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**Planning and Regeneration**  
Culture & Environment  
Directorate  
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**Date: 25/10/2017**  
**Our ref: 2017/3347/PRE**  
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Dear Martin Wright,

**Re: Northstead North End Avenue London NW3 7HP**

Thank you for submitting a pre-planning application enquiry for the above property which was received on 9 June 2017 together with the required fee of £3654.

**1. Drawings and documents**

006\_PR\_002; 006\_EX\_160; 006\_PR\_002; 006\_PR\_200; 006\_PR\_201; 006\_PR\_202;  
006\_PR\_203; 006\_PR\_204; 006\_PR\_205; 006\_PR\_260; 006\_PR\_261; 006\_PL\_240.

**2. Proposal**

The pre-application proposal is for the creation of a new four storey dwelling on the site of the existing garage.

**3. Site description**

The application site is a single storey subterranean garage that serves a semi-detached 3 storey dwellinghouse sited beside a collection of detached dwellings along North End Avenue. The application site is also located within the Hampstead Conservation Area. Northstead is identified within the conservation area statement as making a positive contribution to the surrounding conservation area.

**4. Relevant planning history**

The relevant planning history over the pre-application property is detailed below.

8804275 – The erection of a new garage as shown on drawings No.7541/06 107 120. Granted 14/12/1988.

2012/1361/P – Erection of two storey side extension at lower ground and ground floor level with terrace at ground floor level to single dwelling house (Class C3). Withdrawn.

2012/5889/P – Erection of a two storey side extension at lower ground and ground floor levels with terrace at ground floor level, following excavation to increase lower grounds level, to single family dwelling house (Class C3). Granted 14/12/2012.

## 5. Relevant policies and guidance

### National Planning Policy Framework 2012

### The London Plan March 2016

### Local Plan 2017

The Local Plan was adopted by the Council on 3 July 2017 and has replaced the Core Strategy and Camden Development Policies.

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  
 C4 - Safety and security  
 C5 - Access for all  
 A1 - Managing the impact of development  
 A2 - Open space  
 A3 - Biodiversity  
 A4 - Noise and vibration  
 A5 - Basements and Lightwells  
 D1 - Design  
 D2 - Heritage  
 CC1 - Climate change mitigation  
 CC2 - Adapting to climate change  
 CC3 - Water and flooding  
 CC4 - Air quality  
 CC5 - Waste  
 T1 - Prioritising walking, cycling and public transport  
 T2 - Parking and car-free development  
 T4 - Sustainable movement of goods and materials

### Camden Planning Guidance

CPG 1 – Design  
 CPG 2 – Housing  
 CPG 3 – Sustainability  
 CPG 4 - Basements and lightwells  
 CPG 6 – Amenity  
 CPG 7 – Transport  
 CPG 8 – Planning Obligations

### Hampstead Conservation Area Statement 2001

## 6. Assessment

The key planning issues are as follows:

- Principle of Development
- Design & Heritage
- Amenity
- Trees
- Affordable Housing
- Standard of accommodation
- Sustainability

- Basement development
- Construction Management Plan
- CIL

#### Principle of the Development

There is no specific Local Plan policy protecting rear gardens from development. However, D1 (Design) and D2 (Heritage) are two policies which together would influence the sites development on how it relates to the neighbours and the area generally.

The provision of new dwellings is encouraged and would provide additional housing within the Borough in accordance with policy H1 of the Camden Local Plan. The principle of a new single dwellinghouse may be acceptable subject to compliance with Camden Planning Guidance residential space standards and any alteration to the existing or new building being appropriately designed. In terms of setting and indicative sizes of dwellinghouse proposed Council does have concerns which are discussed below.

The proposed development would lead to the creation of a 3 bed, 6person dwelling. This provision would remain within accordance with the Dwelling Size Priority Table accompanying Policy H7, which identifies both two and three bedroom market units as being of 'High Priority'. The principle of development is acceptable, subject to the detailed considerations below.

#### Design & Heritage

The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions are proposed. The Local Plan policy D1 (Design) requires development to be of the highest architectural and urban design quality which improves the function, appearance and character of the area. Policy D2 (Heritage) states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas. Camden's Local Plan Document is supported by CPG1 (Design).

#### Backland/Infill Development

Within the wider Conservation Area back garden development is not common or widely accepted. However a form of backland development could be considered in the form of a single storey replacement for the garage.

The main characteristic for the existing site remains its green and open feel and any development would need to preserve or enhance this character in order to be supported.

