

PLANNING STATEMENT

79 Avenue Road
St Johns Wood
London
NW8 6JD

JCG25352
Planning Statement
Final
28 May 2021

PLANNING STATEMENT

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Adam Pyrke

28 May 2021

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1 INTRODUCTION

- 1.1 This Planning Statement has been prepared in regard to the redevelopment of 79 Avenue Road, St Johns Wood, London, NW8 6JD. This property comprises a single detached dwelling in spacious grounds for which planning permission has been granted for its redevelopment. The approved development also comprises a single detached dwelling but has a larger footprint and volume with a new basement area.
- 1.2 Following the grant of planning permission, detailed design has been progressed which has led to a series of amendments to the scheme. In brief, these are:
- (i) alterations to the design and appearance of the rear elevation;
 - (ii) alterations to the fenestration and terrace layout on the north-west elevation;
 - (iii) the introduction of a new ground level skylight for the gym;
 - (iv) alterations to the roof plan comprising the relocation of the lift overrun and skylight and the consequent rearrangement of plant;
 - (v) alterations to extent of sub-basement and basement construction proposals.
- 1.3 This statement supports a planning application for a Minor Material Amendment (MMA) to modify the approved scheme through the substitution of revised drawings and addendum statements in Condition 2 of the permission. The detail of the substitutions/amended documentation is set out in Section 3.
- 1.4 It should be noted that a separate MMA has been submitted in respect of the above ground alterations at items (i) – (iv) above which are identical to those proposed in this application. This application includes in addition a proposed increase in area of the sub-basement in order to simplify the construction process.
- 1.5 The original planning permission was subject to an Agreement made under Section 106. A Deed of Variation will be necessary in the event the Council are minded to approve this application and a submission in this respect is being prepared.

2 THE APPROVED SCHEME

2.1 Planning permission 2020/0519/P was issued on the 21 September 2020 for:

“Demolition of the existing residential dwelling (79 Avenue Road) and the redevelopment for a single residential dwelling with basement”

2.2 The development comprises the replacement of a single detached dwelling with a new single detached dwelling which is slightly larger and has basement accommodation. In comparison with the existing building, the proposed dwelling is the same width as the existing but is taller and the footprint is deeper. Whilst there is no consistent architectural style in Avenue Road, there is a general consistency in regard to scale, massing, articulation and materials which is respected by the approved scheme.

2.3 The approved building is in a classical style with traditional materials comprising a mix of red bricks and stucco, which is characteristic of many of the buildings in Avenue Road. The main building roof will be natural slate and dormer windows will be leaded. Simple stone sills and window are used to articulate the façade and provide a consistent motif that unifies each elevation.

2.4 The permission was subject to 20 conditions and a S.106 Planning Agreement. Condition 2 required the development to be carried out in accordance with the approved plans which are listed therein. These comprise:

- Existing Site Plan; X002 Rev A;
- Existing Ground Floor Plan X100 Rev A;
- Existing First Floor Plan X101 Rev A;
- Existing Second Floor Plan X102 Rev A;
- Existing Front Elevation X300 Rev A;
- Existing Rear Elevation X301 Rev A;
- Existing South Elevation X302 Rev A;
- Existing North Elevation X303 Rev A;
- Existing Section AA X200 Rev A;
- Existing Section BB X201 Rev A;
- *Proposed Site Plan P002 Rev C**;
- Proposed Pool Plant P090 Rev I;
- Proposed Basement Plan P091 Rev G;
- Proposed Ground Floor P100 Rev D;
- Proposed First Floor P101 Rev C;
- Proposed Second Floor P102 Rev B;
- Proposed Roof Plan P103 Rev D;
- Proposed Front Elevation P300 Rev C;
- Proposed Rear Elevation P301 Rev C;
- Proposed Side – South Elevation P302 Rev C;
- Proposed Side – North Elevation P303 Rev B;
- Proposed Gate Elevation P304 Rev C;
- Proposed Section AA P200 Rev D;
- Proposed Section BB P201 Rev E;
- Proposed Section CC P202 Rev B;
- Ground Floor Site Services Layout 581-INT-XX-GF-DR-MEP-6006 Rev P4;
- Proposed Drainage Strategy 1000 Rev P2;
- Proposed Roof Services Layout 581-INT-XX-RF-DR-MEP-6007 Rev P1;
- Proposed Electrical and Gas Intakes: Internal Option 581INT200504SK01;
- Proposed Cycle Layout SK09 D4;
- Proposed Green Roof and Terrace SK 10 D3;
- Proposed Garage EV Point SK 08 D1;
- Plant Noise Assessment Rev 3 dated 27/01/2020;
- Energy and Sustainability Statement Revision 4 dated 27.01.2020;

- Flood Risk Assessment dated 14.10.2019;
- Basement Impact Assessment Revision 1 dated April 2020;
- Amended Arboricultural Impact Assessment and Method Statement CAS/2019/246 dated May 2020;
- Daylight and Sunlight Report L190351/JH/G8 dated December 2019;
- TM59 Overheating Analysis dated 05.05.2020;
- Drainage Design dated 22.04.2020;
- Design and Access Statement by KSR dated February 2020 Rev A

* Please note this drawing was submitted but is not listed in the condition.

- 2.5 A separate application will be made for a Deed of Variation to the S106 Agreement so that its provisions also rely to these proposals. We comment that the financial contributions in respect of the Carbon Offset Obligation, the Construction and Demolition Management Plan Implementation Support Contribution and the Highway Contribution have already been paid (12 October 2020).
- 2.6 This application for a Minor Material Amendment seeks to permission for a number of relatively minor alterations to the approved scheme, which are explained in Section 3.

