



UNION4 PLANNING

Re-Creo Netherhall Gardens Ltd

13 Netherhall Gardens, London, NW3 5RN

Proposed development comprising the extension and reconfiguration of the lower ground floor level, the construction of a new basement level, external soft landscaping and planting, cycle parking and associated works

PLANNING STATEMENT

August 2021



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Author(s): Tanya Kozak

Checked By: Alan Hannify

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30 Stamford Street | London | SE1 9LQ
0207 122 0094
planning@union4.co.uk
www.union4.co.uk

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Executive Summary

This Planning Statement has been prepared by Union4 Planning on behalf of Re-Creo Netherhall Gardens Ltd ('the Applicant') in support of a full planning application to the London Borough of Camden. The application relates to a site at 13 Netherhall Gardens and proposes the extension of the lower ground floor level and construction of a new basement level, external soft landscaping and planting, cycle parking and associated works.

The proposed development was subject to pre-application consultation with Officers at the London Borough of Camden from July 2018 to May 2020, which has helped to inform the current planning application.

The existing building is known as Elm Tree House and is situated within the Fitzjohns and Netherhall Conservation Area. Elm Tree House is identified within the Conservation Area Appraisal as making a positive contribution to the area. The Applicant and Design Team have carefully considered the setting of the building to ensure that the design will maintain and enhance the appearance of the building within the Conservation Area.

The proposed development relates to the existing lower ground floor which will be extended, together with the construction of a new basement level. The development will comprise 4 no. residential flats (Use Class C3). Given that the existing lower ground floor level currently comprises 1 no. flat, the proposed development would represent a net increase of 3 no. flats within the building.

The 4 no. flats at the lower ground and basement levels would include the following mix:

- 1 no. one-bedroom unit;
- 2 no. two-bedroom units;
- 1 no. three-bedroom unit.

The proposed flats will include step-free access from ground floor level, ensuring that the new build elements are accessible to all. The extended lower ground floor level also includes the provision of a secure cycle store.

The proposed flats will be provided with private amenity spaces in the form of outdoor terraces. The whole of the property also benefits from a large communal garden to the rear. The communal garden is currently in a derelict and overgrown state and requires a significant level of enhancement to enable it to function as useable open space. We consider that the communal garden area offers an opportunity for significant enhancement, which would be beneficial both for the amenity of residents within the building and from an environmental perspective.

Elm Tree House is currently falling into disrepair and an Improvement Notice was issued. The building was subject to a separate planning application for the repair and alterations to the external envelope of the

existing building and insertion of dormers in the roof-slope. The application was approved by the London Borough of Camden on 7 May 2020 (Planning Ref: 2020/0971/P).

The proposed development forms part of the Applicant's objective to bring a derelict, vacant site back into residential use, whilst also providing additional dwellings to contribute to Camden's housing targets. It is considered that the proposed development will make more efficient use of previously developed land which is supported by national and local planning policy.

The proposed residential units are designed in accordance with the Nationally Described Space Standards and London Plan design requirements, thereby providing a high-quality standard of accommodation. External works to the site will ensure the maximum levels of sunlight and daylight possible, with each of the units incorporating substantial glazing and the two basement units designed to be dual aspect.

The design and layout of the proposed development has been informed by the site context and the London Borough of Camden's planning guidance which sets out a number of requirements in relation to basement developments. In this regard, the proposed development is designed in accordance with Policy A5 of the Camden Local Plan and the Camden Planning Guidance on Basements.

The existing site already includes surface car parking on the eastern and southern sides of the existing building, with the 10 no. spaces serving the 8 no. flats in the existing building. No additional parking is proposed for the lower ground and basement extensions. The proposed development will not generate additional vehicular traffic but will promote increased cycling and pedestrian movements.

The application site is located in a sustainable location which benefits from excellent transport links and good opportunities for walking and cycling. The proposed development includes a cycle store at lower ground floor level in accordance with the London Plan and Policy T1 of the Local Plan.

The proposed development incorporates an extensive tree planting strategy which has been carefully considered to provide a significant landscape enhancement across the entire site. The scheme will also provide for environmental improvements across the Site, notably through the removal of Japanese knotweed and the provision of biodiversity enhancements. Furthermore, the proposed development is carefully designed to incorporate a surface water drainage philosophy and sustainability credentials to minimise CO₂ emissions.

The planning application is supported by a range of specialist and technical reports, including a Basement Impact Assessment. These reports and the inputs from the various specialist consultants, have helped to inform the design of the proposed development and landscape enhancement measures proposed across the site.

We consider that the proposed development accords with the relevant adopted planning policies and associated guidance at the local, regional and national level and we would respectfully submit that planning permission should be granted.

1.0 Introduction

1.1 This Planning Statement has been prepared by Union4 Planning on behalf of Re-Creo Netherhall Gardens Ltd (the Applicant) in relation to a proposed development at 13 Netherhall Gardens, London, NW3 5RN.

1.2 The proposed development involves the extension of the existing lower ground floor and the construction of a basement extension to accommodate a total of 4 no. residential flats within the building, as well as cycling parking, storage and enhanced landscaping.

1.3 In addition to this Planning Statement, the application comprises the following documents:

- Application Form and Certificates;
- Covering Letter;
- Plan Drawings;
- Computer-Generated Images;
- Design and Access Statement;
- CIL Questions Form.

1.4 The application is also supported by the following specialist reports:

- Heritage Statement;
- Daylight and Sunlight Study;
- Arboricultural Impact Assessment;
- Preliminary Ecological Appraisal and Preliminary Bat Roost Assessment;
- Proposed Landscape Scheme;
- Flood Risk and Drainage Report;
- Noise Report;
- Sustainability Report;
- Basement Impact Assessment;
- Basement Construction Plan;
- Draft Construction Management Plan.

1.5 The plan drawings submitted as part of the application are as follows:

Drawing Number	Drawing Title	Scale and Size
AP.00.01	Location Plan	1:500 @ A3
AL.01.01	Existing Site Plan	1:200 @ A3
AL.03.01.2	Existing North Elevation	1:100 @ A3
AL.03.01.3	Existing West Elevation	1:100 @ A3
AL.03.01.4	Existing South Elevation	1:100 @ A3
AL.02.05	Existing Lower Ground Floor Plan	1:200 @ A3
AP.00.02	Proposed Site Plan	1:200 @ A3
A0.02.5	Ground Floor Plan (showing access to lower ground floor)	1:200 @ A3
AP.02.6	Proposed Lower Ground Floor Plan	1:200 @ A3

AP.02.7	Proposed Basement Floor Plan	1:200 @ A3
AP.06.1	Proposed Cross-Section	1:100 @ A3
AP.06.2	Proposed South Elevation	1:100 @ A3
AP.06.3	Proposed West Elevation	1:100 @ A3
AP.06.4	Proposed North Elevation	1:100 @ A3

The Applicant

- 1.6 The Applicant is Re-Creo Netherhall Gardens Ltd, a local property development company with an in-house architectural studio that develops complex urban sites.
- 1.7 Re-Creo's architectural team works out of their studio at 195-199 Grays Inn Road near King's Cross. The team has worked together on delivering a number of high-quality, bespoke residential developments across London. The team adopts a design-led approach to sites, with a strong emphasis on engagement with local communities.
- 1.8 The Applicant's objective is to bring Elm Tree House, a non-designated heritage asset, back to its original condition, whilst also providing for a significant improvement in the external environment.
- 1.9 The Applicant appointed a Project Team of planning, design and environmental specialists to inform the proposed development and to assist with the preparation of the planning application.

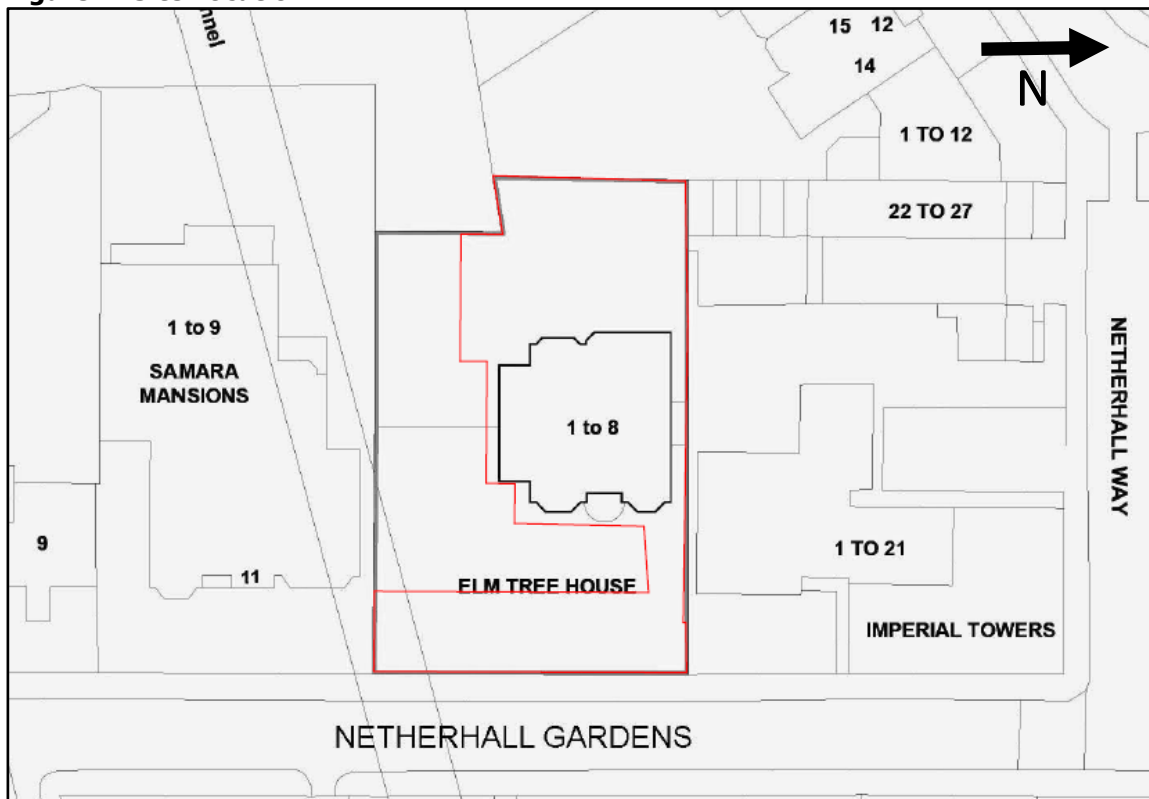
Structure of the Planning Statement

- 1.10 This Planning Statement takes on the following structure:
- Section 2 provides an overview of the application site's location and description, including details of the site's relevant planning history and a summary of the pre-application advice.
 - Section 3 describes the proposed development.
 - Section 4 sets out the policy context pertaining to the proposals.
 - Section 5 outlines the planning and environmental considerations.
 - Section 6 provides a summary and conclusions.

2.0 Site Location and Description

- 2.1 The application site ('the Site') is located at 13 Netherhall Gardens near South Hampstead in the London Borough of Camden (see Figure 1 below).
- 2.2 The Site comprises the existing 19th Century residential building, which is known as Elm Tree House.

Figure 1: Site Location



Source: Re-Creo Netherhall Gardens Ltd (June 2020)

- 2.3 The immediate area is residential in character, with substantial Victorian houses and some modern buildings.
- 2.4 To the south of the Site is Samara Mansions, which is a new-build four-storey building comprising residential flats that was completed in 2013 (see Figure 2 overleaf). Samara Mansions also fronts onto Netherhall Gardens, with soft landscaped communal open space located to the rear of the building.
- 2.5 To the north of the Site is Imperial Towers, which is a residential building ranging in height from five to six storeys (see Figure 3 overleaf). Imperial Towers sits at a ground level, which is approximately 3.5 metres below the existing ground level along the northern boundary of the Site. Imperial Towers comprises 21 no. residential units and may be accessed from its eastern boundary along Netherhall Gardens or from its northern boundary along Netherhall Way.

