

Redington **Frognal**

Neighbourhood Development Plan

20XX - 20XX

August 2018

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BD: BUILDING AND DESIGN

BD 1 NEW DEVELOPMENTS AND REFURBISHMENT OF EXISTING HOUSING STOCK

Intent

1. For designated heritage assets, such as the Redington Frognal Conservation Area, paragraph 185 of the NPPF requires that local planning authorities should give great weight to the asset's conservation when considering the impact of proposed development on the significance of a designated heritage asset.
2. The Conservation Area status of the Plan Area, mostly comprising heritage housing stock, and the scarcity of available development sites, limits opportunities for new construction. Nevertheless, the Plan aims to accommodate part of the need for housing in the Frognal and Fitzjohn's ward, as projected by the GLA over the period to 2041. This will be achieved through development which conforms to Policies BD 1 to BD 4.

Table BD 1 GLA Population Projections for Frognal and Fitzjohn's Ward, 2016 to 2041

Age band	Number of persons				Increase or decrease per period			Cumulative
	2016	2021	2031	2041	2016-21	2021-31	2031-41	2016-2041
0-3 years	599	608	582	576	9	(26)	(6)	(23)
4-10 years	1,131	1,096	1,036	999	(35)	(60)	(36)	(132)
11-18 years	1,096	1,219	1,213	1,173	122	(6)	(39)	77
19-29 years	2,492	2,530	2,430	2,476	37	(100)	46	(17)
30-59 years	5,540	5,877	5,679	5,476	337	(198)	(203)	(64)
60-74 years	1,249	1,207	1,584	1,741	(41)	376	157	492
75-90 years	841	912	913	1,026	71	0	113	184
Total	12,949	13,449	13,436	13,467	500	(13)	31	518

Source: Redfrog based on GLA 2015 Round Population Projections 'Camden Development', Capped AHS Perso

3. Redington Frognal supports sustainable growth for the provision of a variety of homes and jobs¹.
4. All development in the Area, whether residential or commercial, must "adopt design and conservation principles to preserve and enhance the characteristics of [Redington Frognal's] green and picturesque" Victorian and Edwardian suburb, "with a mixed range of population in terms of socio-economic and age groups."² New development must be designed to complement and respect the existing character of the area and its heritage buildings.
5. The phased disposal of King's College Hampstead Campus, between 2000 and 2014, led to considerable new residential development, totalling some about 450 units in Kidderpore Avenue alone, and densification.
6. Other nearby developments include the ZEN development (21 dwellings) on Heath Drive³ and the Viridium Apartments at 264 Finchley Road (11 flats and 2 penthouses), The Cascades at 368-372 Finchley Road, Clark House at 328 Finchley Road and at 252 Finchley Road. It is likely that these developments have enabled the population of the Plan Area to increase by 2,000 residents since 2000.
7. Notwithstanding this increased housing provision, the mean house price in the Redington Frognal Area increased by 250%⁴ over the ten years to 2015. ONS data on Housing Affordability⁵ indicate that the ratio of median house price to median earnings also continued to rise in the London Borough of Camden. By 2015, median house prices had reached 20 times median earnings, a deterioration of 23% in just two years.

¹ Objective 4 of the Redington Frognal Vision and Objectives Brochure

² Objective 1 of the Redington Frognal Vision and Objectives Brochure

³ <http://www.zenddevelopments.co.uk/current-developments/heath-drive-hampstead-nw3/>

⁴ ONS HPSSA Dataset 3 <https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/hpssadataset3meanhousepricebymoquarterlyrollingyear>

⁵ ONS Ratio of median house price to lower quartile earnings by Local Authority, 2013 to 2015, table 577 <https://www.ons.gov.uk/peoplepopulationandcommunity/housing/adhocs/006557ratioofhousepricetoearningslowerquartileandmedianbylocalauthoritydistrictenglandandwales1997to2015>

8. As a result of such price growth, the area has become particularly attractive to property developers, while the high prices of new developments and existing housing have become unaffordable to all but high earners.
9. ONS Census data for 2011 for the Redington Froggnal Neighbourhood Plan Area indicate that 47.2% of household spaces are in converted housing⁶. Maintaining the number of dwellings in converted housing is a key element in the provision of accommodation for a range of household sizes, from single persons to families.
10. The Census data also show the average rooms per household as 5.47 and 2.82 bedrooms per household, compared with an average household size of 2.41 persons⁷. This implies that larger-sized dwellings are well supplied. Of residents aged 16 to 74 years, 31% are economically inactive. Among those who are economically active, 78% are occupied as managers, directors, senior officials, in professional occupations or associate professional and technical occupations. These data confirm the heavy bias towards higher socio-economic groups.
11. A growing trend to increase single dwelling house size has been observed, either through demolition and rebuild or through substantial extensions, including basements. However, consents for residential building extensions and conversions have not yielded an increase in dwellings and, on the contrary, have brought about a cumulative loss of homes, through the conversion of two or more flats to a single house. An analysis of planning consents for the Redington Froggnal Area between 1 January 2010 and 19 August 2017 indicates that a total of 21 consents were granted for refurbishment of existing residential buildings, resulting in a net loss of 13 units⁸.
12. The Plan seeks to retain existing flats and to ensure that development provides a variety of home sizes and prices. In particular, it aims to enhance accessibility for a range of socio-economic groups, including through the provision of smaller-sized units, from studio flats and starter homes (at a price of no more than £450,000 at 2015 prices⁹) to two bedrooms.
13. London-wide projections of specialist housing needs for the elderly, published by the London Assembly Housing Committee¹⁰, expect that London might need an additional 80,000 sheltered housing spaces and 67,000 more care home places by 2041. Indeed, GLA population projections by age for the London Borough of Camden¹¹ forecast that Camden's population of 85 and over will increase by 138.8% between 2016 and 2041, compared with an overall Camden population increase of 16.8%.
14. This policy additionally intends that, in accordance with the five principles of sustainable development¹², to help to ensure a "strong, healthy and just society".