3 THE REVISED SCHEME

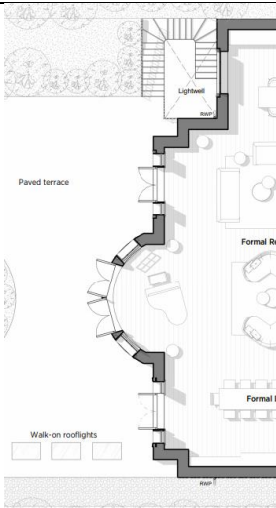
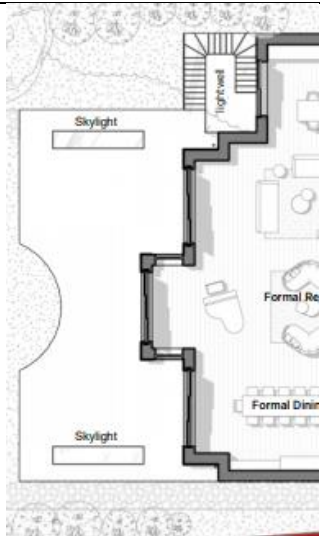


- 3.1 This application seeks approval for changes to the design of the approved scheme through the substitution of revised drawings and addendum reports to be introduced into Condition two of the planning permission.
- 3.2 The proposed changes to the approved scheme fall into four areas:
- (i) alterations to the design and appearance of the rear elevation;
 - (ii) alterations to the fenestration and terrace on the north-west elevation;
 - (iii) the introduction of a new ground level skylight for the gym;
 - (iv) alterations to the roof plan comprising the relocation of the lift overrun and skylight and the consequent rearrangement of plant;
 - (v) alterations to extent of sub-basement and basement construction proposals.
- We explain these changes in more detail below.
- 3.3 Prior to the submission of this application, we sought the opinion of Jennifer Walsh, the case officer for the previous scheme, on the details of the proposed alterations. With respect to alterations (i) – (iv), her response was:
- “Thank you for your email. I have considered your amendments along with the design officer and whilst these are disappointing to see as these were changes negotiated through the planning application process, it is considered that the harm proposed would be limited. Therefore, please submit via a minor material amendment application.”*
- 3.4 We comment that the details reviewed by Jennifer Walsh were in part slightly different to those now submitted and so we identify where there are differences below.
- 3.5 With respect to the alterations proposed at sub-basement level, she confirmed that a revised addendum to the Basement Impact Assessment would be required which would need to be reassessed by Campbell Reith. A Minor Material Amendment application would be required to and should include a robust justification of Policy A5 and the Camden Basement CPG.

(i) Alterations to the design and appearance of the rear elevation

3.6 It is proposed to amend the rear elevation by making four changes comprising:

- a) The removal of the central two floor semi-circular bay and its replacement with a central single level rectangular bay with small terrace for master bedroom on top;
- b) A minor increase in the footprint of the building through moving the rear wall back by c.300mm to maintain the same gross internal area as approved;
- c) Changing the ground floor glazing to a contemporary clear panel to improve the views of, and connection to, the garden;
- d) Enlarging the window to the first floor bathroom in the north-west corner of the property.

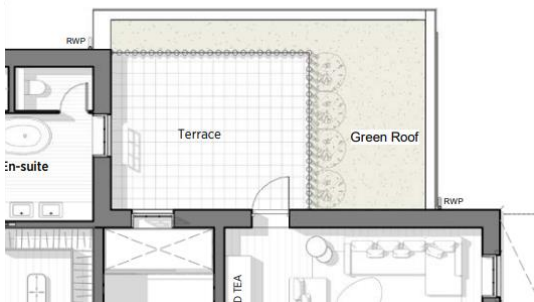
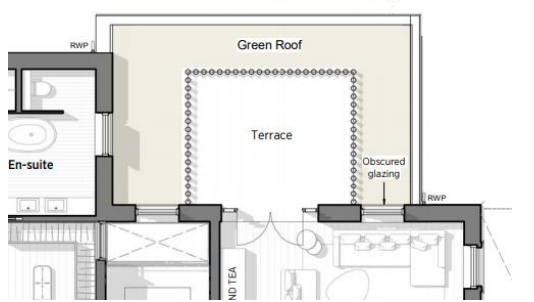


Figure 3.1 provides an easy comparison of the approved details with the proposed alterations. These proposals are as reviewed by Jennifer Walsh save for the increase in size of the first floor bathroom window.

Figure 3.1 Comparison of Alterations to Rear Elevation	
Approved	Proposed
Plan (P100 Rev D)	Plan (P100 Rev H)
	
Elevation (P301 Rev C)	Elevation (P301 Rev F)
	

(ii) Alterations to the fenestration and terrace layout on the north-west elevation

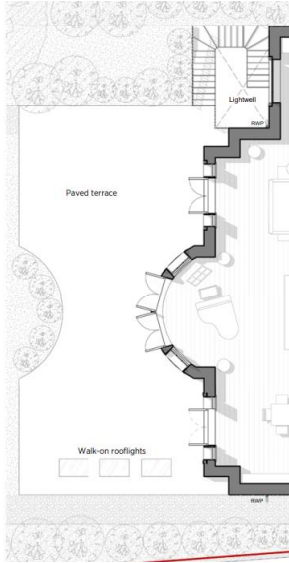
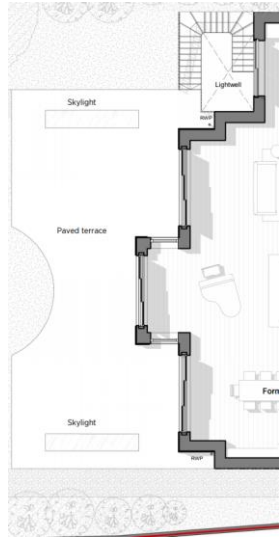
- 3.7 The approved terrace on the north-western elevation sits over the garage and would be accessed at first floor via a single door from the lounge. The terrace is located at the western side of the roof and is overlooked by a single window from the stairwell and a single window from an en-suite bathroom.
- 3.8 It is proposed to move the terrace to a central location on the roof and enlarge the access to a double door. An additional window will also be inserted into the flank elevation wall of the lounge to provide enhanced lighting and a more balanced fenestration layout. **Figure 3.2** below compares the existing and proposed arrangements.
- 3.9 The proportional split of the garage roof area devoted to terrace and green roof will remain unchanged as will balustrade design and privacy screening for the terrace.
- 3.10 This proposal is the same as previously presented to Jennifer Walsh.

Figure 3.2 Comparison of Alterations to Terrace

Approved	Proposed
Plan (P101 Rev C)	Plan (P101 Rev G)
	
Elevation (P303 Rev B)	Elevation (P303 Rev E)
	

