
Planning statement

26 Netherhall Gardens, London, NW3 5TL

1. Introduction

- 1.1. This planning statement has been prepared on behalf of our client, in support of a planning application at 26 Netherhall Gardens, London, NW3 5TL.
- 1.2. Planning permission is sought for the demolition of the existing 2 storey garage structure and subsequent erection of a 3 storey extension to the existing property that will provide 3 flats (Use Class C3) each with rear terraces, refuse and cycle store at the front and landscaping.
- 1.3. This application follows on from a recently approved development (ref: 2019/1515/P) and is similar to the current proposal, with both involving the demolition of the non-original side extension and the construction of a 3 storey extension to provide flats. The current proposal would therefore act to effectively supersede the previous permission.
- 1.4. The applicant team have also submitted an application involving works to the main building on the site (2022/4886/NEW), this is currently under consideration by the Council. The two schemes are designed so that each can be built out separately.
- 1.5. This statement has been set out under the following headings:
 - Section 2 – Site, surrounds and planning history;
 - Section 3 – Proposal;
 - Section 4 – Planning policy framework;
 - Section 5 – Planning considerations;
 - Section 6 – Conclusions.
- 1.6. This statement should be read in conjunction with the following documents:
 - Application and CIL form;
 - Location plan, existing and proposed drawings prepared by TG-Studio Architects;
 - Design and Access Statement prepared by TG-Studio Architects;
 - BRE Daylight and Sunlight Reports (internal and neighbour) prepared by Rights of Light Consulting;
 - Arboricultural Report prepared by Crown Consultants;
 - Energy Statement prepared by the Design Collective;
 - Structural Report prepared by chartered engineer S R Brunswick;
 - Bird Scoping Note prepared by Greengage;
 - Preliminary Roost Assessment prepared Arbtech.

2. Site, surroundings and planning history

Site Context

- 2.1. 26 Netherhall Gardens is situated in Camden's Frognal and Fitzjohns Ward. The site is located on the eastern side of Netherhall Gardens between Finchley Road and Fitzjohn's Avenue. The site is located in a predominantly residential area albeit it is close to major and neighbourhood centres, including Finchley Road and Hampstead High Street. The site has a PTAL of 6A. The site is well served by public transport with both Finchley Road underground station and Finchley Road and Frognal overground station located approximately 0.3 miles to the east. Many bus routes pass along Finchley Road and Fitzjohns Avenue to the east.



Image – photograph of the existing building at 26 Netherhall Gardens

- 2.2. The site contains a 4 storey residential building, with attached garage structure and off-street parking. The residential building dates from the later part of the nineteenth century. It has an exposed lower ground floor and a steeply pitched roof with two large dormers to the front elevation. It is comprised of brown stock brick, red brick dressings and a clay tile roof. The building has been subject to various alterations over time which have diminished its overall appearance; the chimney stacks have been lost or cut back, the front garden area has been excavated and a complicated staircase has been constructed. The attached garage dates from the 1950s; it comprises two levels; the lower floor comprising one vehicle parking space and the upper floor comprising a 1 bedroom residential dwelling. The garage structure is of low design quality and detracts from the overall appearance of the site and the conservation area. There is a large area of hardstanding in front of the building providing parking space for 2 vehicles.

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- 2.3. The surrounding area is predominantly residential in character. The east side of Netherhall Gardens comprises substantial three and four storey detached and semi-detached dwellings; while the western side comprises dwellings comprising five storeys. The residential buildings generally date from the later quarter of the nineteenth century and display characteristics of the Queen Anne and Domestic Revival including purple and red brick, decorative ironwork, rubbed and carved brick, bargeboard and roof details.
- 2.4. While there is general uniformity to the number of storeys and design characteristics, there are overall variances in height and built form within the surrounding area. The following diagram demonstrates that the building at 26 Netherhall Gardens sits above the height of the adjoining dwellings along the eastern side of Netherhall Gardens. It also demonstrates that there are varied building forms; the buildings immediately to the north comprise a primary form only; while the buildings immediately to the south comprise a primary form as well as a secondary side wing extension. 26 Netherhall Gardens is the anomaly in the immediate streetscape in that it currently features a 1950s side garage extension.



Image – streetscene sketch showing the 26 Netherhall Gardens within its context

- 2.5. The application site lies within the Fitzjohns / Netherhall Conservation Area, which was designated in 1984. The Conservation Area is characterised by large detached and semi-detached houses and a great variety of architectural idioms, including the various revival styles of the 19th Century and examples of the Arts and Crafts movement and vernaculars dating from the end of that century and into the early Twentieth. The Fitzjohns / Netherhall Conservation Area Statement identifies the existing building as making a positive contribution to the character and appearance of the Conservation Area. The building is not Listed.