6 Includes shared houses and bedsits

7 2011 Census Key Statistics and Quick Statistics, ONS © Crown Copyright, Open Government Licensed. Created by: Corporate Strategy, © LB Camden, 2011

8 RedFrog conversions, from Camden Open Data portal, accessed 19.8.17: <https://opendata.camden.gov.uk/Environment/Planning-Applications/2eiu-s2cw/data>

9 MHCLG Starter Homes Guidance <https://www.gov.uk/guidance/starter-homes>

10 London Assembly Planning Committee *Homes for older Londoners: Building healthy homes for a comfortable and independent retirement*, November 2013

11 GLA 2015 Round of Demographic Projections Local authority population projections - SHLAA-based population projections, Capped Household Size model

12 living within the planet's environmental limits; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly: <https://www.gov.uk/guidance/national-planning-policy-framework/achieving-sustainable-development>

BD 1 New Developments and Refurbishment of Existing Housing Stock

- i. Development of new residential units, in accordance with the 2017 Camden Local Plan policies H6 and H7, is to be prioritised. This should take into account the characteristics of the site, and current evidence in relation to housing need.
- ii. Where single houses have been sub-divided into flats, the number of residential units is to be maintained or increased, except where they do not meet or exceed London Plan private internal space standards.
- iii. Where units meet or exceed London Plan private internal space standards, a cumulative loss of two or more units will not be permitted. This applies to all development of a site since 2010 (when planning applications first became available on the Camden website), whether by different applicants or by the same applicant.
- iv. Apartments that do not meet London Plan private internal space standards may be amalgamated to provide fewer units.
- v. In order to maximise the provision of new dwellings, developments providing one or more additional homes should focus on units offering one to four bedrooms, in accordance with London Borough of Camden Strategic Housing Market Assessment, 5.2.16.
- vi. The retention of existing and the creation of new development and building extensions will be supported, if they are in accordance Policies BD 1 to BD 4, and:
 - maintain the Conservation Area's green and verdant character;
 - minimise losses to biodiversity and habitat capable of supporting biodiversity;
 - maximise the area of soft landscaping, to act as a carbon sink and help mitigate against climate change and the urban heat island effect;
 - encourage/seek large tree and shrub planting;
 - retain existing trees and vegetation, especially large species / canopy trees and native trees.
- vii. Rear garden boundaries are strongly encouraged to include trees selected from the list shown in Appendix BGI 4.
- viii. Front garden boundary walls and hedges should be preserved or reinstated for new developments and refurbishments of existing housing stock.
- ix. The Plan strongly encourages the use of hedges (as in Appendix BGI 3) as front side and rear garden boundaries, to enhance amenity, biodiversity and streetscapes.

Application

15. Refurbishment of the existing housing stock, which does not cause loss of soft surface or garden area will be supported, particularly if accompanied by biodiversity enhancing measures, such as tree and hedge planting, as specified in Policy BGI and Appendices BGI 3, BGI 4 and BGI 6.
16. New developments, including building extensions, are to conform to the Redington Frogna Design Codes, as set out in Policy BD 4 and Appendix BD 4.

BD 2 PRESUMPTION AGAINST DEMOLITION

Intent

1. The NPPF requires that local planning authorities should take account of: the desirability of sustaining and enhancing heritage significance, putting assets to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities and economic vitality; and, the desirability for new development to make a positive contribution to local character and distinctiveness (paragraph 192).
2. National Planning Practice Guidance notes, with respect to unlisted conservation area buildings that:
“If the building is important or integral to the character or appearance of the conservation area then its demolition is more likely to amount to substantial harm to the conservation area, engaging the tests in paragraph 133 ¹ of the National Planning Policy Framework.”
3. Historic England notes that total loss of a heritage asset, or substantial harm, may be justified if all of the following tests are met:
 - a) there is no viable use of the heritage asset that can be found in the medium term, including through marketing to find alternative owners;
 - b) the heritage asset is preventing all reasonable uses of the site;
 - c) public support for or ownership of the asset is demonstrably not possible; and
 - d) the harm or loss is outweighed by the benefits of bringing the site back into use.

Source: page 7 of Historic England “National Planning Policy Framework (NPPF) and Heritage Assets”.

4. The Redington Frogna! area has a rich social history and has been home to many notable residents, e.g. General de Gaulle and Tomas Mazaryk. It is also defined by fine Edwardian and Victorian architecture and notable post-War buildings by eminent architects, set in large gardens planted with mature trees and vegetation, which make a particularly strong contribution to the character of the area.
5. Camden’s Redington Frogna! Conservation Area Statement of 2003 had already noted a number of infill developments. Since then, infill development has accelerated and many properties have been demolished. Where properties have been demolished they are replaced by much larger properties and smaller gardens (as in the photo below) and a mixed assortment of architecture. The cumulative impact of this development is to erode the unique characteristics of the Redington Frogna! Conservation Area and to harm the settings of historic buildings.

Example of Modern Architecture which Detracts from the Conservation Area



6. The new development above, at 38 Redington Road, lacks detailing to the façade, fenestration and roofscape. It is without a front garden, side garden, trees or hedges, and incorporates excessive hard surfacing.
7. Redington Frogna! strongly supports a presumption against demolition and this policy aims to preserve the Area’s Victorian and Edwardian buildings, in addition to post 1930 buildings of high architectural value, and their green settings.

14 Redington Frogna Vision and Objectives questionnaire, questions 1 and 2.

BD 2 Presumption Against Demolition

- i The plan incorporates a presumption against total or substantial demolition for buildings, including those which are:
 - identified in the Redington Frognal Conservation Area Statement as positive or neutral contributions, either on their own, or as a group of buildings; or
 - included in the list of heritage assets, for which the Forum requests local listing, as shown as shown at Appendix BD 3; or
 - identified as non-designated heritage assets.
- i Buildings forming a positive contribution to the Conservation Area are to be sensitively adapted and extended, as necessary. This is to ensure that the building and its setting are retained that they remain an integral part of the Area's streetscape and character.
- i Demolition may be justified where a scheme delivers public benefits which outweigh the harm. Where there is substantial harm, the public benefits will need to be substantial.

Application

9. New development will be supported where this is achieved without demolishing a:
 - i. Victorian or Edwardian building
 - ii. building considered to be of architectural merit
 - iii. building which, on its own, or as a group, forms a positive or neutral contribution to the Redington Frognal Conservation Area
 - iv. locally listed heritage asset, or heritage building for which the Forum seeks listing as non-designated heritage assets.
10. Demolition is unlikely to be outweighed by public benefits, except where it delivers public benefits which outweigh the harm. Where there is substantial harm, the public benefits will need to be substantial.
11. Applications for demolition must attach sufficient weight to consideration of the building's retention and its ability to deliver affordable housing.
12. Where an applicant claims that no viable use of a heritage asset can be found and therefore proposes demolition, the applicant first will be required to market the heritage asset at fair market value to potential buyers for a medium period of time of five years.
13. Policy BGI 2 applies in respect of applications to demolish front garden walls and hedges.