#### Scale/Density

The site is occupied with a large semi-detached 3 storey dwellinghouse in a gothic style with a modelled pitched roof and dormer features together with a single storey garage. The proposal would enlarge the single storey garage to a four storey dwelling. The design of proposed new dwelling would mimic elements within the existing dwelling while also echoing features of a chalet bungalow.

The proposed dwelling would represent a significant increase in the bulk and mass of the existing building footprint on-site. The proposed dwelling would not be subservient to the existing dwellings or the host garden. Paragraph 4.24 of CPG1 states that: "Development in rear gardens should: ensure the siting, location, scale and design of the proposed development has a minimal visual impact on, and is visually subordinate to, the host garden". Although subterranean, the existing garage has a single storey height and the proposed dwelling contains two additional storeys above, which would result in a proposed dwelling that would be out of keeping with the scale of the host dwelling and would not be characteristic of the surrounding neighbourhood. In order to make the proposed dwelling more in keeping with

the surrounding garden and subservient to the host dwelling, it is recommended that the height of the proposal is limited to a single storey and the footprint is reduced by approximately 50%. The development should be read as an outbuilding to the host dwelling, not a new dwelling which competes with the scale of the main property on the site.

The height, bulk and scale are considered inappropriate and are considered to harm the special character and appearance of this green and essentially open part of the Hampstead Conservation Area as well as the open Heath (Metropolitan Open Land). The view of the proposed building looming over the boundary of the Heath is considered visually overwhelming, intrusive and dominating.

It is noted that a significant amount of glass has been used in the proposed design, there are concerns that this large area covered in glass will result in excessive glare from reflective surfaces. Hence it is recommended that the volume of glass covered area is reduced or measures taken to reduce potential light pollution from excessive reflection.

The Council does not want to encourage generous garden plots within this area to be opened up to development as it would result in harmful development in an area of highly sensitive open woodland.

#### Amenity

Policy A1 of the Local Plan seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of neighbouring residents. This includes privacy, outlook, noise and impact on daylight and sunlight. Camden's Local Plan is supported by CPG6 (Amenity).

The proposed dwelling is sited in a location where large detached dwellings sit within generous grounds. The application site sits within close proximity to the host dwelling and the neighbouring property 'The Lodge'. The proposed dwelling would be sited to the south-east of 'The Lodge' and would face onto the rear of this dwellinghouse from an elevated position and would be only approximately 11 metres from the Lodge. Under CPG 6, it is considered good practice that "should normally be a minimum distance of 18m between the windows of habitable rooms of different units that directly face each other". The additional bulk and mass of the proposed dwelling from an elevated siting raises concerns due to an overbearing presence along the south east elevation of 'The Lodge'. Under the current proposal the front of the proposed dwelling would include a collection of windows. While taking into account the slightly obscure angle by which the proposed garage is sited in relation to the rear of 'The Lodge', it is considered that these windows would create overlooking views of rear amenity space and the rear windows of 'The Lodge'. It is recommended that the proposed front facing windows be either reconfigured or obscured glazed as to prevent overlooking views of 'The Lodge'.

Considering the raised nature of the proposed application site, at 12 metres separation distance it is likely that the proposed dwelling would break a 25 degree line drawn from the centre of the lowest window of 'The Lodge' which would require a more detailed sunlight and daylight report to be conducted in the relation of the proposed development.

The proposed development would be largely screened by the existing boundary vegetation screening. However at least a 3 storey height from the rear garden of 'The Lodge' and a two storey height from the garden of the host dwelling, it is considered that the height and bulk of the proposed dwelling could be detrimental to the outlook of the host dwelling and 'The Lodge' dwellinghouse.

### Trees

The proposed development would be in close proximity to a number of significant trees some of which are 3rd party trees and some of which are subject to Tree Preservation Orders. Although the foundations of the proposed development are largely existing, the proposed dwelling would extend directly into the airspace of the neighbouring trees along the shared boundary of the 'The Lodge'. Following consultation with the Council's Arboricultural Officers, it is considered that any proposal that would result in the loss of the significant boundary trees on site would not be supported. Hence the proposed development would need to minimise the impact of the surrounding trees and any application would need to be accompanied by a Tree Survey/Arboricultural Statement, details of which can be found here: [Tree Survey](#). A reduction in the height and footprint of the proposed structure may also reduce the conflict between the proposed dwelling and the trees that occupy the airspace immediately above the existing garage.

