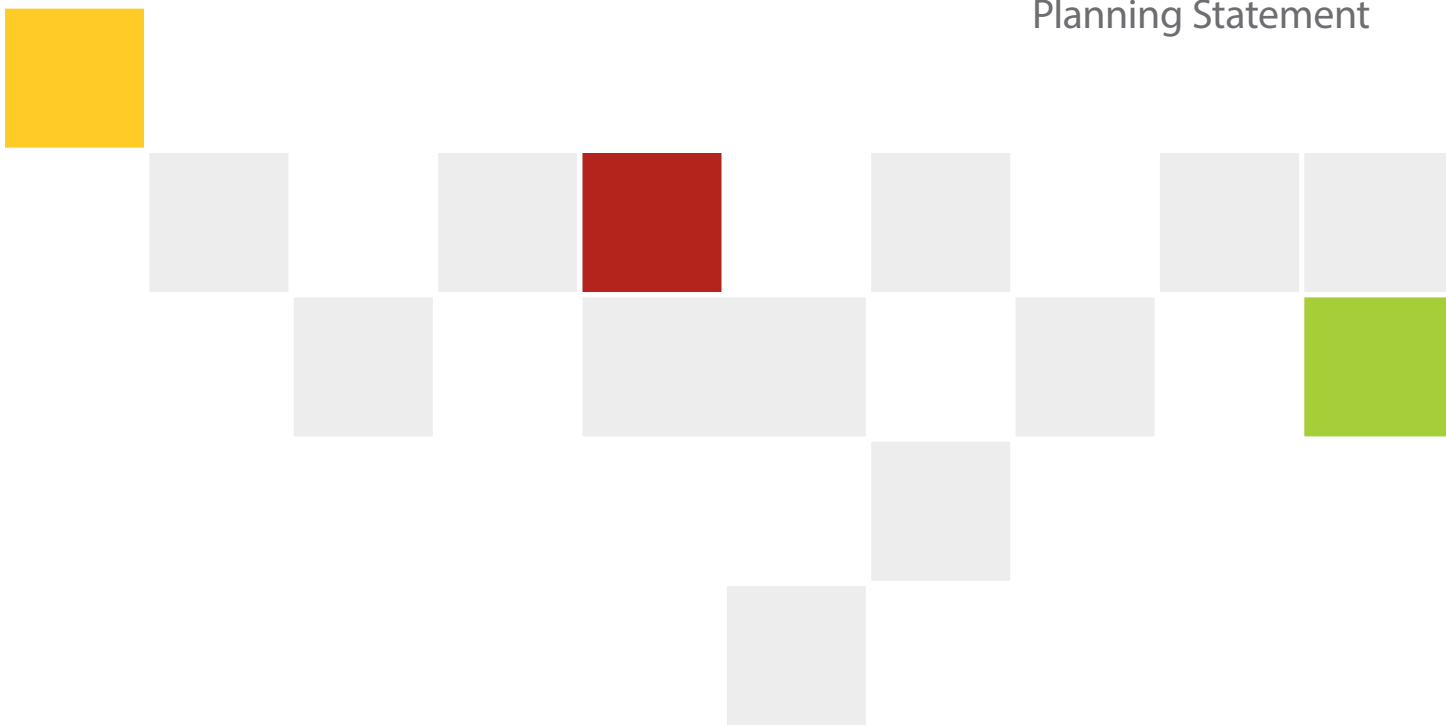


Rear Garden of nos. 91 and 93 Hillway

Planning Statement



Boyer

Report Control

Project:	91 and 93 Hillway, N6 6AB
Client:	Mr Rob Isaacs
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Primary Author	James Doherty
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1. INTRODUCTION

- 1.1 Boyer have been instructed by Mr Rob Isaacs, to prepare and submit a full planning application in respect of development at 91 and 93 Hillway, London, N6 6AB (the Site).
- 1.2 This application seeks full planning permission for:

“Extensions and alterations to the houses at nos. 91 and 93 Hillway including retention of basement tank room, provision of garden rill and monolith, retention of terrace planter, retention of ground floor corner window, provision of condenser units, installation of first floor opaque boundary screen, removal of rear chimney, erection of horizontal timber screening and insertion of metal windows at first floor level.”
- 1.3 This Planning Statement sets out why the proposal is considered acceptable in planning terms and why planning permission should be granted.
- 1.4 In terms of structure, this Statement will provide a summary of the Site and its planning history before examining the planning justification for the proposal.
- 1.5 This Statement concludes that the proposed development is compliant with national, regional and local planning policy and is therefore considered acceptable in principle and, as such, planning permission should be granted without delay.

2. SITE AND SURROUNDINGS

- 2.1 The site comprises 2no. two-storey adjoining dwellings (nos. 91 and 93) located on the west side of Hillway (the “Properties”).
- 2.2 The Properties benefit from a generous front garden in use as a driveway and large rear gardens with the rear garden being well screened by a number of mature trees.
- 2.3 The character of the surrounding area is residential with neighbouring properties being typically two-storey houses of a generally common design, sharing similar characteristics such as front driveways and large rear gardens.
- 2.4 The site is located within easy walking distance of Hampstead Heath to the west and a number of local amenities.
- 2.5 The site has a PTAL score of 4 meaning that it is easily accessible by public transport.
- 2.6 Whilst the site is not listed and does not fall within the setting of any listed buildings, Camden’s Proposals Map does identify that it lies within the Holly Lodge Conservation Area (HLCA).
- 2.7 The site falls within Flood Zone 1, meaning it has a low probability of flooding.