BD 3CAR-FREE DEVELOPMENT

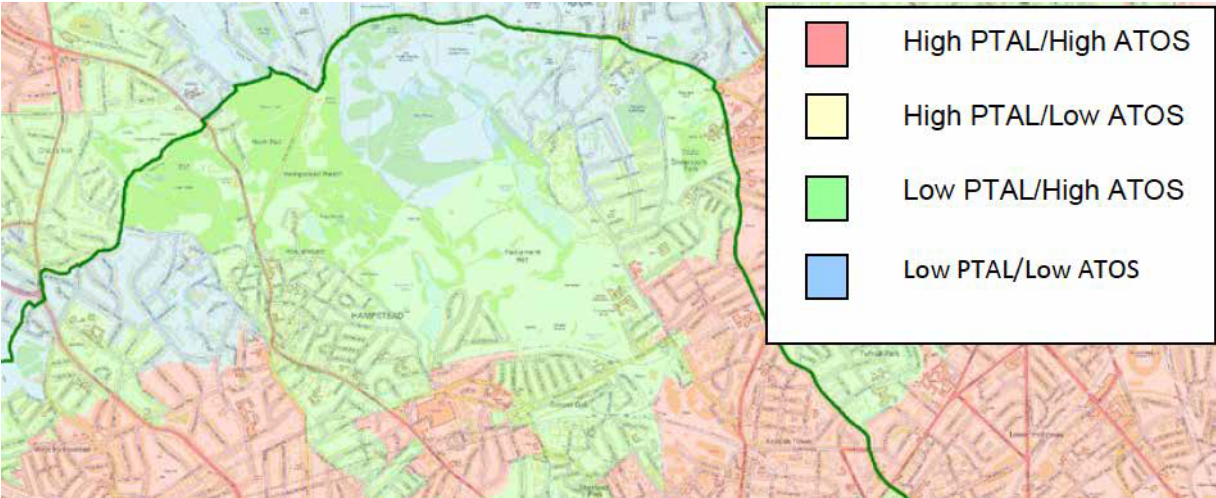
Intent

1. With the population of Redington Frogнал forecast to grow further during the lifetime of the Plan, the challenge is to ensure that growth is supported by healthy and sustainable transport choices.

Connectivity

2. Section 5 of Camden’s Local Plan Evidence Report on car-free development (February 2016) demonstrates that Camden has high and improving public transport accessibility levels (PTAL) and connectivity¹⁵. New methods of assessing connectivity (e.g. Access To Opportunities and Services (ATOS) and time mapping (TIM) have become available, showing that levels of connectivity within the borough are higher than had been represented in 2010 using PTAL as the sole indicator. It is expected that connectivity will continue to rise due to the delivery of infrastructure improvements.
3. Furthermore, Camden’s 2017 Local Plan Evidence Base has successfully demonstrated that, when using combined PTAL and ATOS measures “there are very few areas where there is a combined low PTAL and low ATOS score (blue areas)”¹⁶ in the map below and “although some parts of the borough may not have high PTAL ratings (green), these areas are still well provided by essential local services within a relatively short distance on foot or by public transport”.

Map BD 1 Combined PTAL and ATOS Levels for Redington Frogнал, 2001



Source: Camden data from 2001 Census

4. Car-free development is supported by planning appeal decisions, even relating to Camden’s earlier Core Strategy and Development Policies¹⁷. These have found that off-street parking provision would prejudice the achievement of sustainable travel by undermining attempts to promote and encourage cycling, walking and public transport use and that off-street parking spaces within an area of high PTAL rating did not amount to sustainable development.
5. The Local Plan Evidence Report observes that, whereas trips by car in Camden declined by 31%, and total motor vehicle trips fell by 27% over the period between 2006 and 2014, the Frogнал & Fitzjohn’s ward experienced an opposite trend.
6. Although vehicle ownership per household is in decline in Camden, Frogнал and Fitzjohn’s is the one ward in which vehicle ownership increased between 2001 and 2011.

15 Connectivity is much broader in its scope than public transport accessibility as it includes elements such as the proximity to jobs, shopping opportunities or essential services.

16 It should also be noted that large parts of the blue areas cover Hampstead Heath, which is largely unpopulated.

17 APP/X5210/A/14/2222537 and APP/X5210/A/14/2213004

Table BD 1 Change in Vehicle Ownership by Ward, 2001 to 2011

	House-holds 2001	All cars or vans 2001	House-holds 2011	All cars and vans in 2011	% change in house-holds	% change in total cars or vans	% change in cars or vans per house-hold
Belsize	6,151	3,689	6,131	3,532	-0.3	-4.3	-3.9
Bloomsbury	3,977	1,165	4,819	1,134	21.2	-2.7	-19.7
Camden Town with Primrose Hill	5,371	3,119	5,905	3,004	9.9	-3.7	-12.4
Cantelowes	4,718	2,504	5,094	2,226	8.0	-11.1	-17.7
Fortune Green	4,768	3,267	5,324	3,015	11.7	-7.7	-17.4
Frognal and Fitzjohns	5,303	4,338	4,940	4,081	-6.8	-5.9	1.0
Gospel Oak	4,815	2,630	4,912	2,370	2.0	-9.9	-11.7
Hampstead Town	4,988	3,964	5,200	3,856	4.3	-2.7	-6.7
Haverstock	5,052	2,442	5,254	2,232	4.0	-8.6	-12.1
Highgate	4,844	3,494	4,788	3,316	-1.2	-5.1	-4.0
Holborn and Covent Garden	5,259	1,849	6,114	1,836	16.3	-0.7	-14.6
Kentish Town	5,204	2,752	5,793	2,535	11.3	-7.9	-17.3
Kilburn	5,223	2,375	5,758	2,105	10.2	-11.4	-19.6
King's Cross	4,394	1,385	4,594	1,072	4.6	-22.6	-26.0
Regent's Park	5,292	2,333	5,602	2,046	5.9	-12.3	-17.2
St Pancras and Somers Town	5,313	1,984	5,588	1,768	5.2	-10.9	-15.3
Swiss Cottage	5,843	3,847	5,860	3,662	0.3	-4.8	-5.1
West Hampstead	5,088	2,824	5,858	2,811	15.1	-0.5	-13.5
All	91,603	49,961	97,534	46,601	6.5	-6.7	-12.4