Planning History

- 2.6. 26 Netherhall Gardens has a long planning history. A summary is set out below:
- **2022/4886/NEW:** Alterations to the exterior of the building including replacement windows and doors, roof tiling, demolition of front staircase and replacement, extending rear lightwell, new stairs and balcony at rear, alterations to front boundary treatment along with other associated works. Currently under assessment with the Council
 - **2019/1515/P:** Erection of 3 storey extension plus basement to existing property to provide 4 flats (2x 1- bed and 2x 2-bed) (Class C3) with rear roof terraces and refuse and cycle store at the front, following demolition of 2 storey garage extension and 1-bed flat. Permission Granted Subject to Section 106, 12/11/2021

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- **2015/3314/P:** Erection of 4 storey plus basement detached building to provide 5 flats (4 x 2-bed and 1 x 3-bed) including front and rear roof terraces, hard and soft landscaping, boundary treatment and 3 car parking spaces, following demolition of the existing building (Class C3). Non-determination would have refused 06/05/2016 Appeal dismissed 07/10/2016
- **2014/6224/P:** Erection of a four-storey plus basement detached building to provide 5 self-contained residential units comprising 4 x 2 bedroom and 1 x 3 bedroom units, including hard and soft landscaping, new boundary treatment and the provision of off street car parking, following demolition of the existing building (Class C3). Refused 19/01/2015
- **2012/4478/P:** Use as 5 x self-contained residential units (Class C3). Certificate of lawfulness for existing use granted 12/11/2012.
- **PW9802143R1:** Replacement of window frames and door frames to the front and rear of an existing single storey side extension, as shown on drawing numbers: AM/001, AM/002 and letter dated 23rd April 1998. Permission Granted 08/05/1998

Planning History Implications

- 2.7. The approved development (ref: 2019/1515/P) for demolition of the non-original side extension and the construction of 3 storey extension plus basement to provide 4 flats was approved in November 2021. This permission is of particular significance towards this application, given that the current proposal is very similar to that formerly granted by the Council and would effectively act to supersede permission 2019/1515/P.
- 2.8. The fundamental change between this application and the previous approved permission is that a basement level is no longer proposed within the development. The effect of this is that 3 flats are now proposed, with each flat arranged across an entire floor level (ground, first and second floor). The development would be an improvement over the previous scheme because with the basement removed there would be less potential noise and disturbance to neighbours. In addition, the previous development contained bedrooms at basement level and a single aspect front unit. In comparison, the current proposal would provide an improved living quality for the future occupiers, with all units being dual aspect and all living spaces arranged above ground; therefore, all units would receive good levels of outlook and daylight/sunlight.
- 2.9. The proposed development has a similar scale, design and proportions to that of the previously granted development with the main exception being the removal of the basement level.
- 2.10. Other key differences between this scheme and previously approved include:
- a slight readjustment to the size of windows at the front and rear.
 - all flats now entered into from the front entrance.
 - the front garden reconfigured given that the previous lightwell void is now redundant.
 - access along the side of the building to reach the rear garden adjusted, this is in response to the removal of the side entrance.
 - adjustment to the position and proportion of roof skylights and PV panels.

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2.11. To help with the assessment of this application the previously consented drawings within planning permission 2019/1515/P have been inserted beside the now proposed drawings within the submitted Design and Access Statement, so that the two developments can be easily compared. The front, side and rear view along with ground floor plan are copied beneath for further convenience.



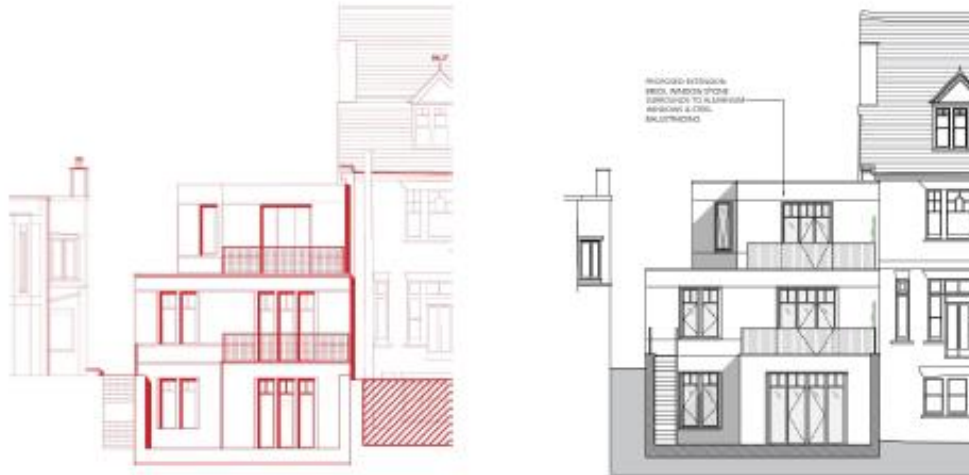
Front elevation - extant scheme out lined in red, proposed scheme in black