### Affordable Housing

It should be noted that since the adoption of the Local Plan (July 2017), the Council's requirements in terms of contributions toward affordable housing have been updated. Policy H4 (d) (Maximising the supply of affordable housing) of the Local Plan includes new stipulations regarding requirements for affordable housing contributions of schemes providing a capacity for less than 10 units (or 1000sqm).

Where this is the case the Council will still expect a contribution, calculated as a sliding target as a percentage of floor area starting at 2% for one home (measured as 100sqm GIA C3 floorspace) and increasing by 2% for each additional 100sqm of additional GIA (C3) added to capacity. For example, where a development would contribute an additional 500sqm of residential floorspace, 10% of this area (2% x 5) / 50sqm would be expected to be provided as affordable. Where it is demonstrated that onsite provision is not appropriate, in accordance with this policy the Council will accept a payment-in-lieu of affordable housing.

Given the scale of the development and the constraints of the site, in this instance a payment-in-lieu of affordable housing is likely to be considered appropriate. The relevant quote for a payment-in-lieu would be calculated by multiplying the expected affordable housing contribution (in GEA) by the adopted multiplier. The adopted multiplier outlined in figure 1 of CPG8 (Planning Obligations) is currently set at £2,650 per sqm for market residential schemes. Further guidance in terms of this requirement is outlined within Chapter 2 of CPG 2 (Housing) and Chapter 6 of CPG 8 (Planning Obligations).

It should be noted that the Council is looking to update the adopted CPGs to better align with the newly adopted Local Plan, with a revised and increased multiplier rate going to public consultation in the coming months. The updated guidance documents are likely to be adopted in the Spring/Summer of 2018.

### Standard of accommodation

The proposed dwelling appears to have been designed to meet London Plan (2016) and Nationally Described Space Standards (2015) standards in terms of size and layout. The dwelling would be dual aspect and would feature a good level of fenestration.

A private amenity space would be required to be demonstrated for both dwellings.

### Sustainability

In line with policies CC1, CC2 and CC3 of the Camden Local Plan 2017, all developments in 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.

The development will most likely fall below the threshold of 500sqm or more of added floorspace for the submission of a full energy statement in line with policy CC1. Therefore a full energy statement will most likely not be required. The provisions of policies CC2 in terms of the inclusion of climate change adaptation measures and policy CC3 in terms of water saving and flood mitigation measures would however apply.

#### Basement development

The proposed scheme includes an extension to the rear at basement level. An extension to an existing basement will be considered as basement development.

Policy A5 states that the Council will only permit basements where it is demonstrated to its satisfaction that the proposal would not cause harm to neighbouring properties; the structural, ground or water conditions of the area; the character and amenity of the area; the architectural character of the building; and the significance of heritage assets.

Policy A5 stipulates that the siting, location, scale and design of basements must have minimal impact on, and be subordinate to, the host building and property. No details of the proposed basement have been submitted, and so an assessment of the acceptability of a basement in design terms cannot be made at this stage. In accordance with Policy A5, any proposed basement development at the site should not comprise of more than one storey; 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 measured from the principal rear elevation; not extend into or underneath the garden further than 50% of the depth of the garden; be set back from neighbouring property boundaries where it extends beyond the footprint of the host building; and avoid the loss of garden space or trees of townscape or amenity value.

In determining proposals for basement and other underground development, the Council will require an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability, where appropriate. The Council will only permit basement and other underground development that does not cause harm to the built and natural environment and local amenity and does not result in flooding or ground instability.

As such, any future planning application for a basement development on this site would need to include a Basement Impact Assessment (BIA) which has been prepared in accordance with the processes and procedures as set out within CPG4 (Basements and lightwells). Furthermore, the site is subject to an underground constraint (slope stability).

The BIA should include the following stages:

- Stage 1 – Screening;
- Stage 2 – Scoping;
- Stage 3 – Site investigation and study;
- Stage 4 – Impact assessment; and
- Stage 5 – Review and decision making.

Further details on BIAs can be found in CPG4 (Basements and lightwells). For completeness, please ensure that the report details the author's own professional qualifications, noting the varying qualification requirements within CPG4 for the different elements of a BIA study, and that a non-technical summary is included.

The submitted BIA will be required to be independently assessed by a third party, at the applicant's expense, to satisfy the Council that the development would not lead to any unacceptable impacts on the land stability, groundwater flows and surface flows of the area should the development be granted.