Source: Camden Annual Parking Report, 2014

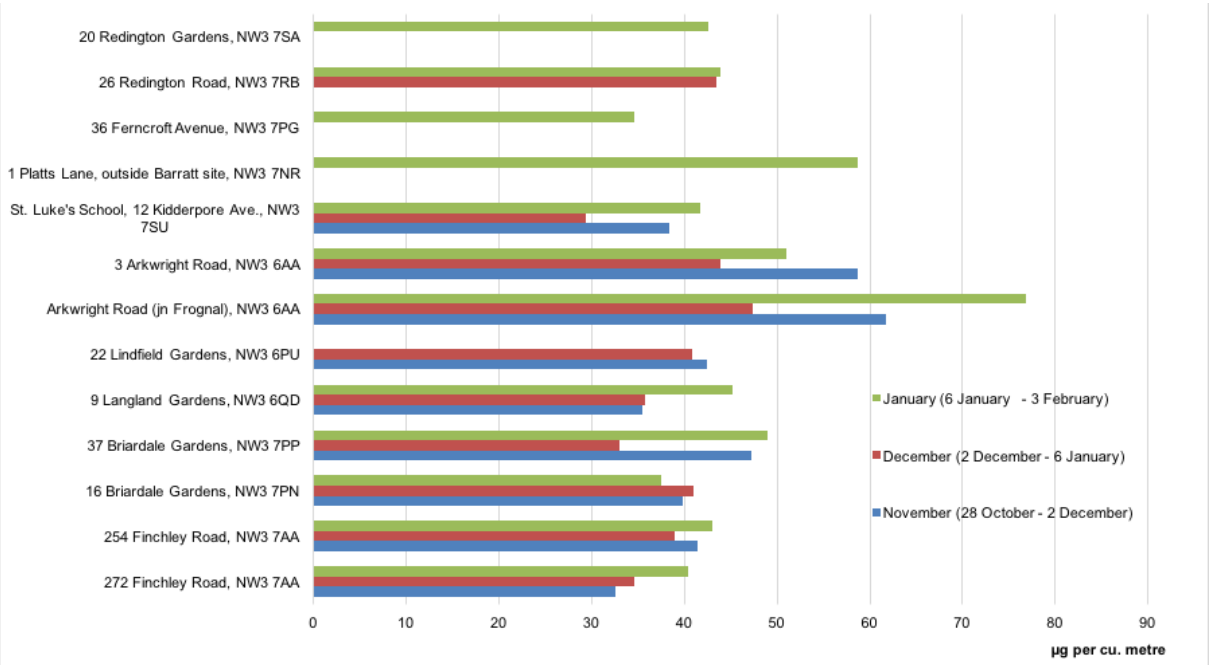
Air Quality

7. The Redington Frognal Plan Area suffers from high NO₂ levels in excess of the permitted EU maximum: the European Emissions Standard for NO₂ is 40 µg/m³, averaged over one year.
8. Movements of private vehicles are encouraged and exacerbated by the grant of planning consents for specific off-street parking areas, both above and below ground. In Kidderpore Avenue, for example, basement parking allocations from three planning consents will result in 423 vehicles across three developments in one narrow street by end 2018.
9. Redington Frognal Association¹⁸ undertook diffusion tube monitoring for a period of three months from November 2015 to January 2016 at a variety of location types, from a quiet backwater to busy commuter routes. For almost all locations, average NO₂ readings were above permitted levels, ranging from 36 µg per cubic metre for a tube sited in a well-vegetated front garden with trees, close to the junction of Finchley Road and Frognal Lane, to as high as 62 µg per cubic metre for Arkwright Road, a very busy school-run and commuter route.
10. It should be noted that these readings were taken prior to the completion of several recent consents for large underground car parks, notably Mount Anvil's Kidderpore Avenue north site and Barratt's Kidderpore Avenue south site. Air quality will since have deteriorated further.

18 Umbrella group for street and residents' associations in the Redington Frognal area.

<http://search3.openobjects.com/kb5/camden/cd/results.page?pollingdistrict=17&borough=1&communitychannel=2-3-21>

Figure BD 1 Average NO2 Concentrations, November 2015 to January 2016



Source: Redington Frognal Association

11.
- Camden’s Local Plan, adopted in July 2017, recognises the benefits of car-free development and the need to create “more welcoming environments that increase the likelihood of people making healthier and more sustainable transport choices”.

Conservation Area Status

12.
- The Plan Area is virtually congruent with the Redington Frognal Conservation Area (except for a handful of properties on Finchley Road). Because of this, the Plan must give special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area¹⁹.
13.
- Off-street (and basement) car parking is noted as a key source of harm to the Redington Frognal Conservation Area. For example, Camden’s Redington Frognal Conservation Area Statement and Guidelines stated²⁰, as long ago as January 2003, that,

“Alterations to the front boundaries between the pavement and houses can dramatically affect and harm the character of the Conservation Area.” ... “Where there are low walls alongside the road and within properties they add to the attractive appearance of the front gardens and architectural setting of buildings. Proposals should respect the original style of boundary and these should generally be retained and reinstated where they have been lost. Particular care should be taken to preserve the green character of the Conservation Area by keeping hedges. The loss of front boundary walls where it has occurred detracts from the appearance of the front garden by reducing the area for soft landscaping in this urban residential area. Furthermore, the loss of front boundary walls facilitates the parking of vehicles in part of the property, which would adversely affect the setting of the building and the general street scene.”

and,

“The Council will resist any further loss of front boundary walls and conversion of front gardens into hardstanding parking area.”