Figure 2: Samara Mansions



Source: Union4 Planning

Figure 3: Imperial Towers



Source: Union4 Planning

- 2.6 Also located to the north of the Site, and to the west of Imperial Towers, is a smaller three-storey residential block, which comprises 22 – 27 Netherhall Way.
- 2.7 To the northwest of the Site is a residential block, which is known as 10-12 Frognall. This building fronts onto the public highway referred to as Frognall and comprises 15 no. residential units. The rear gardens of 10-12 Frognall run adjacent to the western boundary of the Site and sit at a lower level to the existing ground level of the Site.
- 2.8 A range of convenience retailers, including Waitrose and Marks & Spencer, are located approximately 300m to the west on Finchley Road. The area around Finchley Road is also characterised by a range of cafés and restaurants, whilst Hampstead village also offers a variety of cafés, restaurants and boutique retailers. The village is defined by a mixture of Georgian, Edwardian and Victorian architecture with a large cluster of Grade II listed buildings. Hampstead Heath is located approximately 1.7km to the north-east of the property.
- 2.9 The Site is well-served by public transport and has a PTAL rating of 6a. It is located approximately 300m north of Finchley Road Underground Station, which is served by the Jubilee and Metropolitan Lines, providing direct services to the West End (Bond Street) and The City (Liverpool Street). Finchley Road and Frognal Overground Station is located approximately 500m to the north-west of the Site. There are also several bus routes operating along Finchley Road.
- 2.10 Elm Tree House can be described as a three-storey building when viewed from the front of the Site, with additional residential accommodation at roof level and a lower ground floor level which opens onto the garden to the rear of the property.
- 2.11 The building is set back from the street frontage at Netherhall Gardens (see Figure 4 overleaf) and the front façade of the building sits behind the building line of the neighbouring buildings at Samara Mansions and Imperial Towers.

Figure 4: Front Facade of Elm Tree House



Source: Union4 Planning

- 2.12 The Site, as located within the red line boundary for this application comprises an area of 0.11 hectares.
- 2.13 The existing building comprises a gross internal floorspace of 896 sqm. The existing building contains 8 no. flats and is a single planning unit with a use class of C3. The lower ground floor level, which forms part of this application, comprises a single residential flat.
- 2.14 The Site is characterised by a sloped gradient that drops away towards the north-west (rear boundary) of the Site. This means that the existing lower ground floor level opens onto ground level at the rear of the building (see Figure 5 overleaf) and sits at a level that is at least a full storey higher than the ground floor of Imperial Towers to the north.
- 2.15 Elm Tree House is in a significant state of decline, both internally and externally, with a number of structural defects evident in the brickwork. The building is currently in a dangerous condition and an Improvement Notice was issued. The building requires extensive works to return it to a habitable state.
- 2.16 To the south of Elm Tree House is an area of hardstanding which currently accommodates parking for approximately 10 no. cars.

Figure 5: Rear Façade of Elm Tree House



Source: Union4 Planning

- 2.17 The Site includes a communal garden to the rear of Elm Tree House which is currently in a derelict and overgrown state and requires a significant level of enhancement to enable it to function as useable open space (see Figure 6 below). Within the rear garden, there is an old air raid shelter from the Second World War (see Figure 7 overleaf).

Figure 6: Derelict and Overgrown Communal Garden



Source: Union4 Planning

Figure 7: Old Air Raid Shelter in Rear Garden



Source: Union4 Planning

- 2.18 The Site comprises a number of existing trees, but there has been no tree maintenance for a number of years and the rear garden and surrounding grounds have become overgrown. There is also Japanese knotweed in the rear garden, which was present on the Site when the Applicant acquired the Site in early 2020. The Applicant is currently undertaking to manage the Japanese knotweed to prevent its spread and the proposals contained in this planning application will facilitate its removal from the Site.
- 2.19 There is also extensive tree cover near the front boundary of the Site, which means that the front of Elm Tree House is partly obscured from street view (see Figure 8 overleaf).
- 2.20 The Site is located within the Fitzjohns and Netherhall Conservation Area, which was designated in March 1984. Elm Tree House is identified as a building which makes a positive contribution to the Conservation Area and the Conservation Area Appraisal refers to the front boundary wall to the Site, which comprises "*orange brick with (battered) panels of over-burnt brick*".
- 2.21 The existing building is in a Queen Anne Revival / aesthetic movement style. It is double fronted consisting of five bays, balanced with two gables ends of two bays each either side a central bay, but with variation in the form of the gables, one being Dutch, as well as the fenestration providing asymmetry. To the ground floor is an entrance portico, with balustrade above, and two canted bay windows either side. It is constructed of red brick, with aesthetic movement style terracotta

sunflower motifs, under a slate roof. The fenestration is for the most part the original white painted timber sash windows with some modern replacements.

Figure 8: Tree Cover and Wall along Front Boundary of Site



Source: Union4 Planning

Planning History

- 2.22 The Site has been subject to a number of applications, several of which relate to tree works. Details of the planning history most relevant to the proposed development are set out below.
- 2.23 Planning permission was granted on 5 November 1936 for the use of the building as a nursing home (Planning Ref: 7852/109780).
- 2.24 Planning permission was granted on 7 May 1937 for the conversion of the property into eight self-contained flats within one storey addition, and construction of six lock-up garages to the rear (Planning Ref: 7852/41956).
- 2.25 Planning permission was granted on 4 February 1988 for the erection of a two-storey dwelling house and construction of hardstanding for six vehicles (Planning Ref: 8601525).
- 2.26 Planning permission was granted on 8 July 1993 for the renewal of planning permission 8601525/R4 for the erection of a two-storey detached dwelling house (Planning Ref: 9201149). Following refusal of the application, an appeal was lodged. However, the appeal was dismissed on 14 October 2002.

- 2.27 Planning permission was refused on 27 November 2001 for the erection of a detached dwelling house (Planning Ref: PWX0103596). The Decision Notice set out two reasons for refusal which were in relation to the impact on existing trees and the impact of the proposed development on the character of the existing street scene and Conservation Area.
- 2.28 Conservation area consent was granted on 27 November 2001 for the demolition of a block of six garages (Planning Ref: CWX0103597).
- 2.29 An application for full planning permission (Planning Ref: 2005/4753/P) and conservation area consent (Planning Ref: 2005/4757/C) was submitted in December 2005 for:

"Demolition of existing building and garages and erection of new 4 storey plus basement building comprising 9 x 2-4 bedroom flats and 1 studio flat, plus new extended garage block and new front boundary wall, vehicular entrances and gates"

- 2.30 The application was refused on 3 March 2006 with the Decision Notice citing six reasons for refusal. The key issues were the impact on the Conservation Area, lack of affordable housing provision, and parking and highways matters. An appeal was lodged but was later withdrawn prior to the hearing taking place.
- 2.31 The most recent planning application was submitted in March 2020 (Planning Ref: 2020/0971/P). The description of the proposed development is as follows:

"Erection of 4 x side dormers to gables of front roofslope and 2 x dormers to rear roofslope; removal of 3 x existing dormers; removal of external staircase, alterations to existing windows; replacement of existing windows; removal of existing windows; creation of new windows; demolition of the existing ground floor extension on the southern side of the building"

- 2.32 The aforementioned application was approved by the London Borough of Camden on 7 May 2020 and the approved works constitute 'Phase 1' of the Applicant's proposals for the Site, with the objective of bringing the existing building back into a habitable use and restoring the heritage value of the building.

3.0 Proposed Development

3.1 The summary description of development is as follows:

"Proposed development comprising the extension and reconfiguration of the lower ground floor level, the construction of a new basement level, external soft landscaping and planting, cycle parking and associated works."

3.2 The proposed development relates to the existing lower ground floor and a proposed new basement level. The development would comprise 4 no. residential flats (Use Class C3). Given that the existing lower ground floor level currently comprises 1 no. flat, the proposal would represent a net increase of 3 no. flats within the building. The 4 no. flats would include the following mix:

- 1 no. one-bedroom unit;
- 2 no. two-bedroom units;
- 1 no. three-bedroom unit.

3.3 Although the planning application only relates to the lower ground floor and basement levels, the following table provides details of the current and proposed residential mix within Elm Tree House.

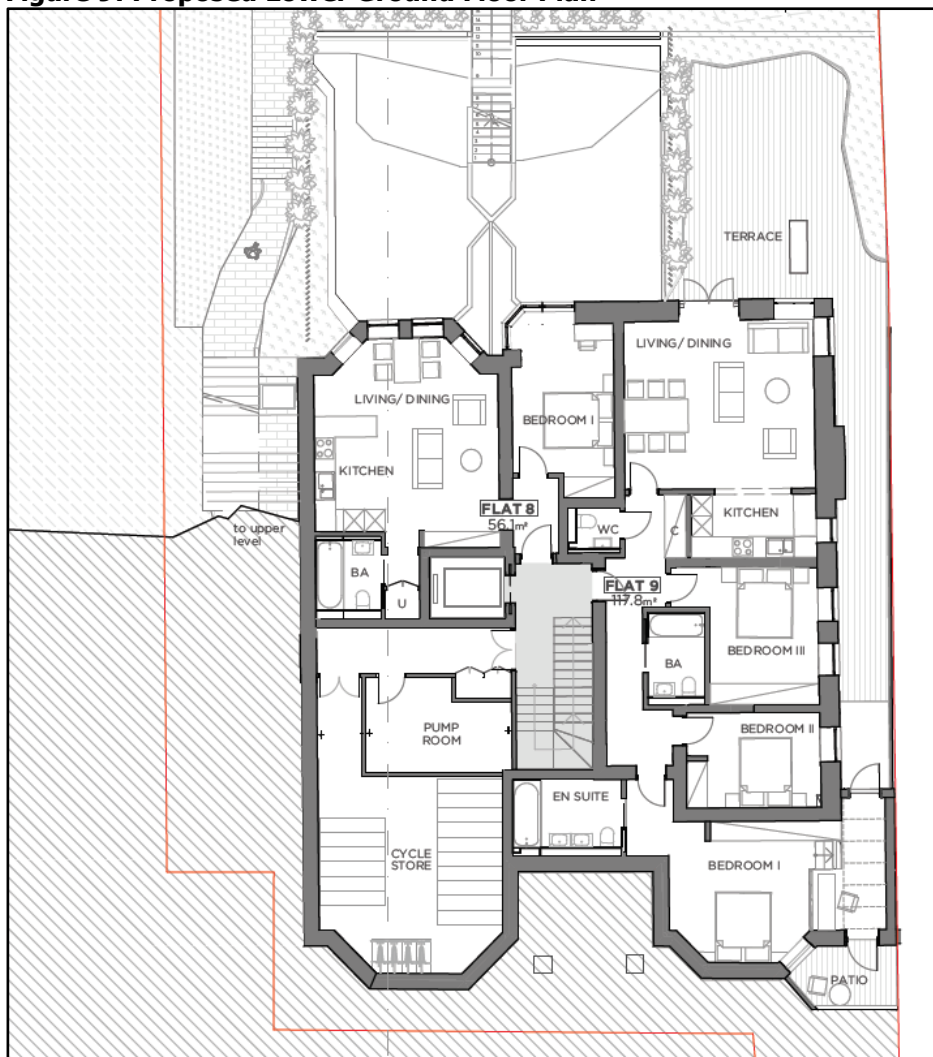
	Current			Proposed		
	1 Bed	2 Bed	3 Bed	1 Bed	2 Bed	3 Bed
Basement	-	-	-	-	2	-
Lower Ground	1	-	-	1	-	1
Ground		2			2	
First Floor		2			2	
Second Floor	2	1		2	1	
Third Floor	N/A – Living/Dining Space Only			N/A – Living/Dining Space Only		
Total	3	5		3	7	1
Grand Total	8 Flats			11 Flats		

- 3.4 As shown in the above table, there are no changes proposed from the ground to third floor levels. The proposed extension to the lower ground floor level and construction of the new basement level are discussed in further detail below.

