

# Planning and Heritage Statement

8 and 8A Primrose Gardens, London, NW3 4TN

**LPA Ref:** PP-12270610

**Firstplan Ref:** 22364/TW/AL

**Date:** July 2023

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# Section 1 Introduction

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- 1.1 This Planning and Heritage Statement has been prepared by Firstplan on behalf of our client, Claude Payne, in support of a planning application for the demolition of an existing glazed conservatory and replacement with a modest rear extension at the lower ground floor level with limited terrace to serve the upper ground flat at 8 and 8A Primrose Gardens, London, NW3 4TN ('the site').
- 1.2 The application site comprises the lower ground floor flat, No.8A, and the upper ground flat, No.8. No.8A is accessed via a separate external staircase at the front of the building within a lightwell, which leads down to the lower ground floor level. No.8 is accessed from the main front door at ground floor level.
- 1.3 The property has been extended and altered numerous times over the years and now features a half-width rear conservatory and front and rear dormers. The site also features a sizeable rear garden, to which No.8A, has sole access. Whilst No.8 has no dedicated outdoor amenity space, there is an existing terrace on the top floor which provides outdoor amenity space for the occupiers of No.8B.
- 1.4 The proposals are minor in scale and seek to replace the conservatory with a sensitively designed extension to significantly enhance the quality of living accommodation for No.8A. The modest terrace is to be located on top of the proposed lower ground extension, which will provide for a much-needed high quality outdoor amenity space for the occupiers of No.8, who currently do not have any outdoor amenity space.
- 1.5 This Statement should be read in conjunction with the enclosed architectural drawings and Design and Access Statement prepared by Brod Wight Architects, and the Daylight and Sunlight Assessment, prepared by Schroeders Begg.
- 1.6 The Statement is structured as follows:
- **Section 2** sets out the relevant background information, including a description of the site and relevant planning history;
  - **Section 3** outlines the application proposals;
  - **Section 4** provides the planning policy framework relating to the proposals;
  - **Section 5** assesses the heritage implications;

- **Section 6** assesses the planning merits of the proposals; and
- **Section 7** presents the conclusions.

## Section 2 Background Information

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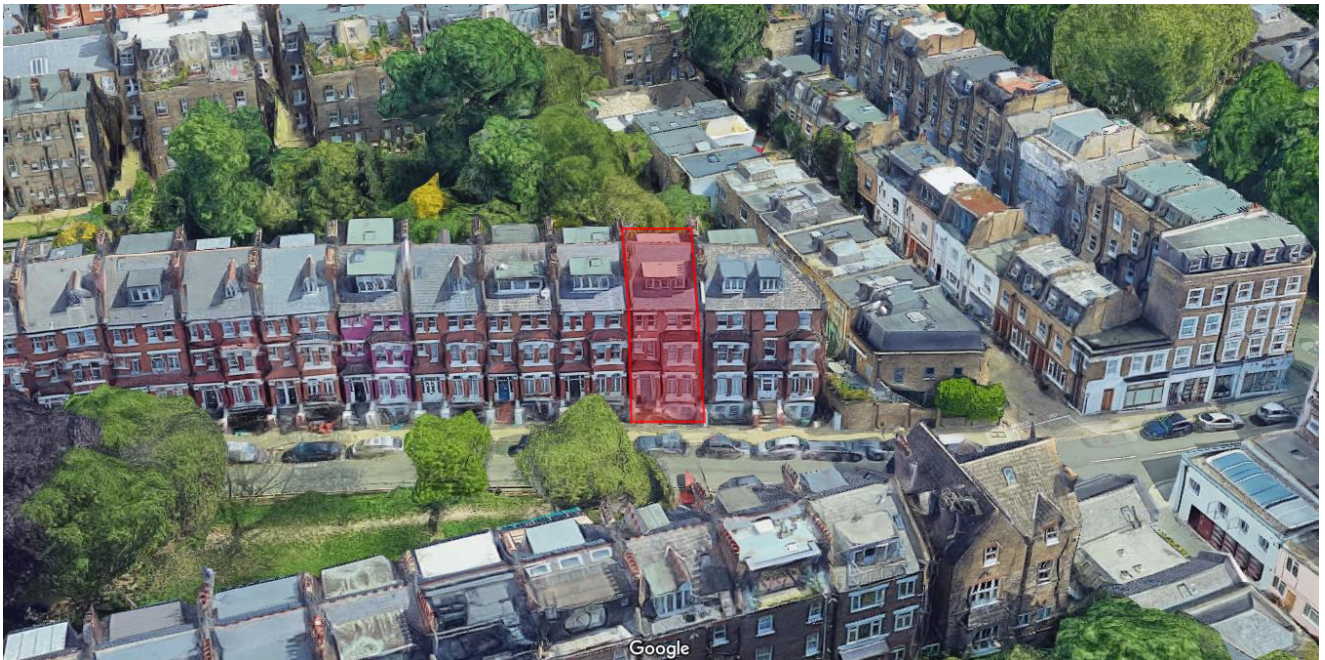
### a) Site Description

- 2.1 The site comprises a three storey, plus mansard level and lower ground floor, Victorian terraced property divided into flats located on the north-eastern side of Primrose Gardens, close to the junction with Elizabeth Mews and England's Lane within the London Borough of Camden. The units that this application specifically relates to is the Lower Ground Floor flat, No.8A Primrose Gardens, and the Ground Floor Flat, No.8 Primrose Gardens.
- 2.2 As highlighted above, No.8A is accessed via a separate external staircase at the front of the building within a lightwell, which leads down to the lower ground floor level. No.8 is accessed from the main front door at ground floor level.



**Figure 1.** Photo showing Rear Elevation of Property (Firstplan, 2022)

- 2.3 The rear elevation of the property, as shown in Figure 1, for which the application proposals are contained, is concealed from public views. The site features a conservatory at Lower Ground Floor level to the rear extending to 3.47m with sliding glazed double doors leading on to the patio.
- 2.4 The site is bounded to the north and south by Nos 10 and 6 respectively, with the rear garden abutting No. 10B Elizabeth Mews. Primrose Gardens features a central elongated oval area of open space in the middle of the street, with the southern tip opposite the application site. The neighbouring properties within the terrace feature varying additions to the rear, including balconies, terraces and full width rear extensions.
- 2.5 The application site is further identified in Figure's 2 and 3 provided below.



