



# UNION4 PLANNING

## **Re-Creo Netherhall Gardens Ltd**

13 Netherhall Gardens, London, NW3 5RN

**Proposed development of land adjacent to Elm Tree House to provide a new residential building of four storeys and comprising 6 residential flats (Use Class C3), works to the front boundary wall, external hard and soft landscaping, cycle parking and associated works.**

## **PLANNING STATEMENT**

**December 2022**



UNION4  
PLANNING

## Document Control

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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 a new residential building of four storeys and comprising 6 residential flats, works to the front boundary wall, external hard and soft landscaping, cycle parking and associated works. The proposed residential building will be known as Sycamore House.

The application site ('the Site') is situated within the Fitzjohns and Netherhall Conservation Area. The existing building on the Site is known as Elm Tree House and, which 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 Elm Tree House to ensure that the design of the proposed development will maintain and enhance the appearance of the host building.

This application follows on from two recent planning applications on the Site. The first application ('Phase 1') was submitted in March 2020 and proposed works to the external building envelope of Elm Tree House, including the demolition of the existing ground floor extension on the southern side of the building (Planning Ref: 2020/0971/P). The 'Phase 1' application was approved on 7 May 2020. A subsequent planning application ('Phase 2') was submitted to the London Borough of Camden on 2 September 2021 for a proposed development comprising the extension and reconfiguration of the lower ground floor level of Elm Tree House, the construction of a new basement level, external soft landscaping and planting, cycle parking and associated works (Planning Ref: 2021/4259/NEW). The London Borough of Camden has resolved to grant planning permission for the 'Phase 2' development.

Both of the aforementioned applications relate to Elm Tree House and will effectively mean that the host building accommodates 11 residential flats. The 'Phase 3' planning application to which this Planning Statement relates, is proposing a new residential building on the under-utilised land to the south of Elm Tree House to accommodate 6 additional residential flats. In this regard, it is envisaged that the Site would then accommodate a total of 17 residential flats following the completion of this final phase of development.

The proposed development is a four-storey building with a staggered front façade comprising two gable wall elements, which provide a contemporary interpretation of the features of the host building. The projecting front gable on the southern side of the building is positioned in line with the main façade line of Samara Mansions, in front of which is a bay window. The recessed front gable on the northern side of the building is in line with the gables on Elm Tree House, in front of which are projecting bays and the porch canopy.

The rear of the building exhibits an asymmetrical articulation but with a strong solid-to-void relationship. The southern elevation of the building is adjacent to Samara Mansions and was carefully designed to mitigate against overlooking and any associated loss of privacy for the neighbouring properties. Part of

the southern elevation to the rear of the building will include a planting bed, which will accommodate wall-climbing plants that will benefit from the southern orientation.

The proposed building will be accessed via an entrance door, which is part of a pop-out feature along the northern façade of the building. The entrance comprises a mix of glazing and gault brick, which will be legible from the front of the Site and will be adjacent to the pedestrian route leading to the rear of the Site.

The proposed development will provide 6 new homes on under-utilised land within a brownfield site. The Site and its surroundings are residential in character with the directly adjacent properties of Elm Tree House and Samara Mansions comprising flatted developments.

The proposed development seeks to provide high-quality residential accommodation within a highly accessible area. The proposed new building will provide for more efficient use of previously developed land and contribute to the London Borough of Camden's housing targets.

The proposed new homes are designed in a manner which will provide a high standard of accommodation, with the internal layout of the flats configured to allow for the optimisation of outlook and internal daylight. The proposed accommodation is designed to be step-free and fully accessible to all, with five of the flats complying with Building Regulation M4(2) and one flat complying with Building Regulation M4(3).

The proposed flats will benefit from private amenity space and access to the landscaped communal gardens. The scheme will improve the overall landscape structure of the Site, with the retention of existing trees and carefully selected new plant species used to provide a mature landscape setting which improves biodiversity and the functionality of the communal gardens.

The proposal is a car-free development in a highly accessible location, which will promote active and sustainable modes of transportation. Moreover, the removal of the existing hard surfaced car parking from the Site will increase the quantum of permeable space and soft landscaping, which will also improve the aesthetic quality of the Site.

The proposed building is designed to mitigate light spill at the rear of the Site and ensure that there are no unacceptable adverse effects on the adjoining SINC habitat.

The proposed building is an energy efficient and highly sustainable development, which will not only provide a significant CO<sub>2</sub> reduction, but will also significantly improve the sustainability credentials of existing and consented flats in Elm Tree House.

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 support of a full planning application to the London Borough of Camden. The application relates to a site at 13 Netherhall Gardens and proposes a new residential building of four storeys comprising 6 residential flats, together with external hard and soft landscaping, cycle parking and associated works. The proposed residential building will be known as Sycamore House.
- 1.2 The application site ('the Site') is situated within the Fitzjohns and Netherhall Conservation Area. The existing building on the Site is known as Elm Tree House, which 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 Elm Tree House to ensure that the design of the proposed development will maintain and enhance the appearance of the host building.
- 1.3 This application follows on from two recent planning applications on the Site. The first application was submitted in March 2020 and proposed works to the external building envelope of Elm Tree House, including the demolition of the existing ground floor extension on the southern side of the building (Planning Ref: 2020/0971/P). The 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 Elm Tree House back into a habitable use and restoring the heritage value of the building.
- 1.4 A subsequent planning application was submitted to the London Borough of Camden on 2 September 2021 for a proposed development comprising the extension and reconfiguration of the lower ground floor level of Elm Tree House, the construction of a new basement level, external soft landscaping and planting, cycle parking and associated works (Planning Ref: 2021/4259/NEW). This application effectively constitutes 'Phase 2' of the Applicant's proposals for the Site. The London Borough of Camden recently resolved to grant planning permission for the 'Phase 2' application and the Section 106 Agreement is now nearing completion.
- 1.5 Both of the aforementioned applications relate to Elm Tree House and will effectively mean that the host building accommodates 11 residential flats. The 'Phase 3' planning application to which this Planning Statement relates, is proposing a new residential building on the under-utilised land to the south of Elm Tree House to accommodate 6 additional residential flats. In this regard, it is envisaged that the Site would then accommodate a total of 17 residential flats following the completion of this final phase of development.

### **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 design development process and ensure a joined-up approach to the planning application.

### **Contents of the Planning Application**

- 1.10 In addition to this Planning Statement, the application comprises the following documents:
- Application Form and Certificates;
  - Covering Letter;
  - Plan Drawings;
  - Design and Access Statement; and
  - CIL Questions Form.
- 1.11 The application is also supported by the following specialist reports:
- Heritage Statement;
  - Computer-Generated Images;
  - Daylight and Sunlight Assessment;
  - Ecological Appraisal;
  - Bat Survey Report and Outline Non-Licensed Method Statement;
  - Arboricultural Impact Assessment;
  - Landscaping Scheme;
  - Study of Light Emissions;
  - Drainage and Flood Risk Report;
  - Acoustic Survey and Internal Noise Conditions Report;
  - Air Quality Assessment;

- Energy Statement and Sustainability Report;
- Outline Fire Strategy Report;
- Draft Construction Management Plan;
- Statement of Community Involvement;
- Statement on Affordable Housing; and
- Draft Heads of Terms for Section 106 Agreement.

### **Structure of this Planning Statement**

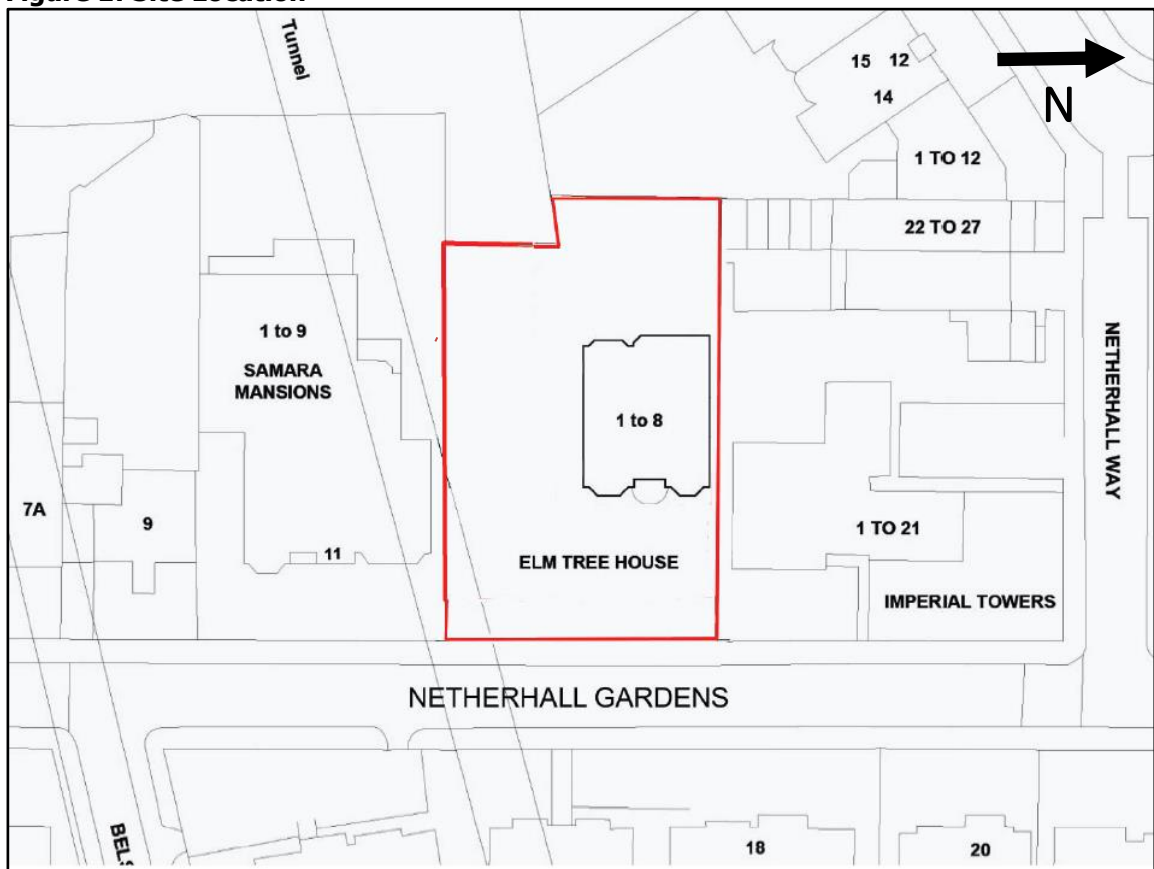
1.12 This Planning Statement takes on the following structure:

- Section 2 provides an overview of the application site's location and description, including details of the Site's relevant planning history.
- Section 3 provides a summary of the pre-application advice.
- Section 4 describes the proposed development.
- Section 5 sets out the planning policies and guidance pertaining to the proposals.
- Section 6 outlines the key planning and environmental considerations.
- Section 7 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 19<sup>th</sup> Century residential building, which is known as Elm Tree House. The area of the Site proposed for the development of the new building is currently an under-utilised garden and hardstanding area to the south of Elm Tree House near Samara Mansions.