3. BACKGROUND AND PLANNING HISTORY

Background

- 3.1 The applicant owns both nos. 91 and 93 Hillway and intends to amalgamate both units into a single family dwelling. In order to achieve this, a Certificate of Lawfulness for the Proposed Use for the amalgamation of both units has been submitted to the Council and is currently under determination (Ref: 2021/2844/P).
- 3.2 In addition to the Certificate of Lawfulness for the Proposed Use for the amalgamation of nos. 91 and 93 Hillway, the applicant has also submitted an application for a Certificate of Lawfulness for the Proposed Development of a barbeque in the rear garden of no. 91 Hillway. This is also currently being considered by the Council.
- 3.3 The applicant has previously obtained a number of planning permissions and has commenced works authorised by those permissions. However, further works, which have not yet received planning permission, have also been undertaken to both properties. This planning application has been prepared and submitted in order to regularise the unauthorised works as well as seeking permission for some further works not yet undertaken.

Planning History

- 3.4 We outline both dwellings' relevant planning history below.

91 Hillway

- 3.5 In September 2013, planning permission was granted for the *"erection of a single storey ground floor rear extension, following removal of existing extension. Installation of a new door and balcony at rear first floor level, installation of a dormer window in the rear roofslope and a dormer window in the northwest side roofslope and enlargement of the single storey front ground floor side extension, all in connection with use as a dwelling (Class C3)"* (Ref: 2013/4512/P).
- 3.6 An application was granted for the *"erection of a single storey ground floor rear extension, following removal of existing extension. Installation of a new door and balcony at rear first floor level; installation of one rear and one side dormer window; installation of two roof lights within side roof slope and one roof light on existing first floor side extension; enlargement of first floor window on the front elevation; and enlargement of the single storey ground floor side extension on the front elevation to facilitate the reinstatement of the original garage in connection with use as a dwelling (Class C3)"* in August 2015 (Ref: 2015/0245/P).
- 3.7 In November 2017 planning permission was granted pursuant to s.73 of the Town and Country Planning Act 1990 ("TCPA") to amend the approved plans pursuant to permission 2015/0245/P described above (Ref: 2017/4770/P).

93 Hillway

- 3.8 Planning Permission was granted in September 2013 for the *“erection of a single storey ground floor rear extension, following removal of existing extension, enlargement of the rear ground floor terraced area, installation of a dormer window on the side roof slope, extension of the existing front porch including enlargement of the terraced area at first floor level on the front elevation in connection with existing use as a single family dwelling (Class C3)”* (Ref: 2013/4511/P).
- 3.9 An application for the *“erection of single storey rear extension and associated excavation works to replace swimming pool internally”* was approved in November 2014 (Ref: 2013/7128/P).
- 3.10 In January 2015, permission was granted to *“extend partial front elevation at first floor and roof level”* (Ref: 2013/6887/P).
- 3.11 An application pursuant to s.73 of the TCPA for *“amendments to planning permission 2013/6887/P for the partial extension to the front elevation – to relocate an existing window on the front elevation; install two rooflights on the side elevation and on the flat roof at 2nd floor level; and to alter the windows at the existing rear dormer window”* was approved in February 2015 (Ref: 2015/0244/P).
- 3.12 Planning permission was granted in October 2017 pursuant to s.73 of the TCPA for *“amendment to approved plans associated with planning permissions 2013/6887/P (dated 12/03/2014) & 2015/0244/P (dated 25/02/2015), namely, enlargement of the fixed frame window of the approved dormer extension to the flank elevation”* (Ref: 2017/4295/P).

4. PROPOSED DEVELOPMENT

- 4.1 As detailed earlier within this Statement, the applicant has previously obtained a number of planning permissions and has commenced works authorised by those permissions as well as undertaken further works which have not yet been granted planning permission. We set out below the works that we seek to regularise via this planning application. We also seek permission for development not previously authorised and not yet commenced. The application seeks permission for all of these works under a single comprehensive permission.
- 4.2 This application is accompanied by existing and proposed plans (Refs: 1900 / EX.01 and 1900 / PL.01) prepared by Modern Architecture, which clearly show the works subject of this application and should be read in conjunction with this Statement so that Officers are able to see the location of the subject works.

1) Basement-Level Pool Plant Room Extension

This application seeks permission for an additional area of basement-level plant space (annotated as no. 1 on accompanying plan 1900 / PL.01 and shown below) that was built at the same time as the swimming pool approved under permission 2013/7128/P. This is ostensibly an enlargement of the approved basement-level space that facilitated the pool. It is adjacent to and contiguous with the pool basement.