**Figure 2.** Front Elevation of Application Site (Google Images, 2023)





**Figure 3.** Rear Elevation of Application Site (Google Images, 2023)

## **b) Planning History**

### **a) The Application Site**

2.6 The planning history for the property is summarised below:

- The erection of an electricity transformer chamber was granted in 1956). (Ref: **G9/12/2/25011**).
- The conversion of the property into five self-contained flats was granted in 1961 (Ref: **G9/12/2/11157**).
- Alterations and additions to the existing studio building at the rear of No.8 Primrose Gardens, Hampstead to form a single family dwelling was granted in 1964 (Ref: **G9/12/2/22113**)
- The rear conservatory at Lower Ground Floor level was built out pursuant to permission granted in 1991 (Ref: **9005421**).
- An application to amalgamate the First Floor flat and Second and Third floor flat was granted in 2012 under ref: **2012/4267/P**. Specifically, permission allowed for: 'Change of use of 1-bed flat at first floor level and 3-bed flat at second and third floor level maisonette into a single dwelling at these levels' (Class C3).
- Proposals for the replacement and enlargement to the front and rear dormer windows at third floor level were initially refused by London Borough of Camden in May 2013 (Ref: **2013/1994/P**) but were subsequently granted at appeal in December 2013 (Ref: **APP/X5210/A/13/2201252**).



2.7 The planning history shows that the host property has undergone various alterations over the years. There is a precedent for approvals of extensions / alterations to the property and there is also an existing terrace on the top floor, comprising glazed balustrading. There are no conditions that restrict the application proposals.

b) Precedent Permissions

2.8 In relation to precedents in the local vicinity, permission 2010/1355/P is of particular relevance. It was considered a relevant precedent for the Inspector in his report when allowing appeal APP/X5210/A/13/2201252. It relates to No. 44 Primrose Gardens. Permission was granted in June 2010 for the erection of a dormer roof extension to the front and rear, erection of single storey rear extension with roof light at lower ground floor level and erection of a glass balustrade to a re-instated rear ground floor balcony for a single rear ground floor balcony for a single family dwelling (Class C3). Other permissions that were endorsed as being relevant by the Inspector included:

- No. 7 Primrose Gardens gained permission in August 2010 for *'Alterations to the rear dormer window to provide a terrace area with glazed balustrade to the top floor flat.'* (Ref: **2007/2620/P**).
- No. 5 Primrose Gardens gained permission in July 2013 for the replacement of existing rear dormer with new dormer with full height windows and doors leading to new balcony to existing residential flat (Class C3) (Ref: **2013/2526/P**).

2.9 It is noted that the Council have also previously approved planning permissions for single storey rear extensions with proposed terraces. Such precedents are as follows:

- No. 134 Torriano Avenue gained permission for the erection of a single storey rear extension and associated first floor rear terrace to dwellinghouse in April 2018 (Ref: **2018/0789/P**).
- No. 32 Langbourne Avenue gained permission in May 2023 for *'Erection of single storey side and rear extension with rear terrace, single storey lower ground floor extension and excavation to full footprint of the building, construction of side and rear dormer windows and associated works'* (Ref: **2022/0780/P**). It is pertinent to note that this permission was granted within the Holly Lodge Estate Conservation Area.

2.10 A review of these permissions indicates that the Council have approved similar developments to that proposed, both within the local vicinity, in Conservation Areas and throughout the Borough. Perhaps

most relevant to this application due to its location is permission 2010/1355/P, which proposed a single storey rear extension, with a terrace on top. The terrace comprised of a glazed balustrade, timber decking and door and new brick walls on the sides to provide adequate screening. Therefore, it is considered that the proposed scheme is very similar to that approved as part of 2010/1355/P.

c) Surrounding Properties

2.11 It is also important to consider that the neighbouring properties have also secured permission for a range of alterations and additions, as evidenced below. Figure 4 shows a photograph of the subject terrace, with the site marked with a yellow star and the other properties in the terrace with varied extensions marked with a red star:

- No. 16A gained permission in April 2021 for the erection of a single storey rear extension, following the removal of the existing conservatory (Ref: **2021/0693/P**). The approved extension is of a similar design with aluminium framed bi-folding doors with matching brick and also features a rooflight. In determining the proposals, the Case Officer noted that *“A number of full width rear extensions exist along this terrace of buildings, including at numbers 44, 48 and 50 Primrose Gardens and the Council has approved further rear extensions at 30, 40 and 42..... Although the rear extension would be full width, it would remain visually subservient to the host building by virtue of its location at the ground floor level, and its limited depth. The openings have been broadly aligned with the existing fenestration located immediately above at first floor level and the form of the proposed openings also reflect the 1st floor fenestration pattern, which provides an element of cohesion to the design. The majority of the extension is to be constructed of brickwork to match the host building”*.
- Flat 40A gained permission in June 2020 for single storey rear extension (Ref: **2020/0172/P**). This property includes a mixture of original and modern features in a variety of different styles, including a balcony at upper ground floor level to the rear.
- Within the middle of the terrace, Flat 32A Primrose Gardens gained permission in February 2019 for external alterations including erection of single storey rear extension at lower ground floor level (Ref: **2018/5072/P**). In determining the application, the Case Officer commented that: *“The proposed extension would be located to the rear of the site and would be completely screened from public view, ensuring no harm would be caused to the character and appearance of the surrounding conservation area particularly given the prevalence of similar sized extensions to the rear of neighbouring properties in the street”*.

- Of significance, Flat 1, 42 Primrose Gardens benefited from consent in March 2018 for the erection of a part single, part two storey rear extension at lower and upper ground floors with garden access (Ref: **2017/5540/P**). These works replaced the existing conservatory with a 3m deep full-width extension in matching brickwork. The Case Officer stated that: *“Although the extension would be full width and slightly deeper than the existing terrace, it would remain visually subservient to the building by virtue of its location at the lower ground floor level, and its limited depth. The replication of architectural details and use of materials to match the existing would ensure that the extension would be sympathetic to the host building, and would preserve the special character of this part of the conservation area”*.
- No. 30 Primrose Gardens gained planning permission in November 2017 for the erection of a single storey rear extension, replacement windows throughout and alterations to the lower ground floor flat entrance (Ref: **2017/4647/P**).
- No. 44 Primrose Gardens gained permission for a range of works including a single storey rear extension with roof light at lower ground floor level in October 2010 (Ref: **2010/4622/P**).
- No. 54 gained permission in June 2009 for ‘Additions and alterations to include a rear extension at lower ground floor level incorporating terrace and stairs at ground floor level to provide access to rear garden and replacement boundary fencing’ (Ref: **2009/1935/P**).
- No. 56 gained permission in July 1999 for the ‘Erection of a single storey rear extension, as a variation to the planning permission dated 8th September 1995, (Ref: PL9500968 R1) for the erection of a rear conservatory’ (Ref: **PW9902398**).
- No. 14 obtained permission in November 1995 for ‘Change of use from a dwellinghouse to two self-contained maisonettes together with the erection of a single storey rear extension’ (Ref: **9401090**).