**Figure 1: Site Location**



Source: Re-Creo Architecture (October 2022)

- 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 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 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 the residential block of 10-12 Frognall. This building fronts onto the public highway referred to as Frognall and comprises 15 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.

**Figure 4: Aerial View showing Site Context**



Source: Re-Creo Architecture (October 2022)

- 2.8 A range of convenience retailers, including Waitrose and Marks & Spencer, are located approximately 300 metres to the west on Finchley Road. The area around Finchley Road is also characterised by a range of cafés and restaurants.
- 2.9 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 northeast of the property.
- 2.10 The Site is well-served by public transport and has a PTAL rating of 6a. It is located approximately 300 metres 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 500 metres to the northwest of the Site. There are also several bus routes operating along Finchley Road.
- 2.11 Land to the west of the Site is designated as the Frognal Court Wood Site of Importance for Nature Conservation (SINC), which is a sensitive ecological habitat.
- 2.12 The Site itself comprises an overall area of 0.16 hectares. 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.
- 2.13 The building is set back from the street frontage at Netherhall Gardens (see Figure 5 below) and the front façade of the building sits behind the building line of the neighbouring buildings at Samara Mansions and Imperial Towers.

**Figure 5: Front Facade of Elm Tree House**



Source: Union4 Planning

- 2.14 Elm Tree House comprises a gross internal floorspace of 896 sqm and the existing building contains 8 residential flats (Use Class C3), which form a single planning unit.
- 2.15 The London Borough of Camden recently resolved to grant planning permission for the extension and reconfiguration of the lower ground floor level of Elm Tree House and the construction of a new basement level (Planning Ref: 2021/4259/NEW). This will result in Elm Tree House increasing to 11 flats.
- 2.16 The Site is characterised by a sloped gradient that drops away towards the northwest (rear boundary) of the Site. This means that the existing lower ground floor level opens onto ground level at the rear of the building and sits at a level that is at least a full storey higher than the ground floor of Imperial Towers to the north.
- 2.17 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. In this regard, the approved 'Phase 1' and 'Phase 2' works will help to return the building to a habitable condition and restore the quality of this important building, thereby enhancing the setting of the Conservation Area.
- 2.18 The area to the south of Elm Tree House is an area of hardstanding which currently accommodates parking for approximately 10 cars serving the existing flats in Elm Tree House. This area is the location on which the proposed new residential building will be located.
- 2.19 The area of the Site on which the proposed new residential building will be located is shown in Figure 6 below and Figure 7 overleaf.

**Figure 6: View of Under-Utilised Area on the Southern Side of Elm Tree House**



Source: Re-Creo Architecture

**Figure 7: View of Under-Utilised Area on the Southern Side of Elm Tree House**



Source: Re-Creo Architecture

### Historic Planning Applications on the Site

- 2.20 The Site has an extensive planning history, which is summarised in Table 1 below. The planning applications for new buildings or 'infill' development are of particular relevance in the context of the current planning application.

**Table 1: Planning History**

Date	Description of Development	Decision
November 1936	Planning permission for the use of the building as a nursing home (Planning Ref: 7852/109780).	Granted
May 1937	Planning permission 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).	Granted
February 1988	Planning permission for the erection of a two-storey dwelling house and construction of hardstanding for six vehicles (Planning Ref: 8601525).	Granted
July 1993	Planning permission for the renewal of planning permission 8601525/R4 for the erection of a two-storey detached dwelling house (Planning Ref: 9201149). Following refusal	Refused

	of the application, an appeal was lodged. However, the appeal was dismissed on 14 October 2002.	
November 2001	Planning permission was refused 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.	Refused
November 2001	Conservation area consent was granted on 27 November 2001 for the demolition of a block of six garages (Planning Ref: CWX0103597).	Granted
March 2006	Demolition of existing building and garages and erection of new 4-storey plus basement building comprising 9 flats and 1 studio unit, plus new extended garage block and new front boundary wall, vehicular entrances and gates. 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, car parking and highways matters.	Refused - Appeal lodged but withdrawn before Hearing

### Recent Planning Applications

- 2.21 Elm Tree House was the subject of two recent planning applications. These applications form part of the Applicant's objective to bring Elm Tree House and the wider site back into a habitable condition, whilst also providing additional homes to contribute to the London Borough of Camden's housing targets.
- 2.22 On 7 May 2020, planning permission (**Planning Ref: 2020/0971/P**) was approved for the *"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"*. These 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.
- 2.23 On 2 September 2021, a planning application was submitted for a proposed development at Elm Tree House 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 Ref: 2021/4259/NEW**). This proposal constitutes 'Phase 2' of the works to optimise the use of this building and bring it back into beneficial use. The London Borough of Camden recently resolved to grant planning permission for the 'Phase 2' application and the Section 106 Agreement is now nearing completion.

### **3.0 Pre-Application Consultation and Design Evolution**

- 3.1 Pre-application advice for the proposed development was first sought in 2018 and the feedback provided by the London Borough of Camden over the intervening period has helped to inform the design approach and the evolution of the scheme, which has culminated in the submission of this planning application.
- 3.2 A total of five pre-application meetings and a Design Review Panel (DRP) were undertaken, which provided detailed feedback and shaped the design development process. The sequence of pre-application meetings and DRP were as follows:
- First Pre-Application Meeting – 24 April 2018;
  - Second Pre-Application Meeting – 22 November 2021;
  - Third Pre-Application Meeting – 2 March 2022;
  - Design Review Panel – 17 June 2022;
  - Fourth Pre-Application Meeting – 3 August 2022;
  - Fifth Pre-Application Meeting – 14 September 2022.
- 3.3 A summary of each of the meetings and the key feedback received is summarised below.

#### **First Pre-Application Meeting – 24 April 2018**

- 3.4 A site visit was undertaken by the Applicant, the Design Team and Officers from the London Borough of Camden on 11 April 2018. This was then followed by a pre-application meeting at the Council offices on 24 April 2018.
- 3.5 The pre-application meeting was used to discuss the comprehensive redevelopment of the Site and included the details of the proposed works to the external building envelope for Elm Tree House, as well as an extension to the lower ground floor and construction of a basement level at Elm Tree House.
- 3.6 In addition, the principle of a new 'infill' building to the south of Elm Tree House was also discussed. This included careful consideration of how the new building could provide an appropriate transition between the differing building lines of Elm Tree House and Samara Mansions to the south. Computer-generated images (CGIs) of the prospective development and design concept are provided in Figures 8 and 9 overleaf.

**Figure 8: CGI View of First Pre-Application Scheme from Front of the Site**



Source: Re-Creo Architecture (April 2018)

**Figure 9: CGI View of First Pre-Application Scheme from Rear of the Site**



Source: Re-Creo Architecture (April 2018)

3.7 The London Borough of Camden issued a pre-application response on 13 July 2018. The principle of a new residential building comprising an infill development was considered to be acceptable by the Council's Officers. The pre-application response noted that *"south of the junction with Netherhall Way, the townscape becomes more irregular and gaps are often either non-existent, or of varying widths"*.

3.8 Further to this, Paragraph 9.4 of the pre-application response stated as follows:

*"Although the application site would have originally been set within substantial grounds, the construction of Imperial Towers has significantly altered this relationship and the host building no longer has such prominence in the streetscene. The application site (with a setback, very large gap to one side and narrow gap to the other) is therefore slightly at odds with the prevailing pattern of development within the street. Given the above the principle of development within the gap formed between nos.11 and 13 is not objectionable in townscape terms, provided that some views through to the rear are maintained either side of any new development. It is noted that a similar approach had been taken in 1993 when the Council granted permission for the erection of a two storey dwelling within this gap (ref. 9201149)."*

3.9 The principle of a new residential building forming an infill development on the Site and the provision of additional residential units was therefore considered acceptable in the initial pre-application advice.

3.10 The Council's response also advised on the importance of providing an appropriate transition between the front building lines of Elm Tree House and Samara Mansions, which would necessitate an appropriate and carefully considered design response. Paragraph 9.6 of the Council's pre-application response stated as follows:

*"In terms of plan, it is considered that the front building line taken is broadly appropriate as it would bridge the gap between the more forward sited no.11 and the more recessed no.13 without imposing on the host building/street scene. It is however recommended that a slight further recess made so that the front face sits noticeably behind (rather than effectively flush) with the front building line of no.11, improving this relationship further. Officers would support a detached footprint (above ground) of the new building element and the subsequent views retained through to the rear of the site."*

3.11 This pre-application advice helped to inform the design approach for the new building, including the positioning of the front building line and the overall built form. The design would also be underpinned by the objective of providing a building which would be subordinate in scale to the existing buildings on either side of it.

### **Second Pre-Application Meeting – 22 November 2021**

- 3.12 Following the first pre-application meeting, the Design Team continued to develop the design concept and refine the proposals at the same time as they prepared and submitted the applications for the 'Phase 1' and 'Phase 2' proposals relating to Elm Tree House. In this regard, there was an on-going dialogue with the London Borough of Camden during this time.
- 3.13 The next pre-application meeting dealing specifically with the proposal for a new building was held on 22 November 2021.
- 3.14 The proposal comprised a new residential building of four storeys over a basement level, which would accommodate 6 residential flats. The proposal also included the re-provision of the existing 10 car parking spaces within the basement level of the new building, which would be accessed via a turning table.
- 3.15 The proposed palette of materials included burnt orange brickwork to match Elm Tree House; dark framed windows to contrast with the windows in Elm Tree House; timber panelled cladding in an irregular pattern along the northern façade; a light grey metal roof; and block paving throughout.
- 3.16 CGIs of the prospective development are provided in Figures 10 and 11 below.

