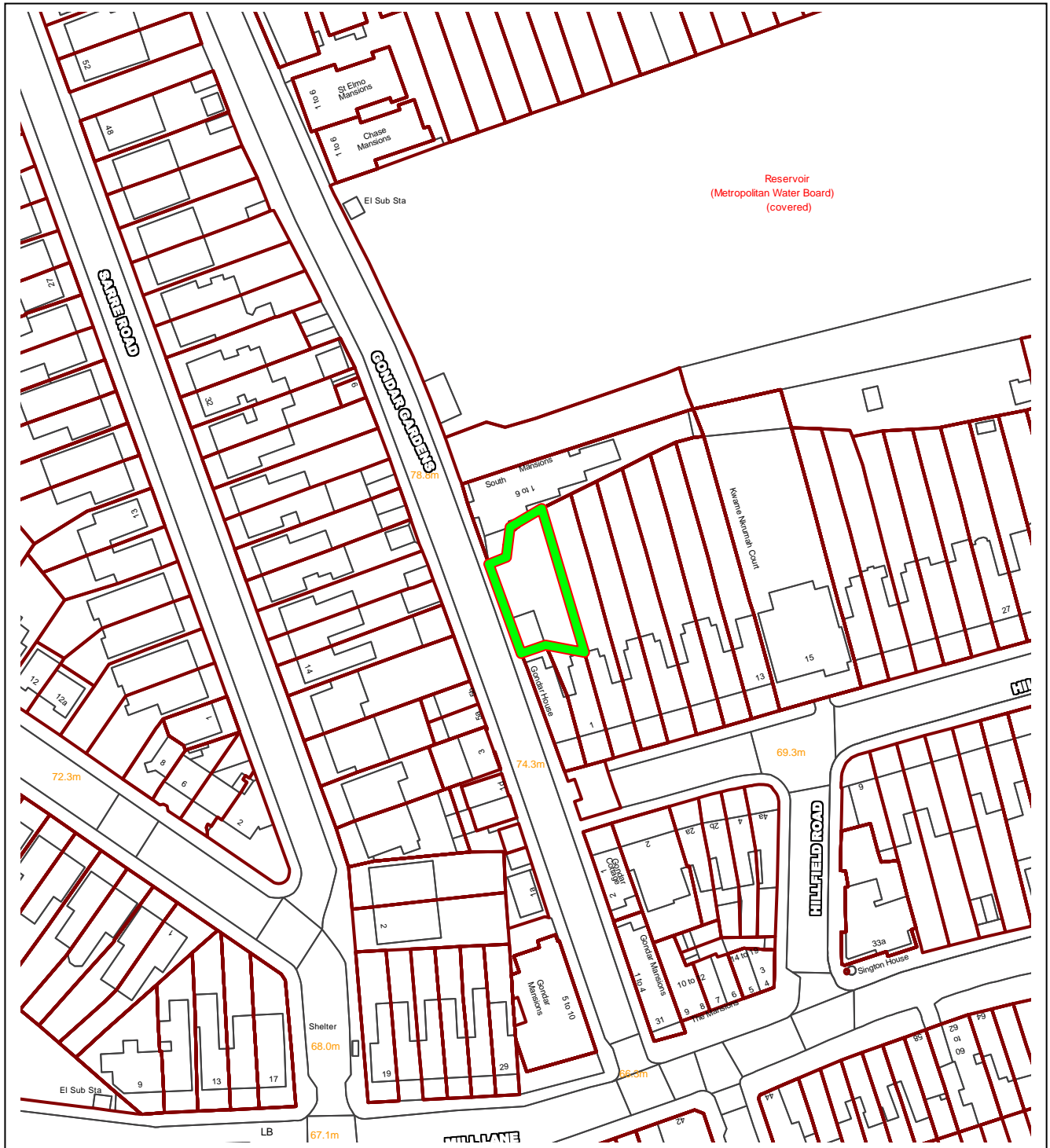


Land between Gondar House and South Mansions, Gondar
Gardens, and to the rear of 1 Hillfield Road, West Hampstead ref.
2021/2596/P



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Figure 1 (above): Site Location Plan (application site in red, 1 Hillfield Road in blue)



Figure 2 (above): Aerial View (with approximate application site outlined in red)



Figure 3 (above): Google Streetview looking south down Gondar Gardens



Figure 4 (above): Google Streetview looking north up Gondar Gardens



Figure 5 (above): Google Streetview of application site from front (facing Gondar Gardens)



Figure 6 (above): CGI of the front elevation of the proposed building



Figure 7 (above): Visual of the rear of the proposed building, from the rear gardens of Hillfield Road



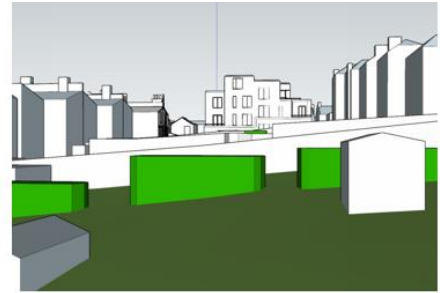
Figure 8 (above): CGI of proposal looking south down Gondar Gardens



Figure 9 (above): CGI of proposal looking north up Gondar Gardens



Figures 10 and 11 (above): Internal visuals/CGIs, showing indicative details of the proposed residential units



Figures 12-15 (above): Plans and visuals of previous refusal on the application site under 2020/3553/P dated 11/03/2021

Delegated Report (Member's Briefing)		Analysis sheet		Expiry Date:	22/07/2021
		N/A / attached		Consultation Expiry Date:	27/06/2021
Officer			Application Number(s)		
Jonathan McClue			2021/2596/P		
Application Address			Drawing Numbers		
Land between Gondar House and South Mansions, Gondar Gardens, and to the rear of 1 Hillfield Road West Hampstead London NW6 1QD			Refer to Draft Decision Notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
The construction of a new three storey plus basement residential building to deliver 4 x residential (Class C3) units, together with associated landscape, cycle parking, refuse and recycling storage					
Recommendation(s):		Grant Conditional Planning Permission Subject to Section 106 Legal Agreement			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:			No. in support	10	No. of objections	09
Summary of consultation responses:	3 x site notices were displayed from 02/06/2021 and an advert was placed in the local press on 03/06/2021. The site notices were displayed in the following locations:					
	<ul style="list-style-type: none">• 1 on Gondar Gardens in front of the application site (between South Mansions and Gondar House)• 1 in front of South Mansions on Gondar Gardens• 1 on the corner of Gondar Gardens and Hillfield Road <p><u>At least 9 written objections have been received from local residents, including on Gondar Gardens, Hillfield Road, Sarre Road, South Mansions, Greek Road, Ulysses Road. These are summarised below:</u></p> <p>Design, character and appearance</p> <ul style="list-style-type: none">• The proposals would not conform to other new buildings on the opposite side of the road. The proposal in comparison looks like 3 tower blocks. It has a massive building plan suited to a larger space• Out of character with existing housing in Hillfield Road• The style of the proposal does not harmonise with existing largely Victorian and Edwardian buildings• Proposals constitute over-development of a small site and are of unacceptably high density• New building is too high and out of proportion to the size of the plot• Proposal is garden grabbing and too close to property boundaries• The building should be two storeys high. Policy A13 of the Fortune Green and West Hampstead Neighbourhood Plan requires garden developments to be much lower than existing housing stock, usually one or two storeys• Proposal also does not comply with Policy A12 of the Neighbourhood Plan• The sinister and brutal shape of the 3-pointed units look more like a nuclear power station than a family home <p><u>Officer response:</u></p> <ul style="list-style-type: none">• <i>The design and compliance with the Fortune Green and West Hampstead Neighbourhood Plan consultation responses are addressed within sections 2.0 Land Use/Principle of Residential development and 5.0 Design and Impact on Surrounding Area of this officer report (below). The scheme is considered to be well-designed and appropriate in its context. It has been assessed robustly against the Neighbourhood Plan and is considered to comply with its policies, including policy A13. Garden Developments which does not preclude development within private gardens; rather, it states it should be avoided. Furthermore, the application site is an end of terrace plot that directly fronts Gondar Gardens. A part of the</i>					

site is also a hardstanding area currently used for car parking. For these reasons, the site should be more appropriately categorised as an infill development site.

Impact on neighbouring amenity

- The balconies would be an invasion on privacy
- Building is too close to South Mansions and would reduce natural light, views and green spaces
- Overshadowing of gardens on Hillfield Road
- Light would be blocked from South Mansions, Gondar House and 1 Hillfield Road. Residents would be deprived of a pleasant view of open land
- Light would be taken from gardens of 3-7 Hillfield Road. These properties would be overshadowed and overlooked at the back of the building, resulting in loss of privacy
- Noise disturbance
- Loss of outlook and daylight to 1 Hillfield Road, as well as access to rear garden (the units will be left with insufficient external amenity space)
- The Daylight, Sunlight & Overshadowing report submitted by the applicant was underplayed in its' impact to the neighbouring properties

Officer response:

- *Residential amenity impacts are considered in detail within section 6.0 Residential Amenity of this officer report (below). The balcony proposed as part of the scheme would be to the front of the building on Gondar Gardens, no external plant is proposed to create noise impacts and it is not considered that the introduction of 4 units would result in unacceptably detrimental impacts in this regard. The Daylight, Sunlight & Overshadowing report is considered to adequately assess the relevant impacts. In terms of overshadowing, it meets the latest guidance (as outlined in the officer report below). The 3D modelling undertaken by the applicant was based on detailed measured surveys of the surrounding area and has been verified with a photogrammetric model.*

Basement/structural impacts

- South Mansions has subsidence already, proposals would undermine this further. There has been a lack of consultation regarding subsidence. Danger of disturbance of water table
- Flooding impacts
- The proposal includes a buried geocell tank at the boundary. The excavation for the tank would bring this work within the Party Wall Act. Affected residents would have the right to appoint a Party Wall Surveyor to represent their interests at the expense of the developer

Officer response:

- *Basement impacts are considered with section 7.0 Basement Impacts and flooding within section 8.0 Flood Risk (within the main body of the officer report below). A Basement Impact Assessment (BIA) has been reviewed by the Council's independent engineers, Campbell Reith. It confirms that by following best practice engineering and construction*

methodologies, the construction of the basement would not see any structural impacts to surrounding property owners. Party Wall matters are not material planning considerations and are dealt with under separate legislation.