19 as required by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

20 Redington Frogna! Conservation Area Guidelines RF 8 and RF 9

14. Similarly, Local Plan Policy T2 10.21 affirms that,
“Parking can cause damage to the environment. Trees, hedgerows, boundary walls and fences are often the traditional form of enclosure on Camden’s streets, particularly in conservation areas, contributing greatly to their character, as recognised in Camden’s Conservation Area Appraisals and Management Strategies. This form can be broken if garden features are replaced by areas of paving or hard standing. Development of boundary treatments and gardens to provide on-site private parking often requires the loss of much needed public on-street parking bays to create vehicle crossovers. Areas of paving can also increase the volume and speed of water run-off. This adds to the pressure upon the drainage system and increases the risk of flooding from surface water”.
15. Despite Policy T2 and the Conservation Area appraisal, off-street parking has continued to proliferate, front gardens have been lost and street scenes have become degraded to the extent that Redington Froggnal Association had presented to Camden in 2011 a case for the imposition of an Article 4 Direction²¹. The case was accepted in June 2011 by (redacted) Camden’s Conservation and Historic Buildings Advisor²² and further photographic evidence was compiled, as requested, and presented to (redacted) Camden’s Conservation and Historic Buildings Advisor²³ in 2013.
16. An example of a planning consent granted since Policy T2 was introduced is 2017/1229/P for off-street parking in relation to new development at 5 Templewood Avenue. Officers chose to apply a very narrow interpretation of the Policy, whereby the Policy is to be applied only where a completely new building is planned. As a result of this interpretation, consent was granted for a car lift, off-street / basement parking for eight vehicles, to be shared between two flats²⁴.
17. A planning inspectorate decision, APP/X5210/W/17/3178421 of 10 October 2017 in relation to 13 Fitzjohn’s Avenue, further supports the need to retain front-boundary treatments. In this appeal, one of the main issues was whether the proposed development would preserve or enhance the character or appearance of the [Fitzjohn’s/Netherhall] Conservation Area. The planning inspector concluded that “the partial loss of the boundary wall would unacceptably harm the character and appearance of the FNCA” (conservation area).

Financial Viability

18. A Financial Viability Study, commissioned as part of the evidence to support Camden’s Local Plan, tested the ability of a range of development types throughout the borough to viably meet planning policy requirements of the Local Plan. This concluded that overall, the car-free development policy “would have only a minor impact on the viability of development across the borough”. Moreover, by omitting the provision of car parking, more space would become available to deliver “larger residential units and more communal and/or amenity space” and that there “would also be cost savings associated with not delivering car parking, which in the case of basements in particular could be very significant”.

21 RedFrog Article 4 Direction presentation, dated 13 April, 2011

22 Redington Froggnal Association and Camden meeting note of 22 June 2011

23 Redington Froggnal Association letter to (redacted) dated 24 June, 2013

24 Paras. 6.37-6.36, page 447 of Members’ Briefing of 14.12.17:

[http://democracy.camden.gov.uk/documents/g7276/Agenda frontsheet 14th-Dec-2017 19.00 Planning Committee.pdf?T=0](http://democracy.camden.gov.uk/documents/g7276/Agenda%20frontsheet%2014th-Dec-2017%2019.00%20Planning%20Committee.pdf?T=0)

BD 3 Car-Free Development

- i. Local Plan Policy T2 Parking and Car-Free Development applies in respect of new development .
- ii. However, the neighbourhood plan policy applies to all development, i.e. the creation of new units, the amalgamation of units, refurbishment and reconfiguration of units (including development which does not involve a net gain or loss of units) and extensions to existing buildings.
- iii. Car-free development means that no parking spaces are provided within the site, including underground. The only exceptions made are for disabled users or for essential operational or servicing needs.

Application

- 19. The policy will enable the reinstatement of traditional front boundary treatments, including low retaining walls and front and side garden hedges and soft-surfaced front gardens.
- 20. Separate provisions apply to parking designated for disabled users or for essential operational or servicing needs (in accordance with Camden policy Parking and Car-Free Development).
- 21. Allocated spaces for shared electric vehicles are encouraged, along with on-street electric vehicle charging points.
- 22. The policy applies both to developments involving demolition and those without demolition.
- 23. This policy will encourage healthier and more sustainable transport choices, reduce private motor vehicle ownership and vehicle movements and congestion, leading to an improvement in air quality.

BD 4 REDINGTON FROGNAL DESIGN CODES FOR DEVELOPMENT SITES, INCLUDING NEW BUILDINGS, EXTENSIONS AND ALTERATIONS

BD 4 and Appendices BD 4.1 to 4.4 constitute the Redington Frognal Design Codes.

Intent

1. The use of codes was recommended in national policy, initially in 2006 in Planning Policy Statement 3: Housing (para.18), and subsequently in the 2012 National Planning Policy Framework (para 59). The Policy was accompanied in late 2006 by detailed guidance covering the purpose, preparation, use and utility of design coding (now withdrawn and scheduled by the Taylor Review for revision and incorporation into the new single online planning guidance resource). However, it is explicitly stated that the deleted 2006 guidance referred to below does not apply to circumstances like the Redington Frognal Conservation Area:

“Design codes may be appropriate in other circumstances as well. They may, for example, be appropriate for thematic design coding to guide the design of repetitive minor householder planning applications such as house extensions, alterations, and the like in a particular locality. However, these forms of design coding are not the focus of this guide.”
2. The paragraphs below from section 12 of the NPPF justify the use of design policies, principles or assessments and there are a number of examples where design codes have been successfully used in planning²⁵.

Paragraph 125 and 126 note that,

125 *“Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area’s defining characteristics. Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development*

126 *“To provide maximum clarity about design expectations at an early stage, plans or supplementary planning documents should use visual tools such as design guides and codes. These provide a framework for creating distinctive places, with a consistent and high quality standard of design. However their level of detail and degree of prescription should be tailored to the circumstances in each place, and should allow a suitable degree of variety where this would be justified.”*
3. The role of design codes in contributing good design is recognised. DCLG Guidance: Design, published on 6 March 2014²⁶ advises that design codes may be incorporated into a neighbourhood plan, while the Housing White Paper²⁷ proposes the use of tools such as design codes that respond to local character (pages 29 and 86).

25. Baroness Williams (the Housing Minister) in the House of Lords said on floor of the House: “Indeed, as my noble friend is undoubtedly aware, national planning policy and our planning guidance encourage Design Codes where they can help to deliver high-quality outcomes”
<https://www.publications.parliament.uk/pa/ld201516/ldhansrd/text/151120-0002.htm#15112061000551> (Columns 459 and 452)

and
<https://matthew-carmona.com/2013/04/12/design-codes-diffusion-of-practice-in-england/>