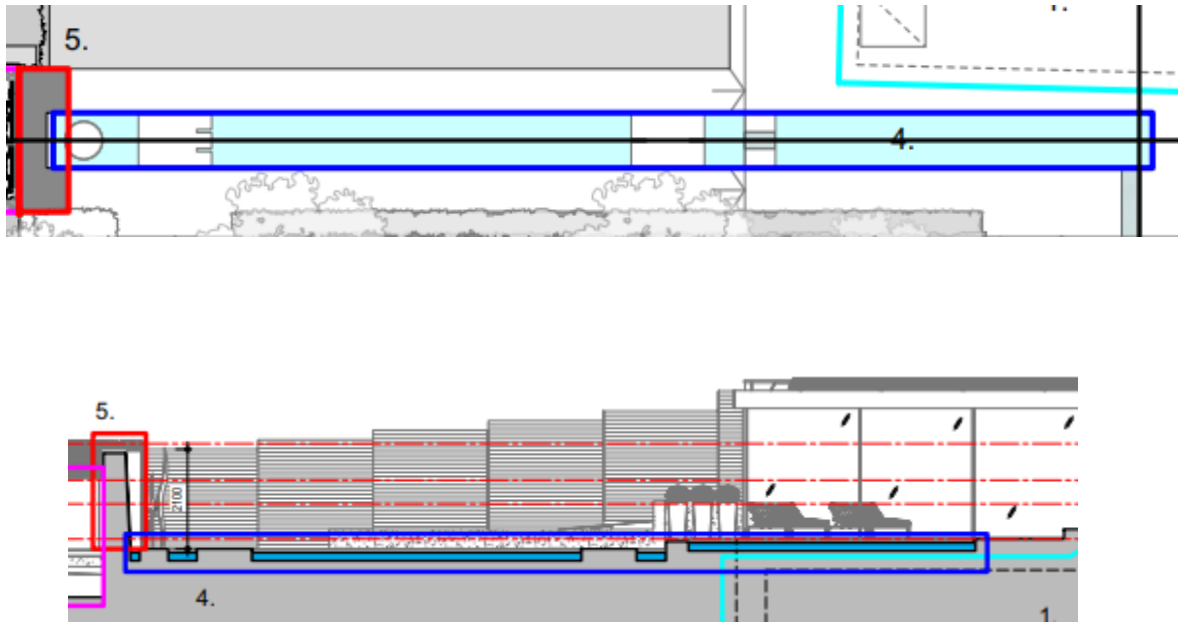


This basement is needed to ensure the successful operation of the swimming pool and is considered to be in line with all relevant basement policy.

A Basement Impact Assessment ('BIA') has been prepared by Zussman Bear in relation to this additional area of basement, and accompanies this application.

2) Garden Retaining Structure, Rill and Monolith

A new retaining structure (annotated as nos. 4 and 5 on accompanying plan 1900 / PL.01 and shown below) between the gardens of 91 and 93 has been installed, recognising the change in levels between the existing gardens.



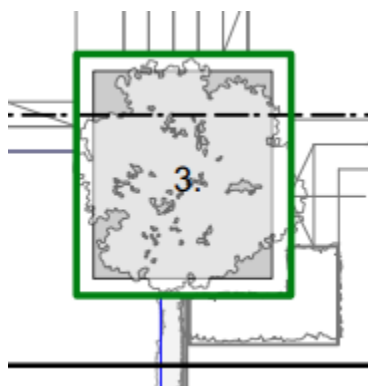
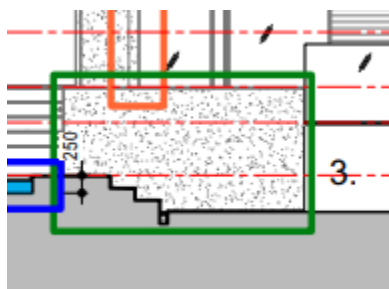
Whilst we consider that the introduction of the retaining structure is not development by virtue of it being a replacement of a previous retaining wall between 91 and 93 Hillway, we have included it within this planning application for completeness.

The 'rill' that sits atop the retaining structure comprises a shallow channel of water that runs along the length of the rear garden of the property, and is ostensibly a garden landscape feature; it is a reticulated water feature. For completeness, the BIA that accompanies this application also considers the retaining structure.

A 'monolith' structure – ostensibly a garden landscape feature or artwork – has been erected at the western end of the rill and forms part of the overall water feature. It is also considered acceptable and, as detailed later in this Statement, will not result in any adverse impact on drainage. Note that all surface water falling in the rill itself is captured by the water feature and reticulated. Surface water falling anywhere beyond the extents of the rill is drained to the existing SUDS.

3) Planter to Rear Terrace

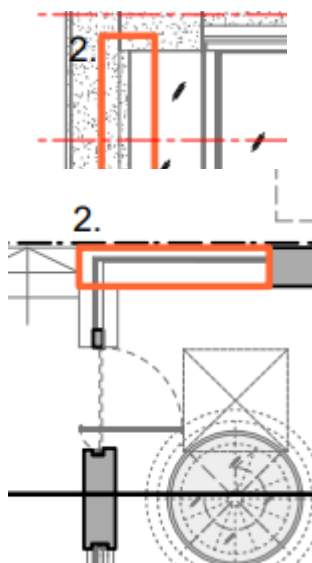
A planter (annotated as no. 3 on accompanying plan 1900 / PL.01 and shown below) is located on the rear terrace between the properties.



Due to its position, the planter is considered acceptable as, due to its position, it will cause no harm to neighbour amenity in terms of enabling any harmful overlooking.