Ecology, environmental, trees and open space impacts

- Local wildlife would be impacted
- Loss of precious green back garden space

Officer response:

- *These representations are considered within section 10.0 Trees, Landscaping and Biodiversity of the officer report (below). Some small shrubs and species of low biodiversity value would be lost as part of the proposals, but these would be offset through the provision of new soft landscaping across the site. Collectively, the proposed measures would ensure the development would deliver a net improvement in ecological and biodiversity outcomes on-site and these measures would be secured by appropriately worded planning conditions.*

Construction and transport impacts

- Proposal would create more traffic, parking, pollution and noise
- A Construction Working Group should be established if planning permission is granted

Officer response:

- *These matters are considered within section 9.0 Transport and Highways (main body of officer report below). The development would be car-free and remove a hardstanding parking area (thereby reducing traffic and parking by removing existing off-street parking). A Construction Management Plan (CMP) would be secured via section 106 and it would require the appropriate level of community engagement and consultation (i.e. that is proportionate to the development and impacts).*

Other

- Lack of consultation over application and previous one under ref. 2020/3553/P by applicant
- Insufficient statutory consultation
- Affordable housing should be provided on-site
- Safety issues of having a steep drop lightwell up to the boundary fence of 3 Hillfield Road
- Lack of space for recycling bins
- The design does not allow for wheelchair access

Officer response:

- *Consultation – the level of consultation undertaken by the applicant is considered to be proportionate to the development in this instance.*
- *Affordable housing – see section 4.0 Affordable Housing within the main body of the report (below). The scheme does not trigger on-site affordable housing (i.e. the capacity for housing on-site is well below 10 units).*

- *Lightwells - the proposed lightwells to the rear of the site are not considered excessively large and large parts of the rear of the site would be landscaped with deep soils. The lightwell would be surrounded by necessary edge protection. It would have to be safe and secure as part of the Building Regulations procedure.*
- *Bins – the plans adequately show enough space would be provided. It follows Camden’s waste standards.*
- *Wheelchair accessibility - given the topography of the site and nature of the proposed development, level access to all new dwellings is not possible. The slope of the site necessitates stepped floorplates that mean that lift access to each dwelling is unachievable and unfeasible. Level access to the two dwellinghouses is possible at ground floor; however, level access throughout each dwelling is not achievable. The Mayor’s Housing Supporting Planning Guidance (SPG) 2016 notes that circumstances such as this are reasons where applying the Part M4 accessibility standards flexibly should be allowed.*

Approximately 10 letters of support have been received from local residents. Their comments are summarised below:

- Significant local benefit to local area if application is approved
- Would create quality homes which the area needs
- Proposal would make a full affordable housing contribution
- New design an improvement over previous application and is of high quality
- The existing site has no real aesthetic value

<p>Thames Water comments 03/06/2021:</p>	<p>Thames Water gave guidance on surface water; groundwater discharge; water treatment infrastructure capacity and requested a condition for a piling method statement. No objections were raised to the planning application, based on the information provided. Relevant conditions (including a piling method statement) and informatives would be applied if permission were to be granted.</p>
<p>Natural England comments 04/06/2021:</p>	<p>Wrote to confirm that Natural England has no comments to make.</p>
<p>Councillor Lorna Russel, Fortune Green Ward objection 25/06/2021:</p>	<p>The material objections raised are summarised below:</p> <ol style="list-style-type: none"> 1) New proposal is too dense for the space. Proposal would turn a single garden into four flats. This is disproportional for the space and too dense for the small site area. Building on a garden is contrary to the neighbourhood plan. There is no attempt to mitigate this loss of green space. 2) Concerned that the basement excavation would detrimentally impact on other residents' homes and gardens. Threat of subsidence. There is serious damage to South Mansions on Gondar Gardens already. Construction of a basement next door would cause further irreparable damage. Excavation of the basement at 3 Hillfield Road has caused subsidence to surrounding properties. There is also very little precedent for basements in Gondar Gardens. <p><u>Officer response:</u></p> <ol style="list-style-type: none"> 1) <i>The design and compliance with the Fortune Green and West Hampstead Neighbourhood Plan consultation responses are addressed within sections 2.0 Land Use/Principle of Residential development and 5.0 Design and Impact on Surrounding Area of this officer report (below). The scheme is considered to be well-designed and appropriate in its context. It has been assessed robustly against the Neighbourhood Plan and is considered to comply with its policies, including policy A13. Garden Developments which does not preclude development within private gardens; rather, it states it should be avoided. Furthermore, the application site is an end of terrace plot that directly fronts Gondar Gardens. A part of the site is also a hardstanding area currently used for car parking. For these reasons, the site should be categorised as an infill development site. The loss of green space has been partially mitigated through proposed planting/greening.</i> 2) <i>Basement impacts are considered with section 7.0 Basement Impacts (within the main body of the officer report below). A Basement Impact Assessment (BIA) has been reviewed by the Council's independent engineers, Campbell Reith. It confirms that by following best practice engineering and construction methodologies, the construction of the basement would not see any structural impacts to surrounding property owners. A number of basements have been permitted in the area, including the neighbouring properties at 1 and 3 Hillfield Road.</i>

GARA recognises the efforts made by the developer to respond to the reasons for refusal of the previous application. They consider the following features of the current application are a significant improvement:

- Reduced height and bulk
- Less overlooking of Hillfield Road gardens
- Reduced bulk facing windows of South Mansions
- Better frontage design including setback entrances
- Overall less development (fewer homes and bedrooms, reduced gross internal area)

In the event the application is approved, GARA expect the following to be addressed via conditions and obligations:

- Car-free development
- Provision of residents' bays along the entire length of the site; and provision of at least one electric charging point and one car-club space
- Replacement of the single large tree which partially blocks the pavement with two smaller species
- The Construction Management Plan to include creation of a Construction Working Group
- Site traffic to be routed exclusively via Mill Lane, site traffic must avoid school drop-off and collection times

The material objections raised are summarised below:

- 1) As with the recently refused application for this site (2020/3553/P), GARA objects in principle to development in what is currently a private garden. This is contrary to the Neighbourhood Plan policy A13: *'in order to protect the Area's green/open spaces, the development of new dwellings in private gardens should be avoided'*. There is no attempt to mitigate or compensate for the loss of green space caused by the proposed development.
- 2) Proximity to South Mansions – improved compared to the recently refused application but still a concern for local residents.
- 3) Basement size – the proposal includes a large basement excavation. Camden needs to be satisfied that the Basement Impact Assessment (BIA) properly reflects this, and is acceptable in conjunction with the recently approved basement enlargement for the main house of 1 Hillfield Road (2019/3109/P).
- 4) Cumulative impact – there is no recognition in this application of the cumulative impact of recent developments including, most notably, the same developer's recently approved plans for 1 Hillfield Road (2019/3109/P). This includes bin and cycle storage for 1 Hillfield Road at the northern end of what is currently its garden but which would be subsumed into the current proposal and thus lost. It is essential that adequate bin and cycle storage for 1 Hillfield Road is provided in the current application. Additionally, cumulative effects in relation to the proposed basement are mentioned above.

Officer response:

The development would be car-free and parking bays would be

restored where the dropped kerb would be raised. Due to the size of the scheme, electric charging point and car-club spaces are not required. The mature tree would be retained and its replacement would not be supported. The Construction Management Plan would be required to undertake the appropriate amount of consultation and engagement. Details of site traffic and timings would be considered as part of this process.

1 and 2) The design and compliance with the Fortune Green and West Hampstead Neighbourhood Plan consultation responses are addressed within sections 2.0 Land Use/Principle of Residential development and 5.0 Design and Impact on Surrounding Area of this officer report (below). The scheme is considered to be well-designed and appropriate in its context. It has been assessed robustly against the Neighbourhood Plan and is considered to comply with its policies, including policy A13. Garden Developments which does not preclude development within private gardens; rather, it states it should be avoided. Furthermore, the application site is an end of terrace plot that directly fronts Gondar Gardens. A part of the site is also a hardstanding area currently used for car parking. For these reasons, the site should be categorised as an infill development site. The loss of green space has been partially mitigated through proposed planting/greening.

3 and 4) Basement impacts are considered with section 7.0 Basement Impacts (within the main body of the officer report below). A Basement Impact Assessment (BIA) has been reviewed by the Council's independent engineers, Campbell Reith. It confirms that by following best practice engineering and construction methodologies, the construction of the basement would not see any structural impacts to surrounding property owner. The review considered cumulative impacts with adjacent properties and basement developments. Bin storage for 1 Hillfield Road is provided for in the proposed scheme. Cycle storage is included within the consented development at 1 Hillfield Road, and the proposal includes adequate provision for its proposals.

Site Description

The application site fronts the eastern side of Gondar Gardens and includes part of the rear garden of 1 Hillfield Road. It lies between South Mansions and Gondar House, which are both three storey buildings with South Mansions fronting Gondar Gardens and Gondar House facing Hillfield Road and Gondar Gardens. The site slopes up with the road from south to north and has an area of approximately 328m². It is made up of concrete hardstanding which accommodates car parking and soft landscaped areas.

To the south of the site is Hillfield Road, which mostly contains three storey terraced buildings (some with loft conversions and/or basements) and is characterised by relatively long rear gardens.

On the western side of Gondar Gardens, opposite the site, is the rear of properties on Sarre Road. Some of these frontages are open, others have single storey garages and a number have recent two storey mews type developments to provide residential accommodation.

Further to the north of the site is the Gondar Gardens Reservoir, which has a lengthy planning history (see Relevant History section below).

The host property is not located within a conservation area and there are no listed buildings in the immediate vicinity. It is located within the Fortune Green and West Hampstead Neighbourhood Area, which has a Neighbourhood Plan that forms part of the Development Plan.

