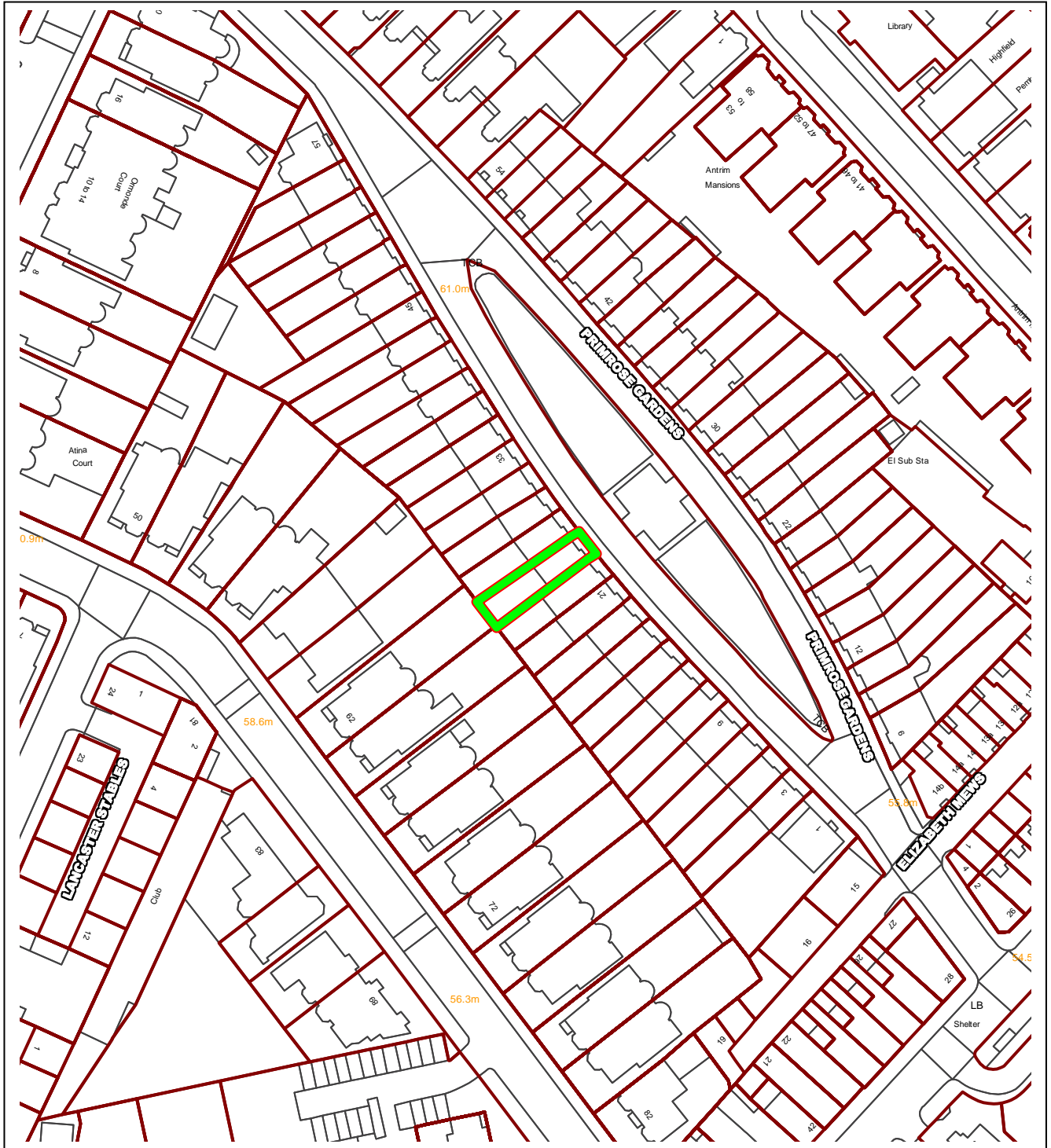


2023/4459/P - Flat Lower Ground Floor
25 Primrose Gardens, NW3 4UJ