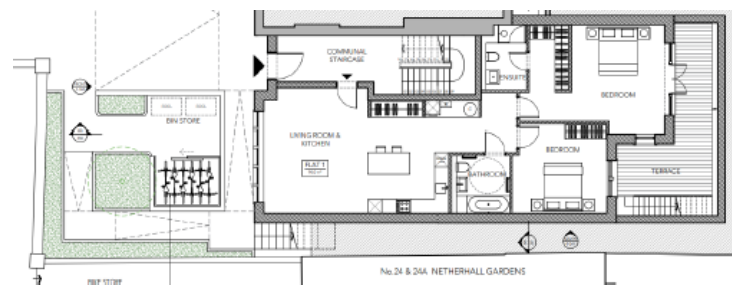
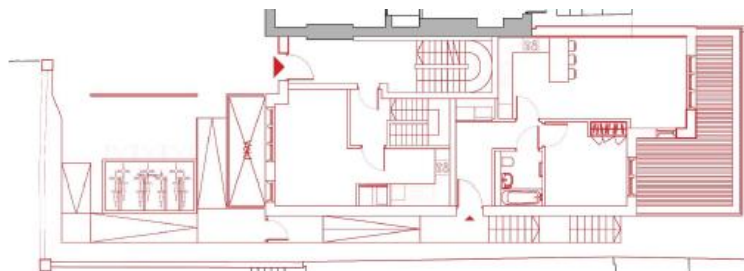
Side elevation - extant scheme out lined in red, proposed scheme in black

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Rear elevation - extant scheme out lined in red, proposed scheme in black



Ground Floor Plan - extant scheme out lined in red, proposed scheme in black

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- 2.12. Given the close similarities between this development and that previously approved in application 2019/1515/P, the previously granted permission is a significant material planning consideration. The Council's Local Plan used to assess the previous application is still the adopted Local Plan for the Council. In addition, the previous application is still extant given that it can still be implemented and fully built. The effect of 2019/1515/P is that it establishes that the demolition of the existing garage is acceptable, construction of a new building of the design, scale and proportions of that previously granted permission is acceptable, and a flatted residential occupation of this building is acceptable.

3. Proposal

- 3.1. The proposed development involves the demolition of the existing two storey garage structure on the southern boundary of the site, a new three storey, side wing extension would be built to provide three new residential units.
- 3.2. The proposal would entail the replacement of the existing one bedroom dwelling currently within the garage extension with three new residential flats, an uplift of two residential units. The proposal will also result in the loss of one off-street parking space that is located within the garage.



Image – photographs of the existing building showing the 1950s garage structure to be demolished

- 3.3. The new residential dwellings will be made up of 1 x 1 bedroom and 2 x 2 bedroom units. All units will benefit from private outdoor amenity space in the form of a private terrace as well as a communal garden to the rear of the property.
- 3.4. The proposals have been designed to largely mirror the previously approved development (ref: 2019/1515/P) – please refer Section 2 of this Planning Statement where the extant and current proposals are compared.
- 3.5. As per the previously granted permission, the new extension has been designed to appear as a subservient side wing extension. It will generally be in line with the height of the adjoining side wing extension at 24A Netherhall Gardens. The extension will respect the prevailing front building line and will respond to the rear building line of the adjoining property at 24A Netherhall Gardens.

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- 3.6. The extension will comprise materials to complement the character and appearance of the retained building and surrounding area. The extension would be built from brick, which would incorporate handmade and special bricks to ensure a high quality finish, French doors and casement windows will be wood-aluminium material, the main entrance door will be a hard wood painted panelled door with fanlight above, natural stone surrounds would be used around the windows, external balustrading would use wrought iron. The proposal includes four wood-aluminium rooflights with powder coated finish. To contribute to lower greenhouse emissions, photovoltaic panels have been proposed to the roof.
- 3.7. Alterations to the front garden consists of lowering a portion of the raised vegetation which is located in front of the extension to provide a gentle sloping pedestrian access which leads to the entrance of the new extension. At the rear, the proposal will involve excavation within the garden along the rear façade of the extension to allow good levels of daylight into the ground floor flat, and the creation of a sunken terrace to serve as private amenity space. This arrangement would be as per the previously approved scheme.
- 3.8. Cycle parking, refuse and recycling storage will be discretely located to the front of the extension behind the existing boundary treatment.

4. Planning policy framework

Development Plan

- 4.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 requires that planning applications are determined in accordance with the development plan for the area unless any material considerations indicate otherwise. This legal requirement is reiterated in the introduction to the National Planning Policy Framework (NPPF).
- 4.2. For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 the 'development plan' is:
- The London Plan (2021);
 - Camden's Local Plan (2017).
- 4.3. The 'development plan' is supported by several supporting documents and guidance such as the Fitzjohns / Netherhall Conservation Area Statement (2001) and Planning Guidance documents 1 to 8.