26. MHCLG Design Guidance. <https://www.gov.uk/guidance/design-design-codes>

27 DCLG Fixing Our Broken Housing Market

4. Design codes raise the design standard of new developments and maintain that of places²⁸. Their use is supported by the Royal Institute of British Architects (RIBA)²⁹ and forming Housing Minister, Gavin Barwell, notes that” it is for local authorities and their communities, through their Local Plans and Neighbourhood plans, to set out the quality of design that they wish to see in their area.”³⁰ They are particularly appropriate for conservation areas: paragraph 200 of the NPPF requires that local planning authorities look for opportunities for new development within a conservation area to enhance or better reveal their significance. Historic England’s best practice advice note³¹ provides guidance in respect of new development in the form of design and local distinctiveness
5. The aim of the Design Codes is to provide clear parameters by defining the parameters of what is and is not acceptable to preserving and enhance the Redington Frogna! Neighbourhood Plan Area, which is virtually congruent with the Redington Frogna! Conservation Area. They are intended as an aid to the formulation and design of development proposals and change within the Plan Area.
6. The distinctiveness of the Redington Frogna! Neighbourhood Plan Area is recognised by Camden’s Redington Frogna! Conservation Area appraisals. The bulk of the Redington Frogna! Conservation Area was originally designated in June 1985. It was described in the report to the London Borough of Camden, Planning and Communications Committee as “an exceptional example of consistently distinguished Victorian and Edwardian architecture”. The report noted that the area had “already begun to lose some of its interesting buildings” and was subject to increasing pressure for unsympathetic change.
7. The Area has many positive aspects that contribute to the rich character of Redington Frogna!, which should be sustained, reinforced and enhanced. These general urban design principles are intended to guide and manage change across the Area, through the application and understanding of the context surrounding each development. To achieve high quality design, development proposals will be expected to demonstrate how they respond to the context and how the following principles have been applied.
8. It is the intention of these design codes to encourage a higher standard of design for development, in order to deliver locally distinctive architecture that contributes to, and is in keeping with, the existing character of the Redington Frogna! Conservation Area.
9. It is also intended that the design codes will prevent cumulative harm to and reverse the steady erosion of the Conservation Area / Neighbourhood Plan Area and its setting, and that they will deliver sustainable development in accordance with paragraphs 10 to 12 of the NPPF.
10. A survey by the UCL: Bartlett School of Planning³² of 311 local planning authorities in England found that design codes, revealed a range of potential headline benefits of the use of design codes, including:
“• Better designed development, with less opposition locally, and a more level playing field for developers
• Enhanced economic value derived from the positive sense of place that better quality design can deliver
• Less uncertainty with the planning process and a resulting positive climate for business investment
• Streamlined regulatory processes, saving time and money for developers and local authorities alike
• A more coordinated development process, built on consensus instead of conflict.”
“The assessment amongst planning authorities was overwhelmingly positive, with the vast majority of those who had previously used design codes declaring their intention to use them again in the future as and when the right opportunities arose (namely sites large enough to justify their production).”
11. The use of design codes will provide certainty for developers and avoid situations such as the unsuccessful attempt by Linton Group to construct a very unpopular new development, which would not have conformed to the Redington Frogna! Design Codes and Policy BD 2 Presumption Against Demolition³³. They will additionally obviate the need for neighbours to expend vast sums in challenging inappropriate planning applications and assertions made by developers³⁴.
12. The policy therefore builds on the Local Plan policies D1 Design and D2 Heritage, providing specific local detail. This approach is supported by the National Planning Policy Framework, which states that in

paragraph 125 that, “Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development”.

13. Chichester District Council Design Protocol, December 2013 <http://www.chichester.gov.uk/CHttpHandler.ashx?id=20823>
14. Response of RIBA President Elect, Ben Derbyshire, to the Government’s Housing White Paper, 7 February 2017. <https://www.architecture.com/knowledge-and-resources/knowledge-landing-page/riba-responds-to-housing-white-paper>
15. House of Commons written question 58654
<https://www.parliament.uk/written-questions-answers-statements/written-question/commons/2016-12-20/58654>
16. Historic England, Historic Environment Good Practice Advice in Planning: 2 - Managing Significance in Decision- Taking in the Historic Environment, 2015
<https://content.historicengland.org.uk/images-books/publications/gpa2-managing-significance-in-decision-taking/gpa2.pdf>
17. Design Coding Diffusion of Practice in England, Matthew Carmona and Valentina Giordano Bartlett School of Planning, UCL, October 2012
<http://www.udg.org.uk/sites/default/files/publications/Design-Coding-Diffusion-of-Practice-in-England.pdf>
18. 28 Redington Road planning application 2016/2997/P and appeal reference APP/X5210/W/3164577
19. Neighbours at 26 and 30 Redington Road spent £25,716 to support Camden Council’s case against the development proposals. (Neighbours’ costs for 28 Redington Road.xlsx)

20. The vision of the design codes is to ensure that development understands and responds to the context and special qualities which make the Redington Frogmal Conservation Area distinctive. Through the use of design codes, developers will be required to invest in detail and quality and display greater imagination and creativity.
21. New buildings are to respect the Area's local character and history, its leisurely and spacious appearance and highly detailed grand heritage buildings. This will be achieved through high levels of detailing and decoration and well-vegetated green settings. In this way, development can preserve and enhance the Conservation Area and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.
22. The Conservation Area's eight sub areas achieve homogeneity, with differences between them based largely on the density, style and scale of buildings, the period of construction, topography and density of vegetation. Although there is some variation in architectural detailing, the common style and age of buildings generally results in a harmonious and unified structure. The limited palette of materials and the similar age, size and style create a high level of unity and cohesion and a strong local identity across most of the Plan Area. This enables application of the design codes across the eight sub areas.
23. By differentiating between mandatory and desirable elements, the design codes, shown in Appendix BD 4, afford sufficient flexibility for use in all eight sub areas, including the eastern side of Finchley Road.
24. Mandatory elements of the Redington Frogmal Design Codes are to be followed in all instances, unless it can be demonstrated that a departure will not cause harm to the character of the Redington Frogmal Conservation Area.

BD 4 Redington Frogmal Design Codes for Development Sites, Including New Buildings, Extensions and Alterations

- i. All new building, including extensions and alterations, is to be in accordance with the design vision for the Plan Area and the mandatory elements of the Redington Frogmal Design Codes, described in Appendix BD 4.

Application

25. The design criteria above are material to all applications in the Neighbourhood Plan Area.
26. Developers, community groups, businesses, property owners and architects are encouraged to follow the Design Codes to help them understand the Plan's expectations of massing, design, layout, materials and landscape.
27. The Design Codes will also be used by Camden's Planning department, the Conservation Area Advisory Committee and Redington Frogmal Neighbourhood Forum / Association to assist in determining the appropriateness of planning applications in terms of bulk, massing and design.
28. The Design Codes are to be read in conjunction with the text, photos, figures and images provided in Appendix BD 4.
29. Examples of recent planning consents (being implemented in 2018), which would not conform to the design codes and which have compromised the streetscape of the conservation area, are shown below.