2.12 Likewise, along the western side of Primrose Gardens:

- Flat 11B obtained permission in March 2021 for the erection of single storey rear extension to lower ground floor to provide additional residential accommodation associated with the existing upper and lower ground floor maisonette (Ref: **2020/5311/P**).

- Flat 1A gained permission in June 2018 for a single storey rear extension with green roof and installation of new rear window to existing two storey side addition to lower ground floor flat (Ref: **2018/1399/P**). This permission was subsequently varied in June 2020 to allow for 'Replacement of two sun tubes with a rooflight. Glazing reconfiguration on the Northwest and Southwest elevations. Door to replace window on the Southeast elevation' (Ref: **2019/5355/P**).
- No. 9 Primrose Gardens gained consent in December 2018 for the erection of rear extension at lower ground floor level and replacement front/rear windows (Ref: **2018/5116/P**).
- Flat 21A Primrose Gardens gained permission in August 2016 for the erection of single storey rear extension to lower ground floor flat (ref: **2016/3395/P**).
- No. 13B Primrose Gardens gained consent in August 2014 for the erection of a full width rear dormer roof extension with terrace, the installation of a rooflight to the rear flat roof, following the demolition of existing dormer and terrace to the rear elevation. (Ref: **2014/3419/P**).
- No.45 gained permission in June 2008 for the retention of a single storey rear extension at lower ground floor level (Ref: **2008/1685/P**).

2.13 As identified, the above examples set the precedent for modest and sensitively designed full-width rear extensions and alterations along Primrose Gardens together with terraces and balconies. Whilst in a Conservation Area, there is an eclectic mix of architectural styles to the rear of these properties, which is recognised in numerous decisions. There is also recognition that the rears of the terrace are completely screened from public view and, as such, any proposed alterations and extensions are unlikely to be harmful to the character and appearance of the surrounding conservation area. The extensions in the host run of terraced houses are identified in the aerial image below.



**Figure 4.** Aerial View of extensions across the rear elevation of Primrose Gardens (Google Images, 2023)



## Section 3      Application Proposals

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- 3.1      The application seeks permission for a modest lower ground floor rear extension and an associated terrace at ground floor level. The works will replace the existing conservatory.

**a)      Lower Ground Floor Extension**

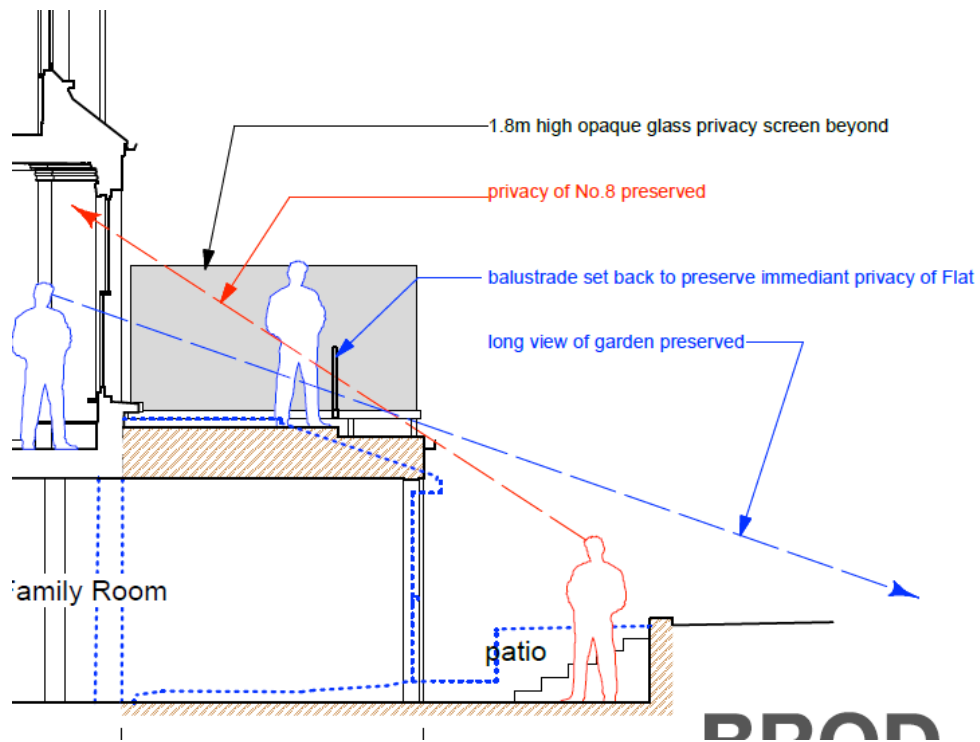
- 3.2      The extension will respond to the design of the host building and will feature full-height aluminium sliding doors, with aluminium fascia and yellow stock brickwork to match the façade. The extension will be built to the boundaries of the property and extend to 4.39 m on the boundary of No.6 Primrose Gardens and 2.78 m on the boundary of No.10 Primrose Gardens. Given that the existing conservatory that will be demolished to make way for the extension has a floor area of 3 sq.m, the application proposals will only result in a 5.3 sq.m increase in footprint.
- 3.3      The existing conservatory is 3.22 m in height and the height of the replacement extension is 2.95 m.
- 3.4      The works will provide a negligible increase in footprint and a reduction in overall height but will facilitate a more valuable and functional open plan kitchen/dining space, leading from the family living area. The kitchen will benefit from direct access on to the open joint stone paving patio and garden beyond.

**b)      Ground Floor Terrace**

- 3.5      The proposed ground floor terrace will be located on top of the proposed single storey rear extension. The entrance into the terrace will be via a new timber door within the opening of the existing window. It will be set back from the edge of the rear extension by circa 1 m to preserve the privacy of the lower ground floor flat and the neighbouring occupiers. An opaque glass privacy screen of 1.8 m height is proposed on the sides of the terrace with glazed balustrading proposed to the rear. The terrace flooring will be finished in timber. The patio will be constructed of open joint stone paving.
- 3.6      The proposals are detailed in full in the enclosed architectural drawings. Extracts of the proposals are provided. Please refer to Figure's 5 and 6.