Relevant History

Application site (land to the rear of 1 Hillfield Road)

PL/8703320: An Outline planning application was refused on 08/06/1988 for the erection of two new houses to land to the rear of 1 Hillfield Road. The application was refused for the reasons of overdevelopment of the site (exceeding plot ratio standards); not complying with policies as set out in the Environmental Code; unacceptable impact on neighbouring properties (daylight, overlooking and outlook) and it would have been visually intrusive, infilling an important gap between buildings.

2020/3553/P: A full planning application was refused on 11/03/2021 for the construction of a new three storey (plus basement) residential building to deliver 6 x residential (Class C3) dwellings. The application was refused for the following primary reasons (i.e. not including section 106 related reasons for refusal):

***‘Design, Character and Appearance** - The proposed development, by virtue of its height, mass, scale, site coverage and detailed design, would be detrimental to the character and appearance of the streetscene and wider area generally, contrary to policy D1 (Design) of the Camden Local Plan 2017, and policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.’*

***‘Residential Amenity** - The proposed development, due to its height, massing, scale, location, positioning of windows and terraces, would have an overbearing impact on neighbouring occupiers at Gondar House, South Mansions and properties on Hillfield Road and result in a material loss of outlook, privacy and daylight, contrary to policies A1 (Managing the impact of development) and D1 (Design) of the Camden Local Plan 2017, and policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.’*

1 Hillfield Road (property currently forms part of application site)

2019/3109/P: Planning permission was granted subject to a section 106 legal agreement on 26/05/2021 for extension of the building to create an additional self-contained residential unit. This site adjoins the application site to the south. The works include a basement extension, single storey rear extension, a replacement rear dormer and the erection of a bike and bin storey to the rear. As part of

the approval, bin storage is to be secured on the subject application site in this application.

Neighbouring developments:

Gondar Gardens Reservoir

There have been a number of planning applications associated with the former Gondar Gardens Reservoir. The most recent application (ref. **2017/6045/P**) includes an 82-bed extra care housing and 15-bed nursing home development that was refused with an appeal dismissed at public inquiry. The appeal was dismissed in June 2019 due to ecological, amenity and affordable housing related issues. Prior to this, planning permission (ref. **2013/7585/P**) was allowed at appeal on 16 December 2015 for a total of 28 residential dwellings.

1 Gondar Gardens

2007/4353/P: Planning permission was granted on 9 September 2009 for the erection of 4 x 2 storey dwellinghouses (1 dwelling with a basement); following the demolition of an existing dwelling and 3 bay garage. The development is now completed.

Relevant policies

National Planning Policy Framework 2021 (NPPF)

National Model Design Code 2021

London Plan 2021

The Mayor's Housing Supporting Planning Guidance (SPG) 2016

Camden Local Plan 2017

- G1 - Delivery and location of growth
- H1 - Maximising housing supply
- H4 - Maximising the supply of affordable housing
- H6 - Housing choice and mix
- H7 - Large and small homes
- C1 - Health and well-being
- C5 - Safety and security
- C6 – Access for all
- A1 - Managing the impact of development
- A2 - Open space
- A3 - Biodiversity
- A4 - Noise and vibration
- A5 - Basements
- D1 - Design
- 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
- T3 - Transport infrastructure
- T4 – Sustainable movement of goods and materials
- DM1 - Delivery and monitoring

Camden Planning Guidance (CPG)

- Access for All (March 2019)
- Air Quality (January 2021)
- Amenity (January 2021)
- Basements (January 2021)
- Biodiversity (March 2018)
- Design (January 2021)
- Developer Contribution (March 2019)
- Energy efficiency and adaption (January 2021)
- Housing (January 2021)
- Transport (January 2021)
- Trees (March 2019)
- Water and flooding (March 2019)

Fortune Green and West Hampstead Neighbourhood Plan (2015)

- Policy 1 Housing
- Policy 2 Design and character
- Policy 7 Sustainable Transport
- Policy 8 Cycling
- Policy 9 Pavements and pedestrians
- Policy 17 Green/open space
- Policy 18 Trees

London Borough of Camden Housing Delivery Test - Action Plan dated August 2020

In accordance with the requirements of the Government's Housing Delivery Test, the Council has published a Housing Delivery Test Action Plan. This sets out a series of actions to ensure that Camden is able to meet its housing requirement in future years. The housing delivery plan has been produced as the data shows that housing completions in Camden in recent years have fallen below the Borough's housing delivery target. Between 2017/18 and 2019/20, Camden had a target of 3,265 new homes and 2,568 were delivered. This equates to 79%. Under the 2019 rules if delivery falls below 95%, authorities must publish an action plan to explain how they intend to increase delivery in future years. The Council also need to have a 20% buffer on its five-year land supply. This should be taken into account when the Council are making decisions on applications which if approved would enable the delivery of additional housing for the borough.

Assessment

1.0 Proposal

1.1 Planning permission is sought for redevelopment of the site (including clearance of small ancillary structures and boundary treatment) and the erection of a three storey (plus basement) building to provide four residential units (Use Class C3), including two single family dwellinghouses (3 bedrooms each) and two flats (1 x 1 bed and 1 x 2 bed). Bike storage is provided through standalone structures for the dwellinghouses and a communal enclosure for the flats. Bin storage (for the development and adjacent property next door at 1 Hillfield Road) is proposed in a standalone single storey structure. New boundary treatment and landscaping is proposed, along with a new entrance to the rear garden of 1 Hillfield Road (so residents on that site can access the communal bin store).

1.2 The basement of the proposed building would have a footprint of 149.66m² (including lightwell) to a depth of 3m below ground. The ground floor would have a footprint of 163.51m², a maximum width of 16.74m and depth of 10.44m. The building would have a maximum height of 10.61m above ground. The combined communal bin and bike storage enclosure would have a footprint of 12.32 m² and be single storey with a maximum height of 2.69m (all measurements above are approximate).

1.3 The building would mostly be constructed in brick, precast concrete, standing seam zinc (roof), aluminium/timber composite windows, hardwood doors and timber (bin and bike store). Green roofs (on all flat roofs) are proposed along with velux windows/rooflights, PV panels and planting. A range of external amenity spaces are proposed including:

- Balcony on the second floor (serving upper level flat)
- Rear sunken gardens/courtyards (for the dwellinghouses and lower level flat)
- Two ground level gardens (for the dwellinghouses).

Revisions

1.4 Revised/additional drawings and visuals were submitted, including the following:

- internal CGIs showing a visualisation of the living space and kitchen space within the scheme
- additional detail for the cycle parking stores for the two houses, as well as communal cycle store
- updated section drawing confirming a brick reveal of one full brick would be provided to the windows.

Differences with recently refused scheme under 2020/3553/P dated 11/03/2021

1.5 The revised scheme has reduced the size and nature of the refused development. It has been reduced from 6 x residential flats to 2 x residential dwellinghouses and 2 x residential flats (i.e. a reduction of 2 x residential units overall, and the inclusion of family-sized dwellinghouses).

2.0 Land Use/Principle of Residential Development

2.1 Housing represents the priority land use of the adopted Local Plan and, in order to meet (and exceed) the objectively assessed needs of the Borough, the Council seeks to maximise the delivery of new housing. This is supported by policies H1 (Maximising housing supply) and G1 (Delivery and location of growth). On this basis, housing is generally supported in principle in what is a predominantly residential environment.

2.2 The site is subject to the Fortune Green & West Hampstead Neighbourhood Plan, which was adopted in September 2015. This document has the same weight as the Camden Local Plan and forms part of the Development Plan. The policies under section A. Housing, Design & Character are

considered relevant. Third parties have raised concerns with the proposals and consider that they do not comply with specific policies. These include paragraphs A12 - Infill development, A13 - Garden developments and A15 - Basement developments, which provide explanation for policy 2. Paragraph A13 is considered particularly relevant to the principle of the proposal and is quoted below (emphasis added in bold):

*‘A13. Garden developments: in order to protect the Area’s green/open spaces, the development of new dwellings in private gardens **should be avoided. If any developments are approved**, they should maintain a much lower profile than existing housing stock, usually one or two storeys. (Also see Policy 17).’*

2.3 Officers note that the relevant explanatory text states that development of new dwellings in private gardens ‘should be avoided’. Neither the policy nor explanatory text prohibits such development. Notwithstanding this, the application site directly fronts Gondar Gardens, so is considered to be an infill development as it has a street frontage, rather than a ‘backland/garden’ development. The application site includes the former rear garden of Gondar House (now the hardscaped parking area fronting Gondar Gardens) and the side/rear garden of 1 Hillfield Road. The shape of the application site is shown in Figure 1 within the photos at the beginning of this Member’s Briefing pack. Part of the application site includes a hardstanding parking area, shown in Figure 5 (within the pack before this report). Overall, it is not considered that the acceptability of the development is precluded by the Neighbourhood Plan and is acceptable in principle.

2.4 Expanding on policy 2 of the Neighbourhood Plan, paragraph A12 states that new houses within an existing terrace should be to the same scale as the terrace and similar in form, materials and details. These principles apply to vacant sites in streets where there is already a pattern of existing development. Officers consider the proposals respect this policy. The proposed building would infill a gap in a street frontage and is considered to be in keeping with the surrounding area and of a suitable scale.

2.5 The basement development policy (A15) of the Neighbourhood Plan states that there is concern in the area about the increasing number of basements. These matters are considered within section 7 (Basement Impacts) below.

2.6 A combination of 1, 2 and 3 bed (including 2 x 3 bed family homes) would be provided and this is considered to be an acceptable housing mix in accordance with H7 of the Local Plan. Family units are valued in the Borough.

2.7 As mentioned above (in the policy section), significant weight must be given to the delivery of housing in light of the Housing Delivery Test (Camden is currently delivering 79% of its housing target). Paragraph 11(d)(ii) of the NPPF makes clear that the presumption should be in favour of granting permission unless adverse impacts of doing so would **significantly and demonstrably** outweigh the benefits.

3.0 Quality of Living Accommodation

3.1 Overall, the standard of living accommodation for the prospective occupiers is considered acceptable. Below is a more detailed assessment of the quality of accommodation.