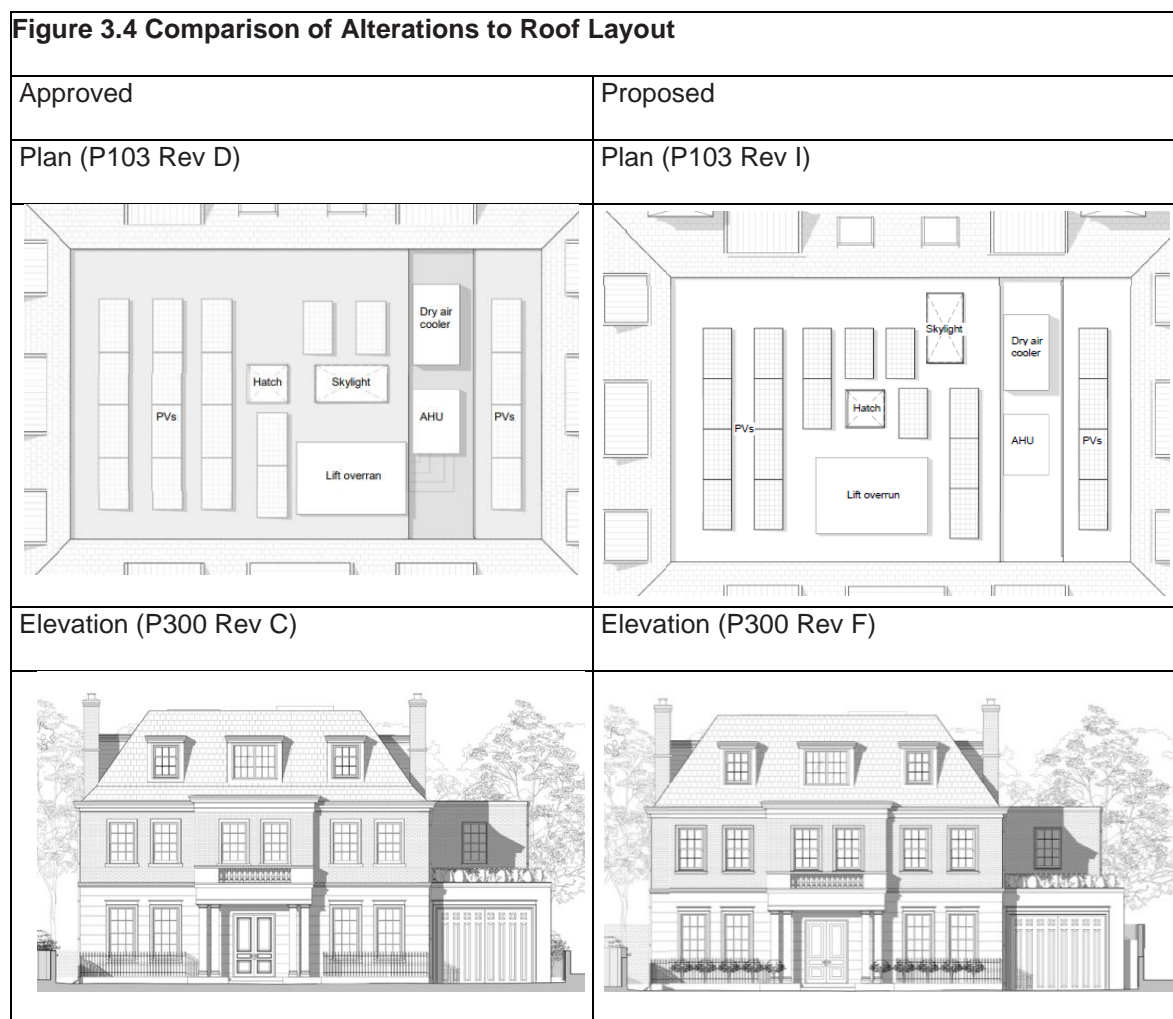
(iii) The introduction of a new ground level rooflight for the gym

- 3.11 These changes are situated at the ground floor terrace at the rear of the building and propose both the introduction of a new rooflight to the gym (in the form of a single rectangular form) and the consolidation of the three rooflights to the entertainment room into a single rooflight with the same area (again of a single rectangular form to match that proposed over the gym). The approved and proposed plans are shown in Figure 3.3.
- 3.12 This proposed alteration has been seen previously by Camden Council.

Figure 3.3 Comparison of Alterations to Rooflights	
Approved	Proposed
Plan (P002 Rev C)	Plan (P002 Rev F)
	

(iv) Alterations to the roof plan comprising the relocation of the lift overrun and skylight and the consequent rearrangement of plant

- 3.13 These changes propose minor alterations to the roof plan following on from the rearrangement of internal space which requires the moving of the lift and the lift overrun; and the desire to introduce daylight to the main staircase through relocating the skylight.
- 3.14 Whilst the previously approved roof plan will need to be rearranged, this can be achieved without any change in the amount of plant or impact on the appearance of the property, the only visible change being the repositioning of the lift overrun which can be seen on the elevation drawings but in practice will not be noticeable from street level, especially as the overrun is moving back away from the street frontage.
- 3.15 The alterations are shown in **Figure 3.4** below. These changes have not previously been seen by Camden Council.



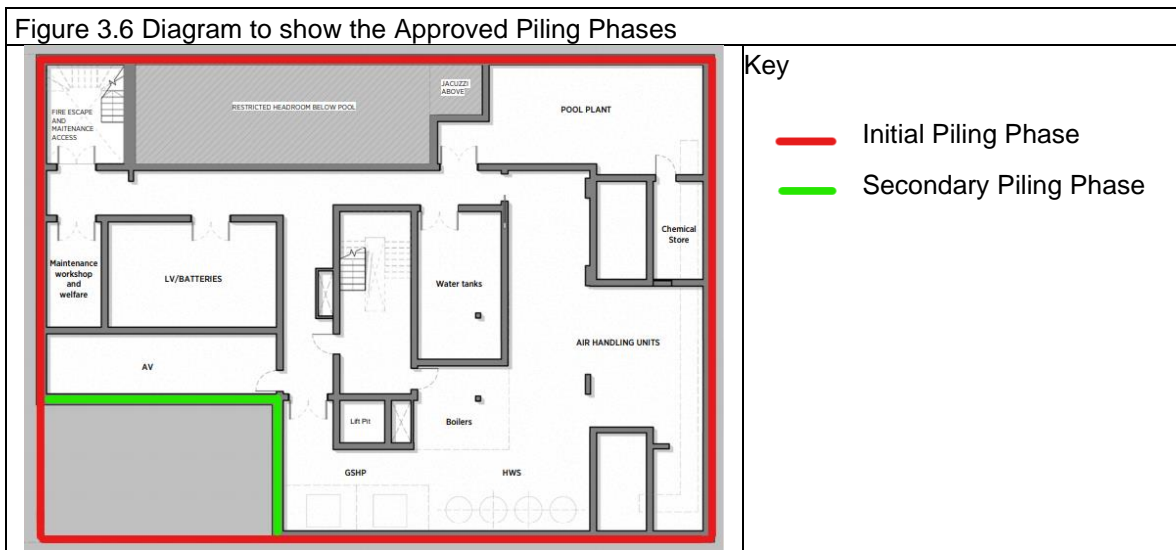
(v) Alterations to extent of sub-basement and basement construction proposals

- 3.16 This change relates to the below ground works and an increase in size of the sub-basement. Under the existing permission, the sub-basement footprint is reduced in the south-west corner of the proposed building footprint which necessitates additional piling to create an internal piled retaining wall. If this area is excavated, this additional piling is no longer required as this area is situated within the extent of the perimeter piled retaining wall.