4) Ground Floor Corner Window

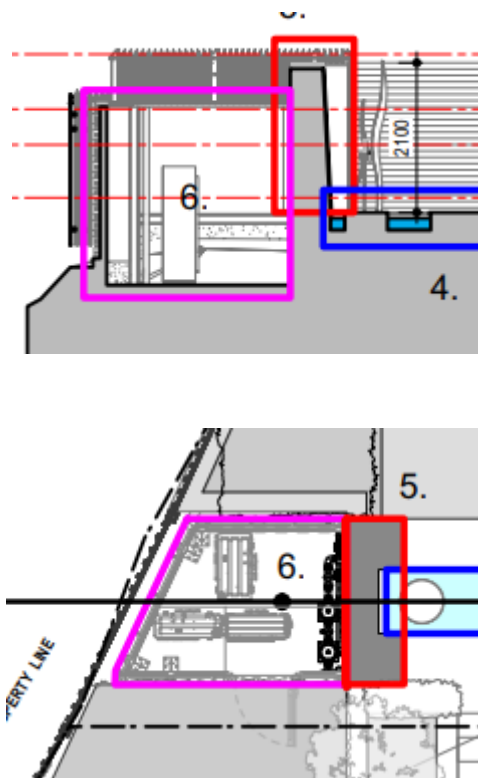
As can be seen on the accompanying plan, annotated as 2, a ground floor corner window has been installed.



The window is acceptable in design terms and in light of the Certificate of Lawfulness application for the amalgamation of nos. 91 and 93 (Ref: 2021/2844/P), this corner window will not overlook into a neighbouring property and so is considered justified.

5) Condenser Units and Rill Plant and Enclosure

In order to facilitate the garden rill which includes a reticulated water system, associated plant (pumps) is required. These will be located behind the monolith at the western end of the garden in an acoustic enclosure (annotated as no. 6 on accompanying plan 1900 / PL.01 and shown below).

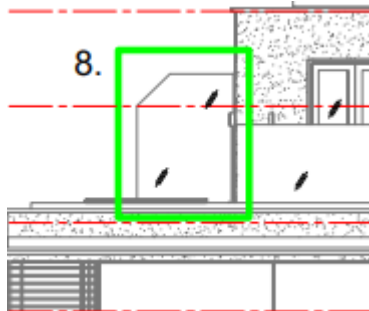
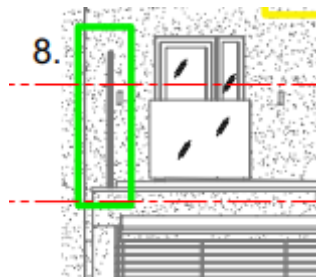


The monolith and its associated enclosure will also house air conditioning condenser units, which have been located at the end of the garden to minimise impacts on neighbour amenity.

This application is supported by an Acoustic Report (prepared by KP Acoustics) which robustly demonstrates that the condenser units are acceptable in acoustic terms and will not result in any harm to neighbouring amenity.

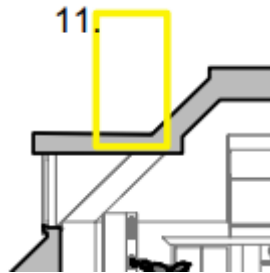
6) First Floor Opaque Boundary Screen

An opaque boundary screen (annotated as no. 8 on accompanying plan 1900 / PL.01 and shown below) is proposed at first floor level on the northern elevation of the site, which will help protect neighbour amenity and mitigate against overlooking between the subject site and no. 95 Hillway. The neighbour at 95 Hillway supports this in the interests of preserving the privacy of their garden.



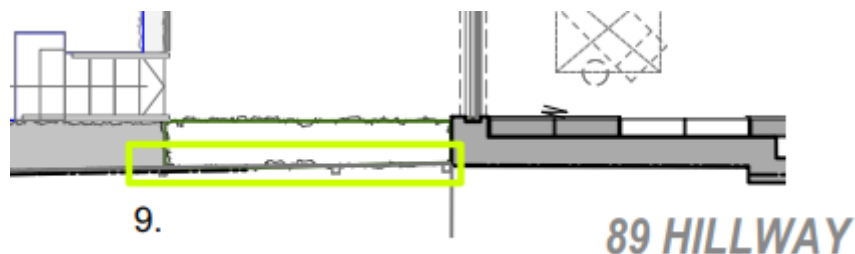
7) Rear Chimney Removed

As part of the application, the Applicant intends to remove the rear chimney (annotated as no. 11 on the accompanying plan and shown below). Due to its location, the removal of the rear chimney is considered acceptable.



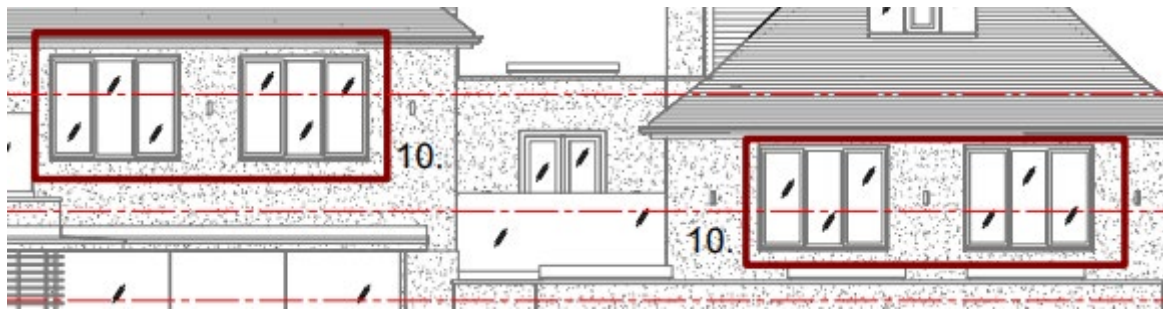
8) Horizontal Timber Screening

As represented by no. 9 on the accompanying plan and shown below, it is proposed to insert horizontal timber screening above the fence line between nos. 91 and 89 Hillway. This screening will ensure neighbour amenity is maintained and will reduce any overlooking.