Layout, ventilation, ceiling heights

3.2 The general layout of the units is acceptable providing functional and practical spaces. The ceiling heights (including the basement rooms) of the residential spaces are over the 2.4m minimum standards within CPG Housing. The uppermost floors have vaulted ceilings between 3.08m-4.02m high, with the majority of the floor area of a reasonable head height and size. All of the units benefit from openable doors and windows.

Internal daylight/sunlight

3.3 The application has been supported by an internal daylight report, which assesses the daylight

and sunlight levels that would be experienced by future occupiers of the residential units. The Average Daylight Factor (ADF) analysis shows that all 18 of the proposed habitable rooms would meet the relevant thresholds. No Sky Line (NSL) results indicate that the majority of rooms would pass BRE Guidelines, with the rooms failing being within the basement. These rooms would be secondary living rooms for the dwellinghouses (which benefit from above ground kitchen/dining rooms) and a bedroom for the lower level flat. Bedrooms have lesser importance in terms of the BRE guidance.

Outlook and aspect

3.4 Overall the proposed flats would offer a good quality outlook for future occupiers. All of the units are dual or triple aspect, apart from the upper level flat which would have obscured windows to the rear to prevent overlooking; however, it would benefit from velux windows. This is considered acceptable on balance.

Overlooking/privacy

3.5 Potential of overlooking between the proposed units would not be created to an unacceptable extent. All habitable rooms above ground floor level would face westwards onto Gondar Gardens while non-habitable spaces are located at the rear to avoid overlooking adjoining occupiers. Furthermore, the proposed units are not unacceptably overlooked by other existing occupiers. Further assessment in terms of residential amenity is made within paragraphs 6.10 – 6.14 (below).

External amenity space

3.6 Each unit would have access to external amenity space in the form of a sunken courtyard/garden/lightwell; a garden; or a balcony. The London Plan requires a minimum of 5m² of private outdoor space to be provided for 1-2 person dwellings with an extra 1m² for each additional occupant. The Camden Local Plan and CPG are not prescriptive in respect of private amenity space. All of the units are considered to comply with the London Plan requirements, although it is noted that the second floor level balcony serving the upper level flat would have 5.69m² of balcony space with an extra 0.6m² within a small area between the glazing and decking area. This equals 6.29m² in total, which is above the 6m² that would be required. This provision is deemed acceptable (on balance) as the space is considered suitable as it would fit a table and chairs at its widest point. Furthermore, the extension/enlargement of the balcony would have design implications and would impact on the mature street tree.

Access and inclusive design

3.7 New build residential developments must comply with the access standards in Part M of the Building Regulations. This includes the mandatory part 1 (Visitable dwellings) and the optional part 2 (Accessible and adaptable dwellings) and 3 (wheelchair user dwellings). The Council expects all new-build housing to go above the minimum mandatory Building Regulations with a requirement to meet at least Building Regulations part M4(2).

3.8 Due to the site-specific constraints of the site, fully accessible standards are unable to be met in this particular instance, and all of the units have been designed to meet the mandatory Part M4(1) 'visitable' standards. The main reason is associated with the specific design response for the proposed development, as it is necessary for it to step down the hill/slope. This means that each bay within the development has different floor levels and is unable to provide level access throughout. The sloped site is the primary reason why stepped access via two steps is necessary for each unit. Part M4(1) of the Building Regulations states that a small stepped access on steeply sloped plots can be used to facilitate access for wheelchairs, prams and less able people. All of the steps have been designed to meet the Part M4(1) requirements in terms of rise, width and tread nosings. House 2 has an alternative level access route into the rear garden via the access path on the southern side of the site, meaning that prams and wheelchairs could access this rear garden without the need for stepped access.

3.9 Both dwellinghouses would have toilets and the principal living space at ground floor level,

meaning that less able people do not need to navigate internal stairs to get to these areas in each home. Furthermore, a 'study' room is located to the front of the dwellinghouses which could be used as a sleeping/resting space. The applicant considered ways to provide level access off the street, at least into the ground floor of each property, but doing so would require the ground floor level of the building to be reduced by around 300mm. Doing this would result in further excavation in the root protection area of the mature street tree to accommodate the building foundations. The applicant's arborist advised against this as it would cause harm to the tree.

3.10 The Mayor's Housing SPG 2016 allows flexibility in accessibility standards. Paragraph 2.3.11 states that *'local planning authorities can apply the accessible housing policies flexibly in certain instances, particularly for buildings of four storeys or less when the delivery of a lift would have implications for the viability of a development and for ongoing service charge costs for residents.'* On balance, the accessibility of the proposals is considered acceptable due to the site constraints.

Internal space standards

3.11 The proposed residential units would exceed the minimum standards as required in the Technical housing standards - nationally described space standard:

- House 1 (3 bed) = 114.92m² (minimum required 93m²)
- Flat 1 (1 bed) = 61.44m² (minimum required 58m²)
- Flat 2 (2 bed) = 74.43m² (minimum required 70m²)
- House 2 (3 bed) = 98.46m² (minimum required 93m²)

4.0 Affordable Housing

4.1 Policy H4 aims to maximise the supply of affordable housing. The Council expects a contribution to affordable housing from all developments that provide one or more additional homes and involve a total addition to residential floorspace of 100m² Gross Internal Area (GIA) or more. A sliding scale target applies to developments that provide one or more additional homes and have capacity for fewer than 25 additional homes, starting at 2% for one home and increasing by 2% for each home added to capacity.

4.2 Paragraph 3.119 of the Local Plan states that *'Where a site or a group of related sites becomes available for development, the Council will expect proposals to take the form of a comprehensive scheme rather than piecemeal development, and will expect a single assessment of the maximum reasonable amount of affordable housing taking account of all components..... We will seek planning obligations to ensure that each part of a split or phased development makes an appropriate affordable housing contribution, having regard to the contribution that would arise from a single assessment across all components'*. The applicant owns and is planning to develop the remainder of the site at 1 Hillfield Road. Planning permission under 2019/3109/P was granted for extension of the building to create an additional self-contained residential unit. This proposal included an uplift of 107m² (GIA), requiring a payment-in-lieu (PIL) of £5,693.73 (this is secured within the agreed section 106 relating to that development). In the event a scheme on both sites proceed in the future, then the affordable housing contribution would need to be considered for both sites together.

4.3 The proposal includes four new units and an uplift of 420m² (GIA) of floorspace. This would result in a requirement for 8% affordable housing (capacity is rounded up/down to the nearest 100m² (i.e. 400m²)). Cumulatively with 1 Hillfield Road the proposal would provide 527m² (capacity for 5 units and a requirement of 10% affordable housing). Where developments have capacity for fewer than 10 additional dwellings, the Council accepts a PIL of affordable housing as set out in Policy H4.

4.4 The CPG Housing document was published in January 2021. The Camden Local Plan 2017 has adopted GIA to assess self-contained housing and affordable housing requirements under Policies H2

and H4. For consistency, the payment rates incorporated in the updated CPG Housing are expressed as payments per m² of GIA and have been updated for housing and affordable housing. PIL of affordable housing required by Policy H4 is now £5,000 per m² GIA.

4.5 As the 1 Hillfield Road permission is granted, the cumulative impact would only be applied to any proposal at the current application site (as the section 106 is signed for 1 Hillfield Road). Therefore, a cumulative affordable housing requirement of 10% would be applied to the current proposal. On this basis, the PIL is calculated as:

- $420\text{m}^2 \times 10\% \times £5,000 = £210,000$

4.6 If the planning application were to be approved, the applicant would be required to enter into a section 106 to secure the above financial contribution (and link to the adjoining site).

5.0 Design and Impact on Surrounding Area

5.1 The proposed development is for an infill building within a garden setting. The proposal occupies the majority of the site and would be relatively close to neighbouring properties. It is a relatively challenging development that would only be acceptable subject to it being of an appropriate size, height, scale, massing and detailed design. A previous planning application (2020/3553/P dated 11/03/2021) was refused for a larger development than proposed here. This was due to the proposed building appearing dominant in its context and to the neighbouring buildings; the width, expression, treatment and setbacks of the frontage; size and design of its opening; imposing nature of rear elevation; poor quality of the detailed design.

Site context

5.2 The application site is a plot of land between South Mansions, a 3 storey Victorian mansion block with 3 bays, and Gondar House, a 3 storey end of terrace (as part of a parade on Hillfield Road) facing Gondar Gardens with a part two storey part single storey rear extension. This part of Gondar Gardens is characterised by a relatively steep hill, dropping almost 2 metres from the South Mansions end (north) to the Gondar House end (south). The site is currently used as a parking space and rear garden. It has no significant built form on it, and provides an open view and glimpse into the back gardens of Hillfield Road properties.

5.3 The surrounding area is characterised by predominantly Victorian architecture with a few contemporary infill sites. The character of the area is predominantly residential with pockets of green created by large gardens and the Reservoir Site further up the street (north). Buildings on the opposite side of the Gondar Gardens are a mix of garages and outbuildings as well as residential accommodation that have slowly replaced the garages and created a more defined edge to the street. General building heights are of 2-3 storeys along the street and in the area.

Height, massing and scale

5.4 The building mass, form and proportions have been developed to respond to the surrounding context as well as to reduce visual and amenity impacts on neighbouring properties. The proposed building is 3 storeys in height, with an extra partial basement, and is of similar height to its surroundings. The building block has been shaped so that it does not appear monolithic and to relate to the adjacent buildings. It has been broken down into 3 elements of 5 metres width to reference the typical width of Victorian terraces along Hillfield Road. These 3 bays would provide a link to the prominent bays with pitch roofs commonly found in the area and to the rhythm of South Mansions. The roof form would be pitched to follow the roof line of adjacent buildings and reduce the massing of the proposal, allowing further gaps within the building.

5.5 The main massing is located towards the front of the site along the street to minimise impact on neighbouring properties and gardens to the rear. It is set away from the sides of South Mansions and Gondar House, by 6m and 8m respectively, to provide gaps between these buildings, minimising the visual impact from adjacent properties and maintaining some glimpses into the back gardens of Hillfield Road. The main building line would be setback from the pavement to mimic South Mansions,

with only the bays coming forward and creating interesting three-dimensional qualities on the street side.