Figure 3.5 Comparison of Proposed Sub-Basement layout



- 3.17 The approved sequence of construction works (as shown on drawings A(30)01-P2 and A(30)06-P2 inclusive) demonstrate a top-down construction methodology which involves the construction of a perimeter piled wall around the full extent of the proposed building footprint (including the sub-basement perimeter), the construction of the internal bearing piles within (including any temporary vertical supports), the casting of the ground floor slab and subsequent excavation thereunder to the sub-basement level. Before the sub-basement can be fully excavated, the excavation is completed to basement, at which time temporary horizontal props for the perimeter piled wall are installed. The excavation is then continued to sub-basement level and the foundation slab cast. The permanent sub-basement and basement level columns and walls are then constructed to support the basement and ground floor slabs respectively. Thereafter all temporary vertical supports and horizontal props are removed.
- 3.18 Figure 3.6 illustrates the extent of the two phases of the approved piling (represented on the basement floor plan).



- 3.19 The changes proposed in this application will increase the floor area of the sub-basement by 51 sqm. The full extent of the proposed change remains within the Phase 1 piled box and whilst it will involve additional excavation, it will obviate the need for a secondary piling phase and, as a consequence, will simplify the construction process and reduce the overall construction period.
- 3.20 The additional floorspace will form part of the plant area and will not be used as habitable accommodation. The floor level will be contiguous with the permitted floor level for the remainder of the sub-basement.

Changes to Condition 2

3.21 The changes to the documents listed in Condition 2 will be as follows:

Approved Document	Substituted Document
Proposed Site Plan P002 Rev C	Proposed Site Plan P002 Rev F
Proposed Pool Plant P090 Rev I	Proposed Pool Plant P090 Rev L
Proposed Basement Plan P091 Rev G	Proposed Basement Plan P091 Rev I
Proposed Ground Floor P100 Rev D	Proposed Ground Floor P100 Rev H
Proposed First Floor P101 Rev C	Proposed First Floor P101 Rev G
Proposed Second Floor P102 Rev B	Proposed Second Floor P102 Rev G
Proposed Roof Plan P103 Rev D	Proposed Roof Plan P103 Rev I
Proposed Front Elevation P300 Rev C	Proposed Front Elevation P300 Rev F
Proposed Rear Elevation P301 Rev C	Proposed Rear Elevation P301 Rev F
Proposed Side – South Elevation P302 Rev C	Proposed Side – South Elevation P302 Rev F
Proposed Side – North Elevation P303 Rev B	Proposed Side – North Elevation P303 Rev E
Proposed Gate Elevation P304 Rev C	No Change
Proposed Section AA P200 Rev D	Proposed Section AA P200 Rev F
Proposed Section BB P201 Rev E	Proposed Section BB P201 Rev G
Proposed Section CC P202 Rev B	Proposed Section CC P202 Rev D
Proposed Drainage Strategy 1000 Rev P2	Proposed Drainage Strategy 1000 Rev P3
Proposed Garage EV Point SK 08 D1	Proposed Garage EV Point SK 08 D1A
Proposed Cycle Layout SK09 D4	Proposed Cycle Layout SK09 D4A
Proposed Green Roof and Terrace SK 10 D3	Proposed Green Roof and Terrace SK 10 D3A
Proposed Drainage Strategy	Proposed Drainage Strategy 1000 Rev P3
Ground Floor Site Services Layout 581-INT-XX-GF-DR-MEP-6006 Rev P4	Ground Floor Site Services Layout 581-INT-XX-GF-DR-MEP-6006 Rev P5
Proposed Roof Services Layout 581-INT-XX-RF-DR-MEP-6007 Rev P1	Proposed Roof Services Layout 581-INT-XX-RF-DR-MEP-6007 Rev P2
Proposed Electrical and Gas Intakes: Internal Option 581INT200504SK01	Proposed Electrical and Gas Intakes: Internal Option 581INT200504SK1
Planning Statement (RPS Planning April 2020)	Planning Statement Addendum 2 (RPS Planning May 2021)
Design and Access Statement (KSR Architects February 2020)	Design and Access Statement Addendum B(KSR Architects May 2021)
Daylight and Sunlight Assessment, prepared by Calfordseaden (December 2019)	Addendum Daylight and Sunlight Report (calfordseaden May 2021)
Construction Management Plan Proforma, prepared by Mira A- Architecture and Engineering Ltd (December 2019)	No Change
Plant Noise Assessment Rev 3 dated 27/01/2020	No Change
Amended Arboricultural Impact Assessment and Method Statement CAS/2019/246 dated May 2020	No Change
Energy and Sustainability Statement Revision 4 dated 27th January 2020	No Change
Flood Risk Assessment dated 14.10.2019	No Change
Basement Impact Assessment Revision 1 dated April 2020	Basement Impact Assessment Revision 2 (CGP May 2021)
	Construction Method Statement (CEng MIStructE, May 2021)
TM59 Overheating Analysis dated 05.05.2020	No Change

- 3.22 We note that the Sequence of Works drawings submitted previously were not included in Condition 2. Consequently, whilst amended versions of those drawings are submitted in support of this application, they are not listed in the schedule above.

4 PLANNING POLICY

- 4.1 Section 38(6) of the Planning and Compulsory Act 2004 requires any planning application to be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 4.2 The relevant Development Plan comprises:
- (i) The New London Plan 2021
 - (ii) Camden Local Plan (2017)
- 4.3 There are in addition supplementary Planning Documents prepared by LB Camden which provide further guidance on specific issues. These are:
- CPG Access for All (March 2019)
 - CPG Air Quality (March 2019)
 - CPG Alternating and Extended Your Home (March 2019)
 - CPG Amenity (March 2018)
 - CPG Basement (January 2021)
 - CPG Biodiversity (March 2018)
 - CPG Design (March 2019)
 - CPG Interim Housing (March 2019)
 - CPG 2 Housing – as amended (March 2019)
 - CPG Transport (March 2019)
 - CPG Trees (March 2019)
 - CPG Water and Flooding (March 2019)
- 4.4 The National Planning Policy Framework (NPPF) (2019) sets out the Government's planning policies for England and how these should be applied. It provides a framework for both the preparation of local planning policy and the way planning applications should be determined. It is a material consideration that must be taken into account where it is relevant to the determination of planning application or appeal.
- 4.5 The National Planning Practice Guidance adds further context to the NPPF and it is intended that the two documents should be read together. It confirms that whilst there is no statutory definition of a 'minor material amendment', it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved.
- 4.6 With the exception of the New London Plan, these documents remain the same as when planning permission was granted for the approved scheme.
- 4.7 The key planning policies are identified on the decision notice for the approved scheme which also confirmed the proposed development was in general accordance with relevant local policies and the London Plan 2016; the London Plan (Intend to publish) and the National Planning Policy Framework 2019.
- 4.8 The relevant policies are identified as being:
- Policy H6: Housing Choice and Mix
 - Policy H7: Large and Small Homes
 - Policy A1: Managing the Impact of Development
 - Policy A3: Biodiversity
 - Policy A4: Noise and Vibration
 - Policy A5: Basement
 - Policy D1: Design
 - Policy CC1: Climate Change Mitigation

