

Planning Statement **28 Avenue Road**

Relating to site at
28 Avenue Road, NW8 6BU

March 2021



hghconsulting.com

Contents

1.0 Introduction 3

2.0 Site and Surroundings 4

3.0 Pre-application 6

4.0 Proposed Development 7

5.0 Planning Policy Framework 8

6.0 Planning Assessment 10

7.0 Conclusion 19

1.0 Introduction

- 1.1 This Planning Statement has been prepared by hgh Consulting on behalf of Mr Vinay Mahtani. It accompanies a planning application for the erection of a new dwelling and associated outbuildings at 28 Avenue Road, NW8 6BU (“the site”), within the London Borough of Camden.
- 1.2 The proposed scheme is for the:
- “Erection of a two-storey plus basement mansard dwelling with outbuildings, vehicular access, parking, landscaping and associated works.”***
- 1.3 The proposal has been subject to extensive pre-application discussions with the London Borough of Camden (“LB Camden”) Planning, Transport and Design Officers, and the submitted proposal has evolved in response to the feedback received. Further information on this can be found in Section 3.
- 1.4 The submitted proposal would provide notable public benefits; including: a substantial contribution towards affordable housing (either off-site or through a payment-in-lieu), an additional dwelling contributing towards Camden’s housing need, and the enhancement of a site in the Elsworthy Road Conservation Area.
- 1.5 This statement should be read in conjunction with supporting plans and documents, including:
- Existing and proposed drawings;
 - Design and Access Statement;
 - Heritage Statement;
 - Townscape and Visual Impact Assessment;
 - Arboriculture Impact Assessment and Trial Pit Method Statement;
 - Basement Impact Assessment and Audit Form (with Section B completed);
 - Flood Risk and Drainage Assessment;
 - Noise Impact Assessment;
 - Energy and Sustainability Statement;
 - Transport Statement;
 - Biodiversity Survey and Ecological Assessment; and
 - Affordable Housing Report.
- 1.6 The statement provides a detailed assessment of the proposal in relation to planning policy and other material planning considerations. It provides a reasoned justification as to why planning permission for the proposed development should be granted.

2.0 Site and Surroundings

- 2.1 No. 28 Avenue Road comprises a large triangular shaped plot containing a single storey gatehouse accessed via a driveway, located on the north-eastern side of Avenue Road. An aerial view of the site is shown in **Figure 1**.



Figure 1: Aerial view of the site

- 2.2 The gatehouse was originally the lodge to a large mansion house (known as Ellet House) situated to the rear of the site; however, the mansion house was demolished following a fire in the 1960s, which resulted in irreparable damage to the property. The rear of the plot is still used as an amenity space for the current owner and contains several mature trees and a tennis court.
- 2.3 The gatehouse is owned and occupied by Mr Mahtani; however, it no longer meets his family's needs, and it was always intended that a larger family home would be constructed in the same location as the original 19th century house demolished during the 1960s.
- 2.4 The site is not listed; however, it is located within the Elsworth Road Conservation Area and both the gatehouse and the neighbouring dwelling, No. 30, are identified in the Elsworth Road Conservation Area Appraisal and Management Strategy as making a positive contribution to the character and appearance of the Conservation Area. The St John's Wood Conservation Area is located on the opposite side of Avenue Road. Primrose Hill, which lies adjacent to the north-eastern site boundary, is a Grade II Registered Park and designated as Open Space, Metropolitan Open Land and a Site of Importance for Nature Conservation.
- 2.5 The site has a Public Transport Accessibility Level (PTAL) rating of 2 (where 0 is worst and 6b is best). The nearest stations are St John's Wood (640 metres) and Swiss Cottage (800 metres), both of which are served by the Jubilee line. However, both tube stations exceed the recommended 500 metre (6 minute) walk distance to stations, as detailed within the TfL "Healthy Street" guidance. The nearest bus stop is located at the junction of Prince Albert Road and Avenue Road, 500 metres to the south of the site.

- 2.6 The site is located in Flood Zone 1 ("low risk") as identified on the Environmental Agency's Flood Map for Planning.