5.6 The depth of the proposed massing has been established to reduce the visual impact from the adjacent buildings by placing the deepest footprint in the centre and narrowing down towards the neighbours on the sides, with similar flank wall depths to that of Gondar House and South Mansions. This would avoid a straight flat wall on the rear elevation, with angled walls stepping away, to reduce the perception of an overbearing structure from within the rear gardens of neighbouring occupiers.

5.7 The proposed design responds to the changes in level by stepping down the building mass and creating a transition between South Mansions and Gondar House. Each of the three building sections is at a different level with different roofline drops to further articulate the transition. The scale and stepping down of the building is considered to appear subservient in relation to South Mansions.

5.8 Views from different locations, such as rear gardens, various building points and along the street, have been tested and used to assess the visual impact of the building onto the rear properties. Officers consider the height, massing, scale and siting of the proposal to sit comfortably within its garden setting and not have an unacceptable detrimental impact onto the neighbouring properties, nor onto the streetscape. Images of the proposal are shown in Figures 6-9 within the photo section of the agenda pack (above). The proposal is considered to successfully respond to the constraints of the site.

Layout

5.9 Two dwellinghouses would occupy the side bays while two flats are located in the middle section, each spreading across multiple floors. All units have direct access at ground floor from the street.

5.10 All habitable rooms above ground floor level face westwards onto Gondar Gardens while non-habitable spaces are located at the rear to avoid overlooking adjoining occupiers. At the lower levels, all living and dining spaces in the units are located at ground and basement floor and face the rear and sides. The dwellinghouses have three bedrooms spread across the first and second floors with a study room facing Gondar Gardens at ground floor. The ground floor flat extends into the basement and is a one-bedroom unit, also benefitting from a study room facing the street.

5.11 The scheme benefits from amenity space in the form of individual gardens, sunken courtyards and a balcony at second floor. A small and integrated bin and bike store shed sits next to building on the Gondar House side and is directly accessed from the street and a small passage to 1 Hillfield Road. The dwellinghouses would have individual bike storage space in their gardens.

Detailed design

5.12 The proposed palette of materials is simple and responds to the predominant character of the area. Attention has been given to details such as brick patterns, junctions between walls and roof, and relationships between materials, resulting in a well-crafted architecture that positively contributes to its context. Materials and details would be secured by planning condition if planning permission were to be granted.

5.13 The main material of the design is proposed to be red brick to build on the character of solid brickwork in the area. The proposed brickwork varies depending on its location, function and the desired effects on the overall design. A hit and miss/perforated brick detail would be used to create brick screens for privacy while a slightly protruded header creates a textured wall, mainly used at plinth level.

5.14 Other materials proposed include precast concrete to highlight specific building elements such as the entrance canopies and steps, window cills, and planters along Gondar Gardens. The latter referencing the white stucco of neighbouring Victorian buildings. Furthermore, hardwood is proposed to introduce warmth to entrance doors; standing seam zinc (in a similar tone to the brick) for the roof; and metalwork for details such as rainwater pipes at the rear. All of the proposed materials are used to complement the main brick material and add intricate detailing to the scheme.

5.15 Each façade has been designed to respond to its particular immediate condition as well as to the internal uses. The front facade (Gondar Gardens) has been designed to fit within the streetscape elevation by referencing proportions and building features in the area, and by integrating the changes in levels. It references South Mansions' proportions and distribution of windows and bays. At upper levels there would be hit and miss/perforated panels next to each window while top floor windows would follow the roofline. The balcony on the central bay at second floor would read as similar to the windows in terms of proportions and treatment. The relationship between the ground floor and the street is dealt with by angled walls that direct the windows away from the footpath, with planters placed in between.

5.16 The back elevation (facing the rear gardens of Hillfield Road) has been designed to limit outlook through the building form and the architectural treatment. On this side, windows are limited in number and size and hit and miss/perforated brick screens are proposed in front of glazed windows to increase privacy whilst allowing for filtered light and ventilation.

5.17 Both of the side elevations, the shortest and narrowest of the proposal, have reduced openings to respect the building's setting. The side elevations are characterised by simple brickwork and the visible roof pitches terminating at both sides. On the Gondar House side, the roof planting proposed above the bike and bin storage would further animate the façade.

5.18 Overall, the architectural language of the proposed design is considered of high quality, adopting a limited palette of materials but being well crafted and successful in the details.

Landscaping

5.19 The landscape strategy is an important element of the proposal and would need to be fully integrated into the design. Greenery and opportunities for biodiversity are proposed through the provision of outdoor amenity space as well as green elements such as green roofs with wildflower meadows, permeable pavers, additional planting along the edges and within the gardens, bat boxes and bird feeders. These elements, and in particular new planting and green roofs, would help the building to be further visually integrated into its garden setting. Such details would be secured by planning condition if permission were to be granted.

Design Review Panel (DRP)

5.20 The proposals were the subject of a formal chair's review meeting with DRP on 26/03/2021. The summary section of the formal letter from the DRP is quoted below:

'Summary

The panel finds much to admire in the proposals, which are significantly improved from the design submitted as part of the previous application. The panel supports development of the site and suggests some minor refinements to ensure that the scheme is of the highest possible quality. The building narrative creates a considered contextual design, which contributes positively to the street scene, and the panel would like to see the existing architect retained to ensure that the quality currently shown is delivered. The panel would welcome greater permeability at ground floor, and suggests further testing of opening sizes, as well as of active uses to ensure the public realm is overlooked and of a high quality. While the simplicity of the material palette is commended, the panel suggests drawing the detail of the façade's fenestration and functional elements, such as downpipes, to help bring some richness as well as realism to the elevations. Consideration should be given to an opening to the building's southern gable. The mix of unit types and thoughtfully considered home layouts is commended. The root protection zone of the existing street tree must be properly assessed to understand its impact on the proposed basement design and slab levels. The rear elevation appears to minimise overlooking, although more variety in the fenestration is suggested. The panel also advises revisiting the storage arrangements for bikes and bins at House 1. These points are expanded below.'

5.21 Overall, the DRP report was positive and made minor suggestions for the proposals. In response

to the review, the applicant made tweaks and updates to the design in response to the panel's comments. Some of the changes to address the DRP comments include:

- The window sizes to the ground floor were increased, window cills were lowered (to create greater permeability and increased overlooking as suggested by the DRP)
- Additional detail added to fenestration, such as opening/fixed elements and glazing bars
- Detailing of downpipes provided
- Fixed glazing panel to internal door to study introduced to improve transparency and openness
- Ground floor slab raised by 250mm and suspended above root protection area (to ensure mature street tree protected)
- Subtle differences introduced to rear elevation through glazing bands and window sizes
- Additional bike parking space created for House 1

Conclusion

5.22 Overall, Officers consider the proposal is of high quality and sits comfortably within its context. The proposed design is simple but well-detailed and would successfully contribute to the streetscape. It is considered that it would be in accordance with Policy D1 – Design of the Local Plan as it would: respect local context and character; comprise details of high quality; and integrate well with surrounding streets. In addition, the proposal is considered to accord with the policies within the Fortune Green & West Hampstead Neighbourhood Plan. This includes policy 2 (Design & Character), requiring high quality of design, which complements and enhances local character and identity. The proposal would not be contrary to the policy's explanatory paragraphs A12 (Infill developments) and A13 (Garden developments) as the development is in proportion with the existing housing stock/the pattern of existing development.

6.0 Residential Amenity

6.1 The proposed development would occupy most of this currently open plot with a new three storey building that is in close proximity to neighbouring gardens, properties and windows. The previously proposed development under 2020/3553/P dated 11/03/2021 was considered imposing, unneighbourly and overbearing and to materially harm the living conditions of neighbouring occupiers. There were concerns about impacts on adjacent occupiers in terms of overlooking and potentially loss of outlook/light. These concerns were due to the imposing size, height, location and proximity of the rear elevation; the scale of the development; location of windows and terrace.

6.2 The current proposal has been reduced in footprint, height and massing. To help reduce the imposing nature of the rear elevation as part of the previous refusal, the revised scheme has introduced a cranked elevation to the rear. This increases the separation distances between the proposed building and surrounding properties and ensures the rear elevation is not one singular imposing form. The proposed external amenity spaces would be at lower level or to the front of the building, and the layout of the residential units have been set out to ensure less overlooking to the rear and sides towards neighbouring occupiers.

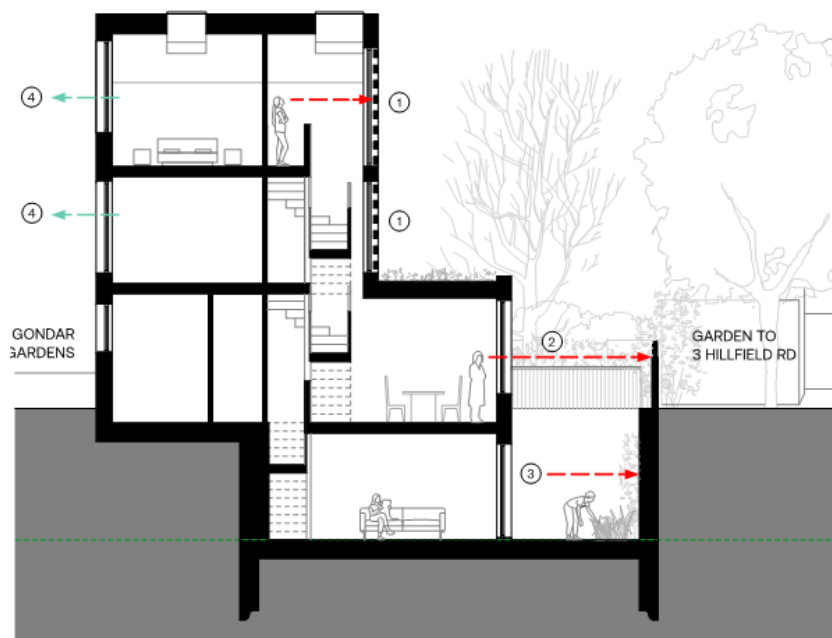


Figure 1 (left): Diagrammatic section to show how the scheme avoids overlooking. No windows proposed on upper levels of side walls, with the habitable rooms at this level facing the front/street. Upper level windows facing rear gardens would be obscured or covered with a brick screen. Boundary walls would prevent overlooking from basement and ground floor levels.

