on the front elevation. This proposal was sensitively designed so that the ridge height would match the neighbouring buildings. Figures 5 & 6 show how this extension would not add significant bulk or unbalance the architectural composition of the building.



PROPOSED FRONT ELEVATION

Figure 5: Proposed front elevation for approved scheme ref. 2008/1472/P dated 07/10/2008.



PROPOSED CROSS SECTION D-D

Figure 6: Proposed section for approved scheme ref. 2008/1472/P dated 07/10/2008.

- 6.4. Roof alterations must be architecturally sympathetic to the age and character of the building and retain the overall integrity of the roof form. The proposed two storey roof extension would make a complete break from the established style of single storey pitched roofs on the street. There would be a second floor extension with red brick vertical walls with a 3rd floor mansard style extension above. The two storey extension would have the appearance of a double height flat-topped mansard roof extension. The extensions would add excessive bulk and mass to the host building which would overwhelm the elevation. The three sets of brick-faced dormer windows are excessively scaled. The size of the glazing does not reduce in size going up the building (hierarchy of windows) thus overwhelming the elevation. The two dormers over the existing bays would feature timber framed doors to enable the use of the 2nd floor bay roof as terraces with balustrading provided. These terraces would add further visual clutter which contributes to the overwhelming appearance of the extensions. The extensions would be visible in local views and would appear at odds with the domestic late victorian architecture.

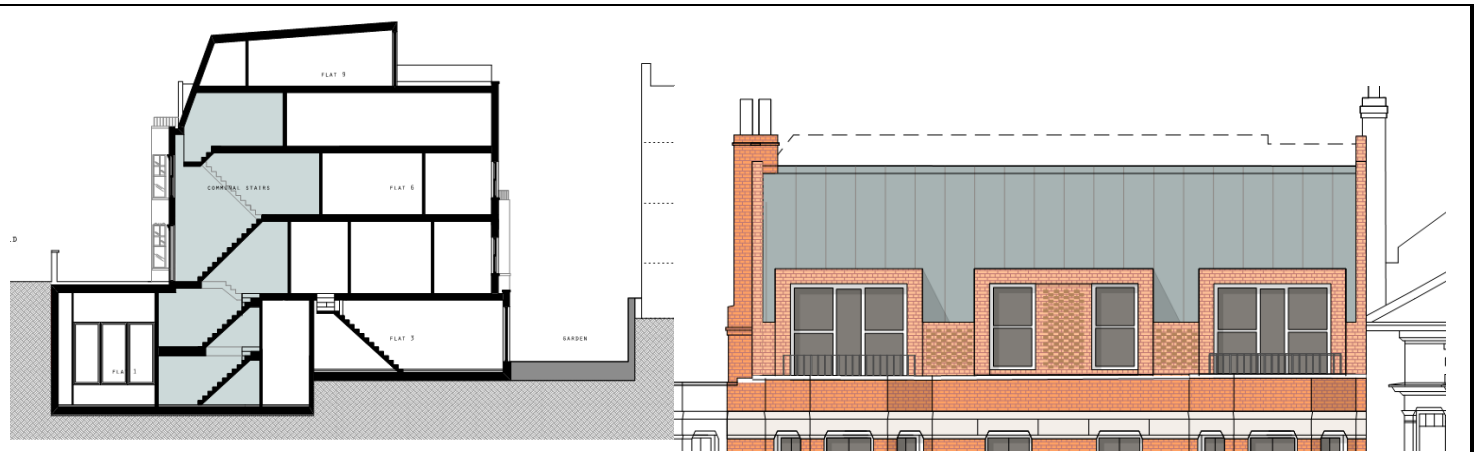


Figure 7: Proposed section AA and front elevation

- 6.5. The proposed front extensions would raise the roof line considerably above the roof line of adjacent Gondar Gardens Cottage and 2A and 2b Hillfield Rd. The sections in figure 8 show how significantly the extension's gable ends would rise over these buildings. These would appear highly incongruous and out of character from street level. The extension would undermine the coherent design of the building and appear visually dominant in the streetscape.
- 6.6. CPG Design states that development should integrate well with the existing character of a place. Policy 2 of the NP states that there is a presumption in favour of a colour palette which reflects, or is in harmony with, the materials of its context. The replication of particular exterior details is strongly recommended where such details are consistent in streets. The proposed roof would be made of 'natural' zinc. Zinc is not a material which is historically used for roofs in low rise streets in West Hampstead, particularly in a terraced street such as Hillfield Road which has slate tiles on all the pitched front roofs. The use of zinc contributes to the incongruity of the roof extension within the terrace.



Figure 8: Visual of proposed front elevation

- 6.7. The proposed extensions appear as overly dominant, failing to be subordinate to the roof or architecturally sympathetic to the age and character of the building. The two storey roof extension by reason of its scale, design and materials would appear as an incongruous addition which causes harm to the appearance of the building and wider streetscene. As a result refusal is recommended on this basis.
- 6.8. Massing of rear extensions including rear dormer
- 6.9. CPG Design (2019) states that extensions should be secondary the building being extended, in terms of location, form, scale, proportions, dimensions, and detailing. The guidance states that a single storey

ground floor extension is generally preferable to those proposed at higher levels, with extensions generally being required to terminate at least a full storey below eaves. In cases where a higher extension is found to be appropriate, a smaller footprint will generally be required in order to mitigate any increase in visual mass and bulk, overshadowing and sense of enclosure that would be caused by the additional height of the extension. Extensions should be in harmony with the original form and character of the building and the historic pattern of extensions within the group of buildings.