**Figure 10: CGI View of Second Pre-Application Scheme from Front of the Site**



Source: Re-Creo Architecture (November 2021)

**Figure 11: CGI View of Second Pre-Application Scheme from Rear of the Site**



Source: Re-Creo Architecture (November 2021)

- 3.17 In response to the pre-application proposals, the Council's Officers advised that they were satisfied with the massing and bulk of the scheme.
- 3.18 The Officers considered that there was too much glazing on both the front and rear facades. Further to this point, it was suggested that a predominance of glazing on the rear façade might lead to excessive light spill which could impact on sensitive ecology within the SINC.
- 3.19 Officers asked about the rationale for the timber fins and advised that the Design Team should clarify how this material would fit within the character of the Conservation Area.
- 3.20 The pre-application advice included reference to the outlook from the proposed lower ground floor flat to the rear of the building and questioned whether the distance between the glazed façade and the green wall at the rear of the terrace would be sufficient.
- 3.21 With reference to the car parking, the Officers noted that the scheme would be relocating parking but that this would be contrary to Local Plan policy, which seeks car-free developments. It was noted that the priority for the Council is the delivery of homes and that the expense of providing new build development for parking would be at the expense of new homes.
- 3.22 Having regard to the external landscaping, it was suggested that the CGI providing an oblique aerial view of the rear of the development created the perception of a lot of hardstanding surface within the Site.

### **Third Pre-Application Meeting – 2 March 2022**

- 3.23 The Design Team worked on refining the design of the proposed development to address the feedback received at the second pre-application meeting. A third pre-application meeting with the London Borough of Camden was then held on 2 March 2022.
- 3.24 The updated design included a reduction in the glazing on the northern recessed gable element of the building. This had previously appeared as a more lightweight built form. The Design Team removed the previously proposed timber fins and replaced these with terracotta metal fins, which were considered to provide a more robust material that would complement the brickwork while providing a contemporary material that would respond well to the character of the wider Conservation Area. In addition, the proposals included standing seam roof material.
- 3.25 The solid-to-void relationship was also amended on the rear elevation, with a reduction in glazing and an associated increase in brickwork and terracotta metal fins providing a sense of vertical linearity, which helped to accentuate the slender profile of the building.
- 3.26 CGIs of the prospective development are provided in Figures 12 and 13 below.
- 3.27 The pre-application submission also included a series of technical and specialist reports, including a Daylight and Sunlight Assessment and a Light Emissions Study.

**Figure 12: CGI View of Third Pre-Application Scheme from Front of the Site**



Source: Re-Creo Architecture (March 2022)

**Figure 13: CGI View of Third Pre-Application Scheme from Rear of the Site**



Source: Re-Creo Architecture (March 2022)

- 3.28 The design approach for the prospective development was generally well received at the third pre-application meeting. The Officers were interested to understand more about the terracotta metal fins before commenting on whether they would be appropriate within the Conservation Area. However, the amendments to reduce the quantum of glazing and address the solid-to-void ratio were welcomed.
- 3.29 The meeting also focused on the external landscaping, including the retention of trees and associated arboricultural impacts. The Project Team included input from the Ecologist and Lighting Specialist, who explained the relationship between light spill from the building and luminance within the habitat of the adjoining SINC designation.
- 3.30 The Council's Officers advised that the next logical step would be to present the scheme to the Council's Design Review Panel, which includes a mix of independent professionals.

#### **Design Review Panel – 17 June 2022**

- 3.31 The Design Review Panel (DRP) was organised for 17 June 2022, with the Council's planning officer providing an overview of the policy considerations and pre-application discussions, which was followed by the Design Team presenting the prospective development to the independent professionals on the Panel.

- 3.32 The scheme that was presented to the DRP was broadly similar to that which was presented at the third pre-application meeting three months earlier, as shown in Figures 14 and 15 below.

**Figure 14: CGI View of DRP Scheme from Front of the Site**



Source: Re-Cre Architecture (October 2022)

**Figure 15: CGI View of DRP Scheme from Rear of the Site**



Source: Re-Cre Architecture (October 2022)

- 3.33 The members of the DRP commended the Design Team on taking on such a complex project, which would ultimately bring Elm Tree House back into use and benefit the Conservation Area. The members also provided extensive commentary and feedback on the scheme.
- 3.34 It was suggested that the architecture was missing a level of richness. In particular, there was concern that the recessed front gable element appeared lightweight and out of keeping with the existing buildings along Netherhall Gardens.
- 3.35 The DRP members noted that the existing buildings along Netherhall Gardens exhibit a variety of articulation and queried whether the scheme should be adopting a more contemporary architectural style. It was advised that the metal cladding might feel a little incongruous in this area. The DRP members suggested that there should be fewer differences in the architectural approach and materiality, with a greater emphasis on richness.
- 3.36 Concern was raised in relation to the lower ground floor flat to the rear of the building, both in terms of the quality of outlook and the quality of light coming into the lower ground floor.
- 3.37 With reference to sustainability, some concern was expressed about overheating in the glazed staircase and the ventilation of the lower ground floor level. The DRP members also questioned the provision of car parking within the building. In addition to promoting car dependence, it was considered that the basement car park would have an impact in terms of embodied carbon. It was also suggested that the retention of car parking for the host building would create a functional link between Elm Tree House and the new scheme.
- 3.38 The DRP members welcomed the proposal to improve biodiversity and the appointment of an arboricultural specialist from the outset of the project. It was also noted that the Site currently provides the appearance of a "secret garden" and suggested that the scheme should look to recreate some wild planting rather than being manicured.
- 3.39 The DRP members noted that it would be good to see more details of the entrance gates and how vehicles would enter the Site.
- 3.40 It was advised that bin stores or other structural elements should not be located within root protection areas (RPAs) of existing trees. It was also advised that paving and edges need to be considered in the context of the RPAs.
- 3.41 The DRP members queried the impact of the proposed development on the adjoining SINC, noting that the new building would be in close proximity to this habitat. Whilst the luminance levels were noted as being acceptable, it was suggested that a more generous setback to the SINC would be helpful. Further to this, it was suggested that the provision of basement car parking was having a knock-on effect on the footprint and scale of the building and its proximity to the SINC.

#### **Fourth Pre-Application Meeting – 3 August 2022**

- 3.42 Following the detailed and extensive feedback received at the DRP, the Design Team sought to address the range of issues that were raised. The scheme underwent a series of design amendments before being presented at the fourth pre-application meeting on 3 August 2022.
- 3.43 The updated proposals included the full removal of car parking provision from the Site, thereby adopting a car-free approach. The removal of the basement level car parking was a substantive change, which responded to the DRP members' preference for a car-free development and their associated concerns regarding embodied carbon.
- 3.44 The updated proposals also included the removal of the lower ground floor flat to the rear of the building, thereby simplifying the relationship between the new building and the existing contour levels across the site. Moreover, the removal of the lower ground floor flat improved the buffer between the new development and the adjoining SINC.
- 3.45 In addition to the aforementioned changes to the scheme, the architectural style also evolved to respond to the DRP's feedback. The Design Team reiterated the belief that the overriding responsibility of the new building is to mediate between Elm Tree House and the street frontage. In this regard, it was noted that there needs to be a language in the new building that can converse with that of the host building, whilst forming a positive and rich contemporary architectural statement that visually helps to connect it to the rest of the street.
- 3.46 In response to the DRP's concern regarding the lightweight recessed gable element, the Design Team proposed two overlapping red-brick gable fronted parts to the building of similar heights and proportions to that which exist in the host building, one in line with the host building and one stepped forward closer to but still slightly set back from the Samara Mansions front elevation. It was submitted that the height and width of these building elements would allow it to still read as being subordinate to its taller neighbours.
- 3.47 The re-design of the recessed front gable element responded to the DRP's comments about it being too lightweight and fragmentary in nature and of insufficient communality of identity with Elm Tree House to be able to fulfil its intention of being in communication with the host building. The new design exhibited a more solid built form than its predecessor, and its materiality, solidity, proportion and gable-ended roof form would more closely converse with its historic neighbour.
- 3.48 The prospective development presented at the fourth pre-application meeting also exhibited a sophisticated interplay between the elements on the front elevation, which the Design Team considered to be a more cohesively rich and connected ensemble than was exhibited previously in the two contrasting elements. In between and in front of each of these two prominent elements, it was proposed that there would be subsidiary cubic fragmented building blocks, made of pale

cream gault bricks, that would inter-penetrate and play-off against the traditional language of brick gable types.

3.49 CGIs of the prospective development are provided in Figures 16 and 17 below.

**Figure 16: CGI View of Fourth Pre-Application Scheme from Front of the Site**



Source: Re-Creo Architecture (August 2022)

**Figure 17: CGI View of Fourth Pre-Application Scheme from Rear of the Site**



Source: Re-Creo Architecture (August 2022)

- 3.50 The pre-application advice from the fourth pre-application meeting focused on design matters. The removal of the basement level car parking and the lower ground floor flat were welcomed by the Council's Officers.
- 3.51 The Officers advised that the front elevation and form still needed to address the DRP comments for creating a refined architectural quality in the Conservation Area. It was suggested that the extended over exaggeration of the stepping façade, pop-outs and material treatment might create an overly complex massing, elevation and internal plan. It was advised that the built form should be simplified and bring forward the stepped building line towards the line of Samara Mansions. This would have more consistency with the local urban character. It would also allow more internal space or generous outside amenity terraces to the front properties.
- 3.52 The Officers stated that they would like to see a more unified front elevation, addressing the balance of the front façade with the side entrance and window arrangement. It was also recommended that there should be more windows to the street where there was a large blank area of wall. It was advised that more detailing to the façade should be explored, including bays, banding to levels and window arrangements to bring a sense of scale to the building as can be seen in its neighbours.
- 3.53 It was advised that the pop-out entrance along the northern façade of the building does not need to stretch to the full height of the building. It was stated that the entrance needed refinement and material exploration beyond a glass box.
- 3.54 Officers also advised that the plan arrangements should be reviewed to ensure compliance with good housing standards and Camden's Local Plan policies and guidance.

#### **Fifth Pre-Application Meeting – 14 September 2022**

- 3.55 The detailed design feedback received from the Council's Officers proved particularly helpful to the Applicant and Design Team in refining the scheme. A series of design amendments were made to address the advice and a further pre-application meeting was organised for 14 September 2022.
- 3.56 The design of the front elevation was further developed, both in terms of the proposed built form and articulation. Firstly, the stepped building line was brought forward towards the front building line of Samara Mansions, thereby creating continuity with the neighbouring building and increasing the internal floor space within the new building. Secondly, the design of the front elevation was developed to provide more windows, with arrangements that would give a stronger sense of scale. The updated design included bays in the gault brick elements, which would articulate and give scale to the massing.
- 3.57 The Design Team reduced the depth of the front bay so that this depth would be similar to the neighbouring buildings. The Design Team asserted that it would be a mistake to adopt a pastiche

form of bay or façade banding in what is an appropriately contemporary approach to the architecture that – by its richness and hierarchy of form – provides the requisite sense of scale.