**Figure 5.** Extract of Proposed Rear Elevation (Source: BWA, 2023)



**Figure 6.** Extract of Proposed Lower Ground Floor Plan (Source: BWA, 2023)

## Section 4      Planning Policy Context

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4.1      The statutory development framework is comprised of the following documents:

### **National Policy**

- National Planning Policy Framework (NPPF) (adopted 2021)
- National Planning Practice Guidance (Online Planning Resource)

### **Regional and Local Planning Policy**

- London Plan (adopted 2021)
- The Camden Local Plan (adopted 2017)
- The Site Allocations Plan (adopted 2013)
- The Euston Area Plan (adopted 2015)
- The Fitzrovia Area Action Plan (adopted March 2014)

4.2      The following supplementary guidance documents are also of relevance:

### **Supplementary Guidance**

- Housing Supplementary Planning Document (adopted 2021)
- Home Improvements Supplementary Planning Document (adopted 2021)
- Amenity Supplementary Planning Document (adopted 2021)
- Design Supplementary Planning Document (adopted 2021)
- Belsize Conservation Area Statement (adopted 2003)
- Belsize Conservation Area Design Guide (adopted 2010)

4.3      The Council have begun work on the review of the Camden Local Plan 2017, which includes a Site Allocations Local Plan review. However, both these documents are at an early stage of preparation and have no weight in decision making. There is an emerging Euston Area Plan that is being prepared but this is not relevant to the subject site.

4.4      There are no relevant neighbourhood planning areas.

4.5 The salient policies relating to the proposed development are summarised below.

**a) Designations**

4.6 The Council's Policy Map confirms that the site is located within the Belsize Park Conservation Area. The property is not statutory listed or locally listed but is noted as making a positive contribution to the Conservation Area alongside Nos. 6-48. The K2 telephone kiosks on the northern and southern end of the island in Primrose Gardens are Grade II Listed. The Environment Agency's Flood Map for Planning confirms the site as falling within Flood Zone 1 and therefore not at risk of flooding.

**b) National Planning Policy Framework (NPPF) (2021)**

4.7 The NPPF provides the overarching policy framework for England and outlines how these policies should be applied.

4.8 Section 2 discusses sustainable development which is defined at **Paragraph 7** as "*meeting the needs of the present without compromising the ability of future generations to meet their own needs*".

4.9 **Paragraph 8** describes the three-interlinking objectives of sustainable development, namely the economic, social and environmental dimensions. **Paragraph 11** confirms that for decision-taking, this translates as approving proposals that accord with an up-to-date development plan without delay.

4.10 **Paragraph 38** sets out that Local Planning Authorities should approach decisions in a positive and creative way.

4.11 Of significance, **Paragraph 119** emphasises that planning decisions should promote an effective use of land in meeting the need for homes and other uses, whilst safeguarding and improving the environment.

4.12 **Section 12** discusses how to achieve well-designed places; **Paragraph 126** states that good design is a key aspect of sustainable development as it creates better places in which to live and work whilst making development acceptable to communities. Accordingly, **Paragraph 130** confirms that decisions should ensure development, inter alia, will: function well and add to the overall quality of the area; be visually attractive as a result of good architecture; be sympathetic to the local character and history; and optimise the potential of the site.

**c) The London Plan (2021)**

- 4.13 The London Plan is the overall strategic plan for London, setting out an integrated economic, environmental, transport and social framework for the development of London over the next 20 –25 years.
- 4.14 **Policy GG2** ‘Making the best use of land’ seeks to encourage a design-led approach to determine the optimum development capacity of sites.
- 4.15 **Policy D1** ‘London’s form, character and capacity for growth’ states that Boroughs should define an area’s character to understand its capacity for growth, taking into account a myriad of elements.
- 4.16 **Policy D3** ‘Optimising site capacity through the design-led approach’ states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site’s context and capacity for growth, and existing and planned supporting infrastructure capacity. The development proposals should also take into account form, layout, experience, quality and character. Amenity impacts need to be considered.
- 4.17 **Policy D4** ‘Delivering good design’ strives to emphasise the importance of design when assessing proposals.
- 4.18 **Policy D6** ‘Housing quality and standards’ sets out that housing development should be of a high quality design that incorporates adequately-sized rooms with comfortable and functional layouts. Proposals should incorporate sufficient daylight and sunlight, whilst minimising overshadowing. All dwellings should have level access to one or more of the following forms of private outside spaces: a garden, terrace, roof garden, courtyard garden or balcony. The use of roof areas, including podiums, and courtyards for additional private or shared outside space is encouraged.
- 4.19 **Policy D11** ‘Safety, security and resilience to emergency’ states that development should look to be safe in design.
- 4.20 **Policy D13** ‘Agent of Change’ states that the Agent of Change principle places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development.



- 4.21 **Policy D14** 'Noise' states that, in order to reduce, manage and mitigate noise to improve health and quality of life, residential and other non-aviation development proposals should manage noise.
- 4.22 **Policy HC1** 'Heritage conservation and growth' states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.

**d) Camden Local Plan (2017)**

- 4.23 This document provides the spatial strategy for development within the Borough up until 2031.
- 4.24 **Policy H6** 'Housing choice and mix' states that the Council will aim to minimise social polarisation and create mixed, inclusive and sustainable communities by seeking high quality accessible homes and by seeking a variety of housing suitable for Camden's existing and future households, having regard to household type, size, income and any particular housing needs.
- 4.25 **Policy C5** 'Safety and security' states that the Council will aim to make Camden a safer place. The Council will require developments to demonstrate that they have incorporated design principles which contribute to community safety and security.
- 4.26 **Policy A1** 'Managing the impact of development' confirms that the Council will protect the quality of lives of occupiers and neighbours through ensuring that amenity is protected, with regards to, inter alia: visual privacy, outlook, sunlight, daylight and overshadowing.
- 4.27 **Policy A2** 'Open Space' states that to secure new and enhanced open space and ensure that development does not put unacceptable pressure on the Borough's network of open spaces, the Council will give priority to play facilities and the provision of amenity space which meet residents' needs where a development creates a need for different types of open space.
- 4.28 **Policy A4** 'Noise and Vibration' states that the Council will seek to ensure that noise and vibration is controlled and managed.
- 4.29 **Policy D1** 'Design' states that high quality design is expected for all development. Proposals must respect the local character and context, preserve and enhance the historic environment and heritage assets and be sustainable in design and construction with high quality details and materials. In addition,

proposals should integrate well with the surrounding streets and provide a high standard of residential accommodation. The Council require that development provide outdoor amenity space.