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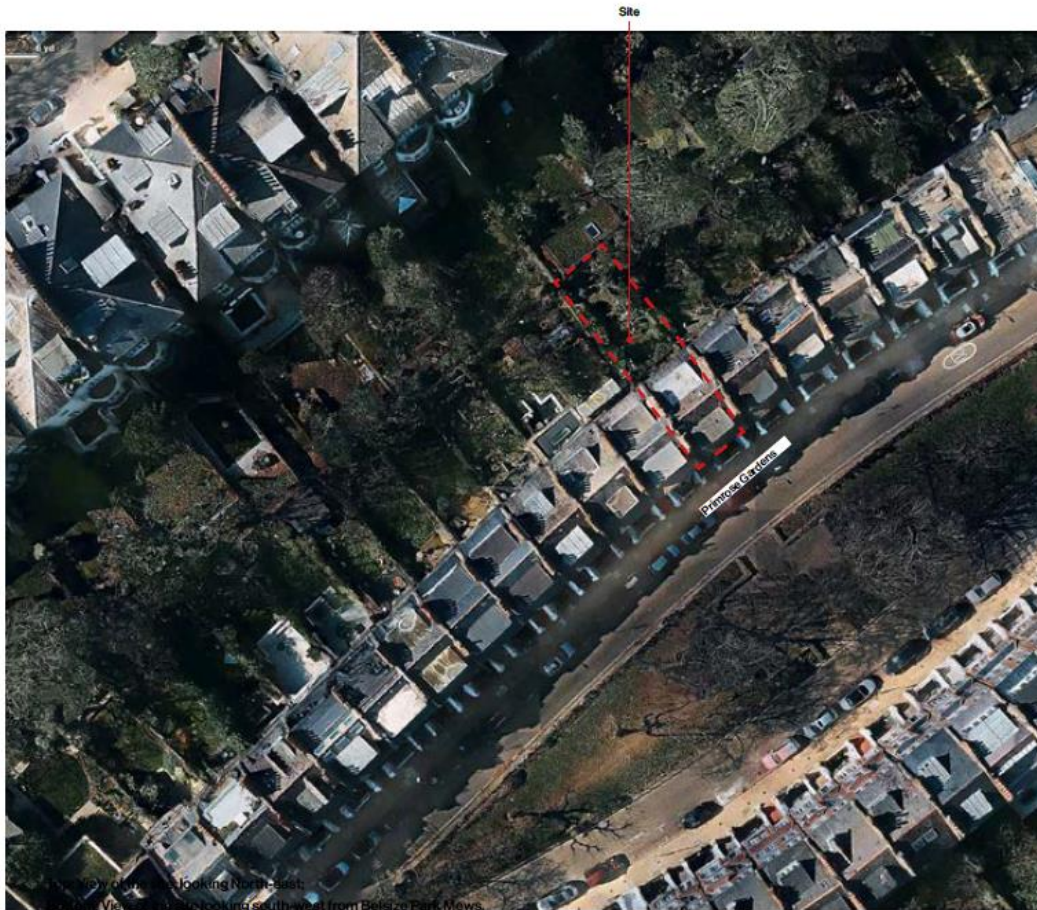


Figure 1: Aerial image of the site and surrounding context.

