

**From:** Meynell, Charlotte  
**Sent:** 07 October 2020 10:56  
**To:** Andrea Apicella  
**Cc:** TJ Berman  
**Subject:** 2020/3828/PRE - 3 Hampstead Hill Gardens, London, NW3 2PH  
- Pre-application advice

Dear Andrea,

Thank you for submitting a pre-planning application enquiry for the above property which was received on 12<sup>th</sup> August 2020, with the required fee of £441.34 received on 25<sup>th</sup> August 2020. These notes were informed by a pre-application meeting held on 15<sup>th</sup> September 2020.

**1. Drawings and documents**

Site Location Plan MAP02 Rev. 01; Existing Block Plan EX01 Rev. 01; Proposed Plans PR01 Rev. 01; Proposed & Existing South Elevations PR01 Rev. 01; Proposed Elevations & Section PR01 Rev. 01; Proposed Block Plan PR02 Rev. 01; Design and Access Statement Pre-Application Consultation Draft (prepared by UVA Design Ltd, dated 23/06/2020).

**2. Proposal**

Erection of replacement single storey outbuilding in rear garden including excavation of basement beneath.

**3. Site description**

The host property is a three-storey detached building with a substantial rear garden, located on the north-western side of Hampstead Hill Gardens. The building is Grade II listed and is located within the Hampstead Conservation Area (CA). The Hampstead Conservation Area Statement identifies it as making a positive contribution to the character and appearance of the CA.

There is an existing single storey outbuilding and shed to the rear of the rear garden, and a greenhouse adjacent to the north-east boundary.

**Site constraints**

Archaeological Priority Area – Tier II  
Article 4 – Basements  
Article 4 Directions – Heritage and Conservation  
Community Infrastructure Levy Zone C  
CMP Priority Area – Hampstead Town  
Grade II Listed Building  
Hampstead Conservation Area  
Hampstead Neighbourhood Area  
Regulation 7 - Hampstead

Underground development constraints – ground water flow, surface water flow and flooding, slope stability, Bagshot Beds, 50m buffer to Claygate Beds

#### **4. Relevant planning history**

**2018/1804/P** – Erection of a glasshouse outbuilding in the rear garden.  
**Planning permission granted 10/07/2018**

**PWX0202144** – Demolition of pre-cast concrete garage and timber tool shed and erection of a timber framed structure to be used as a gym and a replacement garden shed. **Planning permission granted 16/04/2002**

#### **5. Relevant policies and guidance**

- **National Planning Policy Framework (2018)**
- **London Plan (2016)**
- **The London Plan (Intend to publish) 2019**
  
- **Camden Local Plan (2017)**
  - G1 – Delivery and location of growth
  - A1 – Managing the impact of development
  - A2 – Open Space
  - A3 – Biodiversity
  - A4 – Noise and vibration
  - A5 – Basements
  - D1 – Design
  - D2 – Heritage
  - CC1 – Climate change mitigation
  - CC2 – Adapting to climate change
  - CC3 – Water and flooding
  - T4 – Sustainable movement of goods and materials
  
- **Camden Planning Guidance**
  - CPG Altering and amending your home (2019)
  - CPG Amenity (2018)
  - CPG Basements (2018)
  - CPG Design (2019)
  - CPG Developer contribution (2019)
  - CPG Energy efficiency and adaption (2019)
  - CPG Transport (2019)
  - CPG Trees (2019)
  - CPG Water and flooding (2019)
  
- **Hampstead Neighbourhood Plan (2018)**
  - BA1 – Local requirements for Basement Impact Assessments
  - BA3 – Local requirements for Construction Management Plans (CMP)
  - DH1 – Design
  - DH2 – Conservation areas and listed buildings
  - NE3 – Biodiversity corridors
  - NE4 – Supporting biodiversity

- **Hampstead Conservation Statement (2001)**

## **6. Assessment**

### Outbuilding – Design, Conservation and Amenity

- The proposed outbuilding would replace an existing single storey outbuilding of a slightly smaller footprint and similar design located immediately to the north-east. The proposed footprint and location is considered acceptable.
- The traditional design and materials of the proposed outbuilding would ensure that it would sufficiently resemble the existing. The red tiling to the roof would also match the predominant local roofing material. As such, it is considered that it would be unlikely to pose additional harm to the setting of the listed building.
- Furthermore, the proposed outbuilding would also reuse some of the materials from the existing outbuilding, which is welcomed from a sustainability perspective.
- Whilst the proposed outbuilding would appear as a one and a half storey building, it would have three storeys (basement, ground floor, and mezzanine level within the pitched roof space). Although it would be higher than the existing building and its roof would protrude above the rear boundary wall, it would still be significantly lower in height than the neighbouring two-storey building which is located immediately to the rear of the site built up against the boundary wall. The proposed outbuilding would be appropriately situated within the substantial rear garden and would be screened from the rear by vegetation and the neighbouring building. As such, it is considered that the proposed outbuilding would not be over-scaled or excessively bulky and would not appear as a dominant addition in this context.
- The rear garden is of adequate dimensions to accommodate the proposed outbuilding proportionately and it would not crowd the setting of the main house.
- Overall, it is considered that the proposed outbuilding would be a sympathetic addition which would not cause harm to the setting of the host listed building or the character and appearance of the conservation area.
- By virtue of the location of the proposed outbuilding at the back of the rear garden and set away from all neighbouring buildings, the development would not result in any detrimental impact to the amenity of neighbouring occupiers in terms of loss of sunlight, daylight, outlook or privacy.

