

PLANNING STATEMENT

19 Cannon Place,

London NW3 1EH

Prepared for

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1 INTRODUCTION

- 1.1 This statement is written in support of an application for planning permission for internal alterations to combine the existing lower ground floor flat with the dwelling house above at 19 Cannon Place, Hampstead.
- 1.2 This statement should be read in conjunction with the architectural drawings of TR Studio.
- 1.3 This statement firstly deals with preliminary matters and describes the application site and its surroundings; identifies any relevant planning history; and briefly describes the proposed development. Section 3 provides the planning policy framework in which this application needs to be assessed and Section 4 demonstrates why the proposals are in compliance with planning policy. Section 5 draws on the conclusions reached.

2 PRELIMINARY MATTERS

The Application Site

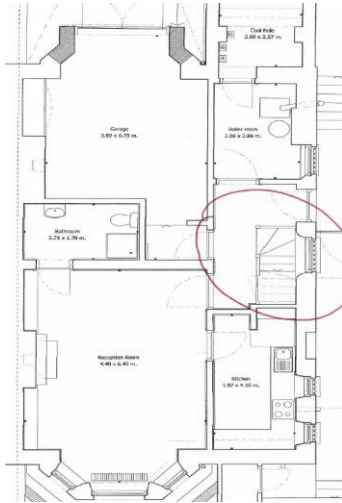
- 2.1 No. 19 Cannon Place is a three storey plus lower ground floor building situated on the north side of the road close to the junction with Squire's Mount.
- 2.2 The building was originally constructed as a single family dwelling house although at some point in the past the lower ground floor was used as a self-contained studio, albeit still internally connected with the remainder of the house, and external access via a door on the side elevation of the building.
- 2.3 The building is semi-detached and was built in the late 1880s. Paired with no. 21 they comprise a pair of attractive late Victorian villas constructed in gault brick with red brick details.



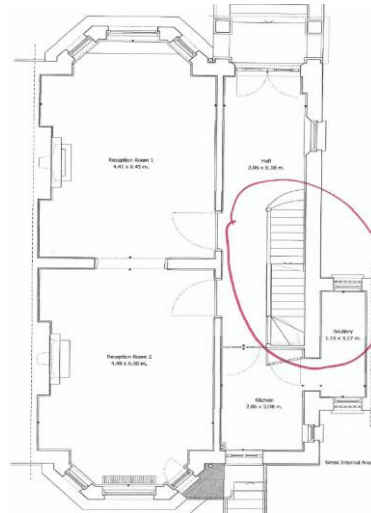
Relevant Planning History

- 2.4 Planning permission was granted in December 2010 under application ref. 2010/5421/P for external alterations to the building including enlargement of dormer windows, insertion of new rooflights and elevational alterations.
- 2.5 The associated drawings and the Council's own delegated report clearly demonstrate the lower ground floor comprised a small studio unit, albeit having been formed without the benefit of planning permission. However, the access stair from lower ground to ground floor was still in existence at that time (see drawings below) and it would not be unreasonable therefore to assume the studio still played a part in the whole building being used for single family occupation particularly because the application form at that time clearly demonstrates the whole building was in single ownership, as it still is today.
- 2.6 The 2010 permission thus regularised the planning position with regard to a separate

(enlarged) lower ground floor flat by conversion of the garage and incorporating it into the lower ground floor accommodation and by removal of the internal stair from lower ground to upper ground floor level.



Lower ground floor 2010



Ground floor 2010

Source: LB Camden

The Existing Building and its Use

- 2.7 The applicants purchased the whole building (including the lower ground floor) as one freehold title in August 2017. Whilst they initially did let the lower ground floor flat on an assured shorthold basis, it has not been rented out or used as a separate dwelling since May 2021.
- 2.8 Whilst the applicants and their family have been using the lower ground floor for their own purposes, it is not easily accessible as there is no internal access.

The Proposal

- 2.9 Planning permission is now therefore sought to carry out internal alterations only to reinstate the building back into one single family dwelling house, the purposes for which it was originally intended.
- 2.10 It is however debateable whether planning permission is in fact required for these reasons:
- a) Internal alterations do not require planning permission by virtue of Section 55 of the Town and Country Planning Act 1990 (as amended); and
 - b) Camden make clear in their development plan that they will only seek to resist development involving the net loss of two or more homes.

- 2.11 However, there has been much discussion in recent years regarding the amalgamation of units, particularly in the Greater London area with high court challenges and judgements. For the avoidance of doubt therefore and having regard to Camden's own views on the matter, planning permission is now sought to reinstate the lower ground floor flat with the dwelling house above to form one single family home. This would clearly make better use of the building for the applicants and their expanding family.

3 PLANNING POLICY FRAMEWORK

2021 National Planning Policy Framework (NPPF)

- 3.1 At the heart of the revised Framework is a presumption in favour of sustainable development which can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 3.2 The revised NPPF makes clear that the starting point for decision making is the development plan and a presumption in favour of sustainable development does not change that statutory status. Applications for development proposals that accord with an up-to-date Local Plan should therefore be approved without delay.