Lower Ground Floor Level

- 3.5 It is proposed to extend the footprint of the lower ground floor level to the east and south in order to optimise the use of the building and provide an additional residential unit and cycle parking store (see Figure 9 below).
- 3.6 The extension will allow for an increase in the size of the existing one-bedroom flat to provide an two additional bedrooms, thereby creating a three-bedroom flat. A one-bedroom flat is also proposed within the extended area to the south.

Figure 9: Proposed Lower Ground Floor Plan



Source: Re-Creo Architecture (August 2021)

- 3.7 The northernmost flat (Flat 9) will be a three-bedroom flat comprising a gross floor area of 117.8 sqm with a generous outdoor terraced area. This flat includes windows along the west,

north and east elevations, thereby providing as much natural daylight as possible. Flat 9 will also have access to a private terrace which comprises an overall area of 59 sqm.

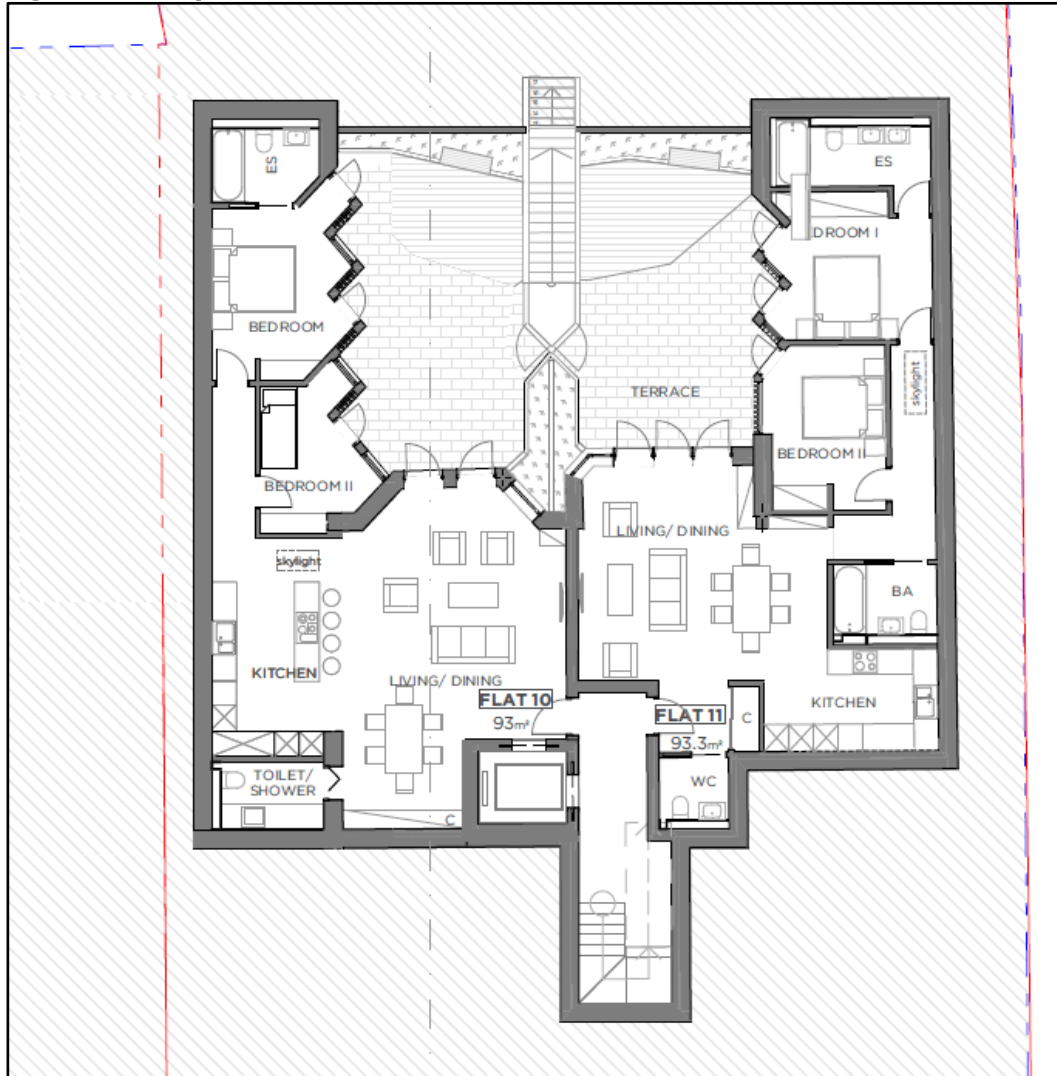
- 3.8 Flat 8 to the south will have a gross floor area of 56.1 sqm and includes a large, west-facing bay window within the living/dining area. Due to the orientation and angle of the windows, this will also allow light to come in from the south and west. The bedroom features a large corner window which faces to the west and south.
- 3.9 Both of the proposed flats at lower ground floor level have been configured in a manner that will allow for optimum intake of sunlight and daylight.
- 3.10 The lower ground floor extension also includes the construction of a secure cycle storage area within the building which will provide a total of 20 no. cycle parking spaces.
- 3.11 The extended lower ground floor will comprise an overall floorspace of 285.7 sqm, which includes the common areas and internal circulation. This represents a net increase of 164.1 sqm at lower ground floor level.

Basement Floor Level

- 3.12 A proposed new basement level is also proposed comprising 2 no. residential flats, both of which would be two-bedroom units (Flat 10 and Flat 11).
- 3.13 Flat 10 will comprise a gross floor area of 93 sqm, whilst Flat 11 will comprise a gross floor area of 93.3 sqm.
- 3.14 The proposed basement level will comprise an overall floorspace of 289.8 sqm, which included the common areas and internal circulation.
- 3.15 Both flats at basement level are dual aspect. Flat 10 includes west-facing and north-facing windows, whilst Flat 11 includes west-facing and south-facing windows. Substantial glazing is proposed along the inner west elevation to provide as much light as possible into the living/dining areas of both flats (see Figure 10 overleaf).
- 3.16 The layout and configuration of the flats have been informed by Camden's planning guidance in relation to basement development, and all rooms comply with the Nationally Described Space Standards.
- 3.17 Both of the proposed flats at basement level will benefit from private open space in the form of terrace areas. Flat 10 will have a private terrace comprising an area of 35.7 sqm. Flat 11 will have a private terrace comprising an area of 35.5 sqm.
- 3.18 The outlook from the proposed basement flats has been carefully considered. Flat 10 will have an uninterrupted outlook of approximately 7.9 metres to the end of the terrace area, which will then

rise towards the communal garden area. Flat 11 will have an uninterrupted outlook of approximately 7.2 metres, which will also then rise towards the communal garden area.

Figure 10: Proposed Basement Floor Plan



Source: Re-Creo Architecture (August 2021)

- 3.19 Figure 11 overleaf provides a cross-sectional illustration of how the proposed basement level will relate to the rest of the building.
- 3.20 Both the lower ground and basement level flats will be accessible via stairs and a lift from the ground floor level of the building to ensure that the new elements are fully accessible and step-free.
- 3.21 In addition to the step-free access provided within the building, the proposed basement level flats will also be accessible via a staircase located to the rear of the site which will lead to the proposed terrace areas for Flats 10 and 11.

Figure 11: Cross-Sectional Illustration of Proposed Development



Source: Re-Creo Architecture (August 2021)

- 3.22 Beyond the terraces to the west, the proposed development will comprise a landscaped communal garden comprising an area of approximately 177 sqm. This garden will incorporate the planting of new mature trees, which are being proposed to complement the heritage value of Elm Tree House and reinforce the character of this part of the Conservation Area.
- 3.23 The landscaping and planting strategy for the Site has been carefully considered by the project's arboricultural consultant (Treework Environmental Practice), ecological advisors (Tyler Grange) and the landscape consultant (Studio Concept). In this regard, the strategy for the removal of existing trees, the planting of new trees and proposals for biodiversity have been subject to detailed discussions between each of these disciplines to create a communal garden which we consider represents the optimum approach.
- 3.24 The removal of some trees is recommended by the arboricultural consultant, due to the need to remove Japanese knotweed from the Site in a sustainable manner, and to take account of trees which are over-hanging neighbouring gardens and have a limited life expectancy.
- 3.25 There is also a new pedestrian pavement and steps proposed along the southern elevation of Elm Tree House, leading from the front of the Site to the communal garden at the rear of the Site. The relationship between this pavement and the proposed new terrace areas has been carefully considered, with the drawings incorporating proposals for new timber fencing, which will prevent

overlooking and will safeguard the privacy of the prospective residents at the lower ground and basement levels.

- 3.26 There is no additional car parking proposed for the three additional flats being proposed. The level of car parking on the Site will remain as existing to serve the flats on the upper floors of the building.
- 3.27 A refuse and recycling storage area will be located within the northeast corner of the Site to serve the whole building.

Pre-Application Consultation

- 3.28 Pre-application advice was originally sought from the London Borough of Camden in April 2018 relating to the prospective development of a basement level extension (Ref: 2018/1402/PRE). The Council issued a pre-application response on 13 July 2018 setting out the key issues for consideration and relevant policy considerations.
- 3.29 The pre-application response highlighted that self-contained housing is a priority within the Borough and as such, the provision of additional residential units on the Site is supported in principle. It is also noted that an affordable housing contribution would be required for developments that provide one or more additional homes in accordance with Policy H4 of the Local Plan.
- 3.30 With reference to the housing mix, it was advised that the Council will seek to ensure that the development delivers a range of homes of different sizes. Given that a greater number of 'higher' priority units are proposed, the housing mix was considered to remain in accordance with the Dwelling Size Priorities Table set out in Policy H7 of the Local Plan.
- 3.31 The Council welcomed the provision of step-free access for all new build elements. It was advised that the application should confirm whether the new build elements are in accordance with Building Regulation M4(2) and whether 10% of units are easily adapted in accordance with Building Regulation M4(3).
- 3.32 The pre-application response noted that the proposal would not result in the creation of a two-storey basement. This is due to the sloping nature of the Site and the fact that the existing lower ground floor level is not subterranean to the rear. Excavation below this level would not be regarded as a double height basement and this approach was considered acceptable by the Council.
- 3.33 Reference was made to Policy A5 of the Local Plan, which sets out prescriptive requirements for basement development proposals. Paragraph 11.3 of the Council's pre-application response stated as follows:

"Officers confirm that the basement extent would now appear to conform to clauses (h) – (l) of policy A5. The total area would be less than 1.5x the footprint of the combined

host/new build elements; 50% of the depth of the existing front and rear gardens would be retained and the basement would not extend beyond the foot print of either building by more than 50% of their depth. It is noted that to the Northern boundary (adjacent to Imperial Towers) no set back is proposed to the neighbouring boundary. Given that this is currently a hard paved walk way and there is a significant drop in levels to the neighbouring site, this is not objectionable in this case as there would be no realistic potential for future growth in this location. Against the opposing side boundary (with no.11), a 2m set back has been retained. While this set away is welcomed, it would be necessary to demonstrate that such a building line would allow for the future growth of any replacement trees along this boundary to a similar height as existing in order to comply with clause (m). Similarly, from submitted plans it is not clear whether or not the basement slab would extend below the lower GF level rear terrace to the new build element (flat 10). Given that this area of the site is currently host to dense vegetation, it would be expected that characteristic boundary planting is retained in this location. Subject to full details regarding this element, it may be necessary to reduce the depth of this terrace so that planting can be retained, or a suitable depth of substrate added to this level so that the lower ground floor terrace could support mature growth along this section of the rear boundary. Any replacement trees in this location would also require adequate space and soil depth to allow for future growth to existing levels."