### Basement Development

- Basement development must 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 and heritage significance of the building and area.
- The proposed basement would not comply with criteria I) of Policy A5 (Basements) of the Camden Local Plan, as it is proposed to be built up against the rear boundary wall. The proposed outbuilding and basement

beneath should therefore be set back from the rear boundary wall slightly to enable water drainage and to protect planting space to sustain growth of vegetation and trees, as well as for access for maintenance purposes to the rear of the outbuilding. Following this revision, the proposed basement would be considered to comply with the criteria of policy A5 with regards to siting, location, scale and design.

- The site is subject to underground constraints (ground water flow, surface water flow and flooding, slope stability, Bagshot Beds, and 50m buffer to Claygate Beds).
- A Basement Impact Assessment (BIA), which has been prepared in accordance with the processes and procedures as set out within CPG Basements, will need to be included with any future planning application for a basement development on this site. This BIA would then need to be independently audited by a third party before planning permission can be granted for any such basement development. 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.
- Please see CPG 'Basements' for full details of the procedure for basement applications.

### Trees

- The outbuilding would be located within an historic tree line as indicated by Map 5 of the Hampstead Neighbourhood Plan. As such, any future planning application must demonstrate that any harm to the trees would not be significant or could be mitigated.
- The existing outbuilding is located directly behind two mature fig trees and adjacent to two other trees. The relocation of the outbuilding to the south-west away from the trees is welcomed.
- The relocation would result in the removal of a partly dead and substantially damaged conifer and a sapling. The loss of these trees should be fully justified within a Arboricultural Impact Assessment and Tree Protection Plan to be submitted with any future planning application.
- The Arboricultural Impact Assessment and Tree Protection Plan should ensure that they detail any tree works required above or below ground to facilitate implementation. Attempts should be made to keep tree works to a minimum where possible, and consideration should be given to equipment such as scaffolding or piling rigs that may require additional clearance. The submission should also include a method statement for works or other related operations within root protection areas (RPAs) and tree protection measures.

### Transport and Planning Obligations

#### *Construction Management Plan*

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

- Given the location of the site within a Construction Management Plan (CMP) Priority Area, if planning permission were granted for any future planning application, the Council would require a CMP to be secured by a Section 106 Legal Agreement, in order to manage and mitigate the construction impacts of the scheme. This would need to set out how construction matters would be dealt with, for example deliveries, how material would be stored, and construction waste removed from site etc. For further details on CMPs, please refer to the sections on CMPs in CPG Amenity.
- The CMP would need to be completed using the Council's Pro-forma template and would need to be approved by the Council prior to works commencing on site. A CMP Implementation Support Contribution would also need to be secured by a Section 106 in order to fund specific technical inputs and sign offs 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. The amount payable would be confirmed by the Council's Transport Planner if a planning application is submitted.

#### *Highways Contribution*

- If planning permission were to be granted for a revised proposal, a financial contribution for highway works may need to be secured by a Section 106 planning obligation in order to cover the costs of any repairs to transport infrastructure or landscaping as necessary following construction damage and to reinstate all affected transport network links and road and footway surfaces.

### **7. Conclusion**

- The proposed outbuilding is considered to be an appropriate replacement to the existing one and would not harm the setting of the listed building, or the character and appearance of the conservation area.
- However, the proposed rear outbuilding and basement beneath should be set back from the rear boundary wall, for planting and maintenance purposes.
- Any future planning application for basement development will require a BIA to be submitted and externally audited by Campbell Reith. A Section 106 Legal Agreement to secure a CMP and possibly also a financial contribution to highways works will be required if planning permission is recommended to be granted.
- Further tree investigation works needs to be conducted to determine whether any existing trees would be affected by the proposals, and the scheme should be amended/appropriate mitigation measures should be proposed as necessary.

### **8. Planning application information**

If you wish to submit a planning application for the proposed development, I would advise you to submit the following for a valid planning application:

- Completed form – Householder Planning Permission Application
- An ordnance survey based location plan at 1:1250 scale denoting boundary of the application site in red

- Block plan of the rear garden at a scale of 1:50 labelled 'existing' and 'proposed'
- Floor plans of the outbuildings at a scale of 1:50 labelled 'existing' and 'proposed'
- Elevation drawings of the garden and outbuildings at a scale of 1:50 labelled 'existing' and 'proposed'. Please include the boundary treatment in the elevation drawings
- Section drawings of the outbuildings at a scale of 1:50 labelled 'existing' and 'proposed'
- Design and Access Statement
- Heritage Statement
- Arboricultural Impact Assessment and Tree Protection Plan
- Basement Impact Assessment (BIA)
- BIA Audit Instruction Form with section B completed (on Camden's website)
- Construction Management Plan (CMP) Pro-forma
- The appropriate fee (£206)
- 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 notice on or near the site and advertise in a local newspaper. The Council must allow 21 days from the consultation start date for responses to be received.

**This email 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 advice please do not hesitate to contact me on the below phone number.

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

Kind regards,

Charlotte Meynell  
Planning Officer  
Regeneration and Planning  
Supporting Communities  
London Borough of Camden

Telephone: 020 7974 2598

Web: [camden.gov.uk](http://camden.gov.uk)

5 Pancras Square  
London N1C 4AG

The majority of Council staff are now working at home through remote, secure access to our systems.

Where possible please now communicate with us by telephone or email. We have limited staff in our offices to deal with post, but as most staff are homeworking due to the current situation with COVID-19, electronic communications will mean we can respond quickly.

Please consider the environment before printing this email.