Development Plan

- 3.3 Having regard to the 2021 NPPF and Planning Practice Guidance, the proposal has been assessed in relation to relevant policies contained within the Mayor's London Plan dated March 2021 and the London Borough of Camden's Local Plan adopted on 3rd July 2017 where this is in general conformity with the revised NPPF.

The London Plan

- 3.4 The London Plan is a spatial development strategy for London which provides guidance to assist local authorities when preparing their local plans. Policies within local plans thus need to be in general conformity with the London Plan.

Camden's Local Plan 2017

- 3.5 One of the main objectives identified in the Council's Local Plan is to manage change and growth in a manner that respects the character, heritage and distinctiveness of the Borough for it to continue to be a popular place to live, work and visit.
- 3.6 Policy H1 of Camden's Local Plan seeks to maximising the supply of housing to meet existing and future household needs by ensuring self-contained residential homes are the priority land use.
- 3.7 Policy H3 (protecting existing homes) is also directly relevant in the consideration of this application.
- 3.8 Policy A1 seeks to protect the living conditions of existing occupiers and their neighbours.

Hampstead Neighbourhood Plan 2018-2033

- 3.9 Regard has also been had to the Neighbourhood Plan for Hampstead. Policy HC1 (housing mix) promotes a mix of housing particularly for social affordable and rented accommodation.

4 THE PROPOSAL AND PLANNING POLICY COMPLIANCE

- 4.1 As the NPPF advises in paragraph 47, planning law requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 4.2 We demonstrate below why the proposed development complies with Camden's adopted Local Plan and that planning permission should therefore be approved without delay in accordance with the NPPF.

The Existing Accommodation

- 4.3 The existing building comprises a self-contained lower ground floor flat accessed from a door within the side passageway. The remainder of the building is in use as one single family dwelling accessed from the main front entrance door on Cannon Place.
- 4.4 As explained in Section 2, the whole building was purchased by the applicants in 2017 as one freehold title and is in single ownership. Whilst the lower ground floor flat was previously rented out by the applicants on an assured shorthold basis, they have been using it since 2021 when the last tenant vacated.

Meeting the Needs of Existing and Future Households

- 4.5 Policy H1 of Camden's Local Plan relates to maximising the supply of housing to secure a sufficient supply of homes to meet the needs of existing and future households.
- 4.6 By integrating the lower ground floor with the accommodation above would make better use of the whole building for the applicants and their family thereby meeting the needs of an existing household in accordance therefore with policy H1.

Camden's Policy on Protecting Existing Homes

- 4.7 Policy H3 of Camden's Local Plan seeks to protect all housing floorspace where people live long-term. Policy H3a resists development proposals that would involve the net loss of residential floorspace; policy H3b will protect permanent housing from the conversion to short stay accommodation; and policy H3c resists development that would result in the net loss of two or more homes.
- 4.8 The proposed alterations involving the insertion of an internal stair from ground floor level to the lower ground floor to provide a permanent single family home would not conflict with policy H3 because:

- a) The alterations would not result in the loss of residential floorspace;
- b) The building would remain as permanent residential accommodation; and
- c) The alterations would not result in the loss of two or more homes.

4.9 As such, the proposed development wholly complies with Policy H3.

Neighbourhood Plan

4.10 The lower ground floor flat and the dwelling house above is in private single ownership and has been for many years. To make more efficient use of the whole building as a single family home, the insertion of an internal stair from ground to lower ground floor would provide easier access thereby making more efficient use of the building for the applicants and their family. The proposed development does not therefore conflict with the intentions of the Neighbourhood Plan for Hampstead.

Impact on Residential Amenity

- 4.11 Local Plan policy A1 seeks to protect the living conditions and quality of life of existing occupiers and neighbours.
- 4.12 The proposed development would make more efficient use of the building for the current owner/occupiers with more easily accessible floorspace by providing internal access to the lower ground floor.
- 4.13 The internal alterations would not have a material impact on the living conditions of neighbouring occupiers. Further, the end use of the building as a single family dwelling house would safeguard existing residential amenity. The proposed development therefore complies with policy A1.

In Summary

4.14 For the reasons given in Section 4 of this statement, the proposed development meets the aims and objectives of the adopted Local Plan, and in particular those policies relevant to this proposal as referenced in Section 3 of this Statement.

5 CONCLUSIONS

- 5.1 The proposed internal alterations to convert two self-contained residential units into one single family home would meet the needs of the present without compromising future generations to meet their own needs.
- 5.2 The architectural and historic integrity of the property and wider context are protected and the character and appearance of the conservation area would be preserved.
- 5.3 The use of the building as a single family dwelling house would safeguard existing residential amenity.
- 5.4 The proposed development complies with the aims and objectives of the development plan and with central government advice in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004. In our judgement no other material considerations weigh against it.
- 5.5 Accordingly, we trust the London Borough of Camden will determine that the application for planning permission can be approved.