- 6.10. The proposed extension, occupying practically the full width of the site and consisting of four storeys (from basement), would create an unacceptable increase in bulk and mass to the detriment of the host building. The existing rear bay window and two storey projection would be dwarfed by the scale of the extensions. The four storey element would protrude out of the building line, dominating the appearance of the rear elevation. It is noted that the depth of the rear elevation would not increase significantly and therefore no objection is raised to small rear garden space.



Figure 9: Existing and proposed rear elevations

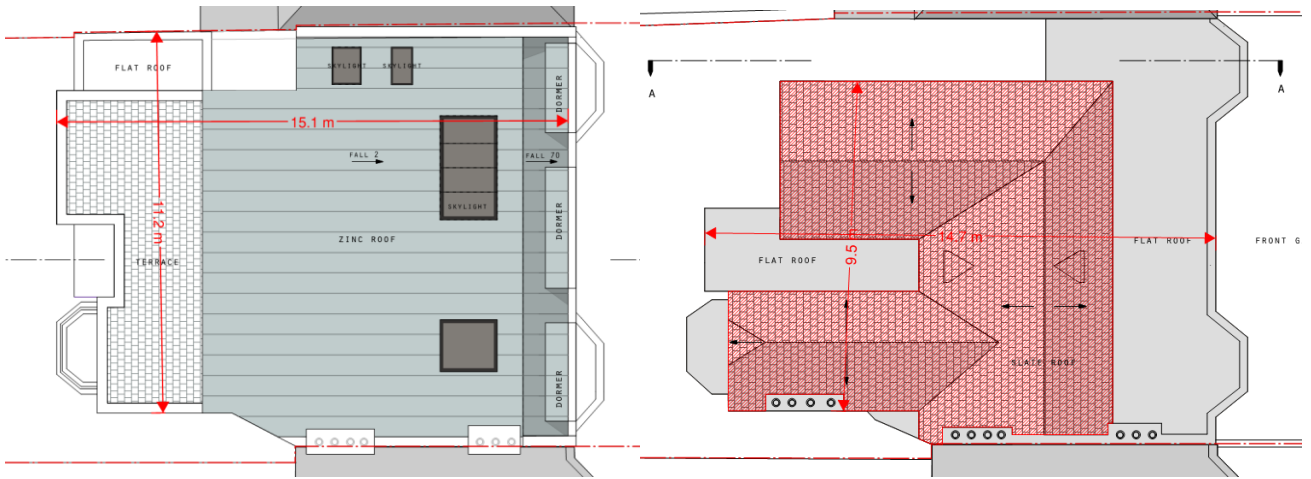


Figure 10: Proposed (left) and existing (right) roof plans

- 6.11. The rear dormer style roof extension contributes to the proposal being insubordinate to the host building. This extension would have excessive amounts of glass and overall mass. The scale and proportions of the building would be overwhelmed by the additional extensions which are above eaves level.

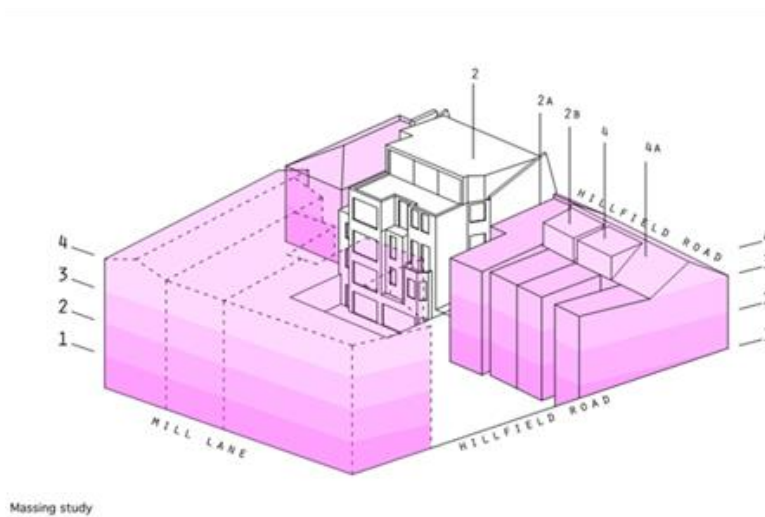


Figure 11: Rear massing study

- 6.12. CPG Design (2019) states that extensions should respect and preserve the historic pattern and established townscape of the surrounding area. In order for a new extension to be subordinate to the original building, its height and depth should respect the existing common pattern of rear extensions at neighbouring sites. The massing study shown in figure 11 and within the design and access statement suggests that the massing should replicate taller buildings to the rear of the site on Mill Lane. These buildings are higher than those on Hillfield Road. It is an intrinsic feature of the local urban grain of West Hampstead that buildings on the main streets are higher than those in streets behind the main streets. The massing should relate to that on Hillfield Road rather than Mill Lane.



Figure 12: View of rear from Gondar Gardens

6.13. As shown in Figure 12 the rear would be visible from the public realm. The extensions would rise a considerable distance above the height of the existing pitch roof and the neighbouring building on Gondar Gardens. The extensions would fail to respect the established pattern of rear development on this terrace. The proposed extension would not be commensurate with the existing pattern of neighbouring rear development, and the existing rhythm of extensions would be disrupted with an overly bulky addition. The increase in depth and massing is considered excessive and out of scale with the building and the established pattern of neighbouring rear development.