30. Redington Frogna! Conservation Area Statement (p.9), 2003

31. AECOM RedFrog Character and Heritage Assessment (p.20)

Kidderpore Avenue: excessive bulk and massing of new development opposite Grade II listed church and adjacent to Arts and Crafts houses



Site of Interest for Nature Conservation: new townhouses adjacent to Grade II listed Skeele Library



Finchley Road: excessive bulk and massing of new development opposite Grade II listed banking hall and adjacent to Arts and Crafts houses



Kidderpore Avenue and Finchley Road: gaps between buildings devoid of trees and planting



BD 5 EXTENSION DEVELOPMENT

Intent

1. Policy BD 5 aims to ensure that extension development is supplementary to the use of the host building and that it maximises the preservation of gardens for the health and wellbeing of current and future occupiers.
2. The Redington Frogna Conservation Area is unique in Camden in benefitting from properties with large gardens, generally increasing in size with proximity to Hampstead Heath.
3. This policy additionally aims to guard against erosion of the Area's total garden space and, in accordance with paragraph 175 of the NPPF, it seeks to encourage "opportunities to incorporate biodiversity improvements in and around developments especially where this can secure measurable net gains for biodiversity."
4. A number of planning permissions have been granted for development whose function is not supplementary to the use of the existing residence, notably:
 - 2011/5264/P: Erection of brick outbuilding in rear garden for use as yoga studio (granted 19-12-2011)
 - 2015/5681/P: Erection of single storey outbuilding in rear garden for use as a dog grooming salon (granted 23-02-2016).
5. The policy establishes standards for the size and impact of extension and infill developments.

BD 5 Extension Development

- i. New extensions to residential buildings can be welcome, if they do not reduce the unbuilt area of the land plot by more than 15%, compared with the unbuilt area of the land plot as at 1 July 1948, or when the building was first constructed (if after 1 July 1948). Alternatively, the footprint of the proposed extension, together with the existing building, must not aggregate to more than 50% of the total area of each land plot, according to whichever measure consumes the least rear garden space.

Exceptions to the 15% rule may be applied in the case of properties without any gardens, eg at Hampstead Gate, or with minimal gardens, such as at those on Finchley Road between the Westfield development and Platt's Lane.
- ii Extensions must remain subservient to the host building and must have a character, scale and massing that adheres to Policy BD 4 Design Codes for Development Sites, Including New Buildings, Extensions and Alterations.
- iii Side extensions, including the enlargement of garages and side porches, will only be permitted if they reflect the rhythm, punctuation and symmetry of the street scene, and are in accordance with the Policy BD 4 Design Codes for Development Sites, Including New Buildings, Extensions and Alterations. They will not be permitted where they risk starting or forming a terrace from existing detached or semi-detached houses.

Application

6. Rear extensions are to avoid any harm to the amenity of neighbours, as set out in the Camden's November 2017 draft Supplementary Planning Guidance: Amenity.
7. Side extensions will only be permitted if they maintain existing gaps between houses, maintain views to rear gardens and adhere to Policy BD 4 Design Codes for Development Sites, Including New Buildings, Extensions and Alterations.
8. The removal of streetscape features, such as front and side hedges and front boundary walls, which make a positive contribution to the character and appearance of the Conservation Area, is discouraged.

Recommendation

9. Permitted development rights should be removed for building extensions planned to reduce the unbuilt area of the land plot by more than 15%, compared with the unbuilt area as at 1 July 1948³⁷. Alternat-

10.

ively, the footprint of proposed extension, together with the existing building, must not aggregate to more than 50% of the total area of each land plot. The measure to be used is whichever consumes the least rear garden space.
- 32

The NPPF defines an original building as “a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.” <https://www.gov.uk/guidance/national-planning-policy-framework/annex-2-glossary>

BD 6 RETENTION OF ARCHITECTURAL DETAILS IN EXISTING BUILDINGS

Intent

1. The buildings within Redington Frognaal comprise a range of high quality architecture, mostly from the late Victorian and Edwardian periods. Many of the buildings were designed and constructed by the same architects and builders working together. As a result, there is a high degree of unity within the area. It is therefore important that original buildings and their existing architectural features are retained to preserve the original design intention and style.
2. The Redington Frognaal Area exhibits a wide variety of period architectural detailing, such as intricate brick bonds, friezes, gothic detailing, hung tiles and pargeing.
3. This policy aims to preserve many of these attributes and the character appearance of the Area. It applies to all development which falls outside of the scope of the General Permitted Development Order.

BD 6 Retention of Architectural Details in Existing Buildings

- i. Front boundary walls and original architectural details, such as chimneys and porches etc., are to be retained – notably for Locally Listed buildings
- ii. Developers are strongly encouraged to retain hedges or, where none exists, to plant new native hedgerow species, as in Appendix BGI 3.

Application

4. This policy is to be applied throughout the Conservation Area. Removal of the following Redington Frognaal character features is likely to cause harm to the Conservation Area:
 - arches over front doors
 - intricate porches
 - decorative brickwork
 - door surrounds,
 - windows and roof lights
 - timber-framed sash windows and casement windows
 - arches over windows
 - tiled footpaths
 - carved stone on building exteriors
 - arches / green arches into gardens.
5. In cases where planning consent is required, repair of original architectural details is to be prioritised over replacement, including of windows and doors. Original, traditional materials are to be retained and repaired, if necessary, and re-roofing is to be carried out in tiles matching the original.
6. Where architectural details have been removed in the past, replacement with suitable copies will be required. Photographs of some original front boundary treatments and architectural features are shown in Appendix BD 1.
7. Materials used for the repair or alteration of buildings, and for surfacing and boundaries, shall match the existing high-quality palette of materials that typifies the character of each street. Developers are encouraged to select materials to be used in conjunction with the Neighbourhood Forum or Conservation Area Advisory Committee at pre-application stage, to ensure sufficient quality at a buildable price.
8. A variety of residential door types exist across the Conservation Area, but with a consistent style within groups of houses. Where a consistent style exists, and a replacement door is necessary, exact copies of the original doors are preferable.
9. Front boundary treatments, comprising brick walls and / or hedges, are to be retained. Where these have been removed, their reinstatement is encouraged. Original photographs of some front boundary treatments are available at Appendices BD 1 and BD 2.

Example of Modern Porch on an Edwardian Property with a Gated Front Boundary Treatment.



In the photo above, both the porch and the gated front boundary detract from the setting of the Edwardian property and form a negative contribution to the street scene.