Please note that the Council's preferred provider for the audit service is Campbell Reith. When an audit is required, Campbell Reith charges a fixed fee dependent on the category of basement audit, outlined in Appendix A of Camden's BIA audit service terms of reference.

As the BIA will require a third party audit, it will be expected that your report is in line with the Council's Pro Forma. You will need to complete the Basement Impact Assessment Audit Instruction Form on Camden's website; please see Section B for a full list of items to be included in your BIA. You will need to fill out this section of the form and return to us alongside any formal submission.

#### Construction Management Plan

It is important that effective measures are taken during demolition and construction works to ensure that damage is not caused to the host building, neighbouring buildings or the surrounding highways.

The Council will require a Construction Management Plan (CMP) for basement developments where appropriate, to manage and mitigate the greater construction impacts of these schemes. CMPs will be required for schemes on constrained sites, in conservation areas, on sites adjacent to a listed building, or in other areas depending on the scale of the development and the conditions of the site.

The main highways issue in this case is the potential impact of construction/delivery vehicles associated with the basement excavation on the local highway network. A draft CMP would be required to be submitted with any application setting out how construction matters would be dealt with, for example deliveries, how material would be stored, and construction waste removed from site etc. A full CMP would be secured via Section 106 legal agreement if required. For further details on CMPs, please refer to the sections on CMPs in CPG4 (Basements and lightwells) and CPG6 (Amenity).

It should be noted that there is a £61.50/hour formal charge to support the review and approval of submitted draft CMPs and verification of the operation of approved CMPs, to be secured as part of Section 106 agreements.

The CMP Implementation Support Contribution will be used to fund specific technical inputs and sign off that are required to ensure that the obligation is complied with and ensure that the planning objectives we are seeking to secure are actually achieved.

#### CIL

The additional floorspace created would appear to be over 100 square metres, hence the proposed development is going to be CIL Liable. Please see the following link CIL for more information.

## **7. Conclusion**

It is considered that the dwelling as proposed would not be an acceptable form of development, although it may be possible to provide a dwelling in this location there would need to be a significant reduction in the height, footprint and bulk of the building proposed. It is recommended a reduction in height of a single storey and approximately 50% of the footprint would help address some of the concerns raised above.

For example, it needs to be demonstrated how the proposed development would not lead to significant harm to neighbouring trees and that mitigation measures would not decrease the screening from which the current site benefits. A basement impact assessment would also need to be submitted and during the course of a future application would need to be independently verified. The proposed design of the front elevation would need to be altered to

accommodate concerns over the creation of overlooking views of the rear amenity space and rear windows of the neighbouring dwelling 'The Lodge': and the volume of surface glass used would need to be reduced or mitigated. It should also be noted that any possible approval of such a proposal would include a condition restricting the occupation and use of the proposed dwelling to be ancillary to the main dwellinghouse.

## 8. Planning application information

If you submit a planning application which addresses the outstanding issue detailed in this report satisfactorily, I would advise you to submit the following for a valid planning application:

- Completed form – Full planning permission
- An ordnance survey based location plan at 1:1250 scale denoting the application site in red.
- Floor plans at a scale of 1:50 labelled 'existing' and 'proposed'
- Roof plans at a scale of 1:50 labelled 'existing' and 'proposed'
- Elevation drawings at a scale of 1:50 labelled 'existing' and 'proposed'
- Section drawings at a scale of 1:50 labelled 'existing' and 'proposed'
- Design and access statement
- Sample photographs/manufacturer details of materials
- The appropriate fee
- Arboricultural Report
- Basement Impact Assessment
- Construction Management Plan
- Please see [supporting information for planning applications](#) for more information.

We are legally required to consult on applications with individuals who may be affected by the proposals. We would put up a site notice on or near the site and must allow 21 days from the consultation start date for responses to be received.

It is likely that that a proposal of this size would be determined under delegated powers, however, if more than 3 objections from neighbours or an objection from a local amenity group is received the application will be referred to the Members Briefing Panel should it be recommended for approval by officers. For more details click [here](#).

**This document represents an initial informal officer view of your proposals based on the information available to us at this stage and would not be binding upon the Council, nor prejudice any future planning application decisions made by the Council.**

If you have any queries about the above letter or the attached document please do not hesitate to contact Alyce Keen on the number above.

Thank you for using Camden's pre-application advice service.

Yours sincerely,

Alyce Keen

Planning Officer  
Planning Solutions Team