6.14. Detailed Design of rear extensions

6.15. The proposed rear extensions would adversely affect the architectural integrity of the host building and harm the character and appearance of the area. The design is not in harmony with the original form and character of the architecture of this late Victorian building. The materials used are not complementary to the existing building and its character. The use of glazing is considered dominant and excessive. There are large expanses of glazing which are not in proportion to the solid walls (solid to void ratio). The expanses of glazing would appear as large voids/holes in the building. Furthermore the size of the glazing does not reduce in size going up the building (hierarchy of windows) further overwhelming the elevation.

6.16. The proposed rear elevation has very little relation to the original character and design of the building. The design of the extension would erode the character of the building and the surrounding area. The existing rear elevation is modestly scaled and, while not holding high architectural significance, is more in keeping with the established pattern of neighbouring rear development.

6.17. Front lightwells and forecourt

6.18. CPG 'Basements' states that the presence or absence of lightwells helps define and reinforce the prevailing character of a neighbourhood. The guidance states that in situations where lightwells are not part of the established street character, the characteristics of the front garden or forecourt will help to determine the suitability of lightwells. Any exposed area of basement development will be required to be:

- subordinate to the building being extended;
- respect the original design and proportions of the building, including its architectural period and style; and
- minimise the loss of garden space.

6.19. There is an established character to the front gardens of the late Victorian terrace. There are low rise

boundary walls with often well vegetated front gardens. Together, the architecture of the buildings and their front gardens contribute to the quality of the streetscape. Front lightwells are not an inherent characteristic of the streetscape. The proposed front lightwells are large, spanning 2.7m across plan and 3.1m in depth from the bay. They would be aggressively square and not follow the lines of the bay. The lightwells would not be secured with a metal grille in accordance with CPG Basements. The front lightwells would dominate the forecourt and appear highly incongruous within the street scene. It is considered that any front lightwell would not be in keeping with the overall architectural style and character of the area. The front lightwells would be concealed by 10 refuse bins which is unacceptable, both in design terms for the streetscene and in amenity terms providing a poor outlook for future ground floor occupants. The shallow depth of the front garden would mean that the lightwells would be plainly visible from the street without the bins in front.



Figure 14: Proposed ground floor plan

- 6.20. CPG 'Altering and extending your home' para 5.4 states that the design of front gardens and forecourt parking areas make a large impact to the character and attractiveness of an area and is particularly important to the streetscene. Paragraph 5.5 states that a front garden and other similar forecourt spaces should consider a balance between hard and soft landscaping. There would be almost no soft landscaping with almost the entire front garden paved over. The hard landscaping provides a visually harsh setting to the architecture behind and, without evidence to demonstrate otherwise, would increase surface water run-off.
- 6.21. All developments should provide adequate space for waste and recycling bins and containers. Such provision should not encroach onto pavements and should not have a negative impact on the public realm. The 10 refuse bins would have a detrimental impact on the public realm. This is a symptom of the over-development of the site.
- 6.22. The proposal would be contrary to Local Plan policy D1 which seeks to secure high quality design in development which respects local context and character. The proposal would also be contrary to Policy 2 of the NP which requires development to positively interface with the street and streetscape in which it is located.

7. Residential Amenity

- 7.1. Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of residents. This includes factors such as privacy, outlook, natural light, artificial light spill, as well as impacts caused from the construction phase of development. Policy A4 seeks to ensure that residents are not adversely impacts upon by virtue of noise or vibrations.

7.2. Light and overshadowing

- 7.3. A Daylight and Sunlight Study has been submitted in support of the application which assesses the impact of the development on the light receivable by the surrounding properties. The study is based on the BRE guide 'Site layout planning for daylight and sunlight: a guide to good practice' 2011. The report concludes that the development would have a relatively low impact on the light receivable by neighbouring properties and that there is no daylight/sunlight related reason why planning permission should not be granted. The results of the daylight and sunlight study are shown in Appendix 2 of that report.
- 7.4. The Vertical Sky Component (VSC) is calculated at the centre point of each affected window on the outside face of the wall in question. BRE guidelines suggest that 27% VSC is a good level of daylight. If a window does not achieve 27% VSC as a result of the development, then it is assessed whether the reduction in value would be greater than 20% of the existing VSC – which is when the reduction in light would become noticeable to occupants.
- 7.5. The following properties would meet the target values set out in BRE Guidelines when comparing existing and proposed scenarios: Gondar House, 1a Gondar Gardens; 1 Hillfield Road; 3 Hillfield Road; 5 Hillfield Road; 14-19 The Mansions and 10-12 The Mansions, Mill Lane. For these properties, of the windows which were assessed for VSC, all would continue to meet target values set out in the BRE guidance (27% or above) or the reduction in value would be greater no greater than 20% of the existing VSC.
- 7.6. However a review of the detailed daylight distribution calculations show that a number of windows serving habitable rooms of Gondar Cottage, 2a Hillfield Road, 2b Hillfield Road and 31 Mill Lane would all experience an appreciable loss of light.
- 7.7. BRE guidance recommends that interiors where occupants expect sunlight should receive at least one quarter (25%) of APSh, including at least 5% in the winter months
- 7.8. Gondar Cottage
- 7.9. The ground floor test window for Gondar Cottage has an existing VSC of 15.45% which would be reduced to 10.1%, which is a 35% reduction in its former value. The report states that this is a 'test window and it is not known if it exists'. However planning records (ref. 2010/5142/P) indicate that this is an existing window which serves a galley kitchen on the ground floor. This window would experience an appreciable loss of light and is one of two windows serving the kitchen. It is noted that the side window serving the dining room does not appear to have been assessed and is expected to be significantly impacted. However the small galley kitchen is not a habitable room with the same importance as a living room, therefore the impact to this room is not considered harmful to neighbouring residential amenity.