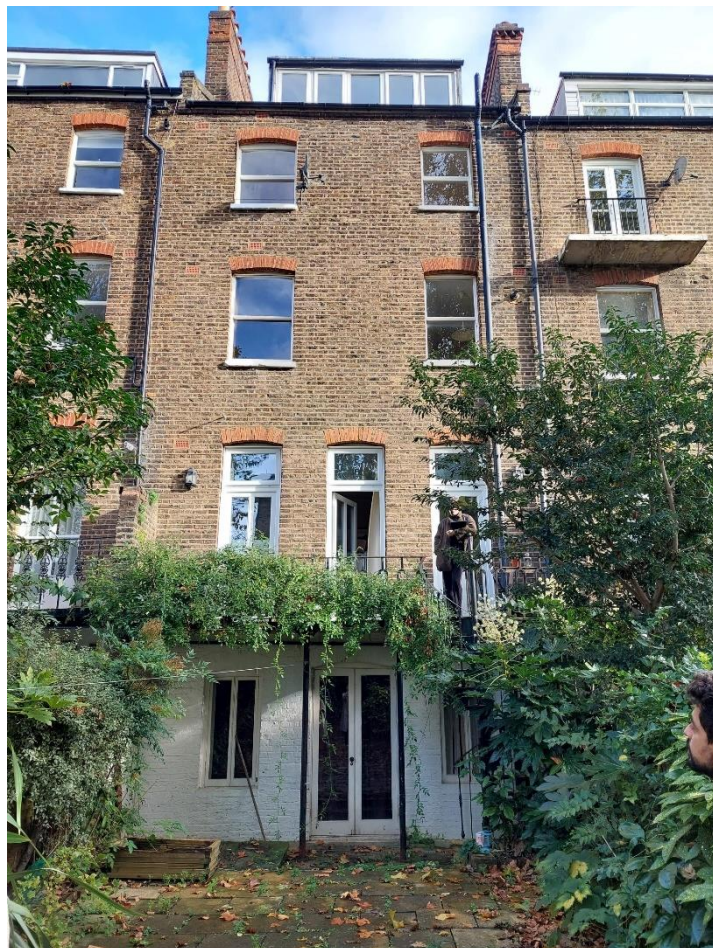


Figure 2: Photo of Existing Rear Elevation.



Figure 3: Existing Condition of Balcony.



Figure 4: Photo of Rear Garden.

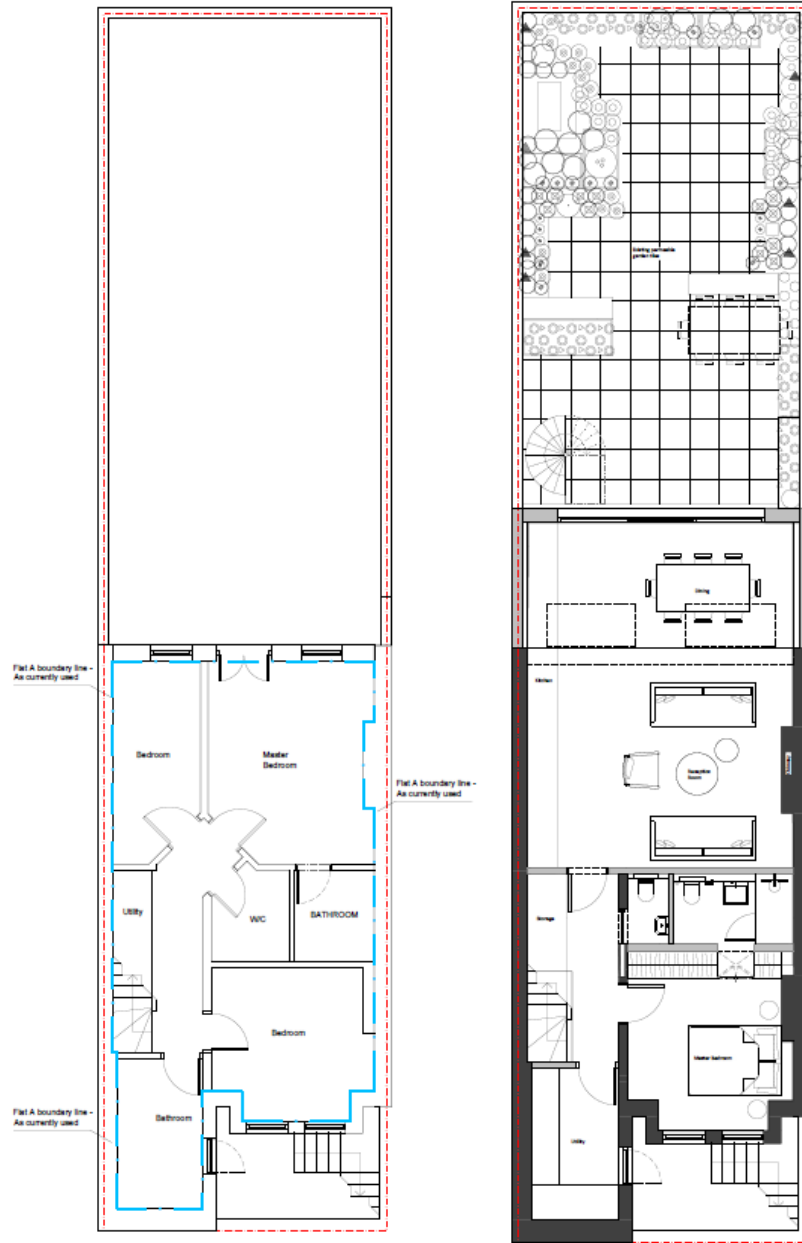


Figure 5: Existing and Proposed Lower Ground Floor Plan.