National Planning Policy Framework

- 4.4. The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and is a material consideration in determining planning applications. The NPPF maintains the presumption in favour of sustainable development (paragraph 11) which is defined in paragraph 8 as incorporating the economic, social and environmental elements.
- 4.5. Paragraph 119 specifically promotes the 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.
- 4.6. Paragraph 120 D promotes and supports the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where supply is constrained and available sites could be used more efficiently.
- 4.7. Chapter 12 of the NPPF titled 'Achieving well-designed places', outlines that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 4.8. Chapter 16 sets the parameters for 'Conserving and enhancing the historic environment'. Paragraph 190 describes that plans should set out a positive strategy for the conservation and enjoyment of the historic environment. Under paragraph 197 in determining applications, local planning authorities should take account of:
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*

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- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) the desirability of new development making a positive contribution to local character and distinctiveness.*

5. Planning considerations

5.1. The main planning considerations are:

- Implications of previously granted permission 2019/1515/P
- Land use
- Design and heritage
- Basement
- Amenity
- Environment
- Servicing

Previously granted permission 2019/1515/P

5.2. The previously granted permission (2019/1515/P) is a significant material planning consideration, given that it establishes that the demolition of the garage structure and subsequent redevelopment to build a 3 storey extension to contain flats is acceptable. This previously granted permission remains alive (extant) and could still be built out in full. As outlined above in Section 2 and 3 of this Statement the development now proposed is very similar to the previous approval. Camden's Local Plan used to assess the previous development is still the adopted local plan, and is therefore applicable for the current application.

5.3. The previous permission (2019/1515/P) was granted by Planning Committee in December 2021. The Committee Report makes the following conclusions (as summarised):

- *Housing is the priority land-use of the Local Plan the additional housing units are welcomed.*
- *The proposed 3 storey extension plus basement is considered to be a high quality extension which respects the host property and local context. The extension would replace the existing 2 storey structure which is considered to be out of keeping and does not contribute positively to the conservation area.*
- *The reduction of daylight at 24a Netherhall Gardens is acceptable. The window affected by the scheme serves a hall which also functions as a habitable room containing a desk and chair. Officers have visited this room and note it also benefits from light from the adjoining rooms including a skylight above the stairs which results in this room appearing well lit.*
- *A privacy screen to the side of the second floor terrace would prevent overlooking from this terrace to the garden of No. 24a. This would be secured by condition.*
- *The development requires the removal of five Category C trees. While these trees collectively provide some degree of screening this is not considered to justify objecting to the removal of the trees.*
- *The development would contribute to affordable housing in line with Policy H4, with a payment in lieu for affordable housing*
- *Planning Permission recommended subject to a Section 106 Legal Agreement to secure affordable housing*

contribution, car free, construction management plan, construction bond and highways contribution.

- 5.4. The scheme now proposed is seeking permission for a very similar development to that previously granted in 2019/1515/P. It should continue to be found acceptable for similar reasons as those detailed by Camden's Planning Officers when they assessed the previous scheme. A key differences between this scheme and that previously granted is that a basement is no longer proposed, therefore a construction management plan and construction bond requirements are no longer applicable.

Land use

- 5.5. The following policies from Camden's Local Plan are relevant to land use:

- Policy G1 Delivery and location of growth
- Policy H1 Maximising housing supply
- Policy H3 Protecting existing homes
- Policy H4 Maximising the supply of affordable housing
- Policy H6 Housing choice and mix
- Policy H7 Large and small homes

- 5.6. The proposed development will deliver three new residential units (uplift of 2) in a highly accessible location (PTAL 6A). This will contribute to the Borough's housing stock and count towards achieving the provision of 16,800 additional homes by 2031 in line with Policies G1 and H1. The development will be of a high quality, compatible with the local context, and will make an efficient use of the site also in line with Policies G1 and H1. The proposed development will bring forward the Borough's priority land use – self-contained housing – in line with Policy H1. In line with Policy H3, the proposal will re-provide the existing one bedroom dwelling that is currently located within the garage structure. In addition, 2 x 2 bedroom units would be created.