Surrounding Area

- 2.7 Avenue Road is characterised by large, detached dwellings and blocks of flats. The street originally comprised large semi-detached and detached villas in the early to mid 19th century. However, in the early part of the 20th century, many of these buildings were demolished and replaced with large detached neo-Georgian style domestic houses.

3.0 Pre-application

- 3.1 The Revised National Planning Policy Framework (NPPF), Localism Act and strategic local policies and guidance emphasise that early engagement and good quality pre-application discussion enables better coordination between public and private resources.
- 3.2 The applicant has undertaken extensive pre-application discussions with LB Camden Planning, Design and Transport Officers as well as with the nearest residential neighbours.
- 3.3 In their pre-application advice, Officers have consistently supported the principle of the development, namely the erection of a large dwelling in the rear of the plot, and have considered the design, character and appearance of the proposed dwelling to be acceptable. Officers raised some concerns in relation to an earlier iteration of the scheme regarding the cumulative scale of the new dwelling and outbuildings (tennis pavilion and pool house). These comments have been taken on board in the revised proposal that has been submitted, as explained further below.
- 3.4 In terms of technical matters, Officers noted that the proposed basement would comply with LB Camden's basement policy (Policy A5) insofar as its siting and size, however, further information was sought in relation to its impact on mature trees.
- 3.5 In relation to transport matters, the pre-application advice concluded that the transfer of existing off-street parking spaces from the gatehouse to the new dwelling (resulting in the gatehouse becoming "car-free") would be acceptable in principle.
- 3.6 The design team has taken on board all of the feedback, which is reflected in the current proposal as follows:
- The outbuildings (pool house and tennis pavilion) have been reduced in size to preserve the openness of the host garden and to protect the setting from Primrose Hill. In addition, photomontage views of the proposed development from Primrose Hill have been prepared – these demonstrate that the proposed development would be indiscernible from Primrose Hill and therefore would not affect its setting.
 - A detailed Arboriculture Impact Assessment has been undertaken and submitted with the application demonstrating that the proposed basement will not result in harm to existing trees of significance.
 - Transport matters (including justification for the reprovision of existing car parking spaces) are dealt with in detail in the Transport Statement.

4.0 Proposed Development

4.1 The application seeks permission for:

“Erection of a two-storey plus basement mansard dwelling with outbuildings, vehicular access, parking, landscaping and associated works.”

- 4.2 The proposals comprise the erection of a two-storey dwelling (plus basement and dormered roof) in the same location as the original 19th century house demolished during the 1960s. The existing tennis court is proposed to be upgraded and two small outbuildings are proposed comprising a pool house and tennis pavilion. The existing driveway is proposed to be retained and extended to provide vehicular access to the new dwelling and a servicing route for emergency service vehicles. The proposed dwelling will be the new home of the existing occupier of the lodge house, which is being retained.
- 4.3 A sensitive architectural and heritage approach has been taken, resulting in a sustainable, high quality design that provides modern day living accommodation.
- 4.4 The style and detailing of the new dwelling is designed to reflect the architectural language of Avenue Road and is in keeping with the general character of the Conservation Area, as demonstrated in the accompanying Design and Access Statement (DAS) and Heritage Statement.
- 4.5 The height, bulk and massing will be limited to two storeys plus a mansard storey to reflect the established local context.

5.0 Planning Policy Framework

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

Development Plan

- 5.2 The development plan for the purposes of this application consists of:
- The New London Plan (2021)
 - Camden Local Plan (2017)
 - Camden Policies Map (2019)
 - Elsworth Conservation Area Appraisal and Management Strategy (2009).
- 5.3 The relevant policies within the Camden Local Plan are as follows:
- Policy G1 – Delivery and location of growth
 - Policy H1 – Maximising housing supply
 - Policy H4 – Affordable housing
 - Policy H6 – Housing choice and mix
 - Policy H7 – Large and small homes
 - Policy A1 – Managing the impact of development
 - Policy A2 – Open space
 - Policy A3 – Biodiversity
 - Policy A4 – Noise and vibration
 - Policy A5 – Basements
 - Policy D1 – Design
 - Policy CC1 – Climate change mitigation
 - Policy CC2 – Adapting to climate change
 - Policy CC3 – Water and flooding
 - Policy CC5 - Waste
 - Policy T2 – Parking and car-free development
 - Policy T4 – Promoting the sustainable movement of goods and materials.