Recommendation

10. An Article 4 Direction will be sought to remove permitted development rights (as in Hampstead), requiring householders to seek planning permission for the following:
- i. Enlarging, altering or improving the front of a property – including alterations to and replacement of windows, doors, decorative details such as porches, terracotta panels and such like;
 - ii. Erection of garden sheds and summer houses with a cubic content greater than 10 cubic metres; are greater than 2.5 metres in height (flat roofed), or 3.5 metres in height (ridged roof) and have a footprint of over 4 sq. metres. Any building with a footprint in excess of 4 sq. metres and / or 10 cubic metres will be treated as an extension for the house³⁸;
 - iii. Alterations to the front of a property;
 - iv. Additions or alterations to the roof at the front of a property, including the installation of a roof light, dormer window or solar panel;
 - v. Erecting, altering or removing a chimney;
 - vi. Making, enlarging, improving or altering a hard surface at the front of a property;
 - vii. Erecting, altering or demolishing a gate, wall, hedge or fence at the front of a property;
 - viii. Demolition of a front boundary wall or felling of a front boundary hedge; felling of front boundary trees, felling of a side or rear garden hedge; felling of trees forming part of a rear garden corridor. Trees and hedges felled will be required to be replanted in accordance with the recommendations presented in Policy BGI.

33. Based on Camden Supplementary Planning Guidance, July 2002
<http://www3.camden.gov.uk/planning/plan/spg/spg2development.pdf>

BD 7 KEY VIEWS DESIGNATION

1. The underlying landform of the Area is closely linked to its complex hydrology, defined by a series of rivers and streams. These run off Hampstead Heath from the north and were diverted underground before the area was developed. The action of these watercourses on the underlying geology has resulted in an undulating topography which differs across the area.
2. This unique topography creates many views across the Area and along valleys, where there is an increased sense of enclosure, such as Redington Road and Heath Drive, and along prominent elevated ridge lines, such as Platts Lane. Such views are important for the widely appreciated sense place, and views of the distant skyline.
3. Of particular note are the view corridors providing views from high ground towards lower ground.
4. Historic England advises that views into, through and from the Conservation Area and its surroundings, are to be taken account of³⁹ and a number of these view corridors, noted in paragraphs 5 to 15 below, are considered to be of particular merit and worthy of special protection.

BD 7 Key Views Designation

Development is encouraged to support the policy to minimise the impact on key views A to K, identified below.

A. Key view between 1: 31 – 33 Redington Road
 TQ 528466 85722



Views are offered through the gaps between these two houses, towards lower ground to the west.

B. Key view 2: along Frogna, looking from south to north
 TQ 26278 85038

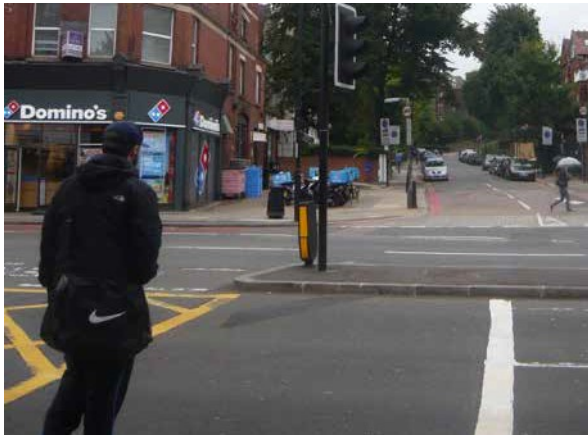


This view corridor towards the Grade II listed University College School (by Arnold Mitchell) is enhanced by front garden boundary walls and hedges, which line the street.

34. Historic England, Historic Environment Good Practice Advice in Planning: 2 - Managing Significance in Decision- Taking in the Historic Environment, 2015

C. Key view 3: along Froggnal, looking from Finchley Road

TQ 26163 84960



The view into the Conservation Area here is framed by the locally-listed buildings to the north (left) and south (right).

D. Key view 4: from Arkwright Road, looking west to West Hampstead and beyond

TQ 26147 85181



This view includes the domed Victorian roof and weathervane at 38 Arkwright Road (beyond the copper beech), the Grade II listed Camden Arts Centre at the north-western end of Arkwright Road (beyond the London Planes to the right of the photo). The view over to the western side of Finchley Road is compromised, and dominated by, the end elevation of the retail and housing block at 333-339 Finchley Road, demonstrating the need to protect views around heritage assets. The view leads down to Lymington Road and to West Hampstead.

E. Key view 5: from Finchley Road, looking into Arkwright Road

TQ 26033 85111



This view from Finchley Road into Arkwright Road shows The Grade II listed Camden Arts Centre to the north (on the left) and Arkwright Mansions to the south (on the right).

F. Key view 6: from Finchley Road, looking south

TQ 26033 85111



This key view is enhanced on the eastern side by the mansion flats constructed over the period 1897 to 1899 for J.E. and E.A. Cave and, beyond, the locally listed retail facades (both are to the left of the photo). The view leads towards Regents Park and central London.

G. Key view 7: University College School and Frognal

TQ 26133 85428



H Key view 8: from Finchley Road / West End Lane to Frognal Lane

TQ 25668 85335



The view from Finchley Road / West End Lane into Frognal Lane is dominated by the Grade II listed St. Andrew's Church to the north (left) and Palace Mansions to the south (right).

I Key view 9: from Finchley Road to Langland Gardens

TQ 25904 85232



The view from Finchley Road into Langland Gardens showing the Victorian architecture, constructed from 1892.

J Key view 10: along West Heath Road towards Platt's Lane

TQ 25897 86390



The trees and hedges on the southern side of West Heath Road blend with Hampstead Heath on the north of the road to create a green arcade, buffering the Heath and providing an appropriate green connection.

K Key view 11: from Platt's Lane to Thames Water Reservoir

TQ 25253 85974



This view between the Water Reservoir houses (to the left) and Windsor Court (to the right) and into the covered Thames Water Reservoir shows the openness and unbuilt character of this part of the Conservation Area. A Portakabin is temporarily sited on the rear tennis courts behind Windsor Court.

L Key view 12: east along Ferncroft Avenue from Platt's Lane

TQ 25347 86032



M Key View 13 South along Platt's Lane with Telegraph Hill to the east

TQ 25545 86414



N Key View 14 South along Platt's Lane from Sarum Chase
TQ 25547 86425



O Key View 15 Looking along Redington Gardens towards Branch Hill Woods
TQ 25772 85942



P Key View 16 Along Croft Way from Kidderpore Avenue
TQ 25419 85764



Q Key View 17 From Redington Road into Oak Hill Way
TQ 25802 85813



R Key View 18 From Redington Road towards Frognal
TQ 25799 85818