Affordable Housing

- 5.7. The Borough's affordable housing targets as set out in Policy H4 are noted. Policy H4 sets out that the Council will seek a payment in lieu of affordable housing where developments have the capacity for fewer than 10 additional dwellings. A sliding scale target applies for developments which have capacity for less than 25 units, starting at 2% per home and increasing by 2% for each unit added. Targets are based on an assessment of development capacity whereby 100sqm (GIA) of floorspace is generally considered to create capacity for one home. It is noted that Policy H4 sets out in point c that targets are applied to additional floorspace proposed, not the existing or replacement floorspace.
- 5.8. The existing building (retained building and garage) provides 585sqm (GIA) of residential floorspace while the proposed development comprises 770sqm (GIA), equating to 185sqm (GIA) of additional residential floorspace. On the basis that 100sqm (GIA) provides capacity for one unit, the proposal has capacity for 2 units, and therefore the affordable housing target of 4% applies. It is understood the payment in lieu is calculated on a £5,000 per sqm basis. The policy complaint payment in lieu for affordable housing is

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therefore calculated as £37,000

$$185 \text{ sqm} \times 0.04 = 7.4$$

$$7.4 \times £5000 = £37,000$$

5.9. The Applicant is willing to provide this payment in lieu in line with Policy H4 and this can be secured by legal agreement. The previous permission (2019/1515/P) was also subject to an agreement to secure payment in lieu for affordable housing.

Quality of Residential Accommodation

5.10. The proposed residential units have been designed to be functional and adaptable, and to meet the nationally described space standards, in line with Policy H6. All units will be accessible and adaptable in line with Building Regulations M(2). The units will comply with the nationally described space standards as set out in the table below.

Flat No.	No. of bedrooms	Proposed size	National Space Standards	Complies
Flat 1 (Ground floor)	2 bedroom (4 person)	98sqm	70sqm	Yes
Flat 2 (First floor)	2 bedroom (4 person)	95sqm	70sqm	Yes
Flat 3 (Second floor)	1 bedroom (2 person)	57sqm	50sqm	Yes

5.11. The proposed residential accommodation comprises 1 x 1 bedroom and 2 x 2 bedroom units (the existing 1 bedroom dwelling will be re-provided). Policy H7 sets out that a flexible approach to assessing the mix of dwelling sizes will be adopted in each development, considering the character of the development, site, surrounding area and any local constraints. Given that the proposal is for an infill development, that a one bedroom unit is being provided and three units are being proposed only, it is considered that the mix is entirely appropriate for the site and area. The proposal will deliver 2 x 2 bedroom units which are the priority in the Borough and 1 re-provided 1 bedroom unit within a highly accessible area (PTAL 6A). On this basis, the proposed mix is considered to be in line with Policy H7.

5.12. The proposal will create excellent quality accommodation for future residents. All new units will exceed National Space Standards, are logically arranged with high levels of functionality to create safe and comfortable homes. All units would be dual aspect and benefit from large windows providing good levels of outlook to the front and rear. Each of the units have their own private amenity spaces that are of size and depth sufficient for the design occupancy of each flat. This private amenity space would be complemented by a large communal garden at the property's rear.

5.13. In terms of daylight and sunlight levels for the new flats, this has been assessed by Right of Light Consulting. The 'within development' report submitted with this application finds that all habitable rooms meet or surpass BRE recommendations and the development would satisfy BRE exposure to sunlight requirements. The report concludes that the proposed design will provide the development's future

occupiers with adequate levels of natural light.

- 5.14. The provision of two additional residential dwellings on a previously developed land clearly optimises the use of the site, directly in line with the NPPF and the London Plan. The provision of two additional residential dwellings (three new dwellings) in a highly accessible area and provision of a policy compliant affordable housing payment delivers significant planning benefits for the Borough.

Design and heritage

- 5.15. The following policies from Camden's Local Plan are relevant to design and heritage:
- Policy D1 Design
 - Policy D2 Heritage
- 5.16. The existing building comprises a four storey house dating from the later part of the 19th century, subject to various alterations over time including a modern side extension and garage dating from the 1950s. The garage extension is of low quality design and execution which detracts from the appearance of the main building and has a negative impact on the conservation area. The existing garage extension was considered by the Planning Inspector (APP/X5210/W/16/3145922) at paragraphs 22 and 23 stating the contribution of 26 Netherhall Gardens to the conservation area is: *"compromised by the later alterations including the excavation of the basement level, flat roofed extension at ground level and the unsatisfactory arrangement of steps to the front elevation, the effect of which has been to detract from the grand appearance which is characteristic of its neighbouring properties. The later alterations to no. 26 do not contribute positively to the conservation area and significantly detract from the positive contributor status of the original building and the wider conservation area."* Furthermore, the Planning Inspector considered the demolition of the whole building to be acceptable.
- 5.17. In addition to the above within paragraph 11.13 of the Committee Report for ref:2019/1515/P the following was stated: *"Overall the proposed extension would enhance the contribution the host building makes to the streetscape with very little visual impact on neighbouring properties. The development would enhance the character and appearance of the Conservation Area"*.
- 5.18. Given that the existing garage structure has been found to be detrimental to the streetscape and complete demolition previously supported by the Planning Inspector and Council, its demolition is considered acceptable within the context of Policy D2. The replacement building, and noting the design similarities between the current scheme and that previously approved by 2019/1515/P, is also of an acceptable design and appearance, and serves to enhance the conservation area.