6.3 Overall, the proposal has made significant amendments to the refused scheme under 2020/3553/P and is considered acceptable, on balance, in terms of its impacts on the living conditions of neighbouring occupiers.

Daylight, sunlight and overshadowing

6.4 A Daylight and Sunlight Report has been provided in support of this planning application. It follows the Building Research Establishment (BRE) publication 'Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice' (i.e. the BRE guidance). The properties assessed include: Gondar House, South Mansions, 5(a and b) Gondar Gardens, 12 Sarre Road, 1 Hillfield Road, 3 Hillfield Road and 5 Hillfield Road. It is noted that the report includes an assessment of the recently approved planning applications at 1 and 3 Hillfield Road (notably 2019/3109/P at no. 1).

6.5 Overall, out of the 81 windows assessed for Vertical Sky Component (VSC) on surrounding residential properties, three would not meet the typical VSC recommendations in the BRE (i.e. 96% of windows tested meet BRE). All 51 rooms assessed meet the BRE Guidelines recommendations for No Sky Line (NSL); and all 35 windows assessed meet the Annual Probably Sunlight Hours (APSH) assessment. The three windows that do not meet the typical VSC recommendations relate to three rooms, one each within South Mansions, Gondar House and 1 Hillfield Road. These windows would see a loss in daylight levels exceeding 20%. On balance, these impacts are considered acceptable and an analysis is detailed below.

6.6 The window at South Mansion that fails the VSC test would be on the ground floor and appears to serve a bedroom. It would experience a percentage reduction of 25%, which is 5% above the 20% threshold set out within BRE Guidance. The retained VSC would be 23.86, below the recommended 27; however, the retained value is considered reasonable in this context (i.e. within a central London Borough). Bedrooms are given less importance than other habitable rooms (such as living rooms and habitable kitchens) in the BRE guidance and it is noted that the room passes NSL and APSH tests.

6.7 The window at Gondar House that experiences a VSC failure serves a small galley kitchen. BRE Guidance and the Mayor's Housing Supporting Planning Guidance (SPG) 2016 states that galley kitchens should not be considered habitable rooms for the purposes of daylight and sunlight analysis. Consented floorplans for this property show that the affected room is a galley-style kitchen, with an area of less than 9m². The Mayor's Housing SPG advises that kitchens over 13m² in area would ordinarily be counted as habitable rooms.

6.8 The window at 1 Hillfield Road experiencing a transgression in terms of VSC is a secondary window serving the ground floor living/kitchen/dining room. It would have a relative change of 25% rather than the suggested 20% in the BRE Guidelines. The primary window serving the room and the

other secondary window would both comfortably meet the BRE recommendations, making the impact on the window that fails more acceptable.

6.9 The Sun-on-Ground analysis was undertaken on the 21st of March and 21st of June to determine whether at least 50% of the adjacent open spaces would receive at least two hours of sunlight with the proposal in place. Furthermore, the relative change was considered between the existing condition and proposal. The results satisfactorily demonstrated that the neighbouring gardens to the site would meet BRE Guidance.

Outlook/overbearing

6.10 The proposed development would be located on a relatively open site that includes land fronting Gondar Gardens, made up of a hard-paved parking area, and the rear garden of 1 Hillfield Road. It would have the potential to cause overbearing and loss of outlook impacts on neighbouring occupiers. This includes South Mansions to the north, which has flats with windows currently looking over the site, Gondar House to the south, which has rear flats with windows overlooking the proposed development, and the rear windows and gardens of properties at 1-7 Hillfield (south to southeast).

6.11 The side of South Mansions closest to the site features a blank gable that flanks its principal elevation, with a number of side windows on the long side elevation that snakes down the rear boundary of the properties fronting Hillfield Road. The most impacted windows would be the ground, first and second floor windows closest to the application site. These windows are approximately 7.38m away from the proposed building; however, due to the chamfered nature of the proposed building, these windows would mostly directly face the proposed single storey projections. The affected windows are still considered to retain a reasonable level of outlook, due to the way the proposed building is angled and the pitches in the roof slope.

6.12 The proposed building, apart from the single storey communal bin and cycle storey, would be setback by approximately 8.09m from the nearest first floor rear facing window at Gondar House. This window is north-facing and the room behind it is served by a west-facing window overlooking Gondar Gardens. Whilst the proposal would have some impact on that window, the loss of outlook is considered acceptable on balance given the impacted unit would continue to have an unobstructed outlook from its primary aspect.

6.13 Due to the orientation and setback of the proposal from windows on 1 Hillfield Road (and the properties beyond), it is not considered that the proposal would materially harm existing levels of outlook. The existing windows at no. 1 do not generally directly look onto the proposed new building above a single storey level.

6.14 Given the height and location of the proposed development close to neighbouring rear gardens, there is some potential for an overbearing impact on those occupiers' living conditions. This is due to the scale and proximity of the proposal. The building has been designed to limit these impacts, with measures including: the development is partly subterranean; the upper levels of the building are chamfered away from neighbouring rear gardens; the side elevations of the proposed building are limited in width; the uppermost level contains pointed elements that are angled away from neighbouring rear properties; the roof of the building has three pitches; the volume and massing of the building is broken down into three separate forms.

Privacy

6.15 The proposals have been developed to ensure that a material increase in overlooking/loss of privacy impacts do not result. The amenity spaces would be in sunken courtyards, ground level gardens and front terraces. No upper level side windows are proposed. The rear upper level windows do not serve habitable rooms and feature either a hit and miss/perforated brick screen or obscured glazing (details would be secured via planning condition). All living spaces would overlook the street, or be at lower ground/ground floor level, with outlook managed by boundary fences.

Conclusion

6.16 Based on the above, the proposal is considered to comply with Policy A1 of the Local Plan as it would sufficiently protect the quality of life of occupiers and neighbours. It is considered that the proposed development would not cause unacceptable harm to amenity.

7.0 Basement Impacts

7.1 Policy A5 requires basements, by way of their siting, location, scale and design, to have minimal impact on and be subordinate to a host property. A number of criteria is set out in the policy, and it is noted that parts f-k are not considered to apply to this particular development given it is an infill development of a new building. Overall, the development occupies the majority of the site and is similar to the one proposed under 2020/3553/P dated 11/03/2021. It is noted that the basement as part of the previous refusal was supported by a Basement Impact Assessment (BIA). This was subjected to an independent audit by Campbell Reith who confirmed that the BIA complies with CPG Basements and Policy A5, in terms of impacts on neighbouring properties; structural, ground and water conditions. Officers note that the basement did not form a reason for refusal as part of the previous application and that therefore the principle has been established.

7.2 The revised basement is similar to that as part of 2020/3553/P. On this basis officers agreed with Campbell Reith that the need to produce a detailed BIA is not necessary for the proposed development given the similarities in the overall siting and construction methodology of the proposed basement with that previously considered acceptable. Notwithstanding this, a Basement Impact Letter has been submitted in support of the application. The document sets out the site-specific construction methods that would ensure the basement would not result in any harmful impacts to surrounding properties, and how the proposed basement would comply with relevant policy and guidance.

7.3 Campbell Reith independently audited the details submitted as part of this application and produced an audit in July 2021. They confirmed that the new proposal provides changes to the original scheme, including the reduction of the overall footprint of the building and the reduction of the excavation depth of the basement. An updated ground movement assessment was prepared by the applicant along with a structural report. Based on the revised submission, Campbell Reith confirmed that the proposals meet the criteria in Policy A5 of the Local Plan and CPG Basements.

8.0 Flood Risk

8.1 The application site lies within Flood Zone 1; however, historic evidence indicates that properties to the south on Hillfield Road (i.e. some distance from the site) are at risk of surface water flooding due to historic rainfall events. On this basis, a Flood Risk Assessment (FRA) dated 30/04/2021, prepared by Hydrock, has been prepared in accordance with Policy CC3 of the Local Plan. It concludes that the site has a low risk of flooding and no specific flood resistance and/or resilience measures are required. The basement level of the proposed development would be constructed to Grade 3 waterproof standards, in line with BS:8102.

8.2 The application has been subject to a review of the basement and a Drainage Strategy by Campbell Reith (see above), which confirmed that the proposed development would not result in an increased risk of flooding to neighbouring properties. Overall, the provision of habitable floorspace within the basement is considered acceptable.

9.0 Transport and Highways

9.1 Cycle parking is provided in a mixture of ways, including within dedicated bike stores (for the dwellinghouses), and within a communal bike store (for the flats). For the dwellinghouses this is in the form of steel storage boxes capable of accommodating 2 cycles each. The storage boxes would be located within the gardens. The communal bike store would be reserved for the flats only and 4 spaces are provided. Cycle parking would be in accordance with the Local Plan, London Plan and CPG Transport in terms of quantum and quality. If planning permission were granted, these details (for 8 spaces) would be secured by planning condition.

9.2 All four residential units would need to be secured as car parking permit free by means of a section 106 Agreement. This would prevent any future occupiers from being able to park on the

surrounding streets and adding to traffic congestion and air pollution. The loss of the existing three off-street parking spaces as part of the proposals is supported by Policy T2 and welcomed. These spaces are currently used by the tenants at 1 Hillfield Road. As part of the planning application for 1 Hillfield Road (ref. 2019/3109/P) the prospective occupiers would not be able to obtain parking permits. Therefore, losing this handstanding area and the parking spaces there would not result in any new impact on local parking stress.

9.3 A draft Construction Management Plan (CMP) has been submitted in support of the application. This is limited in information at this point in time, which is expected given a principal contractor has not been selected and planning permission has not been granted. A full CMP would need to be secured by means of a section 106 together with an Implementation Support Contribution of £3,920 and Impact Bond of £7,500, if permission were granted.