- 3.58 The updated scheme included the provision of two doors serving the ground floor flat at the front of the building, which would provide a close relationship between the internal spaces and the gardens they look onto. It was noted that the front door was positioned in the natural place for circulation to all the rooms within the maisonette without having to pass through the living spaces to get there.
- 3.59 The updated scheme also included changes to the pop-out entrance along the northern façade. The entrance was therefore reduced in height so that it would only partially extend to the height of the ground and first floor levels. It was noted that the scale of this pop-out element needs to be of sufficient magnitude that it commands presence upon arrival to the entrance. The Design Team also developed its architectural language so that it would now be similar to the other gault brick subsidiary elements on the building.
- 3.60 The floor plans were also amended to include generous working-from-home arrangements for the future residents. The flats at the rear would not include dedicated study areas, but it was noted that the relatively generous living rooms can accommodate a desk, or there is a secondary bedroom that could be used for the purpose.
- 3.61 Other matters such as cycle parking and storage facilities for waste and plant were also clarified as part of the fifth pre-application meeting. CGIs of the updated scheme are provided in Figures 18 and 19 below.

**Figure 18: CGI View of Fifth Pre-Application Scheme from Front of the Site**



Source: Re-Creo Architecture (September 2022)

**Figure 19: CGI View of Fifth Pre-Application Scheme from Rear of the Site**



Source: Re-Creo Architecture (September 2022)

- 3.62 The proposals presented at the fifth pre-application meeting were well received by the Council's Officers. It was noted that the design changes to the front elevation resulted in a more balanced front façade, which provided simplicity in terms of the materials palette but with sufficient articulation and detailing to reflect the richness of architectural quality within the Conservation Area.
- 3.63 The amendments to the rear façade, the reduction in the height of the pop-out entrance along the northern façade, and the general approach to landscaping were also welcomed by the Council's Officers.
- 3.64 Having regard to the positive feedback received, the Applicant and Design Team confirmed their intention of proceeding towards the submission of a planning application and discussed the scope of documents that would be submitted in support of the application.

## 4.0 Proposed Development

4.1 The summary description of the proposed development is as follows:

*"Proposed development of land adjacent to Elm Tree House to provide a new residential building of four storeys and comprising 6 residential flats (Use Class C3), works to the front boundary wall, external hard and soft landscaping, cycle parking and associated works."*

4.2 The proposed development effectively comprises 'Phase 3' of the works at 13 Netherhall Gardens, which holistically support the delivery of significant environmental and heritage improvements for the Site, whilst also making efficient use of previously developed land in close proximity to public transport infrastructure.

4.3 The proposed development is a four-storey building with a staggered front façade comprising two gable wall elements, which provide a contemporary interpretation of the features of the host building known as Elm Tree House. The projecting front gable on the southern side of the building is positioned in line with the main façade line of Samara Mansions, in front of which is a bay window. The recessed front gable on the northern side of the building is positioned along the building line of Elm Tree House.

4.4 A CGI view of the front of the proposed building is provided in Figure 20 below. It should be noted that the existing and proposed trees at the front of the Site have been removed from the CGI to provide an understanding of how the front façade responds to the character of Elm Tree House and Samara Mansions.

**Figure 20: CGI View of the Front Façade of the Proposed Development**



Source: Re-Creo Architecture (October 2022)

- 4.5 The rear elevation of the proposed building exhibits an asymmetrical articulation but with a strong solid-to-void relationship, as shown in Figure 21 below. Once again, existing and proposed trees have been removed from the CGI view to provide a clearer understanding of the architectural language and materials palette.

**Figure 21: CGI View of the Rear Façade of the Proposed Development**



Source: Re-Creo Architecture (October 2022)

- 4.6 The southern elevation of the building is adjacent to Samara Mansions and was carefully designed to mitigate against overlooking and any associated loss of privacy. To this end, the southern elevation incorporates a combination of high-level windows and obscure glazing which will be non-openable.
- 4.7 Part of the southern elevation to the rear of the building will include a planting bed, which will accommodate wall-climbing plants.
- 4.8 The design approach for the southern façade is illustrated in Figure 22 overleaf and is underpinned by the objective of safeguarding the residential amenity of the existing residents within Samara Mansions and the future residents of the proposed development.

**Figure 22: CGI View of the Southern Façade and relationship with Samara Mansions**



Source: Re-Creo Architecture (October 2022)

- 4.9 The proposed building will be accessed via an entrance door, which is part of a pop-out feature along the northern façade of the building, as shown in Figure 23 overleaf. The entrance comprises a mix of glazing and gault brick, which will be legible from the front of the Site and will be adjacent to the pedestrian route leading to the rear of the Site.
- 4.10 The entrance to the building will provide access to an internal stair core and lift core, which will be located centrally within the building and provide access to the 6 residential flats. The positioning of the stair and lift cores centrally within the building also allows the residential flats to optimise their outlook and levels of internal daylight, with the flats having outlook in either an easterly direction across Netherhall Gardens or in a westerly direction across the communal open space and adjoining SINC.

**Figure 23: CGI View of Entrance to the Proposed Development**



Source: Re-Creo Architecture (October 2022)

- 4.11 The proposed development will include 6 residential flats, which will be numbered 12 to 17. This is to take account of the fact that Elm Tree House will include flat numbers 1 to 11. The proposed residential units are summarised in Table 2 below.

**Table 2: Proposed Residential Mix**

Flat Number	Location	Flat Type	Floorspace
Flat 12	Ground and First Floors	2-bed 4-person	140 sqm
Flat 13	Ground Floor	3-bed 5-person	102 sqm
Flat 14	First Floor	2-bed 4-person	109 sqm
Flat 15	Second and Third Floors	2-bed 4-person	119 sqm
Flat 16	Second Floor	2-bed 4-person	84 sqm
Flat 17	Third Floor	2-bed 4-person	79 sqm
<b>Total Net Internal Area</b>			<b>633 sqm</b>

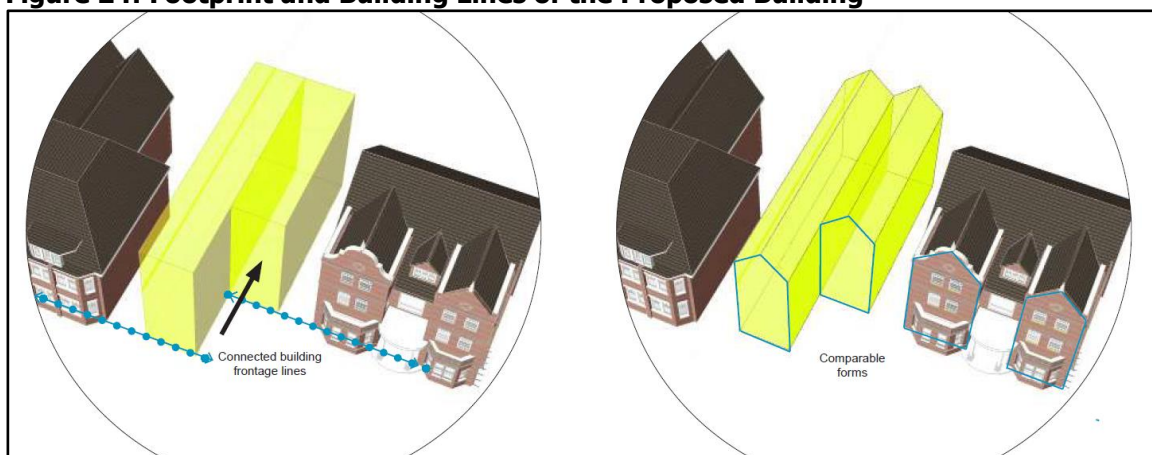
- 4.12 The 6 residential flats have a combined internal floorspace of 633 sqm, whilst the proposed building will have a gross internal area (GIA) of 762 sqm.
- 4.13 The proposed flats are all in excess of the floorspace requirements set out in the London Plan and Nationally Described Space Standards. The scheme also includes one family-sized flat at ground floor level, which will benefit from a generous private terrace area to the rear of the building.

- 4.14 Each of the proposed flats will have private amenity space in the form of either a balcony or terrace. In addition, the proposed residential flats will have access to the communal garden to the west of the Site.
- 4.15 A bike store is proposed at ground floor level within the building and will be accessible from the pedestrian walkway along the northern façade. The bike store includes 12 cycle parking spaces to cater for the 6 residential flats.
- 4.16 The proposed development is designed to be car-free and, as such, the existing surface car parking within the Site will be replaced by a combination of the new building and landscaping.

#### **Proposed Footprint and Built Form**

- 4.17 The proposed building is set back from the public highway at Netherhall Gardens, with the front gable element located approximately 9 metres from the public highway.
- 4.18 The front façade of the building follows a building line which provides a transition between the differing building lines of Elm Tree House and Samara Mansions. The footprint of the building is a key component of the design rationale, which is explained and illustrated in detail in Section 14 of the Design and Access Statement that accompanies this planning application. Figure 24 below illustrates in simple plan form how the building footprint seeks to provide a transition between Elm Tree House and Samara Mansions.

**Figure 24: Footprint and Building Lines of the Proposed Building**



Source: Re-Creo Architecture (October 2022)

- 4.19 The stepped approach at the front of the building creates an aesthetically pleasing cascading effect when viewed from the front of Samara Mansions, as illustrated in Figure 25 overleaf.

**Figure 25: CGI View of Cascading Effect when viewed from Front of Samara Mansions**



Source: Re-Creo Architecture (October 2022)

- 4.20 The scale and form of the proposed building have been informed by the surrounding context. The proposed building can be seen as a subordinate addition to the Site in terms of its footprint, height and massing, when compared to Elm Tree House.
- 4.21 In this regard, the proposed building will have a slender and elegant built form with a slightly lower building height than the neighbouring buildings of Elm Tree House and Samara Mansions.
- 4.22 The proposed development exhibits a solid-to-void relationship that represents a contemporary interpretation of the traditional design features of Elm Tree House, which provide a sympathetic addition to the streetscape and enhance the rhythm of built development along Netherhall Gardens in a manner which will enhance the character of the Conservation Area.
- 4.23 Figure 26 overleaf illustrates how the proposed building sits within the context of the neighbouring buildings, providing a subordinate addition to the existing gap in the streetscape.

**Figure 26: Diagram showing the Proposed Development and Neighbouring Context**



Source: Re-Creo Architecture (October 2022)

- 4.24 The design and layout of the proposed development is informed by the site context, neighbouring buildings and planning policy guidance, which together provide an understanding of the design approach that is considered appropriate. In particular, the proposed development has been designed with reference to Policy D1 of the Camden Local Plan which requires high-quality design and sets out a number of criteria to be incorporated into development proposals.
- 4.25 All layouts have been designed according to Part M4(2) Inclusive Design in accordance with Policy H6 of the Camden Local Plan. This measure ensures that the proposed flats will function for as broad a range of users as possible.