- Policy CC2: Adapting to Climate Change
- Policy CC3: Water and Flooding
- Policy T1: Prioritising Walking, Cycling, and Public Transport
- Policy T2: Parking and Car-Free Development
- Policy T4: Sustainable Movement of Goods and Materials

We consider these policies below.

Relevant Local Planning Policy

- 4.9 **Policy H6: Housing Choice and Mix**, identifies that the Council will aim to minimise social polarisation and create mixed, inclusion and sustainable communities by seeking quality accessible homes and by seeking a variety of housing suitable for Camden's existing and future households, having regard to household type, size, income and any particular housing needs.
- 4.10 The Council will seek to secure high quality accessible homes in all developments that include housing, by:
- a. Encourage design of all housing to provide functional, adaptable and accessible spaces
 - b. Expect all self-contained homes to meet the nationally described space standard
- 4.11 The Council will seek to secure a variety of housing suitable for existing and future households overall across development in borough. When considering future site allocations and negotiating the types of housing included in each development, the Council will:
- a. Seek a diverse range of housing products in the market and affordable sectors to meet the needs across the spectrum of household's incomes;
 - b. Seek provision suitable for families with children, older people, people with disabilities, service families, people wishing to build their own home and Camden's traveller community; and
 - c. Require a range of dwelling sizes in accordance with Policy H7 Large and small homes.
- 4.12 **Policy H7: Large and Small Homes**, identifies that the Council will aim to secure a range of homes of different sizes that will contribute to creation of mixed, inclusive and sustainable communities and reduce mismatches between housing needs and existing supply.
- 4.13 The council will seek to ensure that all housing development, including conversion of existing homes and non-residential properties:
- a. Contribute to meeting the priorities set out in the Dwelling Size Priorities Table; and
 - b. Includes a mix of large and small homes.
- 4.14 **Policy A1: Managing the Impact of Development**, states that the Council will seek to protect the quality of life of occupiers and neighbours. They will grant permission for development unless this causes unacceptable harm to amenity. The Council will:
- a. Seeks to ensure that the amenity of communities, occupiers and neighbours is protected;
 - b. Seeks to ensure development contributes towards strong and successful communities by balancing the needs of development with the needs and characteristics of local areas and communities;
 - c. Resist development that fails to adequately assess and address transport impacts affecting communities, occupiers, neighbours, and the existing transport network; and
 - d. Requires mitigation measures where necessary.

- 4.15 The factors to be considered include:
- a. Visual privacy, outlook;
 - b. Sunlight, daylight and overshadowing;
 - c. Artificial lighting levels;
 - d. Transport impacts, including the use of Transport Assessments, Travel Plans and Delivery and Servicing Management Plans;
 - e. Impacts of the construction phase, including the use of Construction Management Plans;
 - f. Noise and vibration levels;
 - g. Odour, fumes and dust;
 - h. Microclimate;
 - i. Contaminated land; and
 - j. Impact upon water and wastewater infrastructure.
- 4.16 **Policy A3: Biodiversity**, sets out the actions that the Council will take to protect and enhance sites of nature conservation and biodiversity and to seek to secure additional, trees and vegetation. These include requiring the movement of works vehicles, to be planned to avoid disturbance to habitats and species and ecologically sensitive areas, and the spread of invasive species; and to protect trees during the demolition and construction phase of development.
- 4.17 **Policy A4: Noise and Vibration**, states that council will seek to ensure that noise and vibration is controlled and managed.
- 4.18 **Policy A5: Basement**, will only permit basement development where it is demonstrated to its satisfaction that the proposal would 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.
- 4.19 In determining proposals for basements and other underground development, the Council will require an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability in the form of a Basement Impact Assessment and where appropriate, a Basement Construction Plan.
- 4.20 The siting, location, scale and design of basements must have minimal impact on, and be subordinate to, the host building and property. Basement development should:
- 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 garden;
- l. Be set back from neighbouring property boundaries where it extends beyond the footprint of the host building; and
- m. Avoid the loss of garden space or trees of townscape or amenity value.

Exceptions to f. to k. above may be made on large comprehensively planned sites.

4.21 The Council will require applicants to demonstrate that proposals for basements:

- n. Do not harm neighbouring properties, including requiring the provision of a Basement Impact Assessment which shows that the scheme poses a risk of damage to neighbouring properties no higher than Burland Scale 1 'very slight';
- o. Avoid adversely affecting drainage and run-off or causing other damage to the water environment;
- p. Avoid cumulative impacts;
- q. Do not harm the amenity of neighbours;
- r. Provide satisfactory landscaping, including adequate soil depth;
- s. Do not harm the appearance or setting of the property or the established character of the surrounding area;
- t. Protect important archaeological remains; and
- u. Do not prejudice the ability of the garden to support trees where they are part of the character of the area.

4.22 The Council will not permit basement schemes which include habitable rooms and other sensitive uses in areas prone to flooding.

4.23 The Council will generally require a Construction Management Plan for basement developments.

4.24 Given the complex nature of basement development, the Council encourages developers to offer security for expenses for basement development to adjoining neighbours.