9) PPC Metal Windows to First Floor

As demonstrated by no. 10 on the accompanying plan and as shown below, the applicant intends to replace the existing rear windows at first floor level with metal framed windows. Whilst planning permission is not required for these windows, they have been included in this submission for completeness.



- 4.3 The small-scale nature of the works at the private dwelling, which comply with Local Plan provisions, are not considered to be in any way contentious and as such, planning permission should be granted without delay.

5. PLANNING POLICY

5.1 Section 38(6) of the Planning and Compulsory Purchase Act requires that an application for planning permission is determined in accordance with the Development Plan unless material considerations indicate otherwise.

5.2 The Development Plan for the site comprises:

- London Plan (2021); and
- Camden Local Plan (2017).

5.3 There are numerous planning policies, whose objectives are relevant to the determination of the application. The objectives of all relevant policies have been taken into account in the preparation of this application proposal and only those whose objectives are of greatest importance are discussed hereunder.

London Plan (March 2021)

5.4 Policy D6 confirms that housing development should be of a high quality design and table 3.2 sets out key qualitative aspects such as that the built form should be appropriate for the surrounding context.

5.5 Policy D10 concerns basement development and confirms that Boroughs should establish policies in their Development Plans to address the negative impacts of large-scale basement development beneath existing buildings, where this is identified as an issue locally.

5.6 Amongst other things, Policy HC1 advises that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.

Camden Local Plan (July 2017)

5.7 Policy A1 is in regards to managing the impact of development and confirms that the Council will seek to protect the quality of life of occupiers and neighbours and will grant permission for development unless this causes unacceptable harm to amenity.

5.8 Policy A4 advises that that the Council will grant permission for noise generating development, including any plant and machinery, if it can be operated without causing harm to amenity.

5.9 In regards to basements, Policy A5 states that the Council will only permit basement development where it is demonstrated to the Council's 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.

- 5.10** 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.
- 5.11** Further to the above, the sitting, location, scale and design of basements must have minimal impact on, and be subordinate to, the host building and property.
- 5.12** Policy D1 confirms that the Council will seek to secure high quality design. Amongst other things, the Council will require that development respects local context and character, is sustainable in design and construction, and comprises details and materials that are of high quality and complement the local character.
- 5.13** With regard to Conservation Areas, Policy D2 advises that the Council will require development within a Conservation Area to at least preserve and where possible enhance the character of conservation areas.

Other Material Considerations

National Planning Policy Framework (NPPF) (2019)

- 5.14** The NPPF sets out to promote the development of housing to ensure that 5 year targets are met.
- 5.15** Section 5 is in regards to delivering a sufficient supply of homes. Paragraph 68 recognises the importance that small sites can make in meeting the housing requirement of an area and confirms that decision makers should support the development of windfall sites and give weight to the benefits of using suitable sites within existing settlements for homes.
- 5.16** Section 11 relates to the effective use of land and at paragraphs 120-121 requires that policies and decisions need to reflect changes in the demand for the use of land. Councils are required to take a positive approach to the determination of applications for alternative uses of land which is currently developed but not allocated for a specific purpose where this would meet identified development needs.
- 5.17** Paragraph 123 requires planning policies to optimise the potential of land to sustain an appropriate amount of development.

Camden Planning Guidance Basements (2021)

- 5.18** In January 2021, LB Camden adopted updated planning guidance on basements. The guidance gives detailed advice on how the Council will apply planning policies when making decisions on new basement development or extensions to existing basement accommodation.

5.19 The guidance confirms that 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.

5.20 In addition to the above, basements, inter alia, should be no greater than one storey deep and must not exceed 50% of the garden of the host property.

5.21 The guidance confirms that applicants will be required to submit a Basement Impact Assessment (BIA) with any application for basement development.

6. PLANNING JUSTIFICATION

- 6.1 Due to the amount of proposed and retrospective works that are covered by this application, for ease and simplicity, we shall address each one in detail below.
- 6.2 The below sub-headings are in regards to works that have taken place without formal planning permission and for which, retrospective planning permission is sought. We set out what the works constitute as well as detailing how they comply with relevant planning policy and are justified in planning terms.

Existing Works (Retrospective):

Basement Level Pool Plant Room Extension

- 6.3 Permission was originally granted in November 2014 for the *“erection of single storey rear extension and associated excavation works to replace swimming pool internally”* (Ref: 2013/7128/P) at 93 Hillway.
- 6.4 As part of this application, Zussman Bear were instructed to produce a BIA for a basement swimming pool to replace the existing above ground pool. The Council accepted this report and permission was granted. Whilst the basement swimming pool has since been constructed, subsequently through the construction process, minor alterations have taken place which includes the development of an additional plant room to accommodate the plant required for the maintenance of the swimming pool. This plant room occupied space that had been excavated as part of the excavation for the pool itself, and thus was done in any event. Nevertheless this plant room did not form part of the original (2013/7128/P) application and so retrospective planning permission is being sought via this planning application.
- 6.5 Policy A5 of the Camden Local Plan advises that the Council will only permit basement development where it has been demonstrated to their 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.
- 6.6 Due to the basement/plant room's location, it is not considered to cause any significant harm to neighbouring properties, the character and amenity of the area, the architectural character of the building, or the significance of the Conservation Area.