- 3.34 In order to address the technical considerations regarding the impacts of excavation and engineering works required for the basement development, it was advised that a detailed Construction Management Plan would be required.
- 3.35 It was advised that the extent of basement level appeared to comply with the requirements of Policy A5, and it was noted that a full Basement Impact Assessment would be required and subject to an independent third-party audit.
- 3.36 Officers were supportive of the overall scheme in general, highlighting that *"it would result in the refurbishment and preservation of a positive contributor within the conservation area which is under threat, as well as the creation of further residential units of good standard within a highly accessible area"*.
- 3.37 A further pre-application meeting with Officers at the London Borough of Camden was held by video conference on 13 May 2020 to discuss the current proposals involving the extension of the lower ground floor level, proposed basement, and works to the rear garden.
- 3.38 The Council's Officers provided important feedback in relation to the principle of the proposed development and matters that needed to be addressed as part of any planning application.

- 3.39 The feedback included advice regarding the internal layout of Flat 10, both in terms of optimising the daylight and outlook from the flat. In addition, advice was provided regarding the relationship between those windows on the lower ground floor level and those windows forming the extended wings of the new basement level. In response to this feedback, the internal layout of Flat 10 was amended to improve the outlook from the dining/living/kitchen area. The orientation of the windows along the basement level wings was also amended so that they are tilted westwards, with timber fins used as a design device to safeguard residential amenity.
- 3.40 The Council's Officers also provided helpful feedback regarding the proposed strategy for trees and landscaping within the Site. In this regard, the Officers emphasised the important contribution made by existing trees to the character of the Site and the importance of providing replacement planting which includes suitable species and of the requisite maturity.
- 3.41 The pre-application consultation has, therefore, helped to inform the proposed development presented in the current planning application.

4.0 Planning Policy Context

4.1 This section considers the planning policies and legislative framework which together provide the context by which the planning application may be considered. It identifies the national, regional and local policies which are contained within statements of Government policy and the Development Plan for the area, or which may otherwise be material to the consideration of the proposed development.

4.2 The policy context for the Site comprises the following documents:

- National Planning Policy Framework (February 2019);
- The London Plan (March 2021);
- Camden Local Plan (July 2017);
- Conservation Area Statement for Fitzjohns / Netherhall (March 2001);
- Camden Planning Guidance: Basements (March 2018).

National Planning Policy Framework (February 2019)

4.3 The new National Planning Policy Framework (NPPF) was adopted in February 2019 with some recent updates to the Framework in July 2021. The NPPF sets out the Government's planning policies for England and how these are to be applied by local authorities.

4.4 The NPPF sets out the economic, environmental and social planning objectives for England. Taken together, these policies articulate the Government's vision of sustainable development, which should be interpreted and applied locally to meet local aspirations.

4.5 Paragraph 8 sets out that there are three overarching objectives to sustainable development as follows:

- 1) ***an economic objective*** – *to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
- 2) ***a social objective*** – *to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*
- 3) ***an environmental objective*** – *to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve*

biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

- 4.6 The theme of sustainable development is consistent throughout the NPPF. Paragraph 11 highlights that plans and decisions should apply a presumption in favour of sustainable development and states:

"For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or*
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
 - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."*

- 4.7 Section 5 of the NPPF refers to the delivery of a sufficient supply of homes. Paragraph 60 states as follows:

"To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay."

- 4.8 Further to this, the NPPF identifies the important contribution that small and medium sites can make to the supply of new homes, with Paragraph 69 stating as follows:

"Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:

- a) identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare; unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved;*
- b) use tools such as area-wide design assessments and Local Development Orders to help bring small and medium sized sites forward;*

- c) *support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes; and*
- d) *work with developers to encourage the sub-division of large sites where this could help to speed up the delivery of homes.”*

4.9 Section 9 of the NPPF refers to sustainable transport. Paragraph 111 states the following:

"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

4.10 Section 11 refers to making effective use of land and Paragraph 119 states as follows:

"Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land."

4.11 Section 12 of the NPPF sets out policies, which promote well-designed places, with Paragraph 130 stating as follows:

"Planning policies and decisions should ensure that developments:

- a) *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) *create places that are safe, inclusive and accessible and which promote health and well - being, with a high standard of amenity for existing and future users⁴⁶; and*

where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."

- 4.12 Section 16 of the NPPF refers to the conservation of the historic environment, with Paragraph 206 stating as follows:

"Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably."

- 4.13 Further to this, Paragraph 201 states as follows:

"Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 201 or less than substantial harm under paragraph 202, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole."

- 4.14 The NPPF emphasises the role of previously developed land within the urban areas in the supply of housing and requires authorities to identify and maximise the supply of homes from such sites. This is particularly important in minimising the need for the release of Green Belt and greenfield land for development and in providing homes in the most sustainable locations, well served by public transport and with access to services and facilities by foot and cycle.

The London Plan (March 2021)

- 4.15 The new London Plan was adopted in March 2021 and provides the Spatial Development Strategy for Greater London. It sets out a framework for how London will develop over the next 20-25 years and the Mayor's vision for Good Growth.
- 4.16 Policy D4 refers to delivery of good design and states that the design of development proposals should be thoroughly scrutinised. Further to this, Policy D4 states as follows:

"The design quality of development should be retained through to completion by:

- 1) ensuring maximum detail appropriate for the design stage is provided to avoid the need for later design amendments and to ensure scheme quality is not adversely affected by later decisions on construction, materials, landscaping details or minor alterations to layout or form of the development*

- 2) *ensuring the wording of the planning permission, and associated conditions and legal agreement, provide clarity regarding the quality of design*
 - 3) *avoiding deferring the assessment of the design quality of large elements of a development to the consideration of a planning condition or referred matter*
 - 4) *local planning authorities considering conditioning the ongoing involvement of the original design team to monitor the design quality of a development through to completion."*
- 4.17 Policy D5 states that development proposals should achieve the highest standards of accessible and inclusive design.
- 4.18 Policy D6 refers to housing quality and standards, stating that housing development should be of high quality design and provide adequately-sized rooms with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners without differentiating between tenures.
- 4.19 Policy H1 refers to increasing housing supply across London and Table 4.1 sets out 10-year targets for net housing completions. For Camden, the London Plan provides a 10-year target of 10,380 net housing completions.
- 4.20 Policy H2 refers to the role of 'small sites' in the delivery of new homes:
- "A Boroughs should pro-actively support well-designed new homes on small sites (below 0.25 hectares in size) through both planning decisions and plan-making in order to:*
- 1) significantly increase the contribution of small sites to meeting London's housing needs*
 - 2) diversify the sources, locations, type and mix of housing supply*
 - 3) support small and medium-sized housebuilders*
 - 4) support those wishing to bring forward custom, self-build and community-led housing*
 - 5) achieve the minimum targets for small sites set out in Table 4.2 as a component of the overall housing targets set out in Table 4.1.*
- B Boroughs should:*
- 1) recognise in their Development Plans that local character evolves over time and will need to change in appropriate locations to accommodate additional housing on small sites*
 - 2) where appropriate, prepare site-specific briefs, masterplans and housing design codes for small sites*
 - 3) identify and allocate appropriate small sites for residential development*
 - 4) list these small sites on their brownfield registers*
 - 5) grant permission in principle on specific sites or prepare local development orders."*

4.21 Policy H10 states that schemes should generally consist of a range of unit sizes.

4.22 Policy HC1 refers to 'heritage conservation and growth' and states as following:

"Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process."

4.23 Policy G6 refers to biodiversity and states that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process.

4.24 Policy G7 refers to 'trees and woodlands', stating as follows:

"Development proposals should ensure that, wherever possible, existing trees of value are retained. If planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees removed, determined by, for example, i-tree or CAVAT or another appropriate valuation system. The planting of additional trees should generally be included in new developments – particularly large-canopied species which provide a wider range of benefits because of the larger surface area of their canopy."

Camden Local Plan (July 2017)

4.25 The Camden Local Plan is the borough's key strategic development plan document. It was adopted on 3 July 2017 and sets out the vision for the borough and contains policies for guiding planning decisions. Key policies relevant to the proposals are set out below.

4.26 Policy G1 refers to the 'Delivery and location of growth' and sets out the key aims in order to deliver the homes, jobs, infrastructure and facilities that Camden needs. The Council will support development that makes best use of its site, taking into account quality of design, its surroundings, sustainability, amenity, heritage, transport accessibility and any other relevant considerations.

4.27 Policy H1 refers to 'Maximising housing supply' and states that the Council will aim to secure a sufficient supply of homes to meet the needs of existing and future households by maximising the supply of housing and exceeding a target of 16,800 additional homes from 2016/17 - 2030/31.

4.28 Policy H3 refers to 'Protecting existing homes' and states that the Council will resist development that would involve a net loss of residential floorspace, including any residential floorspace provided.

- 4.29 Policy H6 refers to 'Housing choice and mix' and states that the Council will seek a variety of housing suitable for Camden's existing and future households, having regard to household type, size, income and any particular housing needs.
- 4.30 Policy H7 refers to 'Large and small homes' and states that the Council will aim to secure a range of homes of different sizes that will contribute to the creation of mixed, inclusive and sustainable communities. The Council will seek to ensure that housing development contributes to meeting the priorities set out in the Dwelling Size Priorities Table and includes a mix of large and small homes.

Table 1: Dwelling Size Priorities

	1-bedroom (or studio)	2-bedroom	3-bedroom	4-bedroom (or more)
Social-affordable rented	lower	high	high	medium
Intermediate affordable	high	medium	lower	lower
Market	lower	high	high	lower

Source: Camden Local Plan (2017)

- 4.31 Policy C1 refers to 'Health and wellbeing' and aims to improve and promote strong, vibrant and healthy communities within the borough.
- 4.32 Policy C5 refers to 'Safety and security' and sets out a number of measures with the aim to make Camden a safer place.
- 4.33 Policy C6 refers to 'Access for all' and states that the Council will expect all buildings and places to meet the highest practicable standards of accessible and inclusive design so that they can be used safely, easily and with dignity by all.
- 4.34 Policy A1 refers to 'Managing the impact of development' and states that the Council will seek to protect the quality of life of occupiers and neighbours. The Council will ensure that the amenity of communities, occupiers and neighbours is protected and will include factors such as visual privacy and outlook, sunlight, daylight and overshadowing, transport impacts, impacts of the construction phase, noise and vibration and odour, fumes and dust, amongst other things.
- 4.35 Policy A3 refers to 'Biodiversity' and states that the Council will assess developments against their ability to realise benefits for biodiversity through the layout, design and materials used and landscaping elements. The demolition and construction phase must be planned to avoid disturbance to habitats and species and the spread of invasive species. The Council will resist the loss of trees and vegetation of significant amenity, whilst also expecting developments to incorporate additional trees and vegetation wherever possible.

4.36 Policy A4 refers to 'Noise and vibration' and states that the Council will not grant planning permission for development likely to generate unacceptable noise and vibration impacts or development sensitive to noise in locations which experience high levels of noise, unless appropriate attenuation measures can be provided.

4.37 Policy A5 refers to 'Basements' and states that *"the Council will only permit basement development where it is demonstrated to its satisfaction that the proposal would not cause harm to:*

- a. neighbouring properties;*
- b. the structural, ground, or water conditions of the area;*
- c. the character and amenity of the area;*
- d. the architectural character of the building; and*
- e. the significance of heritage assets.*

In determining proposals for basements and other underground development, the Council will require an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability in the form of a Basement Impact Assessment and where appropriate, a Basement Construction Plan.