- 4.30 **Policy D2** ‘Heritage’ stipulates that the Council will preserve, and where appropriate enhance, Camden’s rich and diverse heritage assets and their settings. Proposals within Conservation Areas must preserve the character or appearance of the area.

**e) Supplementary Guidance**

i) Home Improvements Camden Planning Guidance (2021)

- 4.31 This document provides additional guidance in relation to residential development. When designing extensions, regard should be given to adjoining neighbours in terms of daylight and sunlight, outlook and overlooking/privacy.
- 4.32 Rear extensions must be subordinate to the building in relation to location, form, footprint, scale, proportions, dimensions and detailing. Such extensions should also be built from materials that are sympathetic and respect and preserve the original design and proportions of the host building, including its architectural period and style. Extensions should be carefully scaled in terms of height, width and depth.
- 4.33 In addition, rear extensions must respect and duly consider the amenity of adjacent occupiers, whilst ensuring that the extension does not cause undue overlooking or loss of privacy. Proposals should have a height, depth and width that respects the existing common pattern of rear extensions. The document further notes that the choice of materials and finishes is crucial as they directly influence the appearance and character of the building and should therefore relate well to the host property.
- 4.34 Developments must ensure the extension complies with the 45 degree test and 25 degree test as set out in the Amenity CPG – or demonstrate BRE compliance via a daylight test. It should be ensured that the extension does not cause undue overlooking to neighbouring properties and cause a loss of privacy. Opaque lightweight materials should be considered, such as obscured glass on elevations abutting neighbouring properties, in order to minimise overlooking.
- 4.35 For terraces, handrails and balustrades should be set back behind the line of the roof slope or parapet.

ii) Amenity Camden Planning Guidance (2021)

- 4.36 This additional guidance discusses amenity considerations associated with development. Proposals should be designed to protect the privacy of occupiers and avoid overlooking, in particular in relation to habitable rooms. The Council also aims to protect the quality of life of residents also in relation to quality of light, whereby proposals should not induce unacceptable loss of daylight or sunlight.
- 4.37 The Council expects applicants to consider the impact of development schemes on daylight and sunlight levels. Where appropriate, a daylight and sunlight assessment should be submitted which should follow the BRE guidance.
- 4.38 Noise mitigation (where appropriate) is expected to be incorporated into developments at the design stage.

iii) Housing Camden Planning Guidance (2021)

- 4.39 This guidance provides detailed information on the operation of a number of policies regarding the development of housing in the borough.
- 4.40 In terms of external amenity, London Plan policy D6 is relevant. Policy D6 promotes the provision of dedicated private external amenity space for flats.
- 4.41 Applicants must ensure that the levels of daylight and sunlight that enter habitable rooms comply with the BRE standards. The habitable rooms of a home should provide adequate levels of privacy for the new occupier. The applicant must ensure all the habitable rooms have a suitable outlook and have suitable privacy. The proposal should not have a significant detrimental impact to neighbouring amenity in terms of neighbouring outlook, privacy, sunlight, daylight, noise or vibration. Additionally, the proposal should not result in any overlooking into neighbouring habitable rooms. All new homes should have access to some form of private outdoor amenity space, e.g. balconies, roof terraces or communal gardens.

iv) Design Camden Planning Guidance (2021)

- 4.42 This document provides further detail on acceptable design principles, including safety measures, and consideration of heritage.

v) Belsize Conservation Area Statement (2003)

- 4.43 Primrose Gardens was incorporated into the Conservation Area in 1988.
- 4.44 The character of Belsize is largely derived from mid-19th century Italianate villas. Within the Conservation Area there are, however, a number of distinct areas of varying character and appearance. Within the Conservation Area Statement, the site lies within sub-area 5, Primrose Gardens/ Antrim Road (including Antrim Grove and the Haverstock Hill frontage).
- 4.45 In Primrose Gardens in particular, it is noted that the consistent design theme is the three storey red brick frontages. The southern end of the street, which is where the site lies, comprises two long curved terraces sloping down to England's Lane, overlooking an elongated oval open space with listed telephone kiosks at either end. The open space in the middle of the terrace provides an important focal point within the street and is one of the few areas of open space within the area. It is noted that the frontages of the terrace buildings are uniform, with the most prevalent material being red brick. However, it is noted that there are also examples of large inappropriate dormers at roof level, inappropriate replacement windows and prominent pipework that detract from the consistency of the terrace.
- 4.46 The building, along with the rest of Primrose Gardens, is considered to be a building that makes a positive contribution to the conservation area.

## Section 5      Heritage Impact Assessment

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5.1      The host property is not statutorily listed nor featured within the Council's Local List. The property however lies within the Belsize Park Conservation Area and is identified as being part of a group of buildings which make a positive contribution to the Conservation Area. Accordingly, the Conservation Area forms the designated heritage asset relevant to the proposals.

5.2      This section of the Statement sets out the statement of significance of the Conservation Area and assesses the impact of the proposals on this significance.

### **a) Heritage Policy Framework**

5.3      As outlined within the National Planning Practice Guidance (NPPG), protecting and enhancing the historic environment is an important component of the National Planning Policy Framework's (NPPF) drive to achieve sustainable development, with Paragraph 10 highlighting that at the heart of the Framework is a presumption in favour of sustainable development.

5.4      Paragraph 8 sets out the three dimensions to achieving sustainable development, in which the environmental dimension seeks:

**'To protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.'**

5.5      Section 96 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("The Act") places a duty on Local Authorities to have:

**'...special regard to the desirability of preserving the building or its setting or exercise of any features of special architectural or historic interest which it possesses.'**

5.6      Paragraph 189 further sets out that heritage assets are an irreplaceable source and should be conserved in a manner appropriate to their significance.