- 6.7 The subterranean position of the plant room mean that it cannot be seen from ground level and so it has no visual impact. It is also important to note that the Council have previously allowed for the development of the swimming pool building and so the impact of this on neighbouring properties, the character and amenity of the area, the architectural character of the building and the significance of the Conservation Area have already been considered to be acceptable. The basement/plant room, whilst not allowed under permission 2013/7128/P, was constructed at the same time as the swimming pool itself approximately 4 years ago and is considered to have much less of an impact on the surrounding area than the consented internal swimming pool. As such, criteria a., c., d., and e. of Policy A5 have been met.
- 6.8 With regard to criteria b. and no harm being caused to the structural, ground or water conditions of the area, Zussman Bear have undertaken a revised Basement Impact Assessment (BIA), which accompanies this application.
- 6.9 The BIA has been completed in accordance with Camden's Planning Guidance on Basements (January 2021), and in particular with Section 4 of that document which concerns assessing the impact of basement development.
- 6.10 The BIA robustly demonstrates that, with regard to the flood risk from surface water and fluvial sources the site is not located in an area at risk. Further to this, there are no surface water features within the immediate vicinity of the site meaning that it is highly unlikely that flood risk will be increased as a result of the basement/plant room.
- 6.11 With regards to drainage, the below ground drainage system has already been installed as part of the original swimming pool application. As such, the below ground drainage system has been in operation for approximately 4 years, and so is considered to be acceptable and results in no impact on surface flow/flooding, land stability, or groundwater flow.
- 6.12 The BIA concludes that all necessary factors and circumstances were considered during the design of the swimming pool and plant room. All the necessary geotechnical data was obtained and the situation monitored for an acceptable length of time. Based on the evidence gathered at the time of the original swimming pool application (2013/7128/P), it was concluded that there would be no risk to the structural stability and integrity of the surrounding area, and there is very little risk of damage to the adjacent properties, utilities, infrastructure, tunnels or highways.
- 6.13 It is also important to take into consideration that the construction of the basement/plant room was completed approximately 4 years ago and, during this time frame, there has been no reports of any structural movement or damage to any adjoining properties, infrastructure or utilities.
- 6.14 The BIA therefore robustly and comprehensively demonstrates that the basement/plant room fully complies with criteria a. – e. of Policy A5 and the guidance set out within the Council's planning guidance on basements.

- 6.15 As well as the structural impact and the impact on the surrounding character of the area, Policy A5 also advises that 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.
- 6.16 The basement/plant room adheres to all the above criteria, f. – m., and is a relatively modest area of basement that has been constructed out of necessity in order to accommodate the plant needed to ensure the successful operation of the pool approved under permission 2013/7128/P.
- 6.17 As such, the basement/plant room is supported by all relevant planning policy and guidance and permission should be granted without delay.

Garden Retaining Structure, Rill and Monolith

- 6.18 As can be seen on the accompanying drawings, the applicant has installed a new retaining wall to replace a previous retaining wall that reflected the change in levels, with a 'rill' (reticulated water feature) on top of it, which runs along the middle of the rear garden, on the boundary line between the two properties, which are soon to be amalgamated. However, this has not been granted any formal planning permission.
- 6.19 A 'monolith' which is ostensibly a sculptural item, which also makes up part of the water feature, has been erected at the end of the rill, at the bottom end of the combined garden.
- 6.20 Whilst we consider the garden rill (rill) and monolith are not development, for completeness the applicant wishes to include it as part of this planning application.

- 6.21 As demonstrated on the accompanying drawings, the rill is a non-contentious feature that is designed to add to the applicant's enjoyment of the garden. It runs the length of the garden before reaching the monolith/retaining wall at the back (west) of the garden. It is also a form of attractive landscape art that contributes positively to the garden and the conservation area; it contributes to achieving the paragraph 126 aim of creating high quality, beautiful and sustainable buildings and places.
- 6.22 Whilst the design and construction of the retaining wall and rill is considered acceptable, it has also been demonstrated through the accompanying BIA that it has not resulted in any adverse impact on drainage.
- 6.23 As has been discussed in the accompanying BIA, the construction for the hallow strip foundations of the rill, together with the replacement of the rear garden wall have been carried out by the contractor in accordance with all the architectural and structural information as detailed within the BIA.
- 6.24 As is the case with the basement/plant room, the rill and monolith were constructed approximately 4 years ago and no issues have been encountered during this time. It is therefore considered that neither feature will result in any adverse impacts on drainage in terms of preventing water flowing down the hill due to the existing retaining wall structure (monolith), and as has been discussed in detail within the BIA, or due to the existing SUDS on site, rainwater runoff.
- 6.25 The garden rill and monolith are therefore considered to be acceptable and permission should be granted without delay.

Planter to Rear Terrace

- 6.26 As can be seen on the accompanying plans, an additional terrace area has been constructed in the terrace area at the rear of the properties.
- 6.27 Policy A1 of the Camden Local Plan confirms that the Council will seek to, amongst other things, seek to ensure the amenity of occupiers and neighbours is protected and will consider impacts on visual privacy and outlook.
- 6.28 This additional planter is considered to be acceptable due to the fact that it will not result in any harm due to overlooking as, due to its position and the topography of the site, you are unable to look into neighbouring gardens when standing on it.
- 6.29 Therefore, it will not result in any adverse harm to neighbouring amenity in terms of overlooking or loss of privacy and is therefore considered acceptable in planning terms.

Ground Floor Corner Window

- 6.30 As can be seen on the accompanying plans, the applicant has inserted a ground floor glass corner window at the north west corner of 91 Hillway, overlooking 93 Hillway. The window provides a dual outlook to both the north and west from no. 91 Hillway.