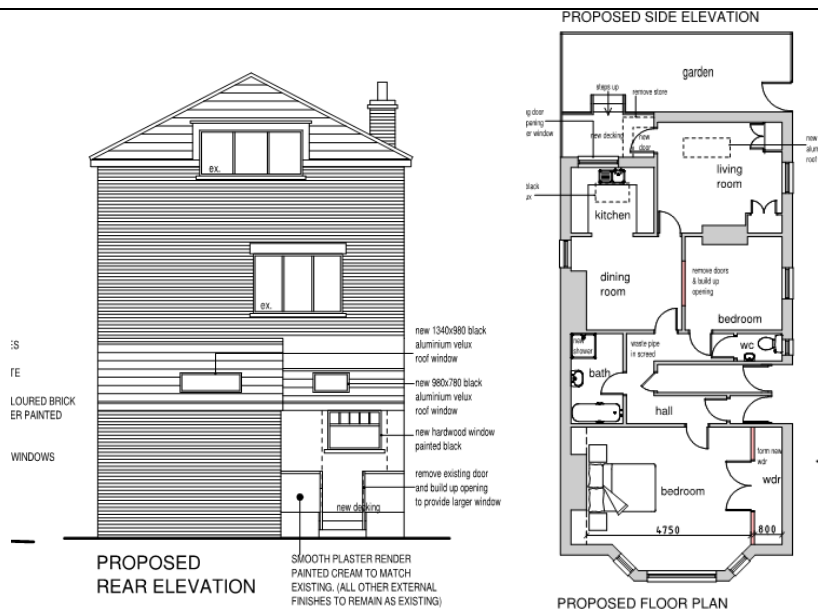


Figure 15: Rear elevation and ground floor plan of Gondar Cottage

7.10. 2a Hillfield Road

7.11. For 2a Hillfield Road, only three out of the seven windows at ground and 1st floor would meet the target values for VSC in the proposed positions. In that four windows would experience a reduction greater than 20% of their former value. It is acknowledged that all the existing windows have an existing VSC under 27%, with the highest value being 21% at first floor and the lowest 2.33% at ground floor. These windows have low levels of light in the existing position (no greater than 5.4% VSC in absolute terms). Four windows are positioned on the side elevation of the side return of 2A Hillfield Road, but this is typical arrangement for Hillfield Road and these windows are not considered to be 'bad neighbours'. One first floor window which likely serves a bedroom, would experience a 4% absolute reduction which equates to a 61% reduction in its former value. It is considered that there would be an appreciable loss of light to this property.

7.12. 2b Hillfield Road

7.13. For 2b Hillfield Road, one window would not meet the target values for VSC. A first floor window would experience a reduction from an existing VSC of 27.17% to 19.59% which is a 28% reduction in its former value. This window is on the side return facing the site, but this is typical arrangement for Hillfield Road and this window is not considered to be a 'bad neighbour'. This room is likely to serve a bedroom but it is still considered that there would be an appreciable loss of light to this property.

7.14. 31 Mill Lane

7.15. The ground floor window would experience a reduction from, 15% to 11% which is a 27% reduction of its former value. However this window serves a commercial unit and therefore this is considered acceptable. There would be one first floor window which would experience a reduction from 25% to 19% which is a 24% reduction. This window appears serve a bedroom; however there would still be an appreciable loss of daylight which is considered to be unacceptable.

7.16. Summary

7.17. Gondar Cottage, 2a Hillfield Road, 2b Hillfield Road and 31 Mill Lane would all experience an appreciable and significant loss of daylight. The proposed development would result in a noticeable worsening of the current situation in daylight terms which is not consider to be acceptable. It is noted that all these windows would continue to receive at least 25%) of APSH sunlight, including at least 5% in the winter months.

7.18. Visual amenity and outlook

- 7.19. The visual amenity of occupiers is the quality of their surrounding environment which may be impacted by the quality, scale and character of the built environment. The current level of visual amenity enjoyed by the neighbouring properties of Gondar Cottage and 2a Hillfield Road are formed by the grain of development in the area. Developments should ensure that the proximity, size or cumulative effect of any structures avoids having an overbearing and/or dominating effect that is detrimental to the enjoyment of their properties by adjoining residential occupiers.
- 7.20. The occupiers of 2a and 2b Hillfield Road would experience an undue sense of enclosure as a result of the rear extension to a height of 12m. It is noted that there is a 2.6m separation between the extension and the rear closet wing windows of 2a and 2b Hillfield Road; however the extension will be excessively high which would be harmful to their amenity and therefore not acceptable. The massing of the rear extension and its relationship to these windows would have an overbearing effect which is not acceptable.
- 7.21. With regard to the occupiers of Gondar Cottage, the proposed extension would result in a wall running alongside the boundary with Gondar Cottage for 4m at a height of 7m (9.9m from basement level). It is considered this would result in an undue sense of enclosure for the residents of Gondar Cottage to the detriment of their amenity and would not be an acceptable form of development. The rhythm, symmetry and uniformity of the rear elevation would be harmed. The boundary treatments with adjoining Gondar Gardens is low and therefore the proposed extension would have an adverse visual impact on this property's amenity.
- 7.22. It should be noted that the specific views from a property are not protected as this is not a material planning consideration. Particular care should therefore be taken if the proposed development adjoins properties with a single aspect. Any unpleasant features should be screened if possible, for example with permanent landscaping.
- 7.23. Privacy
- 7.24. To ensure privacy, CPG 'Amenity' suggests a minimum distance of 18m between the windows of habitable rooms in existing properties directly facing the proposed development.
- 7.25. The proposed terraces at rear 1st, 2nd, and 3rd floor would lead to direct overlooking to 2a Hillfield Road, Gondar Cottage, Flats with rear windows at Gondar Mansions and flats with rear facing windows on Mill Lane. Figure 17 shows that the edge of the roof terraces would be within 6m of neighbouring windows. Indeed users of the terraces would have direct views into neighbouring windows which is unacceptable. To overcome this overlooking it would be necessary to install 1.8m privacy screens across all the rear terraces. However this would add unwanted visual clutter and bulk to the building and cannot be supported in design terms. The proposed terrace would create opportunities for overlooking of multiple neighbouring habitable rooms at close distances which is considered unacceptable. It is noted that some acute angled views may not lead to direct overlooking of windows. It is also noted that there are existing side facing windows associated with the existing rear outrigger which would be replaced on more or less a like-for-like basis.