5.7 Paragraph 194 states that local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting, with level of detail proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

5.8 Paragraph 197 sets out that, when 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; 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.'**

5.9 Section 72 of The Act also requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

5.10 The definition of a designated heritage asset is provided within the glossary of the NPPF and is as follows:

**'A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation.'**

5.11 Paragraph 202 further sets out that where proposals will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

#### **b) Significance of the Heritage Asset**

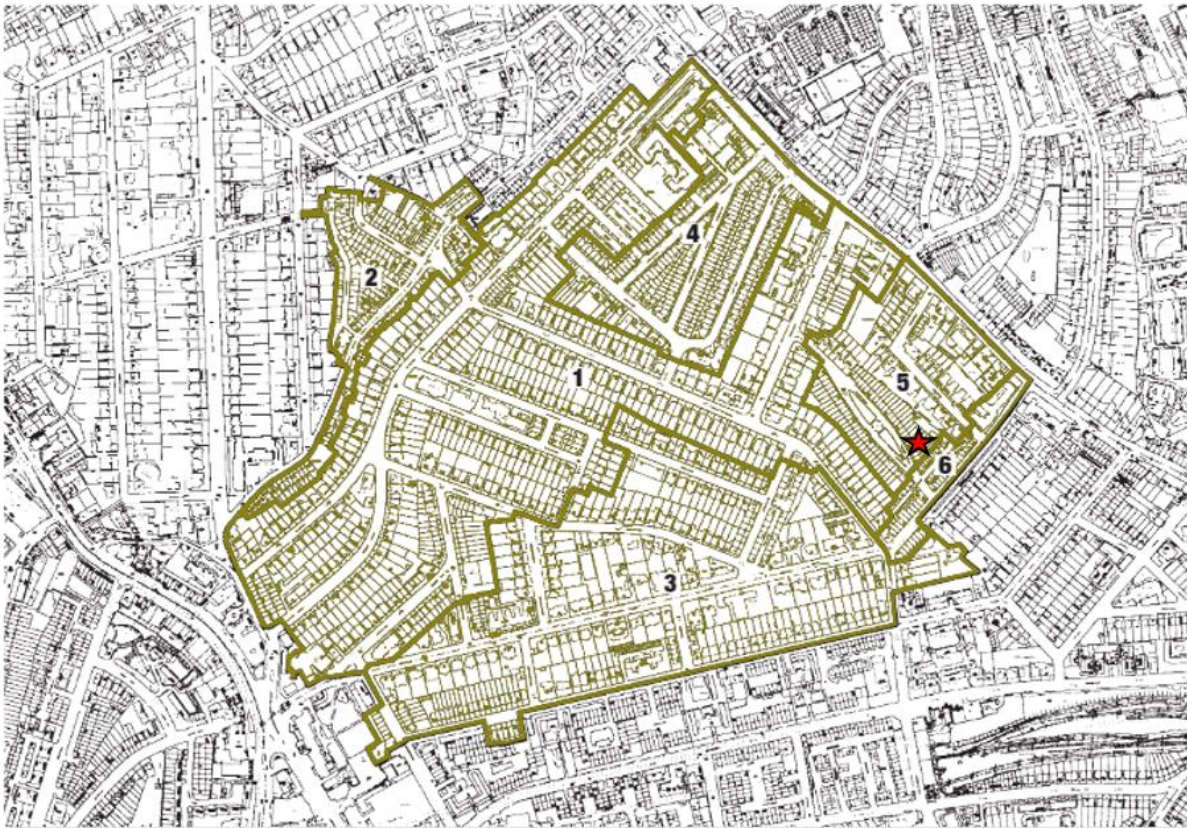
5.12 This sub-section assesses the significance of the identified heritage asset. In assessing the values which are embodied within the identified heritage asset, regard has been had to the heritage values as defined in Historic England's Conservation Principles (2008), together with guidance within the NPPF and NPPG, London Plan Policy HC1, Local Plan Policy D2 and the Belsize Conservation Area Statement.

- 5.13 This assessment is proportionate to the significance of the heritage asset and is therefore sufficient to enable the Council to comprehensively assess the impact of the application proposals, in relation to their nature and extent.

i) Character of the Conservation Area

- 5.14 The application site lies within the Belsize Park Conservation Area, which was first designated in 1973 and has been extended substantially over the decades.
- 5.15 Development of the Belsize area as a residential suburb commenced in the middle of the 19<sup>th</sup> Century. Primrose Gardens, formerly named Stanley Gardens until 1939, was constructed between England's Lane and Haverstock Terrace and contained smaller terraced houses built in the late 1800s.
- 5.16 The character of Belsize is predominantly derived from mid- 19<sup>th</sup> century Italianate villas, nevertheless there are a number of distinct areas within the locality comprising six sub areas.
- 5.17 Primrose Gardens was incorporated into the Conservation Area in 1988. The application site lies within sub area 5 within the south-eastern extent. This area comprises late-Victorian streets featuring a higher density of development with well defined three-storey red brick frontages, primarily residential in nature. It is noted that the K2 telephone kiosks on the northern and southern end of the island in Primrose Gardens are Grade II Listed.

5.18 A map of the Conservation Area, with the site highlighted with a red star is provided below in Figure 7.



**Figure 7.** Extract of Conservation Area Map, with application site highlighted with a red star

5.19 The Conservation Area states in relation to Primrose Gardens:

The southern end of the street comprises two long curved terraces sloping down to England's Lane, overlooking an elongated oval open space with listed telephone kiosks at either end..... The terraces either side are three-stories with a lower ground and attic level but are of two slightly different designs. One has a projecting two-storey, square, two-light bay with hipped, tiled roofed projecting porch; the other a hipped roof projection the width of the ground floor. All the terraces have vertically proportioned openings, many retain recessed square sash windows and contrasting stucco/painted stone heads/bands to tops of windows and doors. The most prevalent material is red brick (Nos. 3-37 and 8-48), however, one portion of the terrace is in a yellow brick (Nos. 39-57) and has foliated capitals to the upper ground floor. Despite the difference in colour, there is enough similarity in the height, detailing and enclosure provided for this element to form a group with the terraces opposite and adjacent. The majority of these properties have retained stucco/red brick gate piers and square section railings to frontage.

5.20 The Appraisal goes on to note that:

**There are also examples of large inappropriate dormers at roof level, inappropriate replacement windows and prominent pipework that detract from the consistency of the terrace, as does the white painted brickwork at No. 1**

5.21 It is therefore apparent that the merit of Primrose Gardens lies in the uniformity of the front elevation of these buildings, rather than their rear elevations which are not readily visible from public vantage points. The lack of visibility of the rear of the terrace has been previously identified in previous decisions (please refer to Section 2 of this Planning Statement above) and from the Inspector when allowing appeal APP/X5210/A/13/2201252.

ii) Contribution of the Application Site

5.22 This sub-section outlines the property's contribution to the significance set out in the preceding subsection.

5.23 The application site relates to a late Victorian three-storey, plus mansard and lower ground floor, terraced property with a projecting two-storey square two-light bay with a hipped, tiled roofed projecting porch (as quoted from the Conservation Area Statement above). The site also has a large rear garden.

