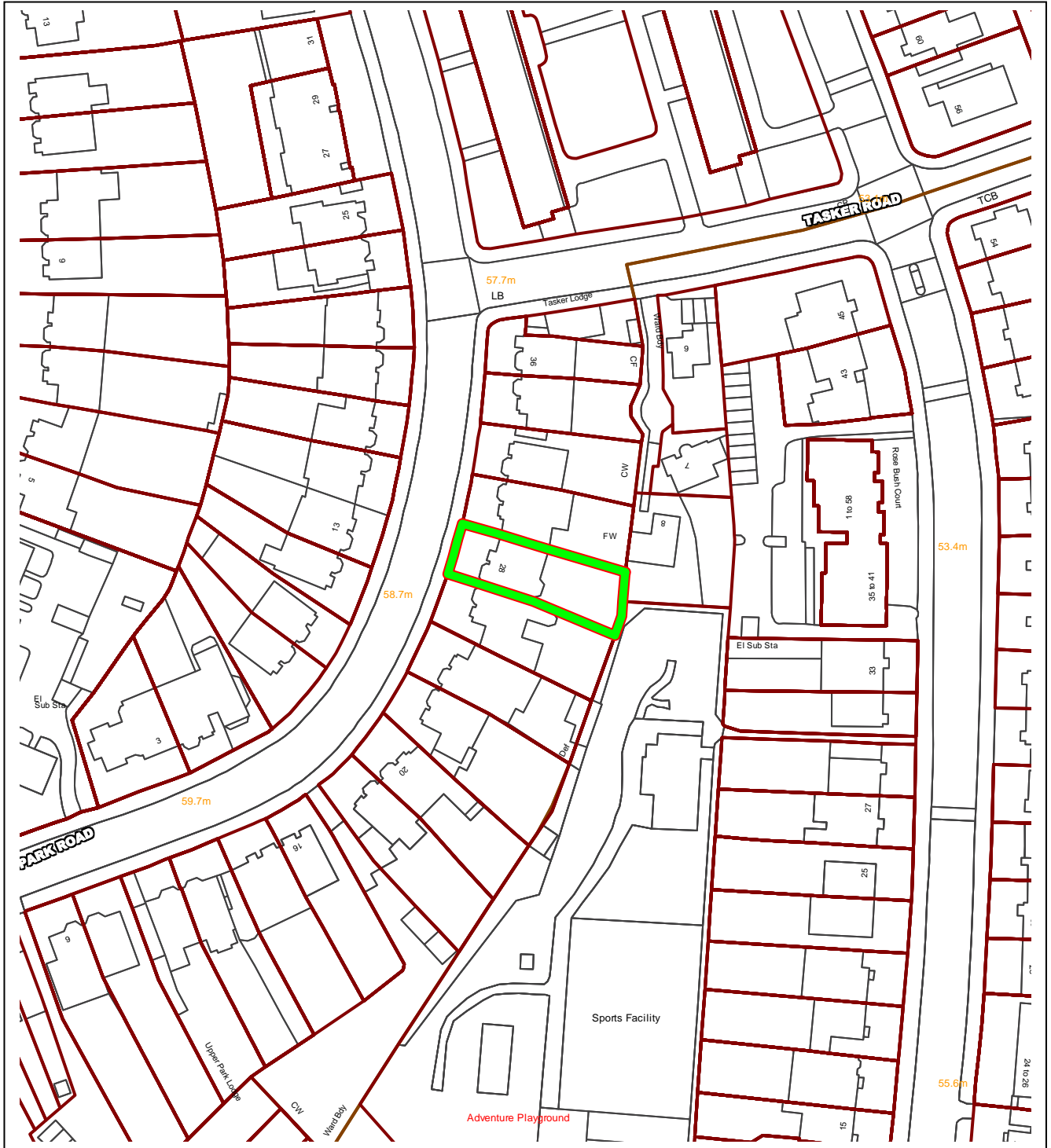


2023/2203/P

28 Upper Park Road



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2023/2203/P – 28 Upper Park Road

Photos and Plans



Fig 1. Aerial view of 28 Upper Park Road



Fig 2. Existing (left) and proposed (right) front elevations.

2023/2203/P – 28 Upper Park Road

Photos and Plans



Fig 3. Existing (left) and proposed (right) rear elevation.