### **Materials Palette**

- 4.26 The palette of materials being proposed is informed by contextual studies of the Site and surrounding area. The selection of materials has also evolved in line with feedback and advice provided over the course of the pre-application process and Design Review Panel.
- 4.27 The key materials are as follows:
- 1) Red brickwork for gable elements;
  - 2) Gault brickwork for subsidiary projecting elements, including the entrance;
  - 3) Slate tiles for the roof;
  - 4) Contemporary slimline aluminium window frames with off-white PPC finish to pop-out elements;

- 5) Slimline aluminium window frames with horizontal glazing bars with off-white PPC finish to gable elements;
  - 6) Aluminium sills with off-white PPC finish to windows throughout;
  - 7) Brick on edge lintels throughout;
  - 8) Dovetail joint between brick types;
  - 9) Steeply sloped clay tile sill to studio window;
  - 10) Tile crease and brick on edge detail to gable parapets;
  - 11) Gault brick and steel rail balustrades with off-white PPC finish;
  - 12) Natural stone paving to balconies;
  - 13) Clay brick paving to exterior paths and terraces.
- 4.28 The palette of materials has been assigned and configured in a manner which adds a sense of balance to the building's facades. This is particularly evident in the use of the white gault brickwork which remains subordinate to the principal red brickwork.

#### **Trees and Landscaping**

- 4.29 The Site currently comprises a number of existing trees, which have helped to inform the overall design approach and the landscaping strategy for the Site.
- 4.30 The trees along the front of the Site will be largely retained, with supplementary planting proposed. There are some trees proposed for removal, but these are identified as being Category 'C' trees and not identified as being worthy of retention.
- 4.31 External landscape areas to the front of the proposed development have been designed to create an eco-tone from the roadway towards the existing and proposed buildings, with a view to maximising ecological habitat creation.
- 4.32 The structure of the front garden seeks to emulate a natural transition of habitat. The landscape design proposes a mixed planting approach throughout the wide external spaces, blending species to create colourful, dynamic and ecologically appropriate displays. The diverse species palette maximises the resilience of planting and will ensure succession.
- 4.33 The structure of the mixed planting design blends with the surrounding planting types. Hedgerows on the site boundary combine with trees to form a distinct edge. Planting then tapers down through native shrubs into areas of mixed planting before crossing the stepping-stones set within sedum before transitioning again through the proposed landscape structure back to hedgerow and trees.
- 4.34 Additional native shrubs shall be planted along the front of the Site to create and enhance landscape structure, habitat and green infrastructure links to the wider site context.

- 4.35 The proposed landscaping scheme is one that accords with the historical context of the Site and will enhance the visual aesthetic, as shown in Figure 27 below. As such, the proposed landscaping will offer a significant enhancement when compared to the existing site context which comprises a large area of hard-surfaced car parking.

**Figure 27: CGI View of Proposed Landscaping to the Front of the Site**



Source: Re-Creo Architecture (October 2022)

- 4.36 The landscaping proposals for the rear of the Site take account of the undulating topography, the existing trees, and the presence of the adjoining SINC designation. Native tree planting is proposed to be undertaken, together with areas of mixed planting to be established within the public realm to create a mosaic of habitats, thereby enhancing the ecological value of the Site and in turn linking the adjacent SINC to the wider landscape.
- 4.37 The proposed planting has been selected to thrive within the low light levels of the Site whilst providing colour, interest and seasonal variation.
- 4.38 The landscape design draws upon the dilapidated and colonised nature of the existing site for design inspiration. The public spaces are heavily planted with mixed perennials and shrubs. Several species of climbers and trailing plants have been introduced to recreate a wild aesthetic.
- 4.39 Bug hotels stand as sculptures along the edge of the stepping-stone pathway leading to private seating within the front garden. These features along the pedestrian route create a sequential journey under the tree canopy, creating a secret garden for exploration.

**Figure 28: CGI View of Proposed Landscaping to the Rear of the Site**



Source: Re-Creo Architecture (October 2022)

- 4.40 The landscape proposals also seek to provide a cohesive transition to the landscape structure to the rear of Elm Tree House. The difference in levels between the land to the rear of Elm Tree House and that of the proposed new building is addressed by means of the pedestrian walkway and raised planters, which respect the natural contours of the Site and provide for the “greening” of the rear garden.
- 4.41 The landscaping at the rear of the proposed development and its stepped transition to communal garden at the rear of Elm Tree House is illustrated in Figure 29 overleaf. In this regard, the proposed landscaping structure respects the contours of the Site and the topography of the wider area in a manner which optimises the functionality of the space and provides attractive green spaces that promote biodiversity.
- 4.42 The original front boundary wall will also be rebuilt, and an appropriate gate added, as shown in Figure 30 overleaf.

**Figure 29: CGI View of Proposed Landscaping to the Rear of Elm Tree House and the Proposed Building**



Source: Re-Creo Architecture (October 2022)

**Figure 30: CGI View of Proposed Front Boundary Wall**



Source: Re-Creo Architecture (October 2022)

### Plant and Equipment

- 4.43 The proposed development includes six Air Source Heat Pumps (ASHPs) for the proposed new building, which will be located in the valley between the two pitched roofs. The calculated noise levels from the ASHPs are very low, and more than 10 dB below the typical background noise levels during the night-time period.

- 4.44 In addition, it is proposed that there will be a discreet plant enclosure to the front of Elm Tree House along the northern boundary of the Site, which will include eleven ASHPs to serve the residential units within Elm Tree House. As is the case with the ASHPs on proposed new building, the calculated noise levels from the ASHPs within the plant enclosure are very low, and more than 10 dB below the typical background noise levels during the night-time period.
- 4.45 It is also proposed that solar photovoltaic panels will be provided on the southern-orientated pitched roofs of the new building. The inclusion of solar photovoltaic panels follows the advice and feedback provided by members of the Design Review Panel.

## 5.0 Planning Policy

5.1 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.

5.2 The planning policy context for the Site includes the following documents:

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

5.3 Key planning policies are considered under the relevant sub-headings below.

### National Planning Policy Framework (July 2021)

5.4 The National Planning Policy Framework (NPPF) was last updated in July 2021. The NPPF sets out the Government's planning policies for England and how these are to be applied by local planning authorities.

5.5 The NPPF outlines 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.

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

- (i) **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;
- (ii) **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
- (iii) **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.*

- 5.7 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:*
  - 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*
  - 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."*

- 5.8 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."*

- 5.9 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.”*

5.10 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."*

5.11 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."*

5.12 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 users<sup>46</sup>; and*

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

- 5.13 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."*

- 5.14 Further to this, Paragraph 207 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."*

- 5.15 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)**

- 5.16 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.
- 5.17 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:*

- (i) 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*

- (ii) ensuring the wording of the planning permission, and associated conditions and legal agreement, provide clarity regarding the quality of design*
- (iii) avoiding deferring the assessment of the design quality of large elements of a development to the consideration of a planning condition or referred matter*
- (iv) local planning authorities considering conditioning the ongoing involvement of the original design team to monitor the design quality of a development through to completion."*

- 5.18 Policy D5 states that development proposals should achieve the highest standards of accessible and inclusive design.
- 5.19 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.
- 5.20 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.
- 5.21 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:*

- (i) significantly increase the contribution of small sites to meeting London's housing needs*
- (ii) diversify the sources, locations, type and mix of housing supply*
- (iii) support small and medium-sized housebuilders*
- (iv) support those wishing to bring forward custom, self-build and community-led housing*
- (v) 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."*

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

5.23 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."*

5.24 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.

5.25 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."*

5.26 Policy T5 refers to 'cycle parking' and refers to the minimum standards in Table 10.2, which are as follows for residential developments (Class C3):

- 1 space per studio or 1-person 1-bedroom dwelling;
- 1.5 spaces per 2-person 1-bedroom dwelling;
- 2 spaces per all other dwellings.

5.27 Policy T6 refers to 'car parking' and promotes car-free development:

*"Car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking ('car-lite')."*

### **Camden Local Plan (July 2017)**

5.28 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.

- 5.29 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.
- 5.30 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.
- 5.31 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.
- 5.32 Policy H4 refers to the supply of affordable housing and states that the Council *"will expect a contribution to affordable housing from all developments that provide one or more additional homes and involve a total addition to residential floorspace of 100sqm GIA or more"*. Further to this, Policy H4 states that *"a sliding scale target applies to developments that provide one or more additional homes and have capacity for fewer than 25 additional homes, starting at 2% for one home and increasing by 2% of for each home added to capacity"*.
- 5.33 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.
- 5.34 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 3: 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)

- 5.35 Policy C1 refers to 'Health and wellbeing' and aims to improve and promote strong, vibrant and healthy communities within the borough.
- 5.36 Policy C5 refers to 'Safety and security' and sets out a number of measures with the aim to make Camden a safer place.

- 5.37 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.
- 5.38 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.
- 5.39 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.
- 5.40 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.
- 5.41 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:*

- (i) respects local context and character;*
- (ii) preserves or enhances the historic environment and heritage assets in accordance with Policy D2 Heritage;*
- (iii) is sustainable in design and construction, incorporation best practice in resource management and climate change mitigation and adaptation;*
- (iv) is of sustainable and durable construction and adaptable to different activities and land uses;*
- (v) comprises details and materials that are of high quality and complement the local character;*
- (vi) 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;*

- (vii) *is inclusive and accessible for all;*
- (viii) *promotes health;*
- (ix) *is secure and designed to minimise crime and antisocial behaviour;*
- (x) *responds to natural features and preserves gardens and other open space;*
- (xi) *incorporates high quality landscape design and maximises opportunities for greening for example through planting of trees and other soft landscaping;*
- (xii) *incorporates outdoor amenity space;*
- (xiii) *preserves strategic and local views;*
- (xiv) *for housing, provides a high standard of accommodation; and*
- (xv) *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."*

5.42 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."*

- 5.43 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.
- 5.44 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.
- 5.45 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.
- 5.46 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.
- 5.47 Policy CC5 refers to 'Waste' and requires developments to include facilities for the storage and collection of waste and recycling.

5.48 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).

5.49 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)**

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

5.51 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.