- 5.4 Other material considerations in respect of planning policy to be taken into account include:
- The Revised National Planning Policy Framework (“NPPF”) (2019)
 - Planning Practice Guidance (“PPG”) (2019)
 - Camden Planning Guidance (“CPG”):
 - Access for All (March 2019)
 - Amenity (January 2021)
 - Basements (January 2021)
 - Biodiversity (March 2018)
 - Design (January 2021)
 - Developer Contributions (March 2019)
 - Energy efficiency and adaptation (January 2021)
 - Home improvements (January 2021)



- Housing (January 2021)
- Transport (January 2021)
- Trees (March 2019)
- Water and flooding (March 2019)

6.0 Planning Assessment

6.1 This section considers the extent to which the proposed development accords with the relevant development plan policies and other material considerations. The key planning considerations relevant to the proposed development are:

- Principle of development;
- Developing in garden spaces;
- Design and heritage;
- Impact on Primrose Hill;
- Affordable housing;
- Residential amenity and impact on neighbouring properties;
- Basement development;
- Highways and parking;
- Sustainability and energy;
- Flood risk and drainage;
- Trees and biodiversity; and
- Section 106 planning obligations.

Principle of development

6.2 As outlined in Section 2, 28 Avenue Road originally comprised a large dwelling in the rear part of the plot, however, it was demolished in the 1960s following a fire. The proposed development seeks to reinstate the historic plan by erecting a new dwelling at No. 28 in broadly the same location as the former dwelling, while retaining the gatehouse. The reinstatement of the historic plan form is sympathetic to the historic layout of the site and is supported by the Elsworthy Road Conservation Area Appraisal; the principle of the proposed development is therefore acceptable.

6.3 The size of the plot is large enough to accommodate an additional dwelling without compromising the qualities of the conservation area. In fact, as well as being occupied by a substantial house and outbuildings pre-1960s, the planning history also reveals that outline planning permission was granted by LB Camden in 1972 for the erection of six eight-bedroom houses with double garages (LPA ref: 14174). While the permission was not implemented, LB Camden previously accepted additional residential development on the site, and of a substantially higher density.

6.4 Furthermore, the proposed development will contribute one additional dwelling to Camden's housing stock; it is therefore compliant with Policies H1 and H3 of the Camden Local Plan ("CLP"), which seek to maximise housing supply.

Developing in garden spaces

6.5 The proposal involves development on land currently used as a garden for 28 Avenue Road. However, this was once the site of Ellet House, prior to its demolition in the 1960s. Consequently, it is an unusually large garden for the area and has not always been used as such.

6.6 In terms of the site coverage relative to the garden area, the proposed new dwelling and outbuildings occupy 11.23% of the plot, which is consistent with the general urban grain and pattern of development found along Avenue Road, as demonstrated by the diagram on p.13 of the DAS.

- 6.7 Part (E) of CLP Policy A2 seeks to protect non-designated open spaces, including gardens, where they offer nature conservation, townscape and amenity value. Taking these points in turn:
- Nature Conservation Value: Being managed garden land, the site has no particular nature conservation or biodiversity value and all trees of significance have been retained.
 - Townscape Value: The proposal retains a forecourt and the gatehouse as per the existing situation. Due to the triangular shape of the site, the remaining land to the rear, where the proposed dwelling is located, has limited visibility from Avenue Road and is largely screened from Primrose Hill on its northern boundary by existing trees. An extensive area of open garden space will nevertheless be retained, and the proposed layout has been designed to ensure that all significant trees will be retained, preserving their contribution to local character.
 - Amenity Value: The site is generous in size and large enough to accommodate the size of dwelling proposed. Notwithstanding this, the scale and layout of the proposed dwelling has been designed to be sympathetic to the historic form of development and not to occupy an excessive area of the site. Large areas of garden space will therefore continue to be preserved for the amenity of future occupiers.
- 6.8 Given the generous amount of garden space incorporated within the proposed development, and the approach to preserving the nature conservation, townscape character and neighbouring amenity, the proposal is acceptable when assessed against CLP Policy A2.