5.24 The property is identified within the Conservation Area Appraisal as a building which makes a positive contribution, as part of a similarly designed group along Primrose Gardens (Nos. 6-48). It must be noted, however, that the once uniform façade of the terrace is now disrupted, with the host property of a more modern appearance and No. 16 featuring a purple façade.

5.25 Indeed, the rear of the site has not been referenced within the Appraisal as holding any architectural or historical significance, with the rear not visible from public vantage points. As such, the existing rear elevation itself, which has been altered significantly with contemporary additions over the years, is not considered to contribute to the significance of the Belsize Park Conservation Area. Accordingly, the removal of the existing and dated conservatory and its replacement by a suitably designed and sympathetic extension should be supported, as demonstrated by the Council and the Inspectorate's approval of previous decisions (as demonstrated in Section 2 of this Statement).

iii) Impacts of the Proposals on the Conservation Area

- 5.26 The application proposals relate to a very modest extension at lower ground floor level and terrace at ground level, contained to the rear of the property in order to significantly enhance the quality of accommodation onsite. As set out above at part (i), the significance of this part of the Conservation Area derives from the architectural detailing of the front elevations / streetscene of the properties along Primrose Gardens. The minor extension and terrace will not alter the front elevation nor will it impact the wider streetscene views along Primrose Gardens, given the '*private environment to the rear of properties*', as outlined in the Inspector's Report for APP/X5210/A/13/2201252. The proposals will not be visually intrusive. The heritage considerations have however been duly considered throughout the design process, in a manner appropriate to the scale of development.
- 5.27 The works will involve the loss of the existing conservatory, which is itself an unoriginal feature which was granted permission in 1991. The proposals merely seek to mirror the minor full-width extension of adjacent properties. As highlighted within Figure 4, there are several rear extensions along Primrose Gardens of varying styles. Indeed, most recently, No. 16A gained permission in April 2021 for the erection of a single storey rear extension, following the removal of the existing conservatory (Ref: **2021/0693/P**). The extension is modest in scale and does not project further than the existing conservatory, ensuring the works are in-keeping with the rhythm and proportions of the host building and setting. The extension will infill the patio area to the south-west, in a diagonal projection in line with the site plot. Owing to the continuation of sympathetic materials, when viewed from the garden the extension will appear as less visually intrusive than the existing white timber conservatory which has a higher pitched roof when compared to the proposed flat roof.
- 5.28 With respect to the proposed terrace, it is pertinent to consider that the Inspectorate has previously approved an application for a rear extension, with a roof terrace on top which was partly to be made of glazed balustrading and timber decking at No.44 Primrose Gardens (Ref: **2010/1355/P**). Further to this, the host property itself has an existing terrace at rooftop level that has glazed materiality and, as demonstrated in Figure 2, similar applications have been approved both around the Borough and within the local vicinity. As such, it is not considered that the proposals will have a negative impact on the Conservation Area.
- 5.29 Overall, the proposal is considered to make a positive contribution to the significance of the Belsize Park Conservation Area by removing the existing conservatory and by introducing an extension and terrace that would be in-keeping with the character of the wider Conservation Area. The scheme would



maintain the visual contribution of this building and its garden, in accordance with the heritage policies at national, London-wide and local levels.

## Section 6 Planning Considerations

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6.1 This section of the Statement provides an assessment of the planning considerations related to the proposed development, in conjunction with the salient policies.

6.2 The central issues for assessment are:

- Principle of the development;
- Design Considerations;
- Amenity.

### **a) Principle of Development**

6.3 Policy H6 'Housing choice and mix' generally seeks the provision of high-quality homes in the Borough. The scheme will improve and enhance the quality of accommodation of two flats, which is strongly supported by the Local Plan.

6.4 The application site relates to two residential flats located at ground and lower ground floor level. The flat at lower ground floor level has direct access to the rear garden. With respect to the rear extension, the proposals seek to replace the modern conservatory with a modest extension to significantly enhance the quality of accommodation. The principle of sensitively extending the host building has been previously supported in relation to both the ground and the attic levels. Moreover, as demonstrated in Section 2 of this Statement, the precedent of full-width extensions replacing conservatories is already established within the immediate surroundings.

6.5 At present, the kitchen conservatory is impractical in terms of low insulation levels. The applicant therefore seeks its replacement in order to provide a more spacious open plan kitchen/dining space, leading off from the living area, which will offer improved thermal performance. The extension infills the adjacent patio area to ensure a uniform rear elevation.

6.6 With respect to the terrace, and as demonstrated by Section 2 of this Statement, there are existing precedents of similar terraces approved both within Primrose Gardens and around the Borough. In particular, the Council has previously approved an application for a rear extension, with a roof terrace on top which was partly to be made of glazed balustrading and timber decking at 44 Primrose Gardens

(Ref: **2010/1355/P**). Indeed, the host property already has an existing terrace at roof level, which comprises glazed balustrading.

- 6.7 The Housing Camden Planning Guidance, Local Plan Policies H6, D1 and A2 and London Plan Policy D6, generally seek to provide dedicated private external amenity spaces for residential properties. No.8 currently has no access to a dedicated private external amenity space and so the scheme will significantly enhance the standard of accommodation for the occupiers.
- 6.8 The works, albeit minor in nature, will significantly improve and increase the habitable space within the property. Accordingly, the principle of this development is considered acceptable on the above basis.

**b) Design Considerations**

- 6.9 Heritage considerations have been considered in Section 5 of this Statement. With regards to design, the proposals have been developed in line with salient national and local policies to ensure the development marries with the host building and its wider setting.
- 6.10 With respect to scale and massing, the terrace / extension has a smaller projection than the existing conservatory on the side of No. Primrose Gardens by 0.69 m. The proposed extension itself has a smaller height than the existing conservatory by 0.7m. Therefore, it is considered that the addition will not dominate the rear elevation or appear imposing to the adjacent properties. The proposals infill the small extent of patio area to the south-west and essentially squares off the addition to ensure a more functional internal arrangement. The marginal increase in mass will not upset the rhythm of the building proportions but will significantly uplift the quality of accommodation for both the ground floor and lower ground floor units. The proposals therefore maximise the potential of the site in a subordinate manner. As identified in Section 2, there are numerous precedent applications for extensions and additions both within the locality, the Conservation Area and the wider Borough. The balustrade for the terrace has been set back behind the line of the parapet of the proposed rear extension, so that it is in accordance with the Council's Home Improvements SPD.
- 6.11 With respect to the materiality of the extension, the double aluminium sliding doors off the current living area will be replaced with in-like aluminium sliding doors providing access to the patio and garden beyond, alongside yellow stock brickwork to match the host building. The design also includes an aluminium fascia panel. Similar schemes have been approved for the host terrace, thereby ensuring that this addition will respond sympathetically to the site setting. Notwithstanding this, the lower

ground floor extension is contained within the rear elevation which is not visible from the streetscene and will therefore not harm public views.