5.52 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**

5.53 In addition to the policies set out above, the London Borough of Camden has a series of Planning Guidance documents that have been reviewed as part of this planning application and which have helped to inform the proposed development. The following Planning Guidance documents that are considered to be relevant are as follows:

- Access for All CPG - March 2019;
- Air Quality - January 2021;
- Amenity - January 2021;
- Biodiversity CPG - March 2018;
- Design - January 2021;
- Developer Contribution CPG - March 2019;
- Housing - January 2021;
- Trees CPG - March 2019.

## **6.0 Planning and Environmental Considerations**

6.1 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.

6.2 This section assesses the planning and environmental matters that we consider relevant to the proposed development and the extent to which the proposal complies with planning policy requirements. The key considerations for the proposed development may be summarised as follows:

- Principle of Development;
- Height, Scale and Massing;
- Design and Layout;
- Built Heritage;
- Residential Amenity;
- Daylight and Sunlight;
- Ecology and Biodiversity;
- Trees and Landscaping;
- Drainage and Flood Risk;
- Energy and Sustainability;
- Transport;
- Noise;
- Air Quality.

6.3 Each of these matters are considered under the relevant sub-headings below.

### **Principle of Development**

6.4 The proposed development comprises a residential scheme which will provide 6 new homes on previously developed land. The Site and its surroundings are residential in character with the directly adjacent properties of Elm Tree House and Samara Mansions comprising flatted developments. The Site has good accessibility to public transport and local facilities.

6.5 The principle of developing a new 'infill' building in the gap between Elm Tree House and Samara Mansions was initially subject to pre-application consultation in July 2018. The Council's pre-application advice confirmed the following:

*"... the principle of development within the gap formed between nos.11 and 13 is not objectionable in townscape terms, provided that some views through to the rear are maintained either side of any new development."*

- 6.6 The design concept built on this advice and the proposed development has evolved in line with feedback received at a series of pre-application meetings with the London Borough of Camden and advice provided by the independent professionals on a Design Review Panel.
- 6.7 The proposed development seeks to provide high-quality residential accommodation within a highly accessible area. The proposed new building will provide for more efficient use of under-utilised land and contribute to the London Borough of Camden's housing targets.
- 6.8 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 proactively support well-designed new homes on small sites and sets a 10-year housing target for Camden of 10,380 net housing completions.
- 6.9 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.
- 6.10 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. Similarly, Policy H2 of the London Plan emphasises the role of such sites in meeting housing need. In this regard, sites such as 13 Netherhall Gardens offer an opportunity to contribute to housing, whilst also improving the quality of urban land that is currently unkempt, in a state of disrepair, and in significant need of improvement.
- 6.11 The proposed development will include homes which are in excess of the floorspace requirements set out in the Nationally Described Space Standards and London Plan guidance. The proposals also include a three-bedroom family-sized home, which will help to meet a demonstrated need within the borough. 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 homes are a high priority within the borough.
- 6.12 The proposed development also aims to provide a policy-compliant financial contribution in lieu of affordable housing. This will follow the sliding scale target set out in Policy H4 of the Local Plan.
- 6.13 To this end, we would respectfully submit that the principle of a new residential infill development on the Site is acceptable in principle, subject to consideration of design, heritage and environmental matters.

### **Height, Scale and Massing**

- 6.14 The proposed development is a four-storey building with a staggered front façade comprising two gable wall elements, which provide a contemporary interpretation of the features of the host building known as Elm Tree House.
- 6.15 The projecting front gable on the southern side of the building is positioned in line with the main façade line of Samara Mansions, in front of which is a bay window. The recessed front gable on the northern side of the building is positioned along the building line of Elm Tree House.
- 6.16 The scale and form of the proposed building have been informed by the surrounding context. The proposed building can be seen as a subordinate addition to the Site in terms of its footprint, height, scale and massing.
- 6.17 The proposed building will exhibit a slender and elegant built form with a lower building height than the neighbouring buildings of Elm Tree House and Samara Mansions.
- 6.18 The proposed development exhibits a solid-to-void relationship that represents a contemporary interpretation of the traditional design features of Elm Tree House, which provide a sympathetic addition to the streetscape and enhance the rhythm of built development along Netherhall Gardens in a manner which will enhance the character of the Conservation Area.

### **Design and Layout**

- 6.19 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.
- 6.20 The proposed building will be accessed via an entrance door, which is part of a pop-out feature along the northern façade of the building. The entrance comprises a mix of glazing and gault brick, which will be legible from the front of the Site and will be adjacent to the pedestrian route leading to the rear of the Site. The entrance to the building will provide access to an internal stair core and lift core, which will be located centrally within the building and provide access to the 6 residential flats.
- 6.21 The internal layouts have been arranged to ensure that living spaces take advantage of afternoon and evening light, with the proposed flats availing of an easterly outlook onto Netherhall Gardens or a westerly outlook onto the communal garden at the rear of the Site. In this regard, the living spaces utilise the aspect offered by the front and rear of the building, which provide the best opportunities to maximise outlook and internal daylight levels. Bedrooms and bathrooms are generally located more centrally within the floorplate. Bedroom windows are, in some cases, orientated to the east or west to ensure good outlook. The internal layout of the building constitutes a high-quality design, which provides adequately sized rooms with comfortable and

functional layouts that are fit for purpose and meet the needs of the future occupants, in accordance with Policy D6 of the London Plan.

- 6.22 The proposed accommodation is designed to be step-free and fully accessible to all, with five of the flats complying with Building Regulation M4(2) and one flat complying with Building Regulation M4(3). This measure seeks to make the proposed flats usable by as broad a range of users as possible. The proposed development will achieve a high standard of accessible and inclusive design, which is in line with Policy D5 of the London Plan.
- 6.23 The simple palette of materials has been selected to complement the existing character of the Conservation Area, with the combination of red brickwork and white gault brickwork providing a sympathetic but modern interpretation of Elm Tree House and the neighbouring buildings.
- 6.24 In summary, 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 into development proposals. The proposals also accord with Policies D5 and D6 of London Plan.

#### **Built Heritage**

- 6.25 The planning application is accompanied by a Heritage Statement, which was prepared by Mr Kristian Kaminski BA (Hons), MA, FSA, IHBC.
- 6.26 The Site at 13 Netherhall Gardens is located within the Fitzjohns/Netherhall Conservation Area. The existing building known as Elm Tree House is a late 19<sup>th</sup> century detached house in a Queen Anne Revival / aesthetic movement style. It comprises of three storeys and an attic over a lower ground floor (above ground to the rear). It is double fronted consisting of five bays, balanced with two gables ends of two bays each either side of a central bay, but with variation in the form of the gables, one being Dutch, as well as the fenestration providing asymmetry.
- 6.27 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 6/1 sash windows with some modern replacements. To the south of Elm Tree House is a modern single storey side extension that undermines its architectural integrity. The building is in very poor condition, has structural problems and an Improvement Notice has been served.
- 6.28 A planning application for Elm Tree House (Planning Ref: 2020/0971/P) was approved on 7 May 2020. The following works are associated with that planning permission and will substantially enhance the significance of 13 Netherhall Gardens and the Conservation Area:
- Demolition of the low-quality ground floor extension on the southern side of the existing building;

- Restoration of the original exterior elevations, including the repair of brickwork in accordance with the recommendations of a structural engineer;
  - Repairs to the roof and rainwater down-pipes;
  - Removal of non-original windows and re-instatement of original windows;
  - Replacement of window frames and sashes with new to match the existing.
- 6.29 The Heritage Statement provides an assessment of the proposed building, which is the subject of this current planning application. In this regard, the Heritage Statement notes that the proposed building has been designed to be well proportioned, of appropriate height, massing and bulk. High quality, robust and durable materials are proposed, including red brick and white gault brick.
- 6.30 The Heritage Statement outlines that a defining feature of the proposed building is a simplified contemporary interpretation of the twin Dutch gables to 13 Netherhall Gardens. Façade proportions, fenestration pattern and the sizing of openings are complementary to that of Elm Tree House and other Victorian buildings within the Conservation Area. The use of red brick replicates the defining characteristics of the Victorian buildings of the Conservation Area. The elevations will be well articulated with windows set back within a brick reveal and the brickwork finely detailed.
- 6.31 The siting and footprint of the proposed building ensures an appropriate relationship with adjacent buildings. While the proposed building does not replicate a Victorian building and is clearly a contemporary building, it has been influenced in its design by the character of Elm Tree House and other Victorian buildings within the Conservation Area, and consequently makes a sensitive addition to the Conservation Area. The carefully considered scale, materials and siting of the proposed building ensures that it will remain subordinate to Elm Tree House and does not dominate it.
- 6.32 High quality hard and soft landscaping is proposed. The original and attractive, but in very poor condition, front boundary wall will be rebuilt. An appropriate gate will also be added. The service enclosures within the Site will be well screened.
- 6.33 The proposed building is an example of high-quality contextual design which responds positively to the character and appearance of the Conservation Area. The Heritage Statement concludes that the building itself will substantially enhance the significance of the conservation area and includes public benefit. The proposed development is therefore considered to comply with national and local policy and guidance.

### **Residential Amenity**

- 6.34 The proposed development comprises 6 residential flats, each of which will meet the required floorspace requirements and amenity standards, in accordance with Policy A1 of the Local Plan.
- 6.35 Policy A1 supports development that does not adversely affect the amenity of future occupiers nor has an unacceptable impact on the residents of the surrounding area.

- 6.36 An overlooking analysis was carried out as part of the design process and shows no adverse effects on the privacy of the residential flats within either Elm Tree House or Samara Mansions.
- 6.37 In this regard, minimal glazing is proposed along the southern façade of the proposed new building and where windows are proposed, these are either high-level windows above head height or non-openable obscure windows serving bathrooms.
- 6.38 Similarly, the relationship between the northern façade of the proposed building and the southern façade of Elm Tree House was carefully considered throughout the design process. One living room window on the southern façade of Elm Tree House requires obscure glazing to prevent overlooking. The living room in question already benefits from an eastwards and northwards outlook on the front façade of Elm Tree House.
- 6.39 In order to safeguard the privacy of the residents within the Site itself, careful consideration has been given to the private amenity space at ground floor level. A series of solid planters are positioned along the pedestrian path adjacent to the proposed ground floor flat at the rear of the building, thereby mitigating inward views to the flat.
- 6.40 Accordingly, it is considered that in terms of privacy, outlook and overlooking, the proposals are in accordance with Policy A1 and the Mayor's Housing SPG.