Design and heritage

- 6.9 LB Camden's design policies are aimed at achieving the highest standard of design in all developments. Policy D1 (Design) requires development to respect local context and character and comprise details and materials that are of high quality and complement the local character.
- 6.10 The style and detailing of the proposed new dwelling is designed to reflect the architectural language of Avenue Road and is in keeping with the general character of the conservation area. The height, bulk and massing is limited to two storeys and a mansard storey to reflect the established local context. The building is marginally taller than the existing dwelling at No. 30 and does not exceed the height of the neighbouring property at 1 Radlett Place.
- 6.11 Policy D2 (Heritage) states that within conservation areas, the Council will only grant permission for development that "preserves or, where possible, enhances" its established character and appearance. An assessment of the potential impact of the proposals on the surrounding heritage assets, including the Elsworthy Road Conservation Area, is provided within the Heritage Statement.
- 6.12 The 2009 Elsworthy Road Conservation Area Appraisal and Management Strategy identifies all features that have either a positive or negative impact on the Conservation Area. The site is identified as being within Sub-Area 1: Avenue Road. This was developed during the mid-19th century with detached middle-class housing, most of which have been demolished and rebuilt post World War II. A number of plots have been amalgamated to create more extensive dwelling-houses with larger grounds. As such, the current pattern of development along Avenue Road is less dense than the original plot layouts.

- 6.13 The Conservation Area Appraisal says that *“where original plots have been amalgamated to create larger units the Council will look favourably on proposals to reinstate the historical layout of the plots which restore the original rhythm and character.”* This is being directly achieved by the proposal.
- 6.14 Whilst not statutory or locally listed, Appendix 7 of the Conservation Area Appraisal identifies Nos. 28 to 34 (even) Avenue Road as positive contributors to the Conservation Area. Paragraph 7.49 of the Local Plan states, *“applicants will be required to justify the demolition of a building that makes a positive contribution to a conservation area, having regard to the National Planning Policy Framework, Camden’s conservation area statements, appraisals and management strategies”*.
- 6.15 The existing gatehouse, which has been assessed as possessing some significance and contributing positively to the character and appearance of the Conservation Area, will be retained. The street frontage to Avenue Road, with a strong boundary treatment and prominent lodge house, will therefore be preserved by the proposals.
- 6.16 An assessment of the heritage impacts of the proposal within the Heritage Statement concludes that overall, there will be a moderate and positive impact on the character and appearance of the Conservation Area.

Impact on Primrose Hill

- 6.17 The attractiveness of Primrose Hill and its contribution to the Borough is recognised by CLP Policy A2, which resists development that would be detrimental to the setting of designated open space.
- 6.18 The listing entry on Historic England’s statutory register (first listed on 02 May 2001) notes that the boundary to the north west is made up from the backs of houses on Avenue Road, which are largely screened by trees and hedges. This remains the case, with the tree cover to the rear of 28 Avenue Road notably greater than elsewhere around the park.
- 6.19 As well as being of an appropriate height and scale, the proposed development retains the dense tree coverage along the boundary with Primrose Hill, and furthermore, additional tree planting of appropriate species is proposed to prevent potential glimpses of the new house from Primrose Hill. The site will, therefore, continued to be well screened from views within the park, as demonstrated by the photomontage, reproduced below. Accordingly, the impact of the proposal on the setting of Primrose Hill is assessed as being neutral and negligible.



Figure 2: Proposed view south-west from Primrose Hill

- 6.20 Furthermore, residential development on the edge of the park is well established and is an accepted and inevitable feature of urban parks in London, which does not necessarily spoil the enjoyment of the park.