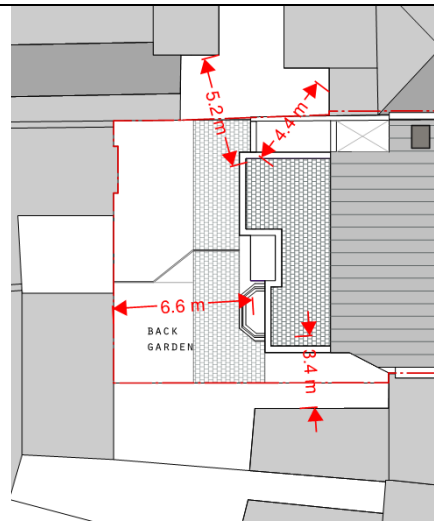


Figure 16: Overlooking distances with neighbouring buildings

8. Basement

8.1. Basement size

- 8.2. An Article 4 Direction covers the whole of the London Borough of Camden meaning that all basement development requires planning permission.
- 8.3. The applicant states in a letter dated 29/09/2020 that ‘the proposed basement will be entirely contained inside the completed basement already implemented as per ref. 2007/6306/P. No additional excavation works will need to be carried out in order to implement the proposal. We have therefore not provided a basement impact assessment (BIA)’.
- 8.4. The plans indicate greater basement level excavation than was approved in 2007. The depth of the basement would be increased by 500mm across an approximate 12m depth of the site, measured from the front boundary. The proposal constitutes new development that must be assessed in relation to current local plan policies and guidance. Therefore this application would require a full BIA in accordance with policy A5.

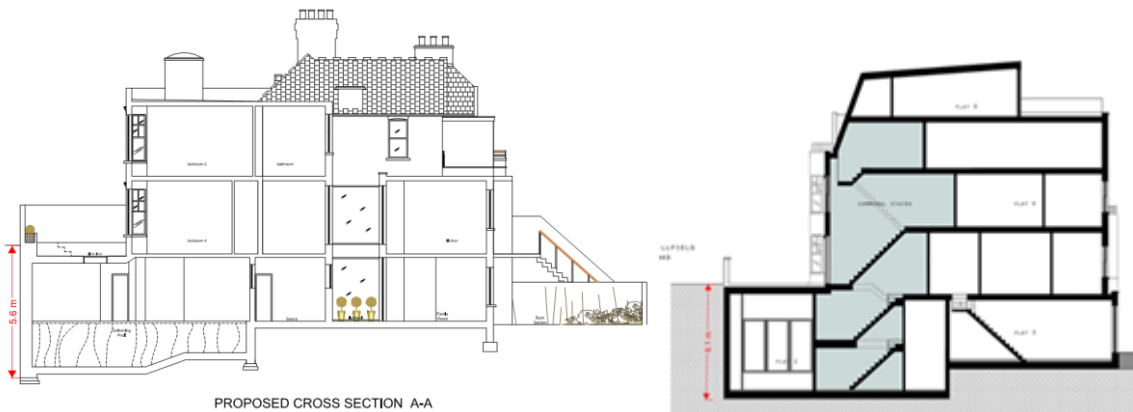


Figure 17: 2007 approval (left) and current scheme (right)

- 8.5. The siting, location, scale and design of basements must have minimal impact on, and be subordinate to, the host building and property. Policy A5 and CPG ‘Basements’ Table 1 set out criteria (f. to m.) regarding the size of basements. Basements must be single storey; not be built under an existing basement; not exceed 50% of each garden within the property; be less than 1.5 times the footprint of the host building in area; extend into the garden no further than 50% of the depth of the host building; be set back from neighbouring property boundaries. See figure 19 below for diagram of criterion f-m.