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Image – front elevation of the existing building showing the proposed demolition in red

- 5.19. The proposed extension has been designed to a very high quality. The design intention is to complement and respect the host building, surrounding context and conservation area in terms of form, materials and detailed design. The design is very deliberate in that it creates a subservient side wing extension to the existing building, in line with the form of other buildings situated along Netherhall Gardens and in particular the adjoining neighbour at 24A Netherhall Gardens, and taking design cues from particular and notable buildings within the streetscape including 28 Netherhall Gardens and the listed building at 50 Netherhall Gardens.
- 5.20. The proposed footprint is informed by the surrounding buildings and adjoining neighbour at no. 24A. The proposed building is in line with the prevailing front building line, creates greater relief to the southern boundary in comparison with the existing and generally is in keeping with the depth of the adjoining building at no. 24A. The first floor sets in at the rear to ensure general consistency with the depth of no. 24A, while the second floor sets in at the front, side and rear to minimise building mass and ensure that amenity impacts on neighbours are minimised.

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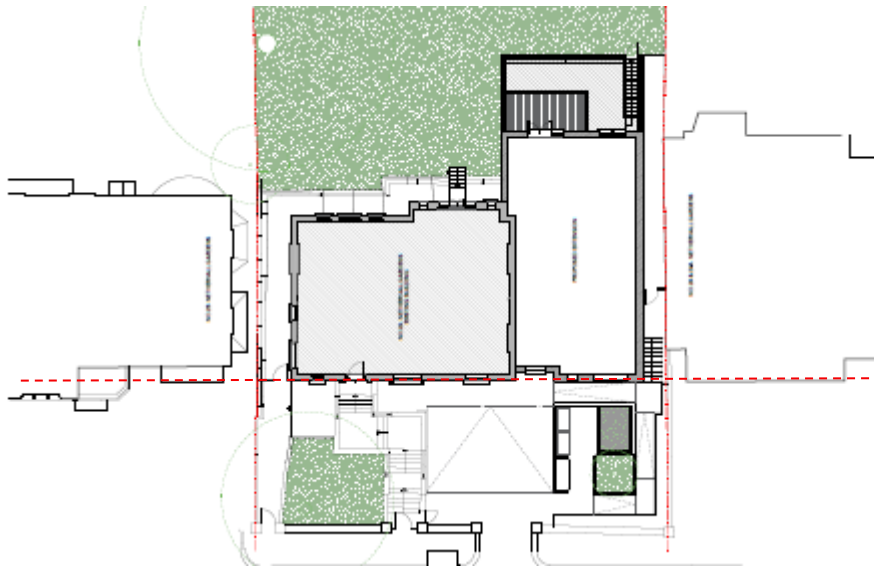


Image – plan showing the alignment of the proposal with the prevailing front building line

- 5.21. The height of the extension corresponds with the eave height of the retained host building and is similar to the parapet line of the side extension at no. 24A. This forms three levels across ground, first and second floor. The proposed building height is shown on the image below.



Image – showing the contextual height of the proposal with the main building at no. 26 and building heights at no. 24A

- 5.22. The proposed extension generally adopts an orthogonal form, consistent with other side extensions found along Netherhall Gardens and in particular the immediate neighbour at no. 24A. In terms of volume, the proposal will create a better balance between the pair with the main house and side wing appearance. The resultant recession and projection of bays will ensure that the extension is not monolithic and will reflect

the varied character of neighbouring buildings within the conservation area.

- 5.23. The proposal will instate a building gap which is characteristic of Netherhall Gardens and the conservation area. It will also repair the harm caused by the unusually large gap between the existing building and no. 24A.
- 5.24. The materials proposed respect the area's prevailing building style as well as reflect the materials found locally within the conservation area. The brickwork, timber doors, windows with natural stone surrounds and wrought iron balustrades ensure the proposal is finished to a very high quality and reflects the best examples of local buildings.
- 5.25. The resultant proposals are well considered, contextual and attractive. They are appropriately restrained to ensure that they complement rather than compete with the retained host building. The replacement of the existing modern side extension with a new high quality extension which complements and respects the host building as well as the nature of the surrounding area is considered to a positive outcome for the site. For the reasons set out above, the proposal is considered to be wholly in compliance with Policy D1.
- 5.26. Furthermore, this statement has described how the proposed development will be of good design in line with the NPPF. In summary, the proposal will function well and add to the quality of the site and local area; the side extension is visually attractive and of good architecture reflecting local influences; the design is wholly sympathetic to local character and history picking up on historical references found within the local architecture; the proposal will optimise the use of the site providing three new dwellings and will be safe, inclusive and accessible. On this basis it is considered that great weight should be given to the proposed design, which will raise the design standard of the site and streetscape, entirely influenced by the surrounding prevailing form and layout.
- 5.27. The proposed accommodation will be of a high standard and the building will be of sustainable design and construction as discussed in further detail below.