Affordable housing

- 6.21 CLP Policy H4 deals with affordable housing. It seeks to secure the maximum reasonable amount of affordable housing from all new developments, on a sliding scale and up to a maximum of 50%, subject to viability. For the purposes of Policy H4, LB Camden considers every 100sqm (GIA) of additional housing floorspace to be capable of creating capacity for 1 new home; and for sites with a capacity of between 1 and 25 units, the affordable housing target of 2% per 100sqm applies.
- 6.22 Based on the proposed floorspace (GIA), the notional site capacity is 24.6 units, therefore the affordable housing target is 49.2% in this instance.
- 6.23 CLP Policy H4 (i) indicates that where affordable housing cannot practically be provided on site, or off-site provision would create a better contribution (in terms quantity and/ or quality), the Council may accept provision of affordable housing off-site in the same area, or exceptionally a payment in lieu.
- 6.24 Given the prevailing character of the area and the site's characteristics, it is not feasible to provide affordable housing on site. An Affordable Housing Statement by BPS accompanies the application which explores the potential for direct delivery of affordable housing off-site as required by Policy H4. Section 5.0 outlines potential options for off-site affordable housing provision, which include:
- Identification of off-site residential or commercial property that could be used for the provision of affordable housing. A list of residential and commercial units which are currently for sale on the open market has been identified and is enclosed at Appendix A of the BPS report.
 - Identification of existing affordable housing schemes where the tenure of units can be changed to better meet the needs of the local community in the Borough. On behalf of the applicant, BPS have made enquiries with a number of Registered Providers on the Council's

approved list who have confirmed that, at present, they do not have any schemes which could benefit from the allocation of a commuted sum for this purpose. This will be kept under review should any opportunities become available during the application process.

- 6.25 The applicant will actively pursue these options in consultation with Camden's Housing Department and only if and when these options have been explored and discounted will a commuted sum be considered, as per Policy H4.

Residential amenity and impact on neighbouring properties

- 6.26 CLP Policy A1 seeks to protect the quality of life of occupiers and neighbours by only allowing development that does not cause harm to amenity. The Council's amenity guidance contains further details on how development should be designed to minimise the impact of the loss of daylight, sunlight, artificial light levels, outlook, privacy and noise. CPG "Amenity" outlines the Council's approach to assessing the impacts of development upon neighbour amenity.
- 6.27 The residential use of the site is consistent with the surrounding land use. The careful siting of the proposed dwelling safeguards against any potential overlooking from neighbouring properties. The position of the house is similar to that of the original house, set back from the surrounding garden boundaries. First floor balconies are over 16 metres from any garden boundary and the nearest dwelling, 1 Radlett Place, is a significant distance away (40.6 metres) from the proposed north elevation balcony. As a result, there are no adverse impacts on the amenity of neighbouring properties, in terms of loss of daylight, sunlight, outlook or privacy.

Basement development

- 6.28 A one storey basement is proposed beneath the new house comprising leisure facilities, including an indoor swimming pool.
- 6.29 CLP Policy A5 states that basement development will only be permitted where it is demonstrated that it will not cause harm to:
- a) Neighbouring properties;
 - b) The structural, ground or water conditions of the area;
 - c) The character and amenity of the area;
 - d) The architectural character of the building; and
 - e) The significance of heritage assets.
- 6.30 In accordance with Policy A5, a Ground Investigation and Basement Impact Assessment has been prepared by Geotechnical and Environmental Associates Ltd (GEA). This concludes that the proposed development will have a minimal impact on surface flows, groundwater and land stability.
- 6.31 Policy A5 also requires basements to be subordinate to the host buildings and therefore:
- f) not comprise of more than one storey;
 - g) not be built under an existing basement;
 - h) not exceed 50% of each garden within the property;
 - i) be less than 1.5 times the footprint of the host building in area;
 - j) extend into the garden no further than 50% of the depth of the host building measured from the principal rear elevation;

- k) not extend into or underneath the garden further than 50% of the depth of the
- l) garden;
- m) be set back from neighbouring property boundaries where it extends beyond the footprint of the host building; and
- n) avoid the loss of garden space or trees of townscape or amenity value.

6.32 With reference to the diagram on page 14 of the DAS, the basement is:

- one storey;
- does not exceed 50% of the garden area;
- is less than 1.5 times the footprint of the host building in area;
- extends into the garden no further than 50% of the depth of the host building measured from the principal rear elevation;
- does not extend into or underneath the garden further than 50% of the depth of the garden;
- is set back from neighbouring property boundaries; and
- does not result in the loss of significant garden space or trees or townscape or amenity value.