9.4 A Highways Contribution of £9,689.20 would need to be secured by means of a section 106 in order to remove the existing dropped kerbs (i.e. remove the existing crossover and reinstate the footway over), repairs to any damage that occurs to the footway as a result of construction, and to cover the costs of a Traffic Management Order for extending the existing on-street parking bay adjacent to the site. The estimate of £9,689.20 has been made by the Council's engineering team.

9.5 On the above basis, the proposals are considered acceptable on transport grounds.

10.0 Trees, Landscaping and Biodiversity

10.1 The proposals include works in close proximity to a mature street tree (a lime tree on the pavement of Gondar Gardens). The submitted details (including a Tree Protection Plan and an Arboricultural Impact Assessment) show this would be retained and protected during construction. As part of the design development, the basement has been setback from the root protection area and specialist foundation measures, such as mini-piles and suspended raft, would minimise the impact of the ground floor level. Any excavation within the rooting area would be via hand. If planning permission were granted, tree protection details would be secured via planning condition. Other low-quality trees/planting would be removed on-site and replaced with new planting.

10.2 Landscaping works are proposed throughout the scheme, in the sunken courtyard, gardens, and the balcony. Such details would be reserved for later discharge (by planning condition) if permission were granted. Additional planting would ensure continuity of green coverage within the local area. The proposals include a green roof, garden spaces and communal planters.

10.3 Officers note that the site is in close proximity to a Site of Important Nature Conservation (SINC). Owing to the presence of trees, hedges, grass, flower beds, unmade ground, and given the proximity to a known population of slow worms (a protected species/material consideration) the proposals must pay particular attention to the potential for these. The applicant has commissioned a Desktop Ecological Appraisal Brief. It confirms that there is low to negligible potential for any slow worm populations on-site and recommends no further surveys be conducted. This has been verified by the Council's Nature Conservation Officer, who reviewed the submitted document. The report provides some suggested measures regarding the use of biodiverse green roofs, planting, bird and bat boxes and lighting. All of these measures would be incorporated into the proposals and secured by planning condition (if permission were granted). The proposals include:

- The use of biodiverse green roofs
- The gardens at ground floor level would include a range of planting and provision of species that would create habitat opportunities
- The scheme has utilised a SuDS design to ensure permeable surfaces are maximised as much as possible and runoff from the site minimised
- The landscaping of the scheme would include the provision of bird and bat boxes to help provide habitat opportunities

- Hedgehog-friendly fencing/gates

10.4 All of these measures would see the scheme represent biodiversity enhancements compared to the current site.

11.0 Sustainability

11.1 Local Plan policy CC1 requires all developments 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. Policies CC2 and CC3 are relevant with regards to sustainability and climate change. All residential developments are required to achieve at least a 35% reduction in regulated carbon dioxide emissions on-site over the 2013 Building Regulations.

11.2 In general, the proposal seeks to achieve high standards of sustainable design and construction. Green roofs, sustainable drainage solutions, south-facing photo voltaic (PV) panels and sustainable building materials (including prefabricated insulated timber panels) and finishes are proposed. The relevant details of these elements would be secured by condition if permission were granted. A number of other energy efficient and sustainable design measures are proposed including mechanical ventilation with heat recovery to minimise heat loss, energy efficient services and insulation. These are detailed in the submitted Energy and Sustainability Statement. Overall, the proposals would achieve a reduction of at least 18.0% in the carbon dioxide emissions through fabric and services efficiencies, then a further reduction by the use of solar photovoltaic systems, resulting in a total reduction over 2013 Building Regulations of 68.2%. This would exceed the requirement of a 35% reduction in carbon emissions as set out in the policy requirements. The requirements are met for water consumption and the minimisation of overheating. Paragraph 134 of the NPPF states that significant weight should be given to outstanding or innovative designs which promote high levels of sustainability, so long as they fit in with the overall form and layout of their surroundings.

11.3 Any approval would require a Sustainability and Energy Plan to be secured via legal agreement. Following detailed construction design, the energy calculations would be revisited to ensure the energy requirements and carbon dioxide emissions are up to date.

12.0 Waste

12.1 A dedicated bin store is proposed adjacent to the main proposed building adjacent to Gondar Gardens. The bin store has space for 4 x 240L wheelie bins for recycling, 4 x 240L wheelie bins for general waste and a number of small bins for food waste. It is noted that the store would need to accommodate any proposed occupiers as part of the proposals at 1 Hillfield Road under 2019/3109/P. Direct access is proposed from the rear garden of 1 Hillfield Road. If planning permission were to be granted, then details of the location, design and method of waste storage and removal (including recycled materials) would be reserved by condition (including to ensure the prospective occupiers at 1 Hillfield Road have sufficient space and access).

13.0 Contamination

13.1 The application is supported by relevant documentation and has been reviewed by the Council's Environmental Health Officer. The proposal includes provisions for a basement extending across the eastern part of the site. This raises concern about the risk from radon for future occupiers of the basement. As a precautionary approach it may be prudent to consider making provisions for radon reduction at the design stage. If planning permission were to be granted, a pre-commencement condition would be required to address the potential radon risk. Following completion of a radon risk assessment, it is recommended a Remediation Strategy is submitted for approval. A Validation Report would also need to be submitted. This would need to demonstrate all remedial work has been undertaken as specified.

13.2 According the Council's contaminated land risk characterisation, land on which the former industrial processes/activities were carried out is considered to represent a medium risk of contamination. It is considered likely that such land could exhibit significantly elevated contaminate levels with the potential to cause harm, although the Council has no present evidence that confirms

that there are contamination issues affecting the subject site other than potentially contaminative land-use activities in proximity. Soils in Camden typically contain elevated levels of certain heavy metals. Therefore, in accordance with the risk-based approach under Part 2A of EPA 1990, planning conditions are recommended (if the application is approved) to ensure the proposed development is suitable for its proposed use.

14.0 Heads of Terms

14.1 If the proposal was considered to be acceptable it would be the subject of a section 106 legal agreement. The obligations required have been discussed above and below is a summary of the heads of terms that would be sought if permission were granted:

- Affordable housing payment-in-lieu (PIL) of £210,000 and linked to development at 1 Hillfield Road (i.e. cumulative affordable housing contribution considered)
- New residential units to be secured as car-free
- Construction Management Plan and implementation support contribution of £3,920 and construction impact bond of £7,500
- Highway works contribution of £9,689.20
- Sustainability and Energy Plan

15.0 Community Infrastructure Levy

15.1 If the proposal was deemed acceptable it would be liable for both Mayoral and Camden CIL. This would be based on Mayor's CIL2 (MCIL2) and Camden's latest CIL charging schedule from 2020. As the proposal includes an uplift of 420m², the CIL estimate is:

- MCIL2 = £80 x 420m² = £33,600
- Camden CIL (Zone B) = £644 x 420m² = £270,480
- Total CIL = £33,600 + £270,480 = £304,080

15.2 Officers note that the floor areas and calculations above are approximate and sums are indicative. Final payable contributions would be calculated (following any potential approval of the scheme) by the Council's CIL officers.

16.0 Recommendation: Grant Conditional Planning Permission Subject to Section 106 Legal Agreement

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 23rd August 2021, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Application ref: 2021/2596/P
Contact:
Tel: 020 7974
Date: 16 August 2021

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

Iceni Projects
Da Vinci House
44 Saffron Hill
London
EC1N 8FH

Dear Sir/Madam

DRAFT
FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION
Town and Country Planning Act 1990 (as amended)

DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Address:

**Land between Gondar House and South Mansions
Gondar Gardens
and to the rear of 1 Hillfield Road
West Hampstead
London
NW6 1QD**

DECISION
Proposal: The construction of a new three storey plus basement residential building to deliver 4 x residential (Class C3) units, together with associated landscape, cycle parking, refuse and recycling storage

Drawing Nos: Existing Drawings: 024-EP001-3 Rev 00.

Proposed Drawings: (024-PP)001 Rev 00; 010-014 Rev 00; 20-22 Rev 00; 30-35 Rev 00, (024-PD)015 Rev 01; 016 Rev 00; 040 Rev 00; 041 Rev 01, 1325-KC-S2-YTREE-TTP01 Rev 0.

Supporting Documents: Desktop Ecological Appraisal Brief dated September 2020; Arboricultural Impact Assessment dated May 2021; Draft Construction Management Plan Version 1 dated 24th May 2021; Planning Statement dated May 2021; Statement of Community Engagement dated May 2021; Daylight and Sunlight Report Version 1 dated May 2021; Flood Risk Assessment dated 30th April 2021; Structures Stage 2 Report Rev 4 dated 28th June 2021; Energy and Sustainability Statement dated 20th May 2021; Land between Gondar House and South Mansions - Revised Basement Impact Assessment dated 24th May 2021.

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Existing Drawings: 024-EP001-3 Rev 00.

Proposed Drawings: (024-PP)001 Rev 00; 010-014 Rev 00; 20-22 Rev 00; 30-35 Rev 00, (024-PD)015 Rev 01; 016 Rev 00; 040 Rev 00; 041 Rev 01, 1325-KC-S2-YTREE-TPP01 Rev 0.

Supporting Documents: Desktop Ecological Appraisal Brief dated September 2020; Arboricultural Impact Assessment dated May 2021; Draft Construction Management Plan Version 1 dated 24th May 2021; Planning Statement dated May 2021; Statement of Community Engagement dated May 2021; Daylight and Sunlight Report Version 1 dated May 2021; Flood Risk Assessment dated 30th April 2021; Structures Stage 2 Report Rev 4 dated 28th June 2021; Energy and Sustainability Statement dated 20th May 2021; Land between Gondar House and South Mansions - Revised Basement Impact Assessment dated 24th May 2021.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 Prior to commencement of above ground works on the consented development, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:

a) Details including sections at 1:10 of all windows (including jambs, head and cill), perforated brick screens, ventilation grills, external doors and gates;

b) Plan, elevation and section drawings, of the ground floor facade at a scale of 1:10;

c) Typical plan, elevation and section drawings of balustrading;

d) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and sample panels at a minimum of 1m x 1m of those materials (to be provided on site) in accordance with condition 5;

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 of the London Borough of Camden Local Plan 2017 and policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

- 4 No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials, satellite dishes or rooftop 'mansafe' rails shall be fixed or installed on the external face of the buildings.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy D1 of the London Borough of Camden Local Plan 2017 and policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

- 5 Before the brickwork is commenced, a sample panel (minimum of 1m x 1m) of the facing brickwork demonstrating the proposed colour, texture, face-bond and pointing shall be provided on site and approved in writing by the local planning authority. The development shall be carried out in accordance with the approval given. The approved panel shall be retained on site until the work has been completed.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy D1 of the London Borough of Camden Local Plan 2017 and policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

- 6 Full details of hard and soft landscaping shall be submitted to and approved in writing by the local planning authority before the relevant part of the development commences.