- 6.31 Whilst Camden Local Plan Policy A1 does seek to protect the amenity of occupiers and neighbours from, amongst other things, overlooking, it is important to take into consideration the Certificate of Lawfulness for Proposed Use for the Amalgamation of nos. 91 and 93 Hillway into a single dwelling (CLOPUD) (Ref: 2021/2844/P).
- 6.32 Whilst the CLOPUD for the amalgamation of nos. 91 and 93 is still under consideration, it is not considered to be contentious and is evidence of both the fact that the applicant owns both properties, as well as their longer term ambitions to amalgamate both properties into a single family dwelling.
- 6.33 Due to the amalgamation of the properties, the ground floor corner window cannot be considered to result in any overlooking or loss of privacy to neighbouring properties. It will be looking solely into the occupiers rear garden and will have no impact at all on neighbouring properties.
- 6.34 The ground floor corner window is therefore considered acceptable in planning terms and permission should be granted without delay.

Condenser Units and Rill Plant and Enclosure

- 6.35 In order to operate the garden rill, condenser units/air handling equipment is required. This equipment will be located towards the rear of the back garden, behind the monolith feature at the end of the rill.
- 6.36 The air handling equipment will comprise; 1no. Daikin RXYSQ8TY1 condenser unit; 2no. Daikin RXYSQ10TY1 condenser units; and 1no. Daikin RXA20A condenser unit.
- 6.37 Camden Local Plan Policy A4 advises that the Council will seek to ensure that noise and vibration is controlled and managed and will only grant permission for noise generating development, including any plant and machinery, if it can be operated without causing harm to amenity. In addition, Policy A1 considers the impact that noise and vibration will have on the amenity of occupiers and neighbours.
- 6.38 In order to support this application, the applicant commissioned KP Acoustics to undertake Noise Report to assess the impact of the condenser units on neighbouring amenity.
- 6.39 The Noise Report notes that the closest noise sensitive receiver to the proposed installation location has been identified as a residential window at no. 89 Hillway, approximately 28m from the proposed plant location. However, it is also important to consider that the proposed plant would be out of the line of site of the receiving window at no. 89 Hillway due to screening from the monolith.
- 6.40 The results of the noise survey show that the transmission of noise due to the effects of the air handling equipment falls within the 'Green' acceptability range for the closes receiving window (no. 89 Hillway).

- 6.41 The Report concludes that noise emissions from the proposed plant units would not have an adverse impact on the nearest residential receivers, provided that the noise control strategy outlined in the report is followed. This noise control strategy can be conditioned to the decision notice.
- 6.42 In terms of noise and vibration therefore, it has been robustly demonstrated within the accompanying Noise Report that the noise resulting from the proposed plant is acceptable and would not result in any adverse impact to neighbouring amenity.
- 6.43 The proposed air handling equipment is therefore considered in full compliance of Camden Local Plan Policies A1 and A4 and is acceptable in planning terms.

First Floor Opaque Boundary Screen

- 6.44 As can be seen on the accompanying plans, a first floor opaque boundary screen has been erected on the site's northern elevation to act as a privacy screen between the site and the adjacent property at no. 95 Hillway. This item is sought at the request of the owner/occupier of 95 Hillway.
- 6.45 The key policy again is Local Plan Policy A1, which concerns managing the impact of development. A key aim of the policy is to ensure that the amenity of both occupiers and neighbours is protected.
- 6.46 The screen will protect the amenity of both the occupiers of the site as well as that of the neighbours at no. 95 Hillway by preventing overlooking. As such, it is considered in full compliance with Local Plan Policy A5 and should be supported by the Council.

Proposed Works:

Rear Chimney Removed

- 6.47 The applicant intends to remove the chimney on the rear western corner of the existing property at no. 93 Hillway.
- 6.48 The existing chimney is not considered to make any contribution to either the host property or conservation area and its removal is considered to result in less than substantial harm to the setting of the Conservation Area.
- 6.49 The chimneys secluded location in the rear western corner of no. 93 means that it cannot be seen by members of the public at street level and is not easily visible to neighbouring properties.
- 6.50 In light of the above, and given the fact that the chimney has no impact on the setting of the Conservation Area, its removal is considered justified.