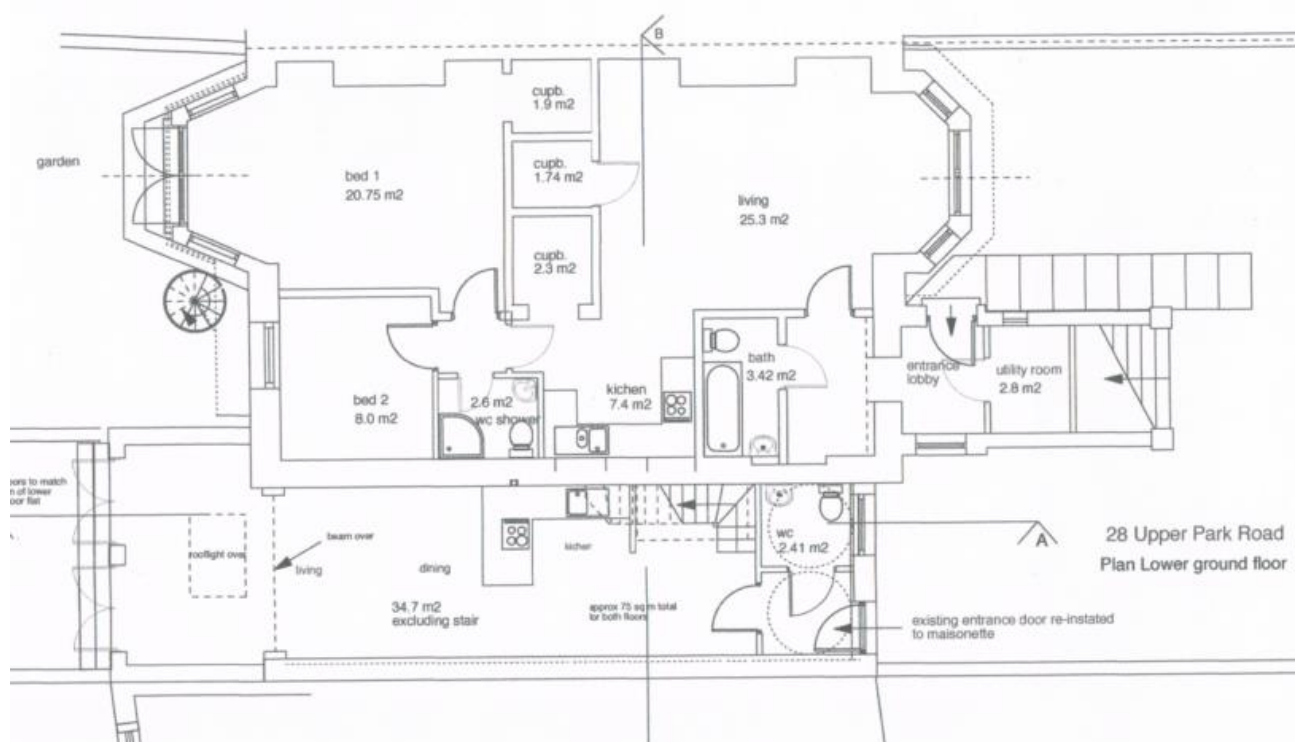


Fig 4. Proposed lower ground floor plan.