The siting, location, scale and design of basements must have minimal impact on, and be subordinate to, the host building and property. Basement development should:

- f. not comprise of more than one storey;*
- g. not be built under an existing basement;*
- h. not exceed 50% of each garden within the property;*
- i. be less than 1.5 times the footprint of the host building in area;*
- j. extend into the garden no further than 50% of the depth of the host building measured from the principal rear elevation;*
- k. not extend into or underneath the garden further than 50% of the depth of the garden;*
- l. be set back from neighbouring property boundaries where it extends beyond the footprint of the host building; and*
- m. avoid the loss of garden space or trees of townscape or amenity value.*

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

The Council will require applications to demonstrate that proposals for basements;

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

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

We will generally require a Construction Management Plan for basement developments.

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

4.38 Policy D1 refers to 'Design' and states that the Council will seek to secure high quality design in development:

"The Council will require that development:

- a. respects local context and character;*
- b. preserves or enhances the historic environment and heritage assets in accordance with Policy D2 Heritage;*
- c. is sustainable in design and construction, incorporation best practice in resource management and climate change mitigation and adaptation;*
- d. is of sustainable and durable construction and adaptable to different activities and land uses;*
- e. comprises details and materials that are of high quality and complement the local character;*

- f. integrates well with the surrounding streets and open spaces, improving movement through the site and wider area with direct, accessible and easily recognisable routes and contributes positively to the street frontage;*
- g. is inclusive and accessible for all;*
- h. promotes health;*
- i. is secure and designed to minimise crime and antisocial behaviour;*
- j. responds to natural features and preserves gardens and other open space;*
- k. incorporates high quality landscape design and maximises opportunities for greening for example through planting of trees and other soft landscaping;*
- l. incorporates outdoor amenity space;*
- m. preserves strategic and local views;*
- n. for housing, provides a high standard of accommodation; and*
- o. carefully integrates building services equipment.*

The Council will resist development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions."

4.39 Policy D2 refers to 'Heritage' and includes the following statements:

"The Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens and locally listed heritage assets.

Designated heritage assets

Designed heritage assets include conservation areas and listed buildings. The Council will not permit the loss of or substantial harm to a designated heritage asset, including conservation areas and Listed Buildings, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a. the nature of the heritage asset prevents all reasonable uses of the site;*
- b. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;*
- c. conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and*

- d. the harm or loss is outweighed by the benefit of bringing the site back into use.*

The Council will not permit development that results in harm that is less than substantial to the significance of a designated heritage asset unless the public benefits of the proposal convincingly outweigh that harm.

Conservation areas

Conservation areas are designated heritage assets and this section should be read in conjunction with the section above headed 'designated heritage assets'. In order to maintain the character of Camden's conservation areas, the Council will take account of conservation area statements, appraisals and management strategies when assessing applications within conservation areas.

The Council will:

- e. require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area;*
- f. resist the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a conservation area;*
- g. resist development outside of a conservation area that causes harm to the character or appearance of that conservation area; and*
- h. preserve trees and garden spaces which contribute to the character and appearance of a conservation area or which provide a setting for Camden's architectural heritage."*

- 4.40 Policy CC1 refers to 'Climate change mitigation' and states that the Council will require all development to minimise the effects of climate change and encourage developments to meet the highest feasible environmental standards.
- 4.41 Policy CC2 refers to 'Adapting to climate change' and requires developments to incorporate climate change adaption measures such as the use of sustainable drainage systems and measures to reduce the impact of urban and dwelling overheating.
- 4.42 Policy CC3 refers to 'Water and flooding' and states that the Council will seek to ensure that development does not increase flood risk and reduces the risk of flooding where possible.
- 4.43 Policy CC4 refers to 'Air Quality' and states that the Council will ensure that the impact of development on air quality is mitigated and ensure that exposure to poor air quality is reduced in the borough.
- 4.44 Policy CC5 refers to 'Waste' and requires developments to include facilities for the storage and collection of waste and recycling.

4.45 Policy T1 refers to 'Prioritising walking, cycling and public transport' and seeks to ensure that developments promote sustainable modes of transport. Proposals should include accessible, secure cycle parking facilities in line with the London Plan (Table 6.3).

4.46 Policy T2 refers to 'Parking and car-free development' and states that the Council will limit the availability of parking and require all new developments in the borough to be car-free.

Conservation Area Statement for Fitzjohns / Netherhall (March 2001)

4.47 The Conservation Area of Fitzjohns / Netherhall was designated in March 1984 and extended in 1988, 1991 and 2001.

4.48 The Conservation Area Statement was adopted in March 2001 and outlines the history, character and appearance of the area. For the Netherhall Gardens area, the Conservation Area Statement sets out that most properties date from the 1880s and are detached. It further states that the failure to maintain soft landscaping and the erection of inappropriate signs on some of these buildings is regrettable for an area with such quality of detail.

4.49 The property at No. 13 Netherhall Gardens is referred to as a building which makes a positive contribution to the Conservation Area. It is also noted that the front boundary wall comprises "*orange brick with (battered) panels of over-burnt brick*".

Camden Planning Guidance: Basements (March 2018)

4.50 The Council has prepared a number of Camden Planning Guidance (CPG) documents including the CPG Basements document which was adopted in March 2018. It replaced Camden Place Guidance 4: Basements and Lightwells (July 2015). The document should be read in conjunction with the relevant policies in the Local Plan.

4.51 Paragraph 1.4 of the guidance highlights that there is a shortage of development land and high land values in the borough and the development of basements if a way of gaining additional space in homes without having to relocate.

4.52 Paragraph 1.18 of the guidance sets out the planning and design considerations and states:

"Basements schemes should take place in a way that ensures they:

- *do not harm neighbouring properties including not placing occupiers at risk or have any significant effects on the stability or bearing capacity of adjacent land generally;*
- *do not harm the water environment including avoid adversely affecting drainage, run-off, or ground permeability;*
- *avoid cumulative impacts including impacts on the structural stability or the water environment in the local area, including flooding;*

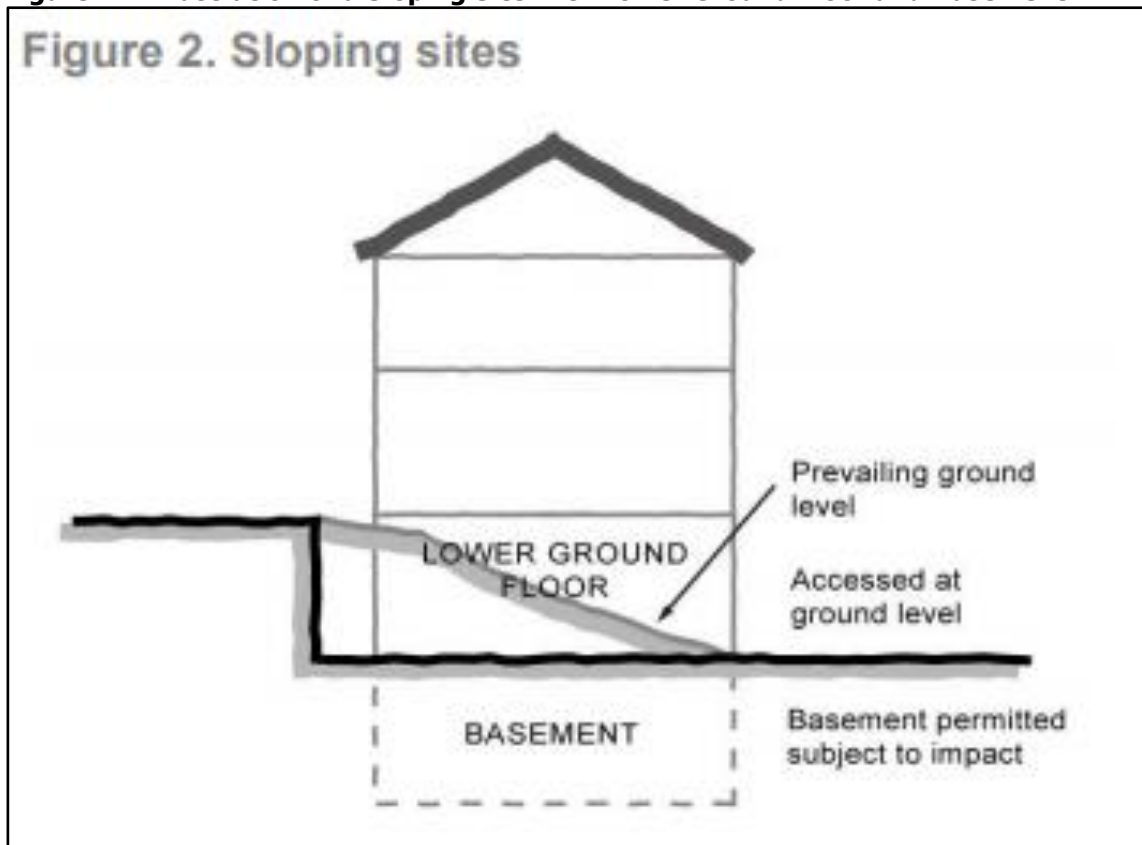
- *do not harm the recognised architectural character of buildings and surrounding areas, including gardens and nearby trees, and that conservation area character is preserved or enhanced;*
- *conserve the biodiversity value of the site; and*
- *achieve sustainable development."*

4.53 Under Paragraph 2.4 on page 10, the following is stated with regard to buildings on sloping land:

"Where a building is located on sloping land and there is a change in level across a site, a floor which is accessed at ground level at one side of the site (with no steps or ramp) will generally not be considered a basement, unless the site has been significantly excavated to allow access to that floor as shown in Figure 2, below."

4.54 The relevant illustration of a sloping site with a lower ground floor and basement level is shown in Figure 12 overleaf.

Figure 12: Illustration of a Sloping Site with Lower Ground Floor and Basement



Source: Camden Planning Guidance: Basements (March 2018)

4.55 The CPG document sets out the following key messages in respect of basement developments:

- *"Basement development must not cause harm to:*
 - *neighbouring properties;*

- *the structural, ground, or water conditions of the area;*
 - *the character and amenity of the area; and*
 - *the architectural character and heritage significance of the building and area.*
- *The siting, location, scale and design of basements must have minimal impact on, and be subordinate to, the host building and property.*
- *Basement development must be no more than one storey deep and must not exceed 50% of the garden of the property.*
- *Applicants will be required to submit information relating to the above within a Basement Impact Assessment (BIA) which is specific to the site and particular proposed development.*
- *In some instances the Council will require a Basement Construction Plan to be provided.*
- *The Council strongly encourages applicants to use the Council's BIA proforma to ensure that all aspects of this assessment are addressed.*
- *To ensure the right people are engaged in the preparation of a BIA, the Council has published a 'Scope of Services' document.*
- *BIAs will require expert independent verification funded by the applicant. Applicants should use the Council's BIA proforma in preparing BIAs.*
- *An Article 4 Direction covers the whole of the London Borough of Camden meaning that all basement development requires planning permission."*

5.0 Planning and Environmental Considerations

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that, if regard is to be had to the Development Plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan, unless material considerations indicate otherwise.
- 5.2 This section assesses the planning and environmental matters that we consider relevant to the determination of the application and the extent to which the proposed development complies with planning policy requirements.
- 5.3 The key considerations for the proposed development may be summarised as follows:
- Principle of Development;
 - Basement Development;
 - Design, Layout and Materials;
 - Heritage;
 - Transport, Access and Parking;
 - Residential Amenity and Impact on Surrounding Occupiers;
 - Daylight and Sunlight;
 - Trees and Landscaping;
 - Ecology and Biodiversity;
 - Flood Risk and Drainage;
 - Sustainability;
 - Acoustic Considerations.
- 5.4 The above matters are considered in detail below.