4.25 **Policy D1: Design** seeks to secure high quality design in development. The Council will require that development:

- a. Respects local context and character;
- b. Preserves or enhances the historic environment and heritage assets in accordance with Policy D2 Heritage;
- c. Is sustainable in design and construction, incorporating best practice in resource management and climate change mitigation and adaptation;
- d. Is of sustainable and durable construction and adaptable to different activities and land uses;

- e. Comprises details and materials that are of high quality and complement the local character;
 - f. Integrates well with the surrounding streets and open spaces, improving movement through the site and wider area with direct, accessible and easily recognisable routes and contributes positively to the street frontage;
 - g. Is inclusive and accessible for all;
 - h. Promotes health;
 - i. Is secure and designed to minimise crime and antisocial behaviour;
 - j. Responds to natural features and preserves gardens and other open space;
 - k. Incorporates high quality landscape design (including public art, where appropriate) and maximises opportunities for greening for example through planting of trees and other soft landscaping,
 - l. Incorporates outdoor amenity space;
 - m. Preserves strategic and local views;
 - n. For housing, provides a high standard of accommodation; and
 - o. Carefully integrates building services equipment.
- 4.26 The Council will resist development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 4.27 **Policy CC1: Climate Change Mitigation**, requires all development to minimise the effects of climate change and encourage all developments to meet the highest feasible environmental standards that are financially viable during construction and occupation. The Council will promote zero carbon development and require all development to reduce carbon dioxide emissions through following the steps in the energy hierarchy.
- 4.28 **Policy CC2: Adapting to Climate Change**, the Council will require development to be resilient to climate change and to adopt appropriate climate change adaptation measures such as the protection of existing green spaces and promoting new appropriate green infrastructure; reducing wherever possible surface water run off; incorporating bio-diverse roofs, combination green and blue roofs and green walls where appropriate; and using measures to reduce the impact of urban and dwelling overheating, including application of the cooling hierarchy.
- 4.29 The Council will also promote and measure sustainable design and construction by ensuring development schemes demonstrate how adaptation measures and sustainable development principles have been incorporated into the design and proposed implementation; encouraging new build residential development to use the Home Quality Mark and Passivhaus design standards.
- 4.30 **Policy CC3: Water and Flooding**, the Council will seek to ensure that development does not increase flood risk and reduces the risk of flooding where possible. Development will be required to incorporate water efficiency measures; avoid harm to the water environment and improve water quality; consider the impact of development in areas at risk of flooding (including drainage); incorporate flood resilient measures in areas prone to flooding; and utilise Sustainable Drainage Systems (SuDS) in line with the drainage hierarchy to achieve a greenfield run-off rate where feasible. Where an assessment of flood risk is required, developments should consider surface water flooding in detail and groundwater flooding where applicable.
- 4.31 **Policy CC5: Waste**, it is the Council's objective to make Camden a low waste borough through reducing the amount of waste produced in the borough, increasing recycling and the reuse of materials to meet the London Plan targets of 50% of household waste recycled/composted by 2020

and aspiring to achieve 60% by 2031; and making sure that developments include facilities for the storage and collection of waste and recycling.

- 4.32 **Policy T1: Prioritising Walking, Cycling and Public Transport**, the Council will promote sustainable transport by prioritising walking, cycling and public transport in the borough.
- 4.33 **Policy T2: Parking and Car-Free Development**, the Council will require all new developments in the borough to be car-free and will not issue on-street or on-site parking permits in connection with new developments.

5 PLANNING ASSESSMENT

- 5.1 The purpose of this application is to seek approval of a total of twelve design changes to the above ground exterior of the approved scheme. All other matters remain the same.
- 5.2 The relevant planning policy context against which the approved scheme was considered remains unaltered. The key planning policies relevant to the proposed changes are Policy D1, which seeks to secure high quality design in all development; and Policy A1 which seeks to protect the quality of life of occupiers and neighbours.

Camden's Conclusions on the Approved Scheme

- 5.3 The decision notice set out the planning authority's key conclusions in respect of the design of the building. It was considered that the design of the approved scheme would be in keeping with the character and appearance of the wider area. Avenue Road is described as being characterised by large, detached neo-Classical and neo-Georgian dwellings, set within spacious plots. The proposed building, whilst bigger than that existing, was found to sit well within the plot with 'breathing space' between the proposed building and its neighbours and a generous back garden, allowing the greater building depth to have little impact.
- 5.4 In addition, the increased height was also considered acceptable within the context of the street scene, as surrounding houses tend to be higher than the existing building. It was noted that adjoining properties, notably no.77, have recently been granted permission to be enlarged so that the new proposal at no.79 would not look unduly bulky in footprint or height in this context.
- 5.5 The proposed building's classical style accorded with the established character of Avenue Road. The revised design of the red brick and stucco reinforce this character as these are the predominant materials used on the street and in the neighbouring Elsworth Conservation Area. The 6/6 timber sliding sash windows are also typical of the surrounding vernacular. The composition of the building ensured a good solid to void ratio that adhered to the classical style.
- 5.6 The new boundary wall and gates on the front elevation were designed to match others in the wider street scene. The front lightwells are proposed to allow light into the basement accommodation. Due to the position of the building on the site and discreet nature of the lightwells, it was considered that these elements would not be visible as an incongruous addition to the street scene and so were acceptable.
- 5.7 It was concluded the proposed replacement dwelling would provide a good standard of living for future occupiers in terms of size, layout, orientation, light and outlook, storage space etc. The staff accommodation is not suitable for use as an independent, self-contained unit, due to its size, layout and position at basement level and so should remain ancillary to the use of the main house.
- 5.8 It was also concluded that the proposed replacement dwelling would not have a harmful impact on the amenities of neighbouring properties in terms of loss of light, outlook, privacy or noise. The new dwelling would be closer to the side boundaries of the plot and it would be larger in terms of height and depth; however, it has been designed to be in line with the previously approved footprints and heights of the two neighbouring dwellings (nos.77 and 81). The side facing windows at first and second floor levels (other than those which serve the staircase) are to be fitted with obscure glazing and are non-opening below a height of 1.7 metres, in order to minimise the impact on neighbouring properties.
- 5.9 It was considered that the larger dwelling would not appear overbearing or lead to loss of outlook from the neighbouring properties as each of them sits within a spacious plot with generous gaps between them. Additionally, the new house has a similar rear building line to those of the recently permitted enlarged houses on either side. The terrace at 1st floor level above the proposed garage is in the same location as an existing terrace and due to the proposed screening, would not lead to any additional overlooking.

PLANNING STATEMENT

- 5.10 PV panels and plant will be situated on the roof, however, due to the pitch of the roof creating a parapet around them, they would not be visible from the public realm. More details are required by condition to ensure that their size and height along with any required screening and mitigation measures is acceptable.
- 5.11 It was noted the proposals included a large basement under the whole house and part of rear garden and a sub-basement. It was further noted that new basements will only be appropriate where they do not harm the stability of neighbouring properties or the ground and water conditions of the area.
- 5.12 It is stated that the Basement Impact Assessment demonstrated that the basements would have no harmful impact on hydrology or slope stability and the damage to neighbours will be no greater than Category 1 (Very Slight). The basement complies with criteria g - m of policy A5 regarding its location, size, site coverage, setbacks from boundaries, and impact on trees and garden space. Whilst criteria f does not usually allow for basements with more than one storey, the proposed sub-basement is for the plant and not habitable accommodation, and is only for the depth of the basement swimming pool and associated plant. This is considered to be minimal and appropriate in the circumstances and such additional depth for pools is exceptionally allowed by policy A5.
- 5.13 Consequently, the basement would have minimal impact on the host building and neighbouring properties and so the principle of the basement was considered acceptable.