2023/2203/P – 28 Upper Park Road

Photos and Plans

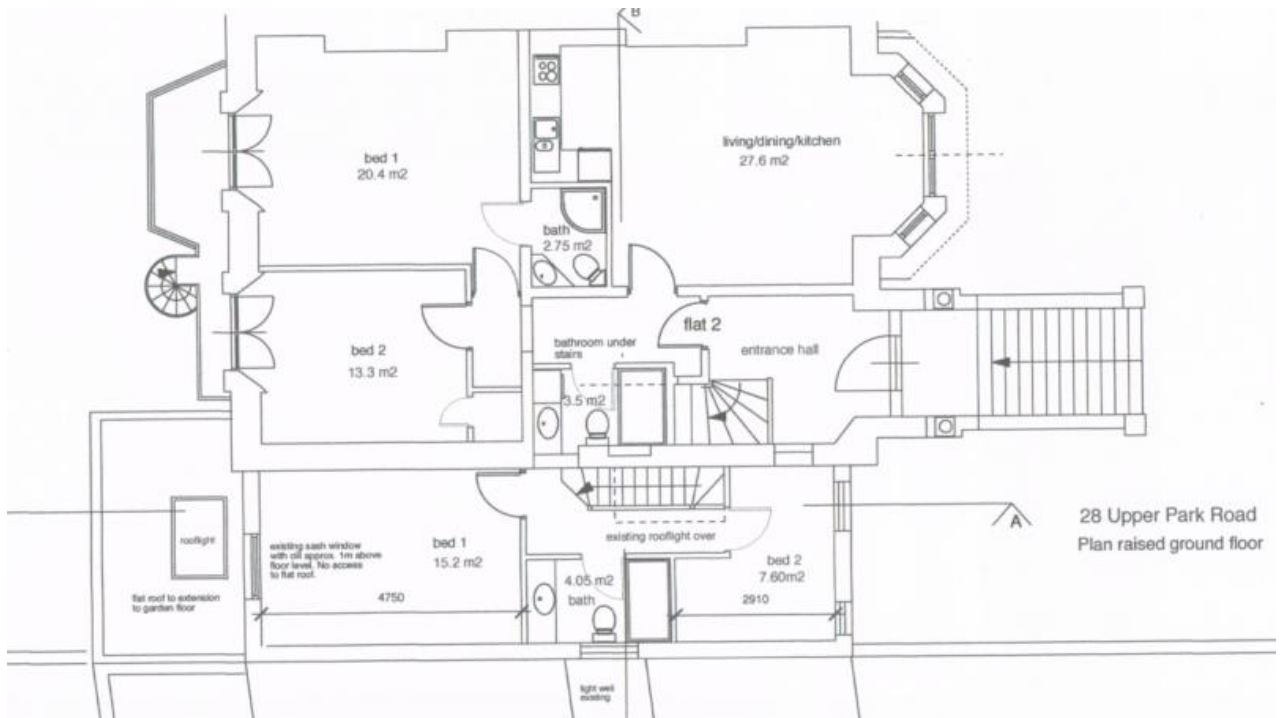


Fig 5. Proposed upper ground floor plan.

Delegated Report		Analysis sheet		Expiry Date:		26/07/2023	
(Members Briefing)		N/A / attached		Consultation Expiry Date:		16/07/2023	
Officer				Application Number(s)			
Daren Zuk				2023/2203/P			
Application Address				Drawing Numbers			
28 Upper Park Road London NW3 2UT				<i>See draft decision notice</i>			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Creation of two-bedroom maisonette from existing flats; erection of single-storey lower ground floor rear extension; associated internal and external alterations.							
Recommendation(s):		Grant conditional planning permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	00	No. of responses	03	No. of objections	03
Summary of consultation responses:		Site Notice: displayed 14/06/2023, expired 16/07/2023 Press Notice: published 22/06/2023, expired 16/07/2023 Three responses objecting to the proposals were received from neighbouring occupiers at no.30 Upper Park Road. Their concerns are summarised as follows: <ol style="list-style-type: none"> 1. The proposed extension, by reason of its siting, size and design, would result in an excessive and incongruous addition to the building which would be harmful to the character and appearance of the building. 2. The application is lacking vital information as well as over development of the site. 					

	<ol style="list-style-type: none"> 3. The application does not provide for car-free development as is required under the planning policy. 4. The proposals would be to the detriment of neighbour and residential amenity in terms of space, facilities, and privacy. 5. The loss of garden space and amenity area for new and existing residents through the reconfiguration. 6. There is no provision for active travel or contribution to parking. 7. The design and layout would result in a poorer quality development of the existing residential units, by virtue of reduced internal space, external amenity area and may not meet space standards. <p><u>Officer's Response:</u></p> <ol style="list-style-type: none"> 1) <i>The design of the rear extension and impact on the host building are discussed in Section 8 of this report.</i> 2) <i>The requirement for car-free development is outlined in Section 10 of this report.</i> 3) <i>The impact on neighbouring amenity is discussed in Section 9 of this report.</i> 4) <i>The internal configuration, including whether the units meet the minimum space standards, are discussed in Section 7 of this report.</i>
<p>Parkhill CAAC</p>	<p>A letter of objection was received on behalf of the Parkhill CAAC. Their objection comments can be summarised as follows:</p> <ol style="list-style-type: none"> 1. We note that this building makes a positive contribution to the Conservation Area. The rear extension is too wide and should not overlap the existing rear wall. <p><u>Officer's Response:</u></p> <ol style="list-style-type: none"> 1) <i>The design of the rear extension and impact on the wider Conservation Area are discussed in Section 8 of this report.</i>