6.33 As such, the proposed basement demonstrably complies with Policy A5.

Highways and parking

Car parking

6.34 The NPPF applies a presumption in favour of sustainable development. In relation to transport, paragraph 102 says:

“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) The potential impacts of development on transport networks can be addressed;*
- b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;*
- c) opportunities to promote walking, cycling and public transport use are identified and pursued;*
- d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and*
- e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.”*

6.35 Off-street parking provision is dealt with in paragraph 105, which says that, in setting local parking standards for development, local planning authorities should take into account accessibility; the type, mix and use of the development; the availability of and opportunities for public transport; local car ownership levels; and an overall need to reduce the use of high-emission vehicles.

6.36 Paragraph 106 states:

“Maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport.”

- 6.37 Camden’s adopted policy (CLP Policy T2) is inconsistent with the NPPF (Paragraph 106), but nevertheless states that:

“The Council will limit the availability of parking and require all new developments in the borough to be car-free.”

- 6.38 The only situation in which the Council will consider retaining or re-providing existing parking provision following the redevelopment of a site is when it can be demonstrated that the existing occupiers would be returning, as set out in paragraph 10.18 of the supporting text to Policy T2.
- 6.39 The Transport Assessment has assessed the public transport accessibility of the site as being poor (PTAL 2). Notwithstanding this, the proposal does not involve the creation of any additional car parking spaces on site, nor any increase in vehicular movements to and from the site.
- 6.40 The existing gatehouse is owned and occupied by Mr Mahtani as his residence; however, it no longer meets his family’s needs, therefore it is his intention to move into the proposed new dwelling upon completion, which would become his principal private residence.
- 6.41 The site’s curtilage encompasses the whole of the rear garden (as per the application site boundary) and within the curtilage, there are 10 existing car parking spaces as shown on the Existing Site Plan (drawing (860)003_PL03).
- 6.42 As part of the proposed development, the gatehouse dwelling is proposed to be made car-free, and its spaces reassigned to the new dwelling, the principle of which has been accepted by LB Camden Officers during pre-application discussions. This will ensure that the intention of Policy T2 is satisfied i.e. that a new dwelling is created with no increase in parking, whilst avoiding a situation where the new dwelling would be unviable and unsustainable.

Access and servicing

- 6.43 As noted in the pre-application advice, due to the distance between the proposed dwellinghouse and Avenue Road, it would not be possible to erect a building at the rear of the site without the creation of a servicing route to enable access for emergency services vehicles.
- 6.44 Accordingly, the existing driveway into the site will be retained and extended to provide vehicular access to the new dwelling. A swept path analysis of a 7.5 tonne delivery vehicle and a fire tender have been undertaken and submitted with the application to demonstrate that both vehicles can safely enter and leave the site in a forward gear.

Cycle parking

- 6.45 In accordance with London Plan cycle parking standards, a minimum of two cycle parking spaces are provided within a covered and secure cycle store at the southern end of the site near the entrance from Avenue Road.

Construction Management Plan

6.46 CLP Policies A1 and A4 state that a Construction Management Plan (CMP) may be sought for:

- Developments with poor or limited access on site;
- Developments that are accessed via narrow residential streets; and
- Development in areas with a high number of existing active construction sites.

6.47 Avenue Road does not have significant congestion, and any construction vehicles could easily enter and leave the site in a forward direction. Consequently, and as confirmed by LB Camden, there is no requirement for a CMP to be submitted with the planning application.

Sustainability and energy

6.48 All developments in LB Camden are required to make the fullest contribution to the mitigation of and adaptation to climate change, to minimise carbon dioxide emissions and contribute to water conservation and sustainable urban drainage, in line with Policies CC1, CC2 and CC3 of the Local Plan.

6.49 The application is accompanied by an Energy and Sustainability Statement, which outlines how the development has been designed to minimise energy use and CO2 emissions in operation through the application of the London Plan energy hierarchy. It demonstrates that the proposed development will achieve a 53% reduction in CO2 emissions against baseline levels through the use of appropriate passive and building fabric design energy saving measures, exceeding LB Camden's requirements.