- 6.12 With respect to the materiality of the terrace, planning permission 2010/1355/P was approved, which proposed a terrace on top of a single storey extension that comprised timber decking and glass balustrading, which is similar to that proposed. In addition, at roof level, the terrace already incorporates glazed balustrading. As such, the materiality proposed for the terrace is not a discordant feature of the property nor the Conservation Area. It is also noted that the Home Improvements Planning Guidance states that opaque lightweight materials should be considered, such as obscured glass on elevations abutting neighbouring properties, in order to minimise overlooking. These have been proposed on the sides of the proposed terrace, fully in accordance with the Guidance. The timber door has been proposed to provide adequate access onto the terrace area, with its materiality proposed to respond to the character of the surrounding area. Its location has been purposely chosen so that it matches the location and dimensions of the original window opening to ensure the character of the rear façade can be retained.
- 6.13 As noted in numerous case officer reports and the aforementioned appeal for the application site, the rear elevation of Primrose Gardens is un-uniform and features a range of large dormer styles and various rear additions at lower levels. The overall design of the enclosed extension will link well with the host property's modern dormer extension and balcony at roof level. The poor-quality conservatory is to be removed. The design is therefore sympathetic to the host building and positively enhances the special character of the Conservation Area.
- 6.14 Given the above, the proposals amount to a high-quality, subordinate addition to the host property that responds well to the host building and adjacent properties in compliance with the NPPF, London Plan Policies GG2, D1, D2, D4, D6 and HC1 of the Local Plan, as well as the principles set out in the Council's Housing, Home Improvements and Design SPDs.

**c) Amenity**

- 6.15 The proposals have been consciously designed to preserve the amenity levels of surrounding occupiers, as required by policy at all levels.
- 6.16 The nearest neighbouring residential properties relate to the upper level units within the host property and Nos. 6 and 10. Due consideration has been attributed to preserving sense of privacy and outlook.

- 6.17 The maximum projection of the proposed addition is less than the existing conservatory, meaning there will be a negligible increase in visibility from No. 10. The small increase in mass to the south via the infilling to the boundary will not undermine the outlook of the adjacent properties and thus the extension will not appear overbearing given its limited scale and positioning. In addition, the extension will retain a good sized garden, meaning the open nature of the setting would be preserved.
- 6.18 In privacy terms it is notable that the extension does not feature any side-facing fenestration and thus will preserve privacy of adjacent residents. Indeed, the loss of the transparent windows of the conservatory will minimise overlooking.
- 6.19 In respect to the terrace, and fully in accordance with the Home Improvements SPD, privacy screens made of lightweight opaque glass at a policy compliant height have been proposed. In addition, the glazed balustrade has been set back by 1m from the rear extensions parapet to ensure compliance with the SPD, in order to preserve the immediate privacy of the lower ground floor level flat. This set back has been specifically designed so the patio area cannot be seen from the terrace. In addition, it is pertinent to consider that the lower ground flat has a large garden that extends significantly to the east, the majority of which will not be able to be overlooked by the users of the terrace.
- 6.20 With regards to any implications on daylight and sunlight, the enclosed Daylight and Sunlight Assessment prepared by Schroeders Begg assesses the impact of the proposals on daylight and sunlight upon the nearest neighbouring residential properties, following relevant BRE guidelines. The assessment concludes that reductions in daylight to applicable windows serving habitable rooms are very limited and adhere to the BRE Guide. The rear elevation windows of Nos. 6 and 10 face north-east, meaning no undue sunlight implications.
- 6.21 The glazed balustrading and screens have also been proposed to ensure the safety of the occupiers, which is in accordance with the principles of the NPPF, London Plan Policy D11 and Local Plan Policies H6 and C5.
- 6.22 With respect to noise and disturbance, the introduction and use of a terrace in this location would not be a discordant feature of a residential area such as Primrose Gardens. Whilst it will be used by the occupiers, its use will not result in any adverse noise impacts, as the design incorporates noise mitigation measures such as the set back from the rear extension edge and the opaque screening on the sides.

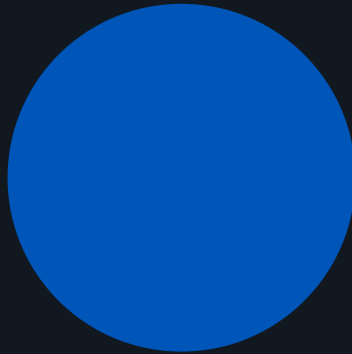
6.23 In light of the above, the proposals are seen to preserve amenity levels of the existing and adjacent occupiers and will be safe and secure, in line with the NPPF, London Plan Policies D3, D11, D13 and D14, Local Policies C5, A1 and A4 and the Home Improvements, Amenity and Housing SPDs.

## Section 7      Conclusions

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- 7.1      This Planning and Heritage Statement has been prepared to support an application for the demolition of an existing glazed conservatory and replacement with a modest brick built rear extension at the lower ground floor level with limited terrace to serve the upper ground flat at 8 and 8A Primrose Gardens.
- 7.2      The enclosed proposals are of a high-quality finish and are minor in scale, discreetly sited to the rear of the property. The proposals will significantly enhance the quality of residential accommodation, whilst enhancing the significance of the Belsize Park Conservation Area.
- 7.3      The Statement has demonstrated the following points:
- The acceptability in heritage terms of removing the existing conservatory to the rear of this property and its replacement with the subordinate full-width extension and terrace;
  - The acceptability of the proposals in enhancing the significance of the Conservation Area;
  - The principle of modestly increasing the quantum and enhancing the quality of the residential floorspace;
  - The acceptability in design terms of this high-quality, subordinate proposal in maintaining the character and appearance of the host property and surrounding area;
  - The development would enhance the visual contribution of the host property within the Conservation Area;
  - The proposed extension will enhance safety and not result in any undue loss of daylight or sunlight and will not be overbearing to neighbouring properties.
- 7.4      As such, the proposals are considered in accordance with national and local policy requirements, and we respectfully request that planning permission is granted at the earliest opportunity.





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