Site Description	
<p>The application site is located on the east side of Upper Park Road, south of the junction with Tasker Road. It comprises of one of a pair of semi-detached late 19th century villas, four-storeys in height (plus loft), which has been subdivided into four self-contained flats. The London stock brick villas which line the east and west side of Upper Park Road are uniform in size, design, and materiality. The strong collective architectural style contributes positively to the robust character and appearance of the streetscape and thus that of the conservation area.</p> <p>The site is located within the Parkhill Conservation Area, and although not listed, is considered to positively contribute to the character and appearance of the conservation area.</p>	

Relevant History

Application Site

8702829 – Alterations to the roof including the formation of a rear dormer installation of a velux window on the front elevation and alterations to the access to the basement flat as shown on drawing no. UPR/03/0D revised on 10th November 1987. **Granted 10/12/1987**

F9/17/1/1A/P1 – Conversion of maisonette on ground and lower ground floors at 28 Upper Park Road, Camden, to two self-contained flats. **Granted 12/07/1965**

F9/17/1/4126 – Conversion of the first and second floors of No. 28 Upper Park Road, Hampstead, each into a self-contained flat. **Granted 27/06/1958**

Relevant History at No. 30 Upper Park Road

2021/0400/P – Erection of single storey rear extension. **Allowed on Appeal 22/11/2021**

2020/2085/P – Installation of staircase and access with associated balustrade from upper ground to rear garden level. **Granted 22/10/2020**

Relevant Policies

National Planning Policy Framework (2023)

The London Plan (2021)

Camden Local Plan (2017)

- H1 Maximising housing supply
- H4 Maximising the supply of affordable housing
- H6 Housing choice and mix
- H7 Large and small homes
- A1 Amenity
- D1 Design
- D2 Heritage
- T1 Prioritising walking, cycling and public transport
- T2 Parking and car-free development

Camden Planning Guidance

- CPG (Design)
- CPG (Amenity)
- CPG (Housing)
- CPG (Home Improvements)
- CPG (Transport)

Parkhill and Upper Park Conservation Area Appraisal and Management Strategy (2011)

Assessment

1. Proposal

1.1. Planning permission is sought for the:

- Erection of a single-storey lower ground floor rear extension;
- Creation of a two-bedroom maisonette from existing flats; and
- Associated exterior alterations.

2. Revisions

2.1. Following discussions with officers, the applicant revised the proposal to ensure that the internal GIAs of the two retained flats and newly created maisonette met national space standards. The internal areas of all three flats are now compliant.

3. Planning Considerations

3.1. The key considerations material to the determination of this application are as follows:

- Principle of Development
- Dwelling Mix
- Affordable Housing
- Standard of Accommodation
- Design and Conservation
- Amenity
- Transport
- Refuse and Recycling
- Planning Obligations/CIL

4. Principle of Development

4.1. The proposals involve the reconfiguration of the existing lower ground and ground floor flats to create a new two-bedroom maisonette unit. Policy G1 supports development that makes best use of its site, taking into account quality of design, its surroundings, sustainability, and amenity. The existing building is considered an appropriate location for more housing given it is the predominant existing land use of the area. The addition of new housing is supported by Policy H1, which seeks to increase the housing supply within the borough.

5. Dwelling Mix

5.1. The Council requires development to contribute to the creation of mixed and inclusive communities by containing a mix of large and small homes. Policy H7 of the Local Plan includes a Dwelling Size Priorities Table as set out below:

	<i>1-bedroom (or studio)</i>	<i>2-bedroom</i>	<i>3-bedroom</i>	<i>4-bedroom</i>
Social-affordable rented	Low	High	High	Medium
Intermediate affordable	High	Medium	Low	Low
Market	Low	High	High	Low

- 5.2. Policy H7 seeks to ensure that all housing development:
- a. contributes to meeting the priorities set out in the Dwelling Size Priorities Table; and
 - b. includes a mix of large and small homes.

5.3. The proposal includes the reconfiguration of 2 units to create 1x self-contained two-bedroom flat and the retention of 2x self-contained two-bedroom flats, which are regarded as a high priority in the above table. Thus, the proposed unit mix is welcomed.

6. Affordable Housing

6.1. Policy H4 (maximising affordable housing) requires a contribution to affordable housing from all developments that provide one or more additional homes and involve a total addition to residential floorspace of 100sqm GIA or more. The policy states that where developments have a capacity for fewer than 10 additional dwellings, the Council will accept a payment in lieu of affordable housing.