Principle of Development

- 5.5 The proposed development at Elm Tree House relates to the existing lower ground floor of the building which would be extended, together with the construction of a new basement level. The proposed development will comprise 4 no. residential flats (Use Class C3).
- 5.6 Given that the existing lower ground floor level currently comprises 1 no. flat, the proposed development would represent a net increase of 3 no. flats within the building. The 4 no. flats will include 1 no. one-bedroom unit, 2 no. two-bedroom units and 1 no. three-bedroom unit.

- 5.7 The proposed development seeks to provide high-quality residential accommodation within a highly accessible area and will help to bring a derelict building back into residential use. The proposed development will mean that there will be an increase from 8 no. flats to 11 no. flats within the overall building, thereby providing for more efficient use of previously developed land and contributing to the London Borough of Camden's housing targets.
- 5.8 We consider that the proposed development of additional homes is consistent with Policy H1 of the Camden Local Plan which seeks to maximise the supply of housing and exceed a target of 16,800 additional homes from 2016/17 - 2030/31. Moreover, it accords with the London Plan which states that boroughs should pro-actively support well-designed new homes on small sites and sets a 10-year housing target for Camden of 10,30 net housing completions.
- 5.9 There is an expectation in the London Plan that development on brownfield sites with good transport accessibility should optimise density in order to achieve sustainable development and maximise housing supply.
- 5.10 Paragraph 69 of the NPPF states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area. In this regard, sites such as 13 Netherhall Gardens offer an opportunity to contribute to housing, whilst also improving a building in disrepair and an external area which is overgrown.
- 5.11 The proposed development will provide 1 no. family-sized flat comprising of three bedrooms. The provision of family-sized homes is supported by Local Plan Policy H7 which states that "*the Council will aim to secure a range of homes of different sizes that will contribute to creation of mixed, inclusive and sustainable communities ...*" Table 1 within the Local Plan shows that three-bedroom market sale flats are a high priority within the Borough.
- 5.12 The principle of residential use is well established on the Site and the proposed development would help to make efficient use of an existing brownfield site which is supported by national, regional and local planning policy.

Basement Development

- 5.13 The proposed basement level has been designed following careful consideration of Policy A5 of the Camden Local Plan, the Camden Planning Guidance on Basements, and the preparation of a Basement Impact Assessment prepared by Geotechnical & Environmental Associates Ltd (GEA).
- 5.14 Policy A5 of the Local Plan sets out a number of specific criteria in relation to basement developments, which include matters pertaining to siting, location, scale and design. All relevant criteria are set out below with details as to how the proposed development complies with each point.

- 5.15 The relevant criteria for a basement development, as set out in Policy A5, is outlined in bold font below. Our analysis and commentary on each criterion is set out thereafter.

Not comprise of more than one storey

- 5.16 The proposed basement extension is one storey in height and will extend to a depth of approximately 4 metres below the existing lower ground floor level, as illustrated in Figure 13 below.

Figure 13: Cross-Sectional View of Proposed Basement Level



Source: Re-Creo Architecture (August 2021)

Not be built under an existing basement

- 5.17 The building currently has a lower ground floor level which opens onto ground level to the rear of the building due to the sloping nature of the Site. In this regard, the lower ground floor level is not subterranean. This point was confirmed in the pre-application advice issued by the London Borough of Camden in July 2018, which stated as follows:

"... due to the sloping nature of the application site, the existing lower ground floor level of the original house is not subterranean to the rear and in fact features unobstructed windows with views to the West. Given that the adopted Basement CPG states that in such situations, the excavation of a basement below an existing lower ground floor is not regarded as a double height basement, this approach would be taken in this case."

- 5.18 The proposed development therefore comprises of the extension of the existing lower ground floor and the construction of a new basement floor level.

Not exceed 50% of each garden within the property

- 5.19 The existing garden comprises an area of 1,290 sqm. The proposed basement level projects into the rear garden, covering an area of 132.1 sqm. In this regard, the proposed basement level does not exceed 50% of the garden area within the property.

Be less than 1.5 times the footprint of the host building in area

- 5.20 The existing building footprint comprises an area of 316.7 sqm. The proposed basement level provides an additional footprint of 132.1 sqm and, as such, it falls below the threshold set out in Policy A5.

- 5.21 It was confirmed within Paragraph 11.3 of the pre-application response issued in July 2018 that *"the total area would be less than 1.5x the footprint of the combined host/new build elements."*

Extend into the garden no further than 50% of the depth of the host building measured from the principal rear elevation

- 5.22 The proposed basement level does not extend into the garden more than 50% of the depth of Elm Tree House from the principal rear elevation.

Not extend into or underneath the garden further than 50% of the depth of the garden

- 5.23 The proposed basement extension does not extend into or underneath the garden further than 50% of the depth of the garden. This is illustrated in Figure 14 overleaf.

Be set back from neighbouring property boundaries where it extends beyond the footprint of the host building

- 5.24 The proposed basement level extension does not incorporate a setback along the northern boundary of the Site. This matter was subject to pre-application discussions with Officers at the London Borough of Camden and was considered acceptable.

- 5.25 The pre-application response issued in July 2018 stated as follows:

"It is noted that to the Northern boundary (adjacent to Imperial Towers) no set back is proposed to the neighbouring boundary. Given that this is currently a hard paved walk way and there is a significant drop in levels to the neighbouring site, this is not objectionable in this case as there would be no realistic potential for future growth in this location."

Figure 14: Diagram illustrating Depth and Proportion of Basement Extension



Source: Re-Creo Architecture (June 2020)

Avoid the loss of garden space or trees of townscape or amenity value

- 5.26 The proposed development will involve significant landscape enhancements, both within the rear garden and at the front of the Site.
- 5.27 Some trees of poorer arboricultural value are proposed to be removed, with new landscape measures to be provided to enhance the quality of planting across the site. In addition, some tree removal to the rear of the Site is recommended, due to the presence of Japanese knotweed which overlaps with the root protection zones of the trees in question.
- 5.28 A Basement Impact Assessment (BIA) has been provided by Geotechnical & Environmental Associates Limited. One of the objectives of the BIA was to determine whether there were any contaminative uses associated with the Site, to examine the ground conditions and to provide

information relating to the design of suitable foundations. BIAs are a requirement for basement developments in Camden, in accordance with Policy A5.

- 5.29 The ground investigation determined that the made ground comprises brown silty sandy gravelly clay with fragments of coal, ash, brick, tarmac and flint gravel and overlays the London Clay Formation. No visual or olfactory evidence of contamination was observed during the surveys. Notwithstanding this, four samples of made ground were analysed for contaminants, three of which contained loose asbestos fibres.
- 5.30 The BIA sets out that the formation level of the proposed basement should therefore be within the firm (becoming stiff) silty clay of the London Clay.
- 5.31 On the basis of the fieldwork and subsequent monitoring, groundwater is unlikely to be encountered within the basement excavation. It is anticipated that foundations bearing on the London Clay at a depth of 3.5 metres and 6 metres below ground level may be designed to apply a net allowable bearing pressure of 150kN/sqm. Detailed recommendations for the construction of foundations can be found within the BIA.
- 5.32 The BIA did not encounter any concerns with regard to the effects of the proposed basement extension on the Site and surrounding area, and it was concluded that the impacts identified can be sufficiently mitigated using appropriate design and standard construction practice.
- 5.33 In summary, it is considered that the proposed development accords with the criteria set out in Policy A5 of the Camden Local Plan and the guidance provided in the Camden Planning Guidance on Basements.

Design, Layout and Materials

- 5.34 The design and layout of the proposed development has been informed by the site context, neighbouring buildings and planning policy guidance, which together provide an understanding of the design approach that is considered appropriate.
- 5.35 In particular, the proposed development has been designed with reference to Policy D1 of the Local Plan which requires high-quality design and sets out a number of criteria to be incorporated within development proposals.
- 5.36 The internal layouts have been arranged with west-facing living spaces taking advantage of afternoon and evening light with views towards the communal garden.
- 5.37 All layouts have been designed according to Part M4(2) Inclusive Design in accordance with Policy H6 of the Local Plan. This measure seeks to make the proposed flats usable by as broad a range of users as is possible.
- 5.38 The basement level extension has been designed to be consistent with the appearance of the lower ground floor level and will comprise a rendered façade. In this respect, the additional storey will

maintain the overall appearance of the building, transitioning from brickwork on upper floor levels to render below. The existing render on the lower ground floor level will also be repaired and made good where required.

- 5.39 A simple palette of natural material has been selected to provide an appropriate contrast with the existing building. The retaining wall to the rear of the terrace will be white painted render to match the white render on the existing lower ground floor facade.
- 5.40 The materials palette for the basement extension will include vertical timber cladding. The cladding will protrude beyond the roof level to form a balustrade/screen wall, along with soft landscaping to create privacy for the terraces. It is considered that the timber cladding is a material which will soften the visual impact of the basement level extension and will facilitate a cohesive relationship with the soft landscaping within the communal garden area to the rear.

Figure 15: Visualisation providing Aerial View of Proposed Development



Source: Re-Creo Architecture (August 2021)

- 5.41 The glazing at basement level has been carefully considered, so that the large west-facing windows will optimise daylight to the basement level flats, while also providing good outlook for the windows on the basement. The orientation of the windows along the basement level wings will be tilted westwards, with timber fins used as a design device to safeguard residential amenity.
- 5.42 Flat 9 at lower ground floor level will have access to a private terrace which comprises an overall area of 59 sqm. Both of the proposed flats at basement level will benefit from private open space

in the form of terrace areas. Flat 10 will have a private terrace comprising an area of 35.7 sqm and Flat 11 will have a private terrace comprising an area of 35.5 sqm.

5.43 Overall, the appearance of Elm Tree House will be greatly improved by the proposed development and enhancement of the external areas within the Site. The materials proposed for the development may be summarised as follows:

- Retained brickwork;
- Windows to be replaced to match existing, white timber-framed windows;
- White rendered wall to be repainted;
- Block paving throughout;
- A simple palette, designed to complement the existing character of the Conservation Area;
- Material for the proposed basement include a mix of natural materials, with the use of timber cladding to denote the new element of the development and read as a contemporary addition with a more lightweight feel. It will also include new windows with a darker frame, to contrast the existing windows.

5.44 The two flank walls of the basement facing onto the terrace will be clad in vertical timber, with some of these projecting higher to create the balustrade/screen wall above which it merges into the landscape.

Heritage

5.45 The planning application is supported by a Heritage Statement prepared by Mr Kristian Kaminski.

5.46 The Site is located within the Fitzjohns and Netherhall Conservation Area with Elm Tree House identified as a building which makes a positive contribution to the Conservation Area.

5.47 Policy D2 of the Local Plan seeks to maintain the character of Camden's Conservation Areas and states that the Council will require any development within Conservation Areas to preserve or enhance the character or appearance of the area.

5.48 The Heritage Statement outlines that 13 Netherhall Gardens has architectural and historic significance as a late 19th Century detached house in a Queen Anne Revival / aesthetic movement style comprising of three-storeys over a lower ground floor (sunk to the front but above ground to the rear) with attic. The building is set back from the road with a large front, side and rear garden which is heavily planted.

5.49 In this regard, 13 Netherhall Gardens makes a positive contribution to the significance of the Fitzjohns/Netherhall Conservation Area by virtue of its age, quality, materials and garden setting. However, the Heritage Statement advises that this contribution is substantially undermined by the following:

- a modern single-storey side extension;
- the poor condition of the house and structural problems;
- alterations to the original fenestration;
- hard surfaces / car parking to the front and side gardens;
- poor condition of rear garden.