#### **Daylight and Sunlight**

- 6.41 The planning application is supported by a Daylight and Sunlight Assessment prepared by Schroeders Begg. The assessment considers the proposed new building and its effect on the nearest applicable neighbouring residential property at No. 11 Netherhall Gardens (Samara Mansions) and on Elm Tree House.
- 6.42 By way of background information, it was necessary to review the neighbouring properties opposite the Site on the other side of Netherhall Gardens, as the BRE Guide first test considers whether the proposed massing intersects a 25-degree line from the horizontal, measured perpendicular from the centre of the lowest applicable window of a neighbouring property. This initial test is readily satisfied for the neighbouring properties opposite the Site on Netherhall Gardens, so it is not necessary to undertake further review in this respect.
- 6.43 This Daylight and Sunlight Assessment also considers the provision of daylight and sunlight within the proposed development for future occupiers. The results of this examination are based upon the standard assessment procedure of the recently published BRE Guide 'Site Layout Planning for Daylight and Sunlight - A Guide to Good Practice' 3rd Edition 2022 ('the BRE Guide').
- 6.44 The daylight analysis for the neighbouring Samara Mansions confirms that for review of the vertical sky component (VSC) for all main windows, or rooms where a weighted approach is appropriate to consider the loss of VSC to the room as a whole, these meet BRE Guide target criteria, with the

isolated exception of one window where the reduction could be considered minor adverse. In terms of daylight distribution, there are effectively no reductions, with the exception of one room which still readily meets BRE Guide target criteria.

- 6.45 For sunlight, analysis to applicable neighbouring windows / rooms confirms that where reductions are applicable, these all meet BRE Guide default target criteria. Equally, in terms of the effect upon neighbouring amenity, any reductions applicable meet BRE Guide target criteria.
- 6.46 It is therefore concluded that the impact of the proposal upon daylight and sunlight to neighbouring residential properties typically meets BRE default target criteria and for the isolated exception of instance not meeting the target, this could be considered minor adverse. On this basis, the Daylight and Sunlight Assessment does not consider any impacts as 'unacceptable' (for VSC, appropriate consideration of main windows or room weighted VSC).
- 6.47 For the proposed new-build habitable rooms (self-test), all rooms satisfy, as applicable, the target criteria considered for daylight and sunlight. On this basis, the proposals are considered suitable.
- 6.48 In summary, the daylight and sunlight impact of the proposed development are considered to be acceptable and in accordance with Policy A1 of the Local Plan.

### **Ecology and Biodiversity**

- 6.49 The planning application is accompanied by an Ecological Assessment and Lighting Strategy Note prepared by Tyler Grange. In addition, a Bat Survey Report and Outline Non-Licensed Method Statement has been prepared by Vespertech.
- 6.50 The Ecological Assessment confirms that no adverse impacts to any statutory designated sites are anticipated as a result of the proposed development.
- 6.51 The proposed development is not expected to have an adverse effect on the adjacent Frognaal Court Wood SINC, as the trees within the SINC will be protected in line with the BS5837. An iteratively designed lighting strategy has been created that will protect the integrity of the SINC from light spill.
- 6.52 Additionally, due to the lower level of the residential garden, potential impacts from new residents accessing the SINC are unlikely.
- 6.53 All of the habitats found on-site are considered to be of either negligible ecological importance (bare ground and other neutral grassland) or of local ecological importance (scrub and native scattered trees). Those habitats of negligible ecological importance that are to be lost as a result of the proposals require no specific mitigation.
- 6.54 The loss of the habitat of local ecological importance (scrub and scattered trees) will be mitigated through planting of a native species hedgerow, meadow grassland, amenity grassland replacement trees and scrub habitat.

- 6.55 The landscape strategy and detailed soft landscape proposals provide a landscaping scheme comprised of native species and of wildlife benefit, meaning the proposals offer the opportunity to enhance the biodiversity resource at the Site and bring it into more favourable management.
- 6.56 The Site will be enhanced for bats and birds through the provision of native species planting that will act to increase the amount of suitable habitats for bats and birds within the Site, and increase the forage resource for both species groups. In addition, integrated bat and bird boxes will be worked into the building design to provide additional roosting/nesting space within the Site for bats and birds respectively.
- 6.57 The Ecological Assessment concludes that through the implementation of the landscaping proposals, the sensitive lighting strategy and the integrated bat and bird boxes, the proposed development will conform with relevant legislation, national planning policy and local planning policy.
- 6.58 The Bat Survey Report prepared by Vespertech outlines that a daylight survey and four night-time bat roost surveys were undertaken in the summer of 2022 to assess the presence or likely absence of roosting bats in trees and buildings.
- 6.59 Surveys were led by a team of professional bat surveyors, using ultrasonic bat detectors, infrared and thermal imaging cameras to record bat activity at the Site.
- 6.60 Several potential bat roosting features were found in brickwork, under roof and wall tiles, and in trees. No bats were observed roosting during the surveys. Investigation into the results of previous bat surveys and the 2022 surveys led to the conclusion that bat roosts are likely absent.
- 6.61 Whilst bats roosts are considered likely to be absent, precautionary working methods are presented in the report to address the residual risk of bats being discovered during works. If any bats or birds are found at any stage of the demolition works, all works in that area must be suspended and further ecological advice should immediately be sought. The report sets out outline mitigation to address the loss of potential bat roosting features and to provide enhancements.
- 6.62 In summary, the ecological features and sensitivities within and adjacent to the Site have been carefully considered. The proposed development and the final landscaping scheme have involved joined-up thinking between the ecological, arboricultural and landscaping specialists. This approach results in a scheme which will enhance biodiversity and will accord with Policy A3 of the Local Plan.

### **Trees and Landscaping**

- 6.63 The Site comprises a number of existing trees and unkempt vegetation. The presence of the existing trees and landscape features have informed the design concept and shaped the design development of the project.

- 6.64 Specialist arboricultural advice has been provided by Treework Environmental Practice since the very outset of the project, and this has been undertaken in tandem with consultation and engagement with the Tree Officer at the London Borough of Camden.
- 6.65 The current planning application is supported by an Arboricultural Impact Assessment and Tree Planting Strategy prepared by Treework Environmental Practice.
- 6.66 The proposed development reflects and addresses the constraints posed by and impacts of the proposals on trees within and adjacent to the new building. Seven individual trees on the Site and six individual trees on adjacent land are relevant in the context of the proposed development. Four Category 'C' trees within the Site have been identified for removal. The three tree features to be retained within the Site represent the highest quality trees present. 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 phases and to enable their successful development post-construction. Tree protection measures are discussed throughout the Arboricultural Impact Assessment and are illustrated on the Tree Protection Plan.
- 6.67 Six trees will be planted within a planned Tree Mitigation Planting Strategy supported by a detailed landscape scheme. One tree will be subject to construction within its root protection area and four trees will be subject to landscape works within their root protection areas. Special measures are recommended to ensure that these trees are not damaged.
- 6.68 Two retained trees require remedial tree work to facilitate the development and to reduce the likelihood of their being subject to excessive pressure after the completion of the development.
- 6.69 The planning application is also accompanied by a landscaping scheme prepared by Laird Bailey Landscape Architects.
- 6.70 External landscape areas to the front of the proposed development have been designed to create an eco-tone from the roadway towards the existing and proposed buildings, with a view to maximising ecological habitat creation.
- 6.71 The structure of the front garden seeks to emulate a natural transition of habitat. The landscape design proposes a mixed planting approach throughout the wide external spaces, blending species to create colourful, dynamic and ecologically appropriate displays. The diverse species palette maximises the resilience of planting and will ensure succession.
- 6.72 The structure of the mixed planting design blends with the surrounding planting types. Hedgerows on the site boundary combine with trees to form a distinct edge. Planting then tapers down through native shrubs into areas of mixed planting before crossing the stepping-stones set within sedum before transitioning again through the proposed landscape structure back to hedgerow and trees.

- 6.73 Additional native shrubs shall be planted along the front of the Site to create and enhance landscape structure, habitat and green infrastructure links to the wider site context.
- 6.74 The proposed landscaping scheme is one that accords with the historical context of the Site and will enhance the visual aesthetic. As such, the proposed landscaping will offer a significant enhancement when compared to the existing site context which comprises a large area of hard-surfaced car parking.
- 6.75 The landscaping proposals for the rear of the Site take account of the undulating topography, the existing trees, and the presence of the adjoining SINC designation, as shown in Figure 31 below. Native tree planting is proposed to be undertaken, together with areas of mixed planting to be established within the public realm to create a mosaic of habitats, thereby enhancing the ecological value of the Site and in turn linking the adjacent SINC to the wider landscape.

**Figure 31: CGI with Aerial View of Landscaping to the Rear of the Site**



Source: Re-Creo Architecture (October 2022)

- 6.76 The proposed planting has been selected to thrive within the low light levels of the Site whilst providing colour, interest and seasonal variation.
- 6.77 The landscape design draws upon the dilapidated and colonised nature of the existing site for design inspiration. The public spaces will be heavily planted with mixed perennials and shrubs. Several species of climbers and trailing plants have been introduced to recreate a wild aesthetic.
- 6.78 Bug hotels will stand as sculptures along the edge of the stepping-stone pathway leading to private seating within the front garden. These features along the pedestrian route will create a sequential journey under the tree canopy, creating a secret garden for exploration.

- 6.79 In summary, the proposals for the existing trees, proposed planting and landscaping features accord with Policy G7 of the London Plan and the Camden Planning Guidance document on 'Trees'.

#### **Drainage and Flood Risk**

- 6.80 The planning application is supported by a Drainage and Flood Risk Report, which has been prepared by Elliott Wood.
- 6.81 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 proposed new building.
- 6.82 The flood risk sources considered as part of the Drainage and Flood Risk Report are as follows:
- Rivers and Sea;
  - Groundwater;
  - Surface Water flooding / Overland flow;
  - Infrastructure failure / sewer flooding;
  - Flooding water artificial waterbodies.
- 6.83 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.
- 6.84 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's 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"*.
- 6.85 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.
- 6.86 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.
- 6.87 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.

- 6.88 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.
- 6.89 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.
- 6.90 In line with this hierarchy, the SuDS techniques that have been considered suitable for the proposed development are set out in the Drainage and Flood Risk Report.
- 6.91 The surface water run-off associated with the proposed building will be discharged to a below ground attenuation tank, which will be followed by a flow control chamber limiting the surface water flows to a maximum rate of 2.0 Vs for up to and including the 1-in-100 year +40% climate change rainfall event.
- 6.92 The proposed development will decrease the impermeable areas within the Site by 9%, whilst the hard landscaped areas will generally be comprised of permeable paving.
- 6.93 In summary, the drainage strategy is considered to be in accordance with the London Plan and Policy CC3 of the Camden Local Plan.