6.2. Targets are based on an assessment of development capacity whereby 100 sqm GIA of housing floorspace is generally considered to create capacity for one home and a sliding scale target applies to developments that provide one or more additional homes and have capacity for fewer than 25 additional homes, starting at 2% for one home and increasing by 2% for each home added to capacity.

6.3. In this case, the proposal seeks to convert two existing flats into three self-contained dwellings and includes a lower ground floor rear extension that is less than 100sqm in size. The proposal is therefore not liable to the affordable housing contribution.

7. Standard of Accommodation

7.1. Policy H6 outlines how the Council will seek to secure high quality accessible homes in all developments that include housing. We will:

- a. encourage design of all housing to provide functional, adaptable and accessible spaces;
- b. expect all self-contained homes to meet the nationally described space standard;
- c. require 90% of new-build self-contained homes in each development to be accessible and adaptable in accordance with Building Regulation M4(2); and
- d. require 10% of new-build self-contained homes in each development to be suitable for occupation by a wheelchair user or easily adapted for occupation by a wheelchair user in accordance with Building Regulation M4(3).

7.2. The proposal consists of 3x two-bedroom units located at the lower ground and upper ground floor levels. One unit is located on the lower ground floor level, one at the upper ground floor, and one occupying the two-storey side extension (maisonette). Each of the three units are double aspect and feature well laid out floorplans with two bedrooms, combined kitchen/living areas, and rear garden access for the lower ground and maisonette units. It is considered that each of the three units would receive sufficient daylight/sunlight and would be compliant with BRE guidelines.

7.3. In terms of space standards, each of the three flats exceed the national space standards for two-bedroom, three-person units at 74.6sqm (maisonette) and 85sqm (lower and upper ground floor units), with the required GIA being 61sqm and 70sqm respectively.

8. Design and Conservation

- 8.1. The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within Policy D1 are relevant to the application: development should respect local context and character; comprise details and materials that are of high quality and complement the local character; and respond to natural features. Policy D2 'Heritage' states that in order to maintain the character of Camden's conservation areas, the Council will not permit development within conservation area that fails to preserve or enhance the character and appearance of that conservation.
- 8.2. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Listed Buildings Act") provide a statutory presumption in favour of the preservation of the character and appearance of Conservation Areas. Considerable importance and weight should be attached to their preservation. A proposal which would cause harm should only be permitted where there are strong countervailing planning considerations which are sufficiently powerful to outweigh the presumption.
- 8.3. The duties imposed by the Planning (Listed Buildings and Conservation Areas) Act are in addition to the duty imposed by section 38(6) of the Planning and Compulsory Purchase Act 2004, to determine the application in accordance with the development plan unless material considerations indicate otherwise.

Assessment of Proposals

- 8.4. The proposal includes a modest single-storey lower ground floor extension to provide the new maisonette unit with expanded interior space. The extension would extend beyond the existing rear of the side extension by 2.6m, and nominally wrap around the original corner of the building. It features two French doors to access the rear garden, a flat roof, and a rendered facade to match existing. This is acceptable in design terms, as the footprint of the extension would not be out of scale with the host building, nor is the design incongruous with the existing side extension or those approved at neighbouring no.30. The proposed rear extension, which is not visible from any public views, would not have any negative impact on the appearance of the property or the wider conservation area and therefore considered acceptable.
- 8.5. At the front, an existing lower ground floor window on the front of the existing side extension would be replaced with a door to access the new maisonette unit. This is considered acceptable and consistent with other properties along Upper Park Road. Further, it would not have any negative impact on the appearance of the property or wider conservation area.
- 8.6. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the listed building and surrounding conservation area under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013. The size, scale, design and location of the proposed alterations are not considered to cause harm to the special architectural and historic significance of the listed building or the character of the surrounding conservation area.

8.7. As such, the proposed development would preserve the character and appearance of the Parkhill Conservation Area, meeting the statutory tests set out in the NPPF and complying with Policies D1 and D2 of the Camden Local Plan 2017 as well as policies in the Parkhill Conservation Area Statement (2011).

9. Amenity

9.1. Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting planning permission to development that would not harm the amenity of residents. This includes factors such as privacy, outlook, and implications to natural light, artificial light spill, odour and fumes as well as impacts caused from the construction phase of development.