Impact of the Proposed Above Ground Alterations on these Conclusions

- 5.14 The principle of the demolition and rebuilding of No. 79 Avenue Road has already been accepted. Similarly the design of the replacement dwelling was considered to be in keeping with the character and appearance of the wider area and the height of the new dwelling and its location on the plot were all found to be acceptable. There are no changes to these features proposed, save for a very slight extension of the building to the rear which we consider in more detail below.
- 5.15 From the Avenue Road elevation, there are no readily discernible changes. The change to the location of the terrace and related larger double door access and additional window will provide a more balanced fenestration layout but are otherwise unnoticeable, except in limited oblique views from the north. The new window and door retain the 6/6 timber sliding sash window arrangement which was considered typical of the surrounding vernacular. The movement of the terrace to a more central location will not be legible from the street.
- 5.16 The terrace will remain in significantly the same location as the existing and due to the retention of the proposed screening, it is not considered any additional overlooking would occur. Similarly, the restrictions on the glazing on the side elevations would also ensure there will be no additional overlooking.
- 5.17 The changes at roof level will not be visible due to the pitch of the roof creating a parapet which largely screens the plant. Whilst the lift overrun is taller than the parapet, it is only slightly taller and so is screened by the ridge of the parapet in views from street level. The proposed relocation of the lift overrun moves it further away from the street which will reduce any visibility even further.
- 5.18 The relocated skylight will move to a central location above the main staircase from a position above the first floor landing and this change will not be visible from the exterior. The consequent changes to plant location only affect the PV panels which do not generate any potential disturbance for neighbours. There will in any event remain a condition which requires details of the external roof plant with any required acoustic or visual screening and noise and vibration mitigation measures to approved.
- 5.19 The alterations to the rear of the property are the largest change but are not visible from the public realm. We do not consider that even these changes are significant because they have very limited impact on the design ethos of the proposed building and the way it is perceived in the street scene. There will be no change to the floorspace of the proposed dwelling due to the removal of the two storey semi-circular bay. At ground level it is replaced with a single storey rectangular bay of approximately the same area. The floorspace lost through the removal of the first floor element is regained by pushing the rear wall of the building back so that the space regained at ground and first

floor. This is a very marginal realignment and doesn't impact on the relationship of the rear building line of the proposed building with the approved buildings to each side.

- 5.20 The small terrace created for the Master Bedroom will provide an external space from where enjoy the views of the rear garden. The terrace is small in size located away from the building's perimeter and prevents overlooking issues into neighbour's gardens. There will probably be less opportunity for overlooking than in comparison with the approved scheme, as the approved semi-circular bay contained side windows which looked directly towards the rear gardens on each side from an internal vantage point.
- 5.21 The proposed rear elevation maintains the classical elements of the original design at first floor, with sash windows, French doors, red brick and use of natural stone for the windows surrounds and cornices. At ground floor, it also retains the natural stone and white render details but it is proposed to have more simple and contemporary doors for a better view and connection to the garden. The overall appearance of the building looks harmonious and in line with the local setting, with a traditional and classical design of the overall building and a subtle modern touch at ground floor.

Impact of the Proposed Below Ground Alterations on these Conclusions

- 5.22 Policy A5 sets out detailed considerations to be taken into account for basement development. It is in three parts and
- (i) Identifies the matters which need to be addressed if permission is to be granted (listed at items a-e in the policy);
 - (ii) The design criteria to be addressed (listed at items f-m of the policy);
 - (iii) The construction criteria to be met (listed at items n-u of the policy).
- 5.23 These matters have already been accepted with the approval of planning permission 2020/0519/P and the change for which approval is sought under this application is minor in extent and located at sub-basement level. The technical reason for seeking this alteration is set out at paragraph 3.16 above but the size and location of the alteration mean that there will be no impact on the character and amenity of the area, the architectural character of the building or the significance of any heritage asset.
- 5.24 The submitted Basement Impact Assessment revision and Sequence Drawings demonstrate that there will be no impact on neighbouring properties or the structural, ground or water conditions of the area. The additional area is to be created within the pile wall box which is to be created for the support of the basement level and the upper floors over and it is this box which primarily defines the development's impact on these matters.
- 5.25 The design criteria indicate that new basements should not comprise more than one storey (criterion f) although also allows exceptions on 'large comprehensively developed sites'. The analysis of the previous application (as referred to above) noted that as the proposed sub-basement is for the plant and not habitable accommodation, the development of this level was considered to be minimal and appropriate in the circumstances. The additional space will be of the same depth as the approved space and will also just be used for plant – it will not be used as habitable accommodation.
- 5.26 The proposed basement is otherwise unaltered from that considered previously which was considered to comply with criteria g - m regarding its location, size, site coverage, setbacks from boundaries, and impact on trees and garden space. We believe the same conclusions are applicable in respect of this proposal.
- 5.27 The construction criteria are addressed in the updated Basement Impact Assessment which is based on that previously audited and approved by Campbell Reith. The updated Basement Impact Assessment demonstrates that these criteria are met.
- 5.28 We have reviewed the new Basements CPG which was approved in January 2021 and do not consider this changes any of the key messages from the previous SPG or those set out in Policy A5.

Accordance of the Proposals with Relevant Planning Policy

- 5.28 The proposed development remains as previously approved except in respect of the identified changes. We do not consider these changes give rise to any planning policy considerations other than the assessment of their design under Policies D1 and A5.
- 5.29 We consider the proposed design solution is acceptable in the site context and given the nature of the existing permission on the site. We also consider the extended sub-basement accords with the design and construction criteria set out in Policy A5. Accordingly, the proposals meet the requirements of these Policies.

6 PLANNING OBLIGATIONS (S106 AND CIL)

6.1 The planning permission was subject to an agreement under S106 which required:

Car Capping - each new occupier to be informed that they shall not be entitled to a car parking permit (unless they are the holder of a disabled person's badge).

Construction and Demolition Management Plan - a plan setting out the measures to be adopted in undertaking the demolition of the existing building and the construction of the new dwelling using good site practices in accordance with the Council's Considerate Contractor Manual and in the form of the Council's Pro Forma Construction Management Plan to ensure the Construction Phase of the Development can be carried out safely and with minimal possible impact on and disturbance to the surrounding environment and highway network.