Amenity

- 5.28. The following policy from Camden's Local Plan is relevant to amenity:
- Policy A1 Managing the impact of development
- 5.29. The extension has been carefully designed to maintain the quality of life for the existing occupants of the host building and maximise the quality of life for future occupants. Adjoining residential amenity, particularly relating to 24A Netherhall Gardens as well as the retained flats at 26 Netherhall Gardens, have been well considered and has influenced the form and volume of the extension.

Privacy

- 5.30. In terms of privacy, the extension will comprise windows that at upper levels face either towards the subject property's front or rear garden, and therefore avoid views towards neighbouring properties living spaces. The ground floor terrace will be sunken meaning there is no opportunities for views towards neighbours. The rear terraces positioned at the first and second floor levels will be modest in size, setback from the

boundary with no. 24A. Planning permission 2019/1515/P was previously subject to a condition requiring the installation of a privacy screen to the side of the second floor terrace to prevent overlooking from this terrace to the garden of No.24a. The applicant is amenable to a similar condition being imposed on this permission for screening.

Outlook

- 5.31. The nature of the sites topography (slope from front to back and north to south) means that the proposed ground floor corresponds with the lower ground floor of no. 24A, the proposed first floor corresponds with the ground floor of no. 24A and the proposed second floor corresponds with the first floor of no. 24A. At the rear, the proposed ground floor is sunken having no impact on the amenity of no. 24A. The footprint of the first floor generally reflects the footprint of the ground floor at no. 24A meaning that there is no unreasonable loss of outlook or a sense of enclosure to the neighbouring property. The second floor has been set in from the southern boundary and at the rear to ensure that sufficient outlook is maintained from the angled bedroom window at the first floor of no. 24A. Other windows to the rear elevation of no. 24A will continue to benefit from outlook to the rear.
- 5.32. The overall impact of the scheme on the outlook from neighbouring occupants when compared with the extant planning permission 2019/1515/P would be neutral and not harmful.

Daylight/ Sunlight

- 5.33. The form of the extension was influenced by daylight/sunlight testing relating to neighbours. The planning application is accompanied by a sunlight and daylight assessment prepared by Rights of Light Consulting which demonstrates that the proposed extension complies with the BRE Guidelines for daylight and sunlight
- 5.34. Similar to the previous scheme ref: 2019/1515/P, three particular windows were noted to be effected, but there are mitigating factors. The proposal would have a marginal impact to one window (window 2 at the front elevation of 24a Netherhall) with a before and after ratio of 0.74 against a BRE target of 0.8. Of importance is that the proposal would have the same level of daylight/sunlight impact to no. 24a as the extant permission (2019/1515/P). The previously approved scheme was found to have an acceptable impact to neighbours by planning officers and was approved at planning committee. The updated daylight /sunlight report compares the extant and proposed scheme. The beneath figure demonstrates that the proposal will have the same level of impact as permission 2019/1515/P. Daylight distribution to windows is also shown within the report to be the same between the approved and now proposed scheme

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Reference	Room Use	Vertical Sky Component - Proposed Scheme				Vertical Sky Component - Approved Scheme			
		Before	After	Loss	Ratio	Before	After	Loss	Ratio
<u>24a Netherhall Gardens</u>									
<u>Ground Floor</u>									
Window 2	Domestic	22.0%	16.3%	5.7%	0.74	22.0%	16.3%	5.7%	0.74
Window 3	Kitchen	16.3%	2.2%	14.1%	0.13	16.3%	2.2%	14.1%	0.13
<u>First Floor</u>									
Window 14	Bedroom	31.0%	18.1%	12.9%	0.58	31.0%	18.1%	12.9%	0.58

Figure above – table comparing previously approved scheme (2019/1515/P) and proposed scheme and shows that there would be no change.

5.35. The updated daylight/sunlight report concludes from the results that the proposed development will have a relatively low impact on the light receivable by its neighbouring properties. Where there is a level of impact upon neighbouring windows there are mitigating circumstances, in this case the previously granted scheme, which has a similar level of impact on daylight /sunlight compared to the current scheme. As such the proposal would have an acceptable level of impact on neighbouring occupants.

Noise and vibration

5.36. It is not considered that the proposal will result in noise and vibration above what is usually experienced within a residential area.

Overall

5.37. All other adjoining residential properties are located a sufficient distance away from the extension to avoid amenity impacts. All existing units will continue to benefit from sufficient outlook to the front and rear of the property and there is no opportunity for overlooking. On this basis, the amenity of the existing occupants at no. 24a and 26 Netherhall Gardens will be maintained.