Flood risk and drainage

6.50 A Flood Risk Assessment and Drainage Strategy Report has been prepared by Ambiental. This concludes that the risk of flooding from fluvial/tidal, pluvial, groundwater and sewer sources to the proposed development is considered low.

6.51 In terms of drainage, infiltration SuDS are deemed unfeasible due to the site lying on London Clay (poor infiltration). Instead, surface water will be collected from the house and transported to the mains sewer connection via permeable paving and an attenuation tank.

Trees and biodiversity

6.52 Local Plan Policy A3 says that the Council will resist the loss of trees and vegetation of significant amenity and biodiversity value.

6.53 The proposal has been designed in such a way to retain existing trees of notable significance. The application is accompanied by an Arboriculture Impact Assessment which identifies potential impacts of the proposed development on existing trees. It concludes that:

- The potential impacts of the development are all relatively low in terms of both quality of trees removed and RPA encroachments of trees to be retained;
- The impacts can be largely mitigated through design and precautionary measures, which will be set out in a Method Statement (to be secured via a planning condition and subject to a separate approval process by LB Camden);

- The species which are affected are generally tolerant of root disturbance/crown reduction and the retained trees are generally in good health and capable of sustaining the reduced impacts anticipated;
- The trees that are recommended for removal are of little individual significance, such that their loss will not affect the visual character of the area; and
- For all of these reasons, the proposal development will not have a significant impact on either the retained trees or wider landscape, thereby complying with CLP Policy A3 as well as Policies A5, D1 and D2.

6.54 As the site is located adjacent to Primrose Hill, which is a Site of Importance for Nature Conservation, an Ecological Assessment has been undertaken to determine the impact of the proposal on biodiversity.

6.55 The Ecological Assessment demonstrates that no habitats of ecological importance will be lost during the demolition or construction phases of the development; and with the implementation of the recommended mitigation and enhancement strategy, a net gain in biodiversity can be achieved.

Section 106 planning obligations

6.56 It is anticipated that the following planning obligations will be secured by way of a Section 106 Agreement:

- Financial contribution for highways works;
- Car parking transfer between the existing gatehouse and proposed new dwelling, resulting in the gatehouse becoming “car-free”; and
- Provision of affordable housing (either off-site or by way of a financial payment in lieu).

7.0 Conclusion

- 7.1 This Planning Statement has been prepared by hgh Consulting and submitted on behalf of Mr Vinay Mahtani in support of a planning application at 28 Avenue Road for the following proposed development:

Erection of a two-storey plus basement mansard dwelling with outbuildings, vehicular access, parking, landscaping and associated works

- 7.2 The proposal has been subject to extensive pre-application discussions with LB Camden Planning and Design Officers and has evolved in response to the pre-application advice received.
- 7.3 The development involves reinstatement of the former family dwelling at No.28, in broadly the same location, prior to its demolition in the 1960s. The existing gatehouse fronting Avenue Road, which is considered to contribute positively to the character and appearance of the Conservation Area, is being retained.
- 7.4 The style and detailing of the proposed new dwelling reflect the architectural language of Avenue Road and is in keeping with the general character of the Conservation Area. The height, bulk and massing is limited to two storeys and a mansard storey to reflect the established local context.
- 7.5 The proposal has been designed in such a way to retain existing trees of notable significance, and potential impacts arising through the removal of trees can be mitigated through design and precautionary measures.
- 7.6 In terms of amenity, it has been demonstrated that there will be no adverse impacts upon neighbouring residents, while in heritage terms, the proposal is considered to have a moderate positive impact on the character and appearance of the Elsworthy Road Conservation Area.
- 7.7 As well as visual enhancements to the Conservation Area, the proposal would provide notable public benefits through the creation of an additional dwelling towards Camden's housing stock and a substantial contribution towards affordable housing in the Borough (either off-site or through a payment-in-lieu).
- 7.8 For the reasons set out in this statement, the proposal development accords with the development plan. Accordingly, planning permission should be granted without delay.



hghconsulting.com