- 5.50 The Heritage Statement sets out that the modest-sized proposed basement is appropriately subordinate in scale to the existing building. The western facade of the basement is designed to be a vertical extension of the lower ground floor. The facade treatment proposed is therefore white render to replicate the existing lower ground floor facade, thereby respecting the character of the existing building. The existing render will be repaired and repainted.
- 5.51 The two flank walls of the proposed basement will be clad in vertical timber, a high quality contemporary but complementary material, that allows the new addition to be clearly differentiated from the original building but in a way that respects it. High quality contemporary style dark timber windows are also proposed.
- 5.52 The proposed landscaping and planting are considered to be a high quality scheme that will provide residents with a large communal open space within the westernmost portion of the Site.
- 5.53 There are no public views of the rear of the Site and very limited private views by virtue of the topography and tree cover.
- 5.54 The Heritage Statement concludes that the proposed lower ground floor and basement extensions will have a neutral impact on the significance of the Conservation Area. However, even if it were thought that some harm were caused, then this harm would be outweighed by the public benefits of the enhancements to the property in addition to the creation of new housing. For these reasons, the Heritage Statement concludes that the proposal complies with national and local policy and guidance.

Transport, Access and Parking

- 5.55 Policy A1 of the Local Plan seeks to ensure that development protects the amenity of surrounding occupiers, taking into account transport impacts, amongst other considerations. Policy T1 prioritises sustainable modes of transport, whilst Policy T2 highlights that the Council will require new developments to be car-free.
- 5.56 The Site currently contains hardstanding at the front and side of the property which includes 10 no. car parking spaces. These car parking space serve the existing 8 no. flats at Elm Tree House. No additional car parking is proposed to cater for the lower ground floor and basement extensions.

- 5.57 The reconfiguration and extension of the lower ground floor will allow for the provision of 20 no. cycle parking spaces, which will help to promote sustainable modes of transport.
- 5.58 Given that no new car parking is proposed for the lower ground and basement flats, there will be no additional impacts on the local highway network in comparison to the existing situation on site.
- 5.59 The Site is located in a highly accessible area with a PTAL rating of 6a. There are excellent connections to public transport links with several bus stops along Finchley Road, London Underground routes within 300m and Overground routes within 500m.
- 5.60 Having regard to the above matters, it is considered that the proposed development is in accordance with the Local Plan policies and that the development will not create any significant impact in terms of traffic and parking. Furthermore, it has been demonstrated that there is sufficient access to sustainable modes of transport including walking, cycling and public transport.

Residential Amenity and Impact on Surrounding Occupiers

- 5.61 Local Plan Policy A1 seeks to protect the quality of life of surrounding occupiers and ensure that development proposals do not harm the amenity of nearby residents.
- 5.62 Due to the sloping nature of the property and the low level of the proposed development, there will not be any new views created towards adjacent properties, or any facades that would impact the daylight or sunlight of neighbouring properties. Consequently, the proposals will not have any impact on the existing outlook, privacy, or daylight levels of the surrounding properties.
- 5.63 The pre-application response highlighted that there was concern regarding the impacts that may be caused by the level of excavation and engineering works required. In order to assess these concerns, a Draft Construction Management Plan has been prepared by Elliott Wood Engineers, which sets out how the impacts of demolition and construction works will be minimised and mitigated. The Draft Construction Management Plan sets out the following working hours for the Site:
- 8.00am to 6:00pm on Monday to Friday;
 - 8.00am to 1.00pm on Saturdays;
 - No working on Sundays or Public Holidays.
- 5.64 It should be noted that the Draft Construction Management Plan will be updated prior to the commencement of any development on the Site and will be subject to the approval of the London Borough of Camden as the local planning authority.
- 5.65 In addition to safeguarding the residential amenity of neighbouring residents, a further consideration is the residential amenity of prospective residents of the proposed development. Following feedback received at the pre-application meeting on 13 May 2020, the orientation of the

windows along the basement level wings was amended so that they are tilted westwards, with timber fins used as a design device to safeguard residential amenity.

- 5.66 The proposed landscaping improvement works in the communal garden are intended to enhance the setting of the building and improve the aesthetic quality of Elm Tree House within the streetscape.
- 5.67 In summary, we consider that the proposed development accords with Policy A1 of the Camden Local Plan.

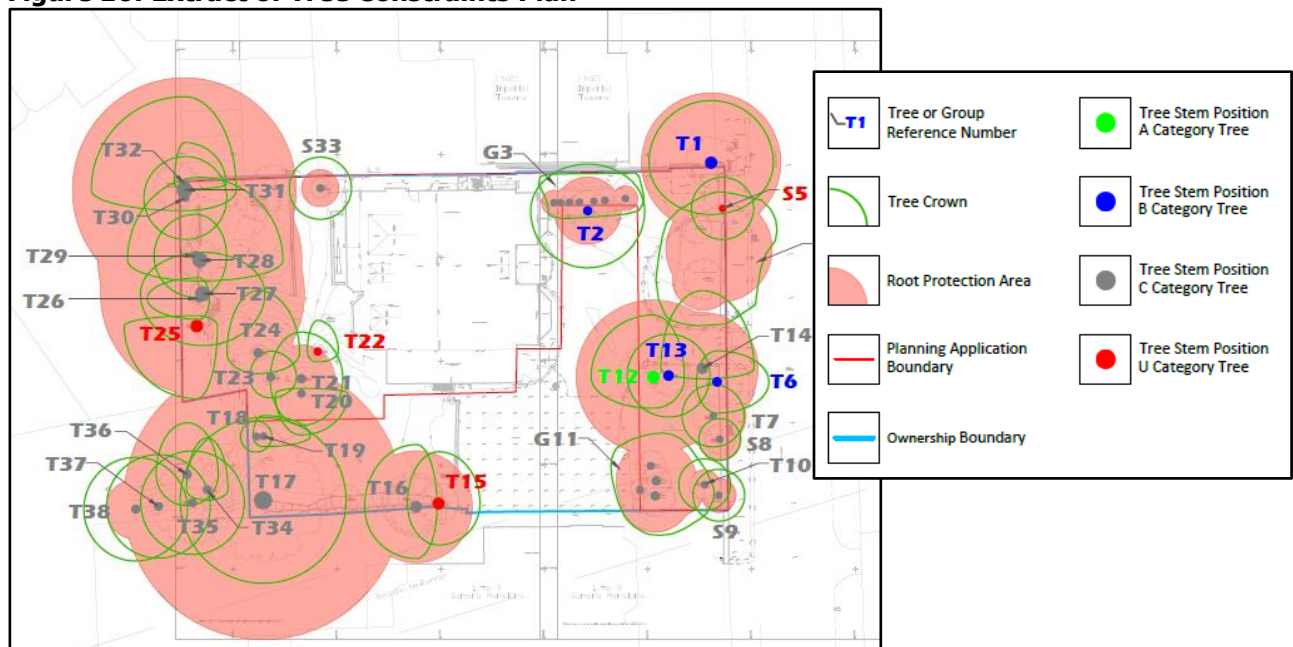
Daylight and Sunlight

- 5.68 A Daylight and Sunlight Study has been prepared by Cundall and is submitted in support of this planning application.
- 5.69 It is recognised that lower ground and basement flats are subject to reduced levels of daylight and, as such, the design, layout and internal configuration of the proposed flats has been carefully considered to ensure that sufficient levels of daylight and sunlight can reach the proposed flats.
- 5.70 The current design has been assessed according to the recommendations for daylight, sunlight and access to the sky in the BRE's 'Site Layout and Planning for Daylight and Sunlight – A guide to good practice'.
- 5.71 The quality and quantity of daylight provision to a space in a new dwelling are both important. The BRE guidance suggests the use of the widely understood average daylight factor (ADF) metric to assess both the quantity and distribution of daylight in new rooms, using a CIE standard overcast sky condition. Daylight factor is expressed as the percentage of natural light falling on a work surface compared to that which would have fallen on a completely unobstructed horizontal surface under exactly the same sky conditions.
- 5.72 Referencing BS8206-2 Code of Practice for Daylighting, the guidance recommends values of 5% for a well day lit space and 2% for a partly day lit space. It also recommends the following minimum values:
- 2% for kitchens;
 - 1.5% for living rooms;
 - 1% for bedrooms.
- 5.73 From the analysis of the proposed development, in the context of the existing and surrounding buildings, all the spaces are able to comply with ADF thresholds, as set by BRE.
- 5.74 As the proposed development has no works above ground level, the proposed design will have no effect on surrounding properties and as such, has not been assessed.

Trees and Landscaping

- 5.75 The landscaping and planting strategy for the Site was devised by the project's landscape specialist (Studio Concept) through close collaboration with the arboricultural consultant (Treework Environmental Practice) and ecologist (Tyler Grange) for the project. In this regard, the strategy for the removal of existing trees, the planting of new trees and proposals for biodiversity have been subject to detailed discussions between each of these disciplines to create a communal garden, which we consider represents the optimum approach to the design of the external area.
- 5.76 The Site currently comprises a large area of hardstanding to the east and south of the existing building. There are also a number of existing trees on the Site, which are predominantly located close to the site boundaries. An Arboricultural Impact Assessment has been undertaken by Treework Environmental Practice and has informed the current development proposals.
- 5.77 The Arboricultural Impact Assessment has identified 38 tree features within the survey, of which 26 are within the Site and 12 are located on land adjacent to the Site. A total of 24 tree features have been identified for removal to facilitate the development, none of which are Category A, one is Category B, twenty are Category C, and three are Category U.
- 5.78 The removal of some trees to the rear of the Site is recommended, due to the need to remove Japanese knotweed from the Site in a sustainable manner. There are also some trees which are over-hanging neighbouring gardens and have a limited life expectancy.

Figure 16: Extract of Tree Constraints Plan



Source: Treework Environmental Practice (June 2020)

- 5.79 The two tree features retained within the plan, represent the highest quality trees present on Site. These trees are well suited to their location and will be retained and integrated into the

development. Sufficient space and adequate protection measures have been set out to ensure that retained trees are not damaged during the pre-construction and construction phase and to enable their successful development post-construction. The Arboricultural Impact Assessment sets out tree protection measures to safeguard the retained trees during the construction process.

5.80 The Arboricultural Impact Assessment also sets out a tree planting strategy for the Site, which is based on the following principles:

- Right tree, right place;
- Appropriateness for Site (including the character of the Fitzjohns and Netherhall Conservation Area);
- Eco-system services;
- Ability to replace lost canopy quickly;
- Contribution to Biodiversity (for Net Gain);
- Contribution to long-term resilience of local tree population;
- Aligned with landscape concept.

5.81 The proposed trees have been selected for the specific qualities in the landscape where they are proposed to be located.

5.82 Silver birch (*Betula pendula*) have been selected for the rear garden and will be planted in a group of three at the southern end of the garden and one single birch at the northern side. The white stems of the birch will provide a brightness in all seasons and their fine, pendulous twigs and foliage will provide light dappled shade. The dark purple twigs and buds will provide visual interest in the winter. They will fill the space provided without being dark and imposing.

5.83 Four Bay trees (*Laurus nobilis*) have been located next to the proposed rear terraces of the building so that residents can easily take advantage of their culinary leaves. Their dark evergreen leaves will provide year-round visual interest and their aromatic leaves (and blossom in the spring) will contribute to the sensory experience for users of the garden.

5.84 The three Scots pine (*Pinus sylvestris*) have been selected as they mature with clear stems and a platform of high evergreen foliage. This species was commonly planted in Victorian landscapes and will complement the scale of the building. Scots pine typically have orange or salmon pink bark on the upper sections of the stem which also provide visual interest throughout the year. These trees will ultimately grow to replace the scale of the poplars that will be removed from this location without the problems of root suckering and structural weakness that is often associated with poplar.