### **Energy and Sustainability**

- 6.94 The planning application is supported by an Outline Sustainability Report, prepared by Mendick Waring Ltd. The report sets out a range of sustainability measures which are being proposed for both the new building and for Elm Tree House.
- 6.95 In accordance with Building Regulations Part L1A, the new-build residential units are required to achieve a Dwelling CO<sub>2</sub> Emission Rate (DER) below the notional Target CO<sub>2</sub> Emission Rate (TER)

and a Dwelling Fabric Energy Efficiency (DFEE) rate below the notional Target Fabric Energy Efficiency (TFEE) rate.

- 6.96 The existing flats in Elm Tree House ('Phase 1') and the flats within the lower ground floor and basement extension ('Phase 2') need to comply with the requirements of Building Regulations Part L1B.
- 6.97 New developments should be assessed for their potential to contribute to the local community, and to ensure that they provide a sufficient and balanced contribution across each of the social, economic and environmental sectors to underpin the necessary integration required to ensure the sustained success of the development, and quality of life for the people it is designed to support.
- 6.98 The scheme implements the Mayor of London's Energy Hierarchy by using passive design and energy efficient features such as insulation, low air permeability and high-performance glazing.
- 6.99 The proposed strategy follows a best practice approach, based on the Mayor of London's Energy Hierarchy:
  - Use less energy – 'Be Lean'.
  - Supply energy efficiently – 'Be Clean'.
  - Use Renewable Energy – 'Be Green'.
- 6.100 The proposed development is considered as a 'medium' development under Camden Local Policy (and not as a major one), as it contains less than 10 residential units. Minor and medium new-build residential developments are required to achieve an on-site reduction in regulated CO<sub>2</sub> emissions of at least 19% over Building Regulations Part L 2013.
- 6.101 A fabric first approach has been followed, incorporating passive design measures such as low u-values, low air leakage and low thermal bridging.
- 6.102 Active design measures have then incorporated via energy efficient building services, such as 100% low energy lighting and mechanical ventilation with heat recovery (MVHR).
- 6.103 All the residential units within both the existing Elm Tree House and the proposed development will benefit by using a LTHW communal Air Source Heat Pumps (ASHPs) system along with a thermal buffer vessel, which will provide space heating and hot water to the dwellings (with the use of plate heat exchangers). In this regard, the sustainability measures being proposed relate to the Site as a whole.
- 6.104 The SAP 2012 methodology has been used to calculate the energy consumption and resultant CO<sub>2</sub> emissions for the proposed dwellings.
- 6.105 By incorporating a combination of all the feasible passive measures along with the use of the communal Air Source Heat Pumps system, both the existing building (Phases 1 and 2) and the new

building (Phase 3) have achieved a remarkable CO<sub>2</sub> reduction which is well beyond the Part L 2013 Baseline and the minimum requirements of Camden policy.

- 6.106 The potential for connection to a Decentralised Energy Network was considered, as per the London Plan. However, the connection to any existing or potential district heating network is not feasible.
- 6.107 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.

### **Transport**

- 6.108 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 300 metres, and Overground routes within 500 metres.
- 6.109 Policy A1 of the Local Plan supports development that protects the amenity of surrounding occupiers, taking into account transport impacts, amongst other considerations. Further to this, Policy T1 prioritises sustainable modes of transport, whilst Policy T2 highlights that the Council will require new developments to be car-free.
- 6.110 The Site currently contains hardstanding at the front and side of the Elm Tree House, which includes 10 car parking spaces to serve the existing residential flats.
- 6.111 The proposed development will replace the existing surface car parking and increase the quantum of soft landscaping within the Site.
- 6.112 The proposed development is designed to be car-free and will therefore accord with Policy T6 of the London Plan and Policy T2 of the Camden Local Plan.
- 6.113 A bike store is proposed at ground floor level within the building and will be accessible from the pedestrian walkway along the northern façade. The bike store includes 12 cycle parking spaces, which is equivalent to two spaces per residential unit and accords with Policy T5 of the London Plan.

### **Noise**

- 6.114 The planning application is supported by a Noise Impact Assessment which was prepared by Pace Consult Ltd.
- 6.115 A background noise survey was undertaken at the Site between 22 and 23 February 2022.
- 6.116 The Noise Impact Assessment includes predicted external noise levels for the sensitive façades of the proposed development that will be exposed to the highest levels of noise. All calculations are based on the results of the noise monitoring exercise.
- 6.117 The Noise Impact Assessment outlines that it will be important to construct the envelope of the building using materials with adequate sound insulating properties, in order to provide good

internal noise conditions. If the envelope is built to a high enough standard, it will be possible to achieve appropriate internal noise levels recommended for noise-sensitive developments.

- 6.118 The octave spectrums used in the building envelope assessment are set out in the report; these have been adjusted to assess the facade requirements at different locations. The night-time maximum noise levels are based on the 95<sup>th</sup> percentile of the levels measured during the survey for a robust assessment.
- 6.119 The measured noise levels affecting the proposed development is considered low, and therefore the envelope construction could achieve the internal noise levels through a combination of measures. These will include a typical cavity brick construction and Dryliner (12.5mm soundbloc plasterboard) and roof specification with typical roof sheeting, rafters, 150mm of insulation and two layers of sound bloc on resilient layers.
- 6.120 In addition to assessing the impact of noise on the internal living conditions of the new building, noise data representative of the nearest noise sensitive receptors was assessed against the criteria recommended by the most relevant acoustic guidelines.
- 6.121 The proposed development includes six Air Source Heat Pumps (ASHPs), which will be located in the valley between the two pitched roofs on the proposed new building, as well as eleven ASHPs in an enclosure to the front of Elm Tree House along the northern site boundary. The recommended plant noise criteria are 10 dB below the typical background. Therefore, the noise emission from the plant at the nearest residential dwellings should not exceed 35 LAeq dB during daytime, and 26 LAeq dB during night-time.
- 6.122 The noise levels and acoustic environment arising from the proposed development are considered to be acceptable and in accordance with Policy A4 of the Camden Local Plan.

### **Air Quality**

- 6.123 The planning application is supported by an Air Quality Assessment which was prepared by Air Pollution Services.
- 6.124 The key potential dust effects that may occur during the demolition and construction phase are dust soiling nuisance in the local area and health effects associated with elevated PM10 concentrations.
- 6.125 The Greater London Authority's (GLA's) Supplementary Planning Guidance (SPG) on The Control of Dust and Emissions During Construction and Demolition (2014) provides a risk-based methodology for considering the potential for dust generation from a development site and is largely based on the Institute of Air Quality Management's (IAQM's) guidance (2016), and it states that *"the latest version of the IAQM Guidance should be used"*. The approach developed by IAQM

(2016), divides the activities on construction sites into four types to reflect their different potential impacts, which are described below:

- Minor demolition activities will be undertaken as part of the proposed development, the dust magnitude of which is considered 'Small'.
- For earthworks, the emissions magnitude is classified as 'Small' given the size of the application site, activities involved and soil type.
- For construction activities, the dust emission magnitude is considered 'Small' due to the total building volume and construction materials.
- For track-out, vehicles may travel on-site during earthworks and may track-out dust and dirt, the dust emission magnitude of which has been considered 'Small'.

6.126 The study area is considered to be of 'high' sensitivity to potential dust soiling effects, as there are more than 10 dwellings within 20 metres of the application site and more than 10 dwellings within 20 metres of the roads where dirt may be tracked-out. The study area is considered to be of 'low' sensitivity to potential health effects, due to low baseline PM10 concentrations and distances to sensitive exposure.

6.127 The overall risks have been identified as 'Medium' for dust soiling effects during demolition, 'Low' for dust soiling effects during earthworks, construction and for track-out, and 'Negligible' for human-health effects.

6.128 Measures to mitigate dust emissions will be required during the demolition and construction phase of the proposed development in order to minimise impacts upon nearby sensitive receptors.

## **7.0 Summary and Conclusions**

- 7.1 This Planning Statement has been prepared by Union4 Planning on behalf of Re-Creo Netherhall Gardens Ltd in relation to a proposed development at 13 Netherhall Gardens.
- 7.2 The proposal involves the development of a new residential building of four storeys and comprising 6 residential flats (Use Class C3), works to the front boundary wall, external hard and soft landscaping, cycle parking and associated works. The proposed residential building will be known as Sycamore House.
- 7.3 The proposal is part of a phased approach to the development of the Site, the principle of which was originally discussed as part of a pre-application consultation process undertaken in 2018. 'Phase 1' relates to works to the building envelope of the neighbouring Elm Tree House, whilst 'Phase 2' comprises the development of a lower ground floor extension and basement level within Elm Tree House. The proposals for the new building known as Sycamore House will effectively comprise 'Phase 3' of the works which holistically support the delivery of significant environmental and heritage improvements for the Site.
- 7.4 The proposed development would result in a total of 17 residential flats across the Site, with 11 flats in the existing Elm Tree House and 6 flats in the proposed Sycamore House.
- 7.5 It is considered that the proposed development will provide a number of benefits, which may be summarised as follows:
- The 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 6 homes, including a family-sized home, which will contribute to the London Borough of Camden's annual housing target.
  - The proposed new homes 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 outlook and internal daylight.
  - The proposed accommodation is designed to be step-free and fully accessible to all, with five of the flats complying with Building Regulation M4(2) and one flat complying with Building Regulation M4(3).
  - The proposals will maintain and enhance the setting of Elm Tree House within the Fitzjohns and Netherhall Conservation Area.
  - The proposed development is sited in a manner which safeguards the residential amenity of homes within both Elm Tree House and Samara Mansions, with a combination of high-level glazing and obscure non-openable windows used on the northern and southern elevations.

- The proposed residential flats will benefit from private amenity space and access to the landscaped communal gardens.
- The proposed development will improve the overall landscape structure of the Site, with the retention of existing trees and carefully selected new plant species used to provide a mature landscape setting which improves biodiversity and the functionality of the communal gardens.
- The proposal is a car-free development in a highly accessible location, which will promote active and sustainable modes of transportation.
- The removal of the existing hard surfaced car parking from the Site will increase the quantum of permeable space through an increase in soft landscaping, which will also improve the aesthetic quality of the Site.
- The proposed building has been carefully designed to mitigate light spill at the rear of the Site and ensure that there are no unacceptable adverse effects on the adjoining SINC habitat.
- The proposed building is an energy efficient and highly sustainable development, which will not only provide a significant CO<sub>2</sub> reduction, but will also significantly improve the sustainability credentials of Elm Tree House.

7.6 In conclusion, we consider that the proposed development accords with the relevant adopted planning policies and associated guidance at the local and national level. We would also respectfully submit that the proposed development accords with the principles of proper planning and sustainable development, and that planning permission should be granted.