FIGURE 9: All criterion of Policy A5 of the Local Plan

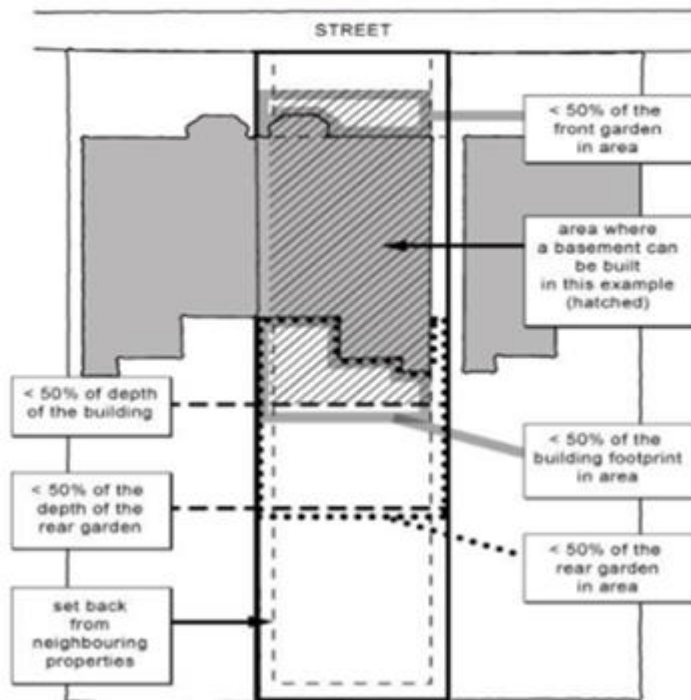


Figure 18: Diagram of policy A5 criteria f - m



Figure 19: View of excavated basement which extends to rear boundary

- 8.6. Figure 19 shows that the entire width and length of the site has been excavated. The existing basement extends right up to the rear boundary wall. There is no remaining garden at ground level or vegetation.
- 8.7. The proposed excavation would be below the existing basement level. The site is an 'excavated site' (see figure 20) and therefore further excavation is not in accordance with policy A5 criterion g.

Figure 3. Excavated sites

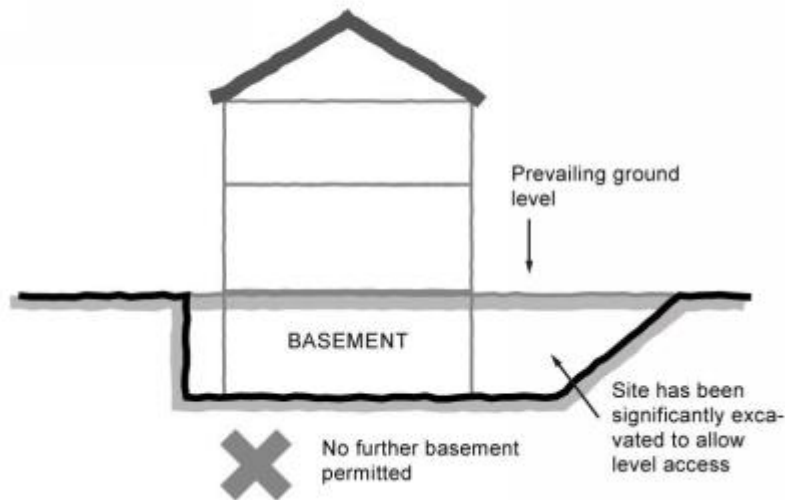


Figure 20: excavated site

- 8.8. CPG Basements page 10 table 1 states *'the Council considers a single storey for a basement to be approximately 3 to 4 metres in height. The requirement for storey heights to be no more than 3-4 metres refers to the total depth of excavation. Where appropriate we will allow a proportion of the basement to be deeper to allow development of swimming pools. Allowance of this addition depth will only be appropriate where it does not harm the neighbouring properties or the structural, ground, or water conditions of the area, and where the additional depth is required for a swimming pool and it not being used for any other purposes.'* The proposed basement at the front would be over 5m in height and have two full storeys below ground level. This is contrary to policy A5 criterion f.
- 8.9. The proposed basement at the front would be located below an existing basement and is not single storey (criteria f and g). The location, scale and design of the basement would not be subordinate to the host building and property and is contrary to policy A5.

Basement Impact Assessment (BIA)

- 8.10. Policy A5 states that in determining applications for basements, the Council will require an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability including ground movement. The Council will only permit basement development that does not cause harm to:
- Neighbouring properties;
 - The character and amenity of the area;
 - Structural, ground, or water conditions of the area; and
 - The architectural character and heritage significance of the building and area
- 8.11. Policy A5 requires basement proposals to be supported by a BIA to demonstrate, with methodologies appropriate to the site, that a scheme maintains the structural stability of the building and neighbouring properties; avoid adversely affecting drainage and water runoff or causing other damage to the water environment; and avoid cumulative impacts upon the structural stability or water environment in the local area. Section 4 of CPG [Basements](#) – (January 2021) sets out the requirements of stages 1-4 of a BIA. Paragraph 6.117 of the Local Plan states that "In order to provide the Council with greater certainty over the potential impacts of proposed basement development, we will generally expect an independent verification of Basement Impact Assessments to be funded by the applicant". Therefore a BIA would require independently verification by Campbell Reith in accordance with Policy A5 and CPG Basements. Each stage of the BIA should be carried out by engineering professionals who hold qualifications relevant to the matters being considered. The applicant has not submitted a BIA.

8.12. Surface water/flooding

8.13. Criterion (n) to (u) of policy A5, relates to impact to the built and natural environment and local amenity, including to the local water environment and ground conditions. Policy A5 stipulates that the Council will not permit basement schemes which include habitable rooms in areas prone to flooding. The site is identified as being located within an area which is prone to surface water flow and flooding. In the absence of a BIA, it has not been demonstrated that the enlarged basement would not harm the structural, ground, or water conditions of the area. See sustainability section for further discussion of surface water flooding.