Environment

5.38. The following policies from Camden's Local Plan are relevant to environment:

- Policy A3 Biodiversity
- Policy CC1 Climate change
- Policy CC2 Adapting to climate change
- Policy CC3 Water and flooding

Trees

5.39. An Arboricultural Report with impact assessment and method statement has been prepared by Crown Consultants and supports the application. All category A and B trees will be retained. Six trees that are

Category C will need to be removed. These trees are located within the footprint of the proposal or so close to it that their retention is not practical. However, the trees requiring removal are relatively small trees or have a relatively low amenity value. Consequently their removal should not have a significant impact on the visual amenity of the locality, and they are not considered to be a material planning consideration. No foundations are proposed within the Root Protection Area of any retained tree, and as such there are no restrictions on foundation design or implementation considered necessary from an Arboricultural perspective.

Bats

- 5.40. A Preliminary Roost Assessment has been completed on the site. For the garage structure to be demolished within the proposal (labelled B1b and B1c within this study), this area was found to have negligible value for roosting bats due to a lack of potential roost features and no evidence of bats found during the survey. These results are consistent with the previous assessments of these structures undertaken in 2017 & 2019 indicating a consistent lack of bats, or suitable habitat for bats across this timeframe.

Energy and Sustainability

- 5.41. The planning application is accompanied by an Energy and Sustainability Statement prepared by the Design Collective which demonstrates compliance with Policies CC1, CC2 and CC3 as well as the London Plan. Key findings of the statement are set out below:
- 5.42. The new dwellings will be designed to achieve optimum energy performance and will incorporate the following design features:
- Significantly exceed the minimum fabric requirements of Part L1A (2013) of the Building Regulations.
 - All dwellings will include 100% low energy lighting.
 - All dwellings will be mechanically ventilated with both supply and extract air with the inclusion of heat recovery (MVHR).
 - Each building will be served by a dedicated heat pump system to provide heating and hot water provision, therefore gas boilers have been disregarded and will not be installed.
 - The previous energy statement had already identified that it is not possible to serve the development from a district heating network nor to use a CHP unit. To this end these solutions have not been further considered.
 - Renewable electricity will also be generated on site via 9No solar photovoltaic panels of 2.5Wp each providing 2.250kWp
- 5.43. The new flats achieve significant carbon savings and comply with the Target Emission Rate set by Part L of current Building Regulations as well as Council carbon targets.

Flood risk

- 5.44. The site is in a low flood risk zone, albeit there is some risk of surface water flooding. The application does not propose any residential units at basement level, and therefore the development would conform with the

Environment Agency's Standing Advice.

Servicing

5.45. The following policies from Camden's Local Plan are relevant to servicing:

- Policy CC5 Waste
- Policy T1 Prioritising walking, cycling and public transport
- Policy T2 Parking and car-free development

5.46. The proposal provides facilities for the storage and collection of waste within the front garden of the property in line with Policy CC5.

5.47. The proposed development will promote sustainable transport in that it incorporates accessible and secure parking facilities within the forecourt of the property in line with Policy T1. The London Plan requires 1 cycle parking space for 1 bedroom units and 2 cycle parking space for 2 bedroom units. The proposed bike store with capacity for 6 cycles will exceed standards.

5.48. The proposed development will reduce the amount of on-site parking by 1 space (existing garage demolished) and the new units will be car free in accordance with Policy T2. It is understood that parking permits will not be issued for the proposed residential units and the proposal will not provide for off-street parking in association with the proposed 3 units.

Structural Considerations

5.49. A Structural Report has been prepared by chartered engineer S R Brunswick given that the development involves demolition within the conservation area. This report shows the intended construction approach with particular attention towards the terrace at rear and how this would be reinforced and supported.

6. Conclusions

6.1. This statement has demonstrated compliance with the 'Development Plan' which comprises the London Plan (2021) and Camden's Local Plan (2017).

- The proposal will optimise the use of the site, providing three new residential units within a highly accessible area which are both good quality and accessible. Furthermore, the Applicant is offering a policy compliant affordable housing payment.
- The existing harmful 1950s garage extension will be replaced with a high quality extension which repairs the existing uncharacteristic gap within the streetscape and provides a highly contextual response which picks up on local materials and detailing.
- The careful design has ensured that the amenity of the neighbours are protected in terms of privacy, sunlight/daylight, outlook and sense of enclosure.
- The scheme will retain and protect all trees of value, the only trees to be removed are low quality Category C trees.
- The supporting documentation sets out that the scheme will comply with climate change policies, incorporating renewable technologies and resulting a reduction in carbon dioxide emissions.
- The scheme will be appropriately serviced with cycle parking spaces and waste storage. The new residential units will be car free (no on-site parking spaces allocated and no parking permits issued).

6.2. The benefits of the scheme are considered to be:

- Provision of 3 new residential units in a highly accessible area (PTAL 6A).
- £37,000 contribution towards affordable housing.
- Enhancement of the conservation area through the demolition of the 1950s garage structure and replacement with a high quality, contextual extension.
- An environmentally sustainable development.