Detailed Basement Construction Plan - a plan setting out detailed information relating to the design and construction of the basement forming part of the new dwelling with a view to minimising any or all impacts on neighbouring properties and the water environment. To provide a programme of detailed mitigation measures to maintain the structural stability of the new dwelling and neighbouring properties as described in the Basement Impact Assessment Audit by Campbell Reith and the Basement Impact Assessment – Revision 1 by Card Geotechnics Limited.

The Energy Efficiency and Renewable Energy Plan - a strategy setting out a package of measures to be adopted by the Owner in the management of the Development with a view to reducing carbon energy emissions.

Level Plans – the submission of plans demonstrating the levels at the interface of the new development at the boundary of the Property and the public highway.

The Sustainability Plan - A plan including a post construction review securing the incorporation of sustainability measures in the carrying out of the Development in its fabric and in its subsequent management and occupation.

Financial Contributions –

- Carbon Offset Obligation - £33,830 to be paid by the Owner to the Council in accordance with the terms of this Agreement and to be applied by the Council in the event of receipt towards offsite carbon reduction measures in the vicinity of the Development.
- The Construction and Demolition Management Plan Implementation Support Contribution - £3,136 to be paid to and used by the Council in the event of receipt for the review and approval of the draft Construction Management Plan and verification of the proper operation of the approved Construction Management Plan during the Construction Phase.
- The Highway Contribution - £2,495.38 (two thousand four hundred ninety-five pounds and thirty-eight pence) to be paid by the Owner to the Council in accordance with the terms of this Agreement and to be applied by the Council in the event of receipt for the carrying out of works to the public highway and associated measures in the vicinity of the Property and as are required due to the Development.

6.2 It is not proposed that there should be any change to these provisions and an application for a Deed of Variation will be made to roll forward these provisions to the new permission. It should, however, be noted that all of the financial contributions were paid in October 2020 and this payment will need to be recognised in the Deed of Variation.

Community Infrastructure Levy (CIL)

6.3 The government is keen to support and encourage individuals and communities who want to build their own homes and is taking proactive steps to stimulate the growth of the self-build market. One

measure to help self-builders has been to enable them to apply for an exemption from the Community Infrastructure Levy.

- 6.4 The exemption, if the necessary qualification requirements are met and the application process completed within required timescales, will apply to anybody who is building their own home or has commissioned a home from a contractor, house builder or sub-contractor. Individuals claiming the exemption must own the property and occupy it as their principal residence for a minimum of 3 years after the work is completed. The exemption is applicable to homes built or commissioned by individuals for their own use.
- 6.5 The proposed development will be legible to qualify for an exemption from paying CIL under the Self Build Exemption and subject to receiving the grant of planning permission the applicant will submit the necessary CIL Self Exemption forms before the commencement of development.

7 SUMMARY AND CONCLUSIONS

7.1 The redevelopment of 79 Avenue Road, St Johns Wood, London, NW8 6JD was approved by Notice dated 21 September 2020. This application is made under S73 for alternative minor material modifications to the approved scheme in respect of:

- alterations to the design and appearance of the rear elevation;
- alterations to the fenestration and terrace layout on the north-west elevation;
- the introduction of a new ground level skylight for the gym;
- alterations to the roof plan comprising the relocation of the lift overrun and skylight and the consequent rearrangement of plant;
- alterations to extent of sub-basement and basement construction proposals.

7.2 The informal view of the case officer has been sought in respect of the main above ground revisions. In conjunction with the Design Officer, she has considered the amendments and commented that whilst they are disappointing to see as these were changes negotiated through the planning application process, it is considered that the harm proposed would be limited, and requested the submission of this application.

7.3 We have assessed the proposed changes against relevant planning policies and concluded:

- **Principle of Demolition:** The site is currently occupied by a single three-storey residential dwelling which falls within Use Class C3. The demolition of this existing building has already been accepted.
- **Principle of Redevelopment:** Permission has already been granted for the redevelopment of the site for a three-storey residential dwelling of a more contemporary design with the introduction of a single basement extension.
- **Basement Development:** This proposal increases the area of the permitted sub-basement area but does so within the footprint of the proposed building and within the new pile foundation wall for the upper floors. The alteration will simplify the construction procedure and reduce the potential for disturbance to local amenity by shortening the total duration of the piling programme. The new space will not provide habitable accommodation and will be of the same depth as the previously approved space.
- **Design and Conservation:** The key elements of the permitted scale, hierarchy and architectural detailing of the proposed dwelling remain unchanged. The main alteration is to the rear facade where a simplified and more contemporary treatment is proposed. We consider the proposed design to be wholly appropriate for a building in this location. There will be no change to the permitted floorspace.
- **Residential Quality Standard:** The new dwelling will continue to provide a generously sized and well-proportioned family dwelling house with good access to natural light and ventilation which would comfortably meet the nationally described space standards and provide a high standard of residential accommodation for staff and residents.
- **Daylight and Sunlight:** All of the habitable rooms within the proposed development will continue to meet the guidance levels for ADF. This proposal will cause limited impact on existing surroundings dwellings whilst achieving acceptable results within the proposed development.
- **Trees:** The proposed development has been specifically designed to retain as much of the existing tree stock as possible thus minimising impact upon the broader landscape or

habitat contribution made by the site. These alterations make no change to the previously approved scheme.

- **Energy and Sustainability:** The predicted total annual CO₂ emissions of the proposed development following the introduction of energy efficiency measures, passive and active design (Be Lean) and renewable energy systems (Be Green) saves 9.87 tonnes. CO₂/yr compared to the Building Regulations Part L (2013) compliant building of 21.74kgCO₂/yr. This represents an improvement in carbon emissions equating to a reduction of 45.5%.
- **Noise:** mitigation measures will be incorporated to ensure that the suggested noise limits are met, and no adverse effects occur to the nearest noise sensitive receptors.
- **Flood Risk and Drainage:** The site is located within Flood Zone 1 and is therefore considered by the Environment Agency to be at low risk of tidal and fluvial flooding. The flood risk from pluvial, groundwater and artificial sources has been assessed and found to be low. The proposed development is at low risk of flooding.
- **Transport:** The new dwelling will be the applicant's main residence once completed. The proposal will seek to retain all the existing on-site parking provision which is within the 2-car garage with the capacity for 4 bicycle spaces.

7.4 For the reasons set out above, it is considered that the proposed amended development would continue to be in accordance with planning policy, supporting planning guidance and that planning permission for the amendments to the approved development should be granted.