8.14. Land stability and impact to the host building and neighbouring properties

8.15. There has been no BIA to assess impacts on land stability. There is no investigation into, or assessment of the impacts to, the geological, hydrological or hydrogeological conditions of the surrounding area. No Ground Movement Assessment was undertaken which may have been identified as a requirement in the screening and scoping stages of the BIA. There has been no assessment of risk of damage to properties by subsidence using the Burland Scale.

8.16. In the absence of a submitted BIA that has been independently verified, the Council is not satisfied that the basement development would not have any adverse impact on the host and neighbouring buildings or the surrounding local area. The absence of a BIA therefore constitutes a reason for refusal.

9. Transport including highways

Cycle parking

9.1. Local Plan Policy T1, Policy 8 of the NDP aims to promote walking, cycling and public transport use. Policy T1, CPG Transport and Table 6.3 of the London Plan requires any new dwelling to provide covered, secure, fully enclosed and easily accessible (step-free) cycle parking. The London Plan standards would require 17 long-stay and 2 short-stay cycle spaces.

9.2. The plan indicates that 3 Sheffield stands would be provided in the forecourt to accommodate 6 bicycles. The Sheffield stands are not suitable for long-stay cycle spaces as they are not covered and therefore not secure. Due to different security requirements, long-stay and short-stay cycle parking should be separated. It would not appear possible to provide 17 long-stay cycle parking spaces and 2 short-stay cycle parking spaces on site. The proposal would not provide a sufficient number or quality of cycle storage spaces and this is another symptom of the overdevelopment of the site. The failure to provide the necessary quantity of cycle spaces which meet London Plan policy standards for both long-stay and short-stay requirements therefore constitutes an additional reasons for refusal.

9.3. Car Parking

9.4. Policy T2 states that the Council will limit the availability of parking and require all new developments in the borough to be car-free. The Council will not issue on-street or on-site parking permits in connection with new developments and use legal agreements to ensure that future occupants are aware that they are not entitled to on-street parking permits. Policy 7 (sustainable transport) of the NDP requires car-free or car-capped developments.

9.5. The strategic objective T2 and Policy 7 is to reduce air pollution, traffic congestion, parking stress and improve the attractiveness of an area for local walking and cycling. The failure to grant planning permission and therefore enter into a S106 legal agreement means that the failure to agree a legal obligation to secure the development as car-free forms a reason for refusal.

9.6. Construction Management Plan (CMP)

- 9.7. Policy A1 seeks to resist development that fails to adequately assess and address transport impacts affecting communities, occupiers, neighbours and the existing transport network. The Council will consider the impacts of the construction phase, including the use of CMPs. Paragraph 2.31 of CPG Transport states that: “CMPs are secured as a planning obligation through a legal agreement and the pro-forma must be agreed by the Council prior to commencement of work starting on site.”
- 9.8. The proposal does not involve considerable excavation. However, as the site is within a residential neighbourhood and located at the end of a no-through road, a CMP would need to be secured to minimize the impact of construction on the highway infrastructure and neighbouring community. A CMP and a CMP implementation support contribution of £3,920 and a Construction Impact Bond of £7,500 is required in order to minimise the movement of goods and minimise the impact on the local area. The CMP bond is fully refundable should not issues arise with the CMP.
- 9.9. The support contribution is required to cover the costs of Council staff time in reviewing and approving the submitted CMP, the ongoing inspection and review of the plan during the construction works, and discussions to agree any amendments during the lifetime of the construction. This can take a large amount of time and this is a cost which should be covered by the developer who benefits from the planning permission rather than the tax payer. For applications in the area, the Council has used a consistent approach of requesting CMPs via S106. The absence of a finalized legal agreement for a CMP with associated contributions constitutes and additional reasons for refusal.
- 9.10. Approval in Principle (AIP)
- 9.11. The proposal would involve some basement excavation, increasing depth by approximately 500 mm, close to the public highway. The Council has to ensure that the stability of the public highway adjacent to the site is not compromised by the proposed construction. The applicant would be required to submit an ‘Approval in Principle’ (AIP) report to the Highways Structures & Bridges Team within Engineering Services as a pre-commencement planning obligation. This is a requirement of British Standard BD2/12. The AIP report would need to include structural details and calculations to demonstrate that the proposed development would not affect the stability of the public highway adjacent to the site. The AIP would also need to include an explanation of any mitigation measures which might be required. The AIP report and an associated assessment fee of £1,901 would need to be secured via a legal agreement if planning permission were to be granted.
- 9.12. Highways Contribution
- 9.13. The footway directly adjacent to the site is likely to sustain damage because of the proposed works. The Council would need to undertake remedial works to repair any damage following completion of the proposed development. A highways contribution would need to be secured as a section 106 planning obligation. This would allow the Council to repave the footway directly adjacent to the site and repair any other damage to the public highway in the general vicinity of the site. The highway works would be implemented by the Council’s highways contractor on completion of the development. A cost estimate for the highway works would be produced by the Council’s Transport Design Team. The estimate would be refundable should there be do damage to the public footway. The absence of a finalised S106 agreement to secure a highways contribution contributes a reason for refusal.

10. Sustainability

- 10.1. Energy efficiency
- 10.2. In accordance with Local Plan Policy CC1 and the London Plan all new build residential development (of 1- 9 dwellings) must meet 19% carbon reduction. As a minimum the development would be required to meet the carbon reduction targets as part of Part L1B of Building Regulations for retained thermal through the application of the energy hierarchy.