- 5.85 Three Caucasian lime (*Tilia x euchlora*) are proposed at the front of the property, adjacent to the interface with Netherhall Gardens. These trees have been chosen to provide continuity to the lime tree lined road frontage of the property. At the same time, the light colouring of the underside of their leaves will provide visual depth when approaching along the street. The fragrant flowers will add sensory interest during summer. Caucasian lime trees are not very prone to aphid infestation, but they are known to be very good for bees.
- 5.86 As part of the landscape proposals, additional vertical timber cladding will be fixed to the boundary wall to the rear of the Site.
- 5.87 Enhancements to the street facing boundary wall, fronting Netherhall Gardens are proposed. These works include creating a cohesive wall at the street frontage. The proposal is to continue the existing brick pier and rock wall as there are currently two different boundary wall treatments. The wall will also be repaired where necessary.
- 5.88 There is also a new pedestrian pavement and steps proposed along the southern elevation of Elm Tree House, leading from the front of the Site to the communal garden at the rear of the Site. The relationship between this pavement and the proposed new terrace areas has been carefully considered, with the drawings incorporating proposals for new timber fencing, which will prevent any overlooking of the private terraces, thereby safeguarding the privacy of the prospective residents at the lower ground and basement levels.
- 5.89 The proposed development will provide for a significant enhancement in landscaping quality and diversity across the Site, with supplementary planting proposed to improve the overall quality of trees provided within the Site.

Figure 17: Visualisation of Landscaped Communal Garden to the Rear



Source: Re-Creo Architecture (August 2021)

Ecology and Biodiversity

- 5.90 The planning application is supported by a Preliminary Ecological Appraisal and Bat Survey, which have been undertaken by Tyler Grange.
- 5.91 The Site is not covered by or adjacent to any sites that are subject of statutory or non-statutory protection and no such sites are likely to be affected by the proposed development.
- 5.92 The habitats found on the Site are considered to be of either negligible ecological importance or of ecological importance within the Site only. Where such habitats are proposed to be lost and where loss cannot be avoided, it is considered that the impacts could be mitigated for and enhancements can be implemented through ecologically minded landscaping.
- 5.93 Six on-site trees were considered to have potential for roosting bats, three of which require further survey work to determine the likely presence/absence of a bat roost. The remaining three will be required to be soft felled under supervision of an Ecological Clerk of Works (ECoW). It is considered that the loss of those trees with potential roost features can be mitigated for through incorporating bat roosts within the scheme design and that the Site can be enhanced for bats through native planting and the establishment of a native hedge.
- 5.94 Precautionary checks for nesting breeding birds are recommended by an ECoW, if buildings are removed during the core nesting bird season (March – August, inclusive), in order to prevent death or injury of individual by the proposed works. However, it should be noted that nests may be found at any time of year. Should nesting birds be present with young or eggs, an appropriate buffer should be erected, and the nest checked periodically by an ECoW until it is clear the young have fledged.
- 5.95 The Preliminary Ecological Appraisal sets out a number of recommendations in light of this, including the retention of deadwood from felled trees to create habitat piles, replacement native tree planting and the establishment of a new native hedgerow.
- 5.96 Where impacts are predicted, it is considered that these can be mitigated for appropriately and that the proposals present the opportunity to incorporate ecological enhancements to the Site. Creating new habitat and improving opportunities for fauna, which may be at the Site, will be in line with the London Plan (2021) and the Camden Local Plan (2017). New planted flora should, where possible, be native and of local stock. In addition, enhancements for specific species groups could be provided post-construction, including bird and bat boxes to increase the number of nesting and roosting sites across the Site.
- 5.97 A key objective of the proposed development is to provide a net increase of biodiversity across the Site. In this regard, the ecological advisors at Tyler Grange have worked closely with the

arboricultural and landscape consultants to advise on measures to optimise biodiversity and ensure that there will be an overall net gain in accordance with Paragraph 179 of the NPPF.

Flood Risk and Drainage

- 5.98 The planning application is supported by a Drainage Report, which has been prepared by Elliott Wood.
- 5.99 The Site is situated within Flood Zone 1 and although the Site is not categorised as being at risk of flooding, the planning application considers any risks associated with the construction of the proposed extension of the lower ground floor level and the basement level extension.
- 5.100 The flood risk sources considered as part of the Drainage Report are as follows:
- Rivers and Sea;
 - Groundwater;
 - Surface Water flooding / Overland flow;
 - Infrastructure failure/sewer flooding;
 - Flooding water artificial waterbodies.
- 5.101 Based on the Site's location in Flood Zone 1, it is considered to be at very low risk of flooding from rivers and sea.
- 5.102 Groundwater flooding is affected by long periods of increased rainfall which can result in the raising of the groundwater table. The London Borough of Camden Strategic Flood Risk Assessment (SFRA) states that *"groundwater flooding usually occurs in low lying areas underlain by permeable rock and aquifers that allow groundwater to rise to the surface through the permeable subsoil following long periods of wet weather"*.
- 5.103 Groundwater was not encountered during the boring operations carried out in the site investigation by Geotechnical & Environmental Associates Ltd in October 2018. Subsequent groundwater monitoring has shown that the boreholes were dry down to 30 metres. Therefore, the Site is unlikely to be at risk from groundwater flooding.
- 5.104 Surface water flooding may occur during intense or prolonged rainfall events where there is insufficient capacity within the existing drainage infrastructure which leads to overland flows. Based on the Government's flood maps, the Site is shown to be at very low risk from surface water flooding.
- 5.105 Sewer flooding is usually localised and short lived and can be caused by intense rainfall events overloading the capacity of the sewer, blockages, poor maintenance or structural failure of sewers. The London Borough of Camden SFRA DG5 Internal Sewer Flooding Map suggests that the Site is located within an area where there have been no reported incidents of internal sewer flooding. As

Thames Water are responsible for maintaining their sewer infrastructure, the likelihood of sewer flooding affecting the Site is therefore expected to be low.

- 5.106 Following review of the Risk of Flooding from Reservoirs map located on the GOV.UK website, it is confirmed that the Site is not located within the flooding extent associated with reservoir flooding. The risk of flooding from reservoirs is therefore considered to be very low.
- 5.107 The following drainage hierarchy has been considered when developing the surface water drainage philosophy for the proposed redevelopment.
1. Rainwater harvesting (including a combination of green and blue roofs).
 2. Infiltration techniques and green roofs.
 3. Rainwater attenuation in open water features for gradual release.
 4. Rainwater discharge direct to a watercourse (unless not appropriate).
 5. Rainwater attenuation above ground (including blue roofs).
 6. Rainwater attenuation below ground.
 7. Rainwater discharge to a surface water sewer or drain.
 8. Rainwater discharge to a combined sewer.
- 5.108 In line with this hierarchy, the SuDS techniques that have been considered suitable for the proposed development are set out in the Drainage Report.
- 5.109 It is therefore considered that the proposed development adheres to the requirements of Policy CC3 of the Local Plan.

Sustainability

- 5.110 The planning application is supported by a Sustainability Report by Mendick Waring Limited, which seeks to address the measures of sustainability and demonstrate the design intention in relation to policies at national, regional and local level as appropriate.
- 5.111 The report outlines that the proposed residential units comply with Part L1B of Building Regulations standards and with all the local and national planning policies.
- 5.112 The SAP methodology has been used to calculate the energy consumption and resultant CO₂ emissions for the proposed residential units, which consist of a new-build extension to the existing building.
- 5.113 By incorporating a combination of all the feasible passive measures (fabric improvements) along with the use of low energy lights and highly efficient natural gas combi boilers for heating and hot water, the CO₂ emissions of the proposed development have been reduced by 74.24%, in

comparison with the CO₂ emissions of a base case existing model. This result constitutes a huge improvement in produced carbon emissions.

- 5.114 In addition, a water calculation has been completed, which shows that the internal water consumption of the proposed residential units is less than 105 litres per person per day, as required by the planning policies.
- 5.115 In summary, we would submit that the proposed development promotes sustainable principles and is consistent with Policies CC1 and CC2 of the Camden Local Plan.

Acoustic Considerations

- 5.116 The planning application is supported by a Noise Report, which was prepared by Pace Consult. The report reviews the requirements of the proposed sound insulation of walls, floors, doors and the acoustic absorption in common areas. The report sets out the criteria for each section and how these will be achieved by the design of the building.
- 5.117 The proposed development is intended to comply with the Building Regulations' sound insulation performance standards. Party walls and floors have been proposed and are expected to be compliant with the requirements.
- 5.118 The Building Regulation absorption requirements for communal corridors have been considered. Options have been provided which may be used to achieve compliance with the absorption requirement.
- 5.119 Initial recommendations for detailing, penetrations and sockets have been made to prevent the degradation of the sound reduction performance of the dividing structures.
- 5.120 In summary, the proposed development is designed in accordance with the acoustic specifications set out in the Noise Report. We would submit that the proposed development complies with Policies A1 and A4 of the Camden Local Plan.

6.0 Summary and Conclusions

- 6.1 This Planning Statement has been prepared by Union4 Planning on behalf of Re-Creo Netherhall Gardens Ltd ('the Applicant') in relation to a proposed development at 13 Netherhall Gardens.
- 6.2 The proposed development relates to the existing lower ground floor level which will be extended and the construction of a new basement level. The development will comprise 4 no. residential flats (Use Class C3). Given that the existing lower ground floor level currently comprises 1 no. flat, the proposed development would represent a net increase of 3 no. flats within the building.
- 6.3 The proposals were subject to extensive pre-application discussions with the London Borough of Camden which has helped to inform the current planning application.
- 6.4 It is considered that the proposed development will provide the following benefits:
- The application site is currently in very poor condition and would benefit from development which makes more efficient use of the Site and improves the overall landscape quality.
 - The proposal will provide an additional 3 no. residential units, including 1 no. family-sized unit which will contribute to the London Borough of Camden's annual housing target.
 - The residential units are designed in a manner which will provide a high standard of accommodation, with the internal layout of the flats carefully configured to allow for the optimisation of internal daylight.
 - The layout of the basement flats will ensure that they have good outlook, with Flat 10 having an uninterrupted outlook of approximately 7.9 metres to the end of the terrace area and Flat 11 having an uninterrupted outlook of approximately 7.2 metres, which will also then rise towards the communal garden area.
 - The proposed development will provide a net increase of 3 no. residential flats and those additional flats will benefit from private amenity space with generous west-facing terrace areas which will benefit from afternoon and evening sunshine.
 - The relationship between the lower ground floor and the basement level was considered with reference to the orientation of windows and use of timber fins to ensure that the residential amenity and privacy of the prospective residents will be safeguarded.
 - The proposed accommodation is designed in accordance with Building Regulation M4(2) and all new build flats will be step-free and fully accessible to all.
 - The proposals will maintain and enhance the setting of Elm Tree House within the Fitzjohns and Netherhall Conservation Area.

- The proposed development includes a communal garden to the rear of Elm Tree House which will incorporate high-quality landscape enhancements and will be easily accessible to the residential units.
- The proposed development incorporates an extensive tree planting strategy which has been carefully considered to provide a significant landscape enhancement across the Site, which respects the heritage context and the character of the existing streetscape.
- The proposed development will provide significant environmental improvements across the Site, notably through the removal of Japanese knotweed and through the provision of biodiversity enhancements.
- The proposed development does not include any additional car parking and will provide secure cycle storage to ensure that sustainable modes of transport are easily accessible.
- The proposed development is carefully designed to incorporate a surface water drainage philosophy and sustainability credentials to minimise CO₂ emissions.

6.5 In conclusion, we consider that the proposed development accords with all relevant adopted planning policies and associated guidance at the local, regional and national level. Accordingly, we would respectfully submit that planning permission should be granted, subject to the imposition of appropriate and necessary conditions.