Horizontal Timber Screening

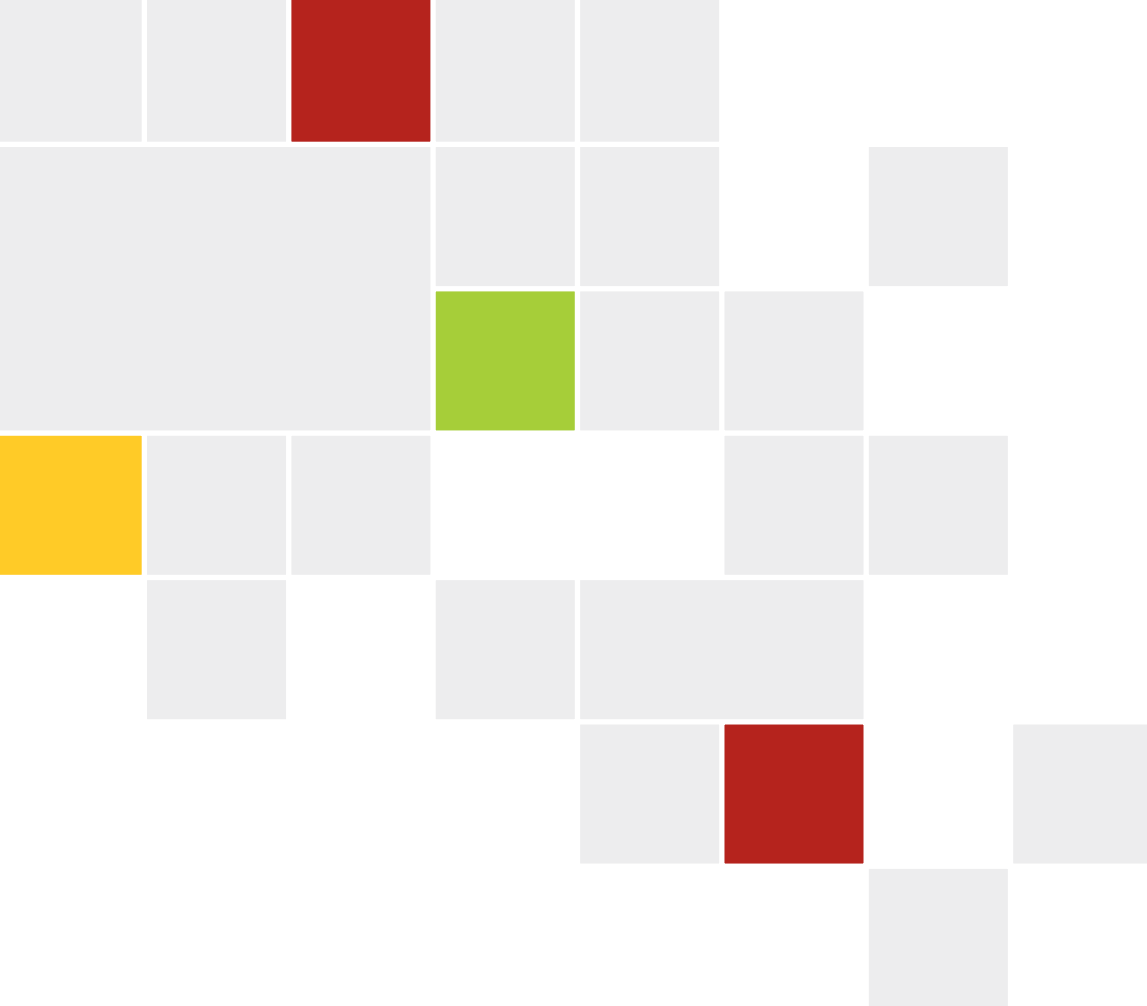
- 6.51 As annotation no. 9 on drawing 1900 / PL.01 depicts, it is proposed to erect horizontal “hit and miss” timber screening above the existing fence line between nos. 89 and 91 Hillway.
- 6.52 The erection of this timber screening is considered to be in full compliance with Policy A1 as it seeks to ensure and protect the amenity of both the Applicant and the neighbouring occupier at no. 89 Hillway.
- 6.53 The screening will ensure that visual privacy is maintained and that there is no unacceptable levels of outlook.
- 6.54 “Hit and miss” timber screening is a common feature in many private gardens and is not considered to be contentious or to result in any negative impacts on amenity. As such the erection of “Hit and miss” timber screening is considered acceptable and should be supported by the Council.

PPC Metal Framed Windows to First Floor

- 6.55 As part of this application, the Applicant intends to replace the existing first floor windows with PPC metal framed windows. As can be seen on drawing 1900 / PL.01, the location of the windows will stay the same and so their replacement with PPC metal frames will not result in any increases to overlooking.
- 6.56 Whilst new windows do not require planning permission, these have been included in this submission for completeness and due to the site's location within a Conservation Area.
- 6.57 Whilst the site does fall within a Conservation Area, it is important to note that the subject windows are located to the rear of the property and so cannot be viewed at street level by members of the public.
- 6.58 Due to the windows location at the rear of the property, the insertion of the new PPC metal framed windows are considered to result in less than substantial harm to the overall setting of the Conservation Area and as such, are considered acceptable.

7. CONCLUSION

- 7.1 This planning application has been submitted on behalf of our client, Mr Rob Isaacs, for works and development which have been carried or are yet to be carried out at nos. 91 and 93 Hillway.
- 7.2 The works for which permission is sought comprise the following existing works:
- Additional Basement;
 - Garden Rill/Monolith;
 - Planter;
 - Ground Floor Corner Window;
 - Condenser Units; and
 - First Floor Opaque Boundary Screen.
- 7.3 As well as the existing works, permission is also sought for the following proposed works:
- Rear Chimney Removal;
 - Horizontal Timber Screening; and
 - PPC Metal Windows to First Floor.
- 7.4 As has been robustly demonstrated throughout this Statement, the works are not considered to be contentious and comply with all relevant planning policy. The works have primarily come about due to the amalgamation of the two properties into a single family dwelling (Ref: 2021/2844/P).
- 7.5 In regards to the basement that hosts plant for the operation of the swimming pool, as detailed within the accompanying BIA, this has been carried out in full accordance with Camden's basement policies and is therefore considered acceptable.
- 7.6 None of the works subject of this application have resulted in any harm to neighbour amenity, and indeed some such as the opaque boundary screen and horizontal timber screening can be considered to improve neighbour amenity. All of the existing and proposed works are in full agreement with the relevant planning policy.
- 7.7 Further to this, it is important to take into consideration that a number of the works have been in place for a significant period of time and have not resulted in any adverse effects. As such, these works are considered to be acceptable.



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