- 10.3. The design approach would need to be supported by consideration of the Energy Hierarchy, with the primary focus on reducing the energy demands of the building at the Be Lean stage of the hierarchy. The proposal would be required to show how adaptation measures and sustainable development principles have been incorporated into the design and proposed implementation.
- 10.4. In order to achieve maximum environmental benefits with minimised future operational energy requirements, the council encourages new build residential development to design to the Home Quality Mark and Passivhaus design standards. New homes should be designed to control solar gain and avoid the need for substantial heating or cooling. The proposal should maximise resource efficiency during construction and occupation through:
- reducing energy and water use during construction;
 - waste reduction;
 - minimising materials required;
 - using materials with low embodied carbon content; and
 - enabling low energy and water demands once the building is in use (110 litres per person per day)
- 10.5. The Design and access Statement on page 17 lists a number of adaptation measures:
- The insulation level for the proposed extension will be above the present Part L requirements
 - The proposal has been designed to allow as much natural daylight into the building
 - Double glazed low “e” glazing is proposed throughout the scheme to maximise daylight and to reduce solar gain
 - The proposals will benefit from high efficiency gas condensing boiler to further minimise energy load requirements. The boilers will have a secondary source of heat where the flue passes through the heat exchanger to produce a high efficiency. All radiators will include thermostatic valves.
 - All habitable rooms will be naturally ventilated and extract to kitchens, bathrooms and toilets will be wired to local light circuits and have a timed overrun.
 - Water conservation within the home will include a dual flush system or low flush toilet systems also the use grey water harvesting in 2 of the units reducing the volume of fresh water demand.
 - Appliances will be chosen on their energy efficiency rating. Energy efficient light bulbs will be used where possible. The garden will be laid out with drought tolerant plants. Rainwater will be collected if possible into storage butts to be used in the garden.
- 10.6. Policy CC1 which states that ‘*all development should adopt appropriate climate change adaptation measures such as: measures to reduce the impact of urban and dwelling overheating, including application of the cooling hierarchy.*’ The applicant has not specified if mechanical cooling equipment is proposed. However it appears that the ‘services’ located in both front lightwells may be mechanical cooling equipment. The basement flats are single aspect with poor ventilation and it therefore it is reasonable to assume that mechanical cooling equipment is proposed for these two units. The applicant has not provided a sustainability statement to assess compliance with the carbon reduction targets as part of Part L1B of Building Regulations for retained thermal, which is achieved through the application of the energy hierarchy. In the absence of evidence to demonstrate otherwise, the proposal is contrary to policy CC1 which requires development to reduce carbon dioxide emissions through following steps in the energy hierarchy. The failure to demonstrate compliance with the carbon reduction targets as part of Part L1B of Building Regulations for retained thermal through the application of the energy hierarchy constitutes a reason for refusal.

10.7. Flood risk and water runoff

- 10.8. Camden has relatively few permeable surfaces and a very high population density. As a result it is deemed to have a high risk of surface water flooding, which is likely to be increased by further growth and intensification of the built environment as well as the increasing risk of heavy rainfall due to climate change. Surface water flooding is caused when the existing water infrastructure (drains and sewers) cannot cope with heavy rainfall. The majority of the borough, as with London as a whole, is primarily underlain by clay soils. This means the soil beneath paving permits moderate infiltration. The site is identified as being located within an area with hydrological constraints, specifically underground surface water flow and flooding.
- 10.9. Policy CC2 states that the Council will seek to ensure that development does not increase flood risk and reduces the risk of flooding where possible. Policy CC2 states that the Council will require development to be resilient to climate change. Policy CC3 states development should adopt appropriate climate change adaptation measures. The policy states developments should not increase, and wherever possible reduce, surface water run-off through increasing permeable surfaces and use of Sustainable Drainage Systems.
- 10.10. Front and rear gardens have become particularly prone to development pressure where loss of vegetation has resulted in the erosion of local character and amenity, biodiversity and their function as a sustainable drainage system to reduce local storm water run-off. The cumulative contribution of gardens with landscaping and trees towards Camden's green infrastructure has become even more significant over the last few decades because of their contribution to mitigating the effects of climate change which includes overheating. Additionally, gardens create green corridors for wildlife, aid the improvement of air quality and provide natural drainage for rainfall.
- 10.11. Policy CC3 states development should consider the impact of development in areas at risk of flooding and should utilise Sustainable Drainage Systems (SuDS) in line with the drainage hierarchy to achieve a green field run-off rate where feasible.
- 10.12. An on-site soakaway using partial and non-infiltration methods set in permeable pavements is the preferable method by which the laying of hardstanding should be approached. The proposal has not specified a sustainable SuDS in line with the drainage hierarchy. No consideration appears to have been given to introducing sub-surface means of water retention, or other measures which would avoid the reliance on using the street as a gully and the sewer system as the immediate point of water removal, without any on-site attenuation. The failure to demonstrate that detailed measures would mitigate surface water run-off and flood risk constitutes a reason for refusal.

11. S106/CIL

- 11.1. If the proposals were supported, the following heads of terms would need to be secured by S106 Legal Agreement to make the development acceptable.
- Affordable Housing contribution of £78,000
 - Car-free development
 - Construction Management Plan and associated Implementation Support Contribution of £3,920 (recently increased)
 - Construction Impact Bond of £7,500
 - Approval in Principle and associated costs of £1,901
 - Highways contribution (to be confirmed)
- 11.2. The proposal would be liable for the Mayor of London's Community Infrastructure levy (CIL) and the Camden CIL as it involves the creation of over 100sqm floorspace and new residential units.

10. Recommendation

Refuse planning permission