9.2. The proposed rear extension would not extend beyond the existing lower ground floor rear extension at neighbouring no.30 Upper Park Road, therefore there would not be any loss of outlook, daylight/sunlight, or privacy. Due to grade differences between the two properties, there would be a slight increase in height between the two rear extensions; however, this is not significant enough to create any negative impacts. Further, no new views into neighbouring properties would result from the proposals.

9.3. Although the proposed rear extension would occupy a portion of the rear garden, it is considered that a significant portion of the rear garden would be retained for use by occupiers of the maisonette, lower ground, and upper ground floor units.

9.4. The proposed development is not considered to lead to a significant impact upon the amenities of any neighbouring resident. The development is thus considered to be in accordance with planning Policy A1.

10. Transport Considerations

10.1. In accordance with Policy T2 of the Local Plan, it is expected that all new development to be car free. The new maisonette unit will need to be secured as on-street Resident parking permit (car) free by means of a Section 106 Legal Agreement. This will prevent the future occupants from adding to existing on-street parking pressures, traffic congestion and air pollution, whilst encouraging the use of more sustainable modes of transport such as walking, cycling and public transport. As the existing flats on the lower and upper ground floor levels are only being reconfigured, they will not be subject to the car-free requirement.

10.2. In line with Policy T1 of the Local Plan, it is expected that cycle parking at development to be provided in accordance with the standards set out in the London Plan. For residential units with two or more bedrooms, the requirement is for two spaces per unit. This would give a requirement for 6 cycle parking spaces. The applicant has shown two cycle storage lockers located at the front of the property, with space for 6 bikes. This is considered acceptable and will be secured by condition.

11. Refuse and Recycling

11.1. Refuse and recycling storage will be provided within external bin storage facilities at the front of the property. The details of which shall be secured by condition to ensure acceptable design.

12. Conclusion and Recommendations

12.1. In conclusion, the proposed reconfiguration of the existing two residential units into three self-contained units and the lower ground floor rear extension would not harm the character or appearance of the host building and would be considered to preserve the character and appearance of this part of the Parkhill Conservation Area. As such, the proposals are considered to accord with the requirements of Policies H1, H4, H6, H7, A1, D1, D2, T1 and T2 of the Camden Local Plan and it is recommended that planning permission is granted subject to relevant conditions.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 6th November 2023 nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Application ref: 2023/2203/P
Contact: Daren Zuk
Tel: 020 7974 3368
Date: 30 October 2023

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

Tim Drewitt Associates
53 Romney Court
139 Haverstock Hill
London
NW3 4RX

Dear Sir/Madam

DRAFT
FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION
Town and Country Planning Act 1990 (as amended)

DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Address:
28 Upper Park Road
London
Camden
NW3 2UT

Proposal:

Creation of two-bedroom maisonette from existing flats; erection of single-storey lower ground floor rear extension; associated external alterations.

Drawing Nos: (Prefix UPR/28/) 01A, 02A, 03, 04A, 05A, 06A, 07, 08C, 09B, 10B, 11A, 12, 13, Location Plan, Design and Access Statement, Bike Shed Details

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

(Prefix UPR/28/) 01A, 02A, 03, 04A, 05A, 06A, 07, 08C, 09B, 10B, 11A, 12, 13, Location Plan, Design and Access Statement, Bike Shed Details

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of Policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 Before the development commences, details of the location, design and method of waste storage and removal including recycled materials, shall be submitted to and approved by the local planning authority in writing. The facility as approved shall be provided prior to the first occupation of any of the new units and permanently retained thereafter.

Reason: To ensure that sufficient provision for the storage and collection of waste has been made in accordance with the requirements of Policies CC5, A1, and A4 of the London Borough of Camden Local Plan 2017.

- 5 Before the development commences, details of secure and covered cycle storage area for six (6) cycles shall be submitted to and approved by the local planning authority. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of Policy T1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).

- 2 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 3 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 5 You are advised that Section 44 of the Deregulation Act 2015 [which amended the Greater London Council (General Powers) Act 1973] only permits short term letting of residential premises in London for up to 90 days per calendar year. The person who provides the accommodation must be liable for council tax in respect of the premises, ensuring that the relaxation applies to residential, and not commercial, premises.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

You can find advice about your rights of appeal at:

[https://www.gov.uk/appeal-planning-decision.](https://www.gov.uk/appeal-planning-decision)

Yours faithfully

Supporting Communities Directorate