The submission to include details of:

- a) full details of all garden spaces, sunken terraces and balconies
- b) planters including sections, materials and finishes and planting schedules
- c) final location details of all trees
- d) details of all boundary treatments to the site
- e) details of the planting species, soil type
- f) a maintenance plan for a minimum of 3 years
- g) irrigation
- h) sectional drawings of all planting areas

The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the Council gives written consent to any variation.

The development shall not be occupied until such time as the works have been completed in accordance with the details thus approved.

Reason: To enable the Council to ensure a reasonable standard of amenity in the scheme in accordance with the requirements of Policies D1 and A1 of the Camden Local Plan 2017 and policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

- 7 The construction of the development shall be carried out in accordance with the approved details - Tree Protection Plan (Drawing no. 1325-KC-S2-YTREE-TTP01Rev0), which demonstrate how trees would be retained on-site and on neighbouring sites during construction work. All works shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction" and the details of appropriate working processes in the vicinity of trees, and the approved auditable system of site monitoring. All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of Policies D1 and A3 of the Camden Local Plan 2017 and policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

- 8 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development or any phase of the development/prior to the occupation for the permitted use of the development or any phase of the development, whichever is the sooner.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies A2, A3, A5 and D1 of the London Borough of Camden Local Plan 2017 and policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

- 9 Prior to occupation of the development, details of the location, design and method of waste storage and removal including recycled materials, shall be submitted to and approved by the local planning authority in writing. Provision should be provided for in perpetuity for 1 Hillfield Road (subject to 2019/3109/P being implemented). The facilities as approved shall be provided prior to the first occupation of any of the new uses and permanently retained thereafter.

Reason: To ensure that sufficient provision for the storage and collection of waste has been made, to avoid obstruction of the highway and to safeguard amenities of adjacent premises in accordance with the requirements of policy CC5, A1, and A4 of the London Borough of Camden Local Plan 2017.

- 10 Prior to the first occupation of the development, the consented details of the secure and covered cycle storage areas (including the external cycle stores for the dwellinghouses and the communal cycle store for the flats) under 024-PD 015 Rev 00 and 024-PD 016 Rev 00 for 8 cycles shall provided in its entirety and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

- 11 Prior to the commencement of work for each section of the development or stage in the development as may be agreed in writing by the Local Planning Authority (LPA) a scheme including the following components to address the risk associated with site contamination shall be submitted to and approved in writing by the LPA.

A) A preliminary risk assessment which has identified all previous uses, potential contaminants associated with those uses (including asbestos, landfill gas, ground water contaminants); a conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risks arising from contamination at the site.

B) A site investigation scheme based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;

C) The results of the investigation and detailed risk assessment referred to in (b) and, based on these, in the event that remediation measures are identified necessary, a remediation strategy giving full details of the remediation measures required and how they are to be undertaken;

D) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (c) are complete and identifying and requirements for the longer monitoring of pollution linkages, maintenance and arrangements for contingency action.

Any investigation and risk assessment must be undertaken in accordance with the requirements of the Environment Agency's Land Contamination Risk Management (LCRM). If additional significant contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the LPA.

For the avoidance of doubt, this condition can be discharged on a section by section basis.

Reason: To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policies G1, D1, A1, and DM1 of the London Borough of Camden Local Plan 2017.

- 12 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the (No. 2) (England) Order 2008 or any Order revoking and re-enacting that Order, no development within Part 1 (Classes A-H) [and Part 2 (Classes A-C)] of Schedule 2 of that Order shall be carried out without the grant of planning permission having first been obtained from the local planning authority.

Reason: To safeguard the visual amenities of the area and to prevent over development of the site by controlling proposed extensions and alterations in order to ensure compliance with the requirements of policies G1, D1, D2 and A1 of London Borough of Camden Local Plan 2017 and policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

- 13 Prior to first occupation of the buildings, detailed plans showing the location and extent of photovoltaic cells to be installed on the building shall have been submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems. The cells shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of Policies G1, D1, CC1 and CC2 of the London Borough of Camden Local Plan 2017 and policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

- 14 Prior to first occupation of the development a plan showing details of bird and bat box locations and types and indication of species to be accommodated shall be submitted to and approved in writing by the local planning authority. The boxes shall be installed in accordance with the approved plans prior to the occupation of the development and thereafter retained.

Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements of the London Plan 2021, policies A3, D1 and CC2 of the London Borough of Camden Local Plan 2017 and policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

- 15 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwelling/s shall not be occupied until the Building Regulation optional requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with Policies CC1, CC2, CC3 of the London Borough of Camden Local Plan 2017.

- 16 The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policies D1 and A5 of the London Borough of Camden Local Plan 2017 and policy A15 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

- 17 Prior to commencement of the relevant part of the development, full details in respect of the living roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. The details shall include:

- i. a detailed scheme of maintenance
- ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used
- iii. full details of planting species and density

The living roofs shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, D1 and A3 of the London Borough of Camden Local Plan 2017.

- 18 No piling shall take place until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact/cause failure of local underground sewerage utility infrastructure, in accordance with the requirements of policies A5 and CC3 of the Camden Local Plan 2017.

- 19 No vegetation and built structures potentially suitable as a bird habitat shall be removed except outside of the bird nesting season (Feb-August inclusive). Where this is not possible, an ecologist shall be engaged to assess any vegetation and built structures for active signs of nesting and in the event a nest is found an appropriate exclusion zone should be implemented around it until the young have fledged.

Reason: In order to safeguard protected and priority species, in accordance with the requirements of Policy A3 of the Camden Local Plan 2017.

- 20 Prior to the occupation of the development, the approved details of screening (including the perforated brick screens), obscure glazing and other measures to reduce instances of overlooking and loss of privacy to neighbouring occupiers on the rear elevation shall be carried out in accordance with the details approved and permanently maintained thereafter. All first and second floor rear facing windows must be non-openable and obscured/screened in perpetuity.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy A1 of the Camden Local Plan 2017.

- 21 1a) No development shall commence (other than demolition above ground level) until an appropriate radon ground gas investigation (incorporating the detailed assessment of the risks to all receptors that may be affected) is undertaken and a ground gas and vapour assessment report (GVAR) [where necessary incorporating a Remediation Strategy (RS)], is submitted to, and approved in writing by, the local planning authority.

1b) No occupation or use of the development shall commence until the approved RS is implemented and a Verification Report (VR) and evidence of any unexpected contamination identified during the development is submitted to, and approved in writing by, the local planning authority.

Where remedial measures are implemented to protect end-users of the development they shall be maintained.

Reason: To ensure the risks to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policies G1, D1, A1, and DM1 of the London Borough of Camden Local Plan 2017.

- 22 The sustainable drainage system as approved by way of the Flood Risk Assessment and Drainage Strategy and associated drawings, shall be installed as part of the development and shall thereafter retained and maintained in accordance with the approved maintenance plan.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with policies CC2 and CC3 of the London Borough of Camden Local Plan.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).

- 2 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice. Camden adopted new CIL rates in October 2020 which can be viewed at the above link.
- 3 You are advised the developer and appointed / potential contractors should take the Council's guidance on Construction Management Plans (CMP) into consideration prior to finalising work programmes and must submit the plan using the Council's CMP pro-forma; this is available on the Council's website at <https://beta.camden.gov.uk/web/guest/construction-management-plans> or contact the Council's Planning Obligations Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444). No development works can start on site until the CMP obligation has been discharged by the Council and failure to supply the relevant information may mean the council cannot accept the submission as valid, causing delays to scheme implementation. Sufficient time should be afforded in work plans to allow for public liaison, revisions of CMPs and approval by the Council.
- 4 You are advised that the Transport Strategy Team should be consulted regarding the construction of the crossover on the public highway and any other work to, under, or over, the public highway, including vaults and thresholds. tel: 020-7974 5543 for further advice and information.
- 5 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 6 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.

- 7 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 8 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 9 You are reminded that filled refuse sacks shall not be deposited on the public footpath, or forecourt area until within half an hour of usual collection times. For further information please contact the Council's Environment Services (Rubbish Collection) on 020 7974 6914/5. or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-street-environment-services.en>.
- 10 You are advised that Section 44 of the Deregulation Act 2015 [which amended the Greater London Council (General Powers) Act 1973)] only permits short term letting of residential premises in London for up to 90 days per calendar year. The person who provides the accommodation must be liable for council tax in respect of the premises, ensuring that the relaxation applies to residential, and not commercial, premises.
- 11 You are reminded of the need to provide adequate space for internal and external storage for waste and recyclables. For further information contact Council's Environment Services (Waste) on 020 7974 6914/5 or see the website <http://www.camden.gov.uk/ccm/content/environment/waste-and-recycling/twocolumn/new-recycling-rubbish-and-reuse-guide.en>.

- 12 With regard to condition 11 (above) the preliminary risk assessment is required in accordance with CLR11 model procedures for management of contaminated land and must include an appropriate scheme of investigation with a schedule of work detailing the proposed sampling and analysis strategy. You are advised that the London Borough of Camden offer an Enhanced Environmental Information Review available from the Contaminated Land Officer (who has access to the Council's historical land use data) on 020 7974 4444, or by email, <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-contaminated-land-officer.en>, and that this information can form the basis of a preliminary risk assessment. Further information is also available on the Council's Contaminated Land web pages at <http://www.camden.gov.uk/ccm/navigation/environment/pollution/contaminated-land/>, or from the Environment Agency at www.environment-agency.gov.uk.
- 13 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Yours faithfully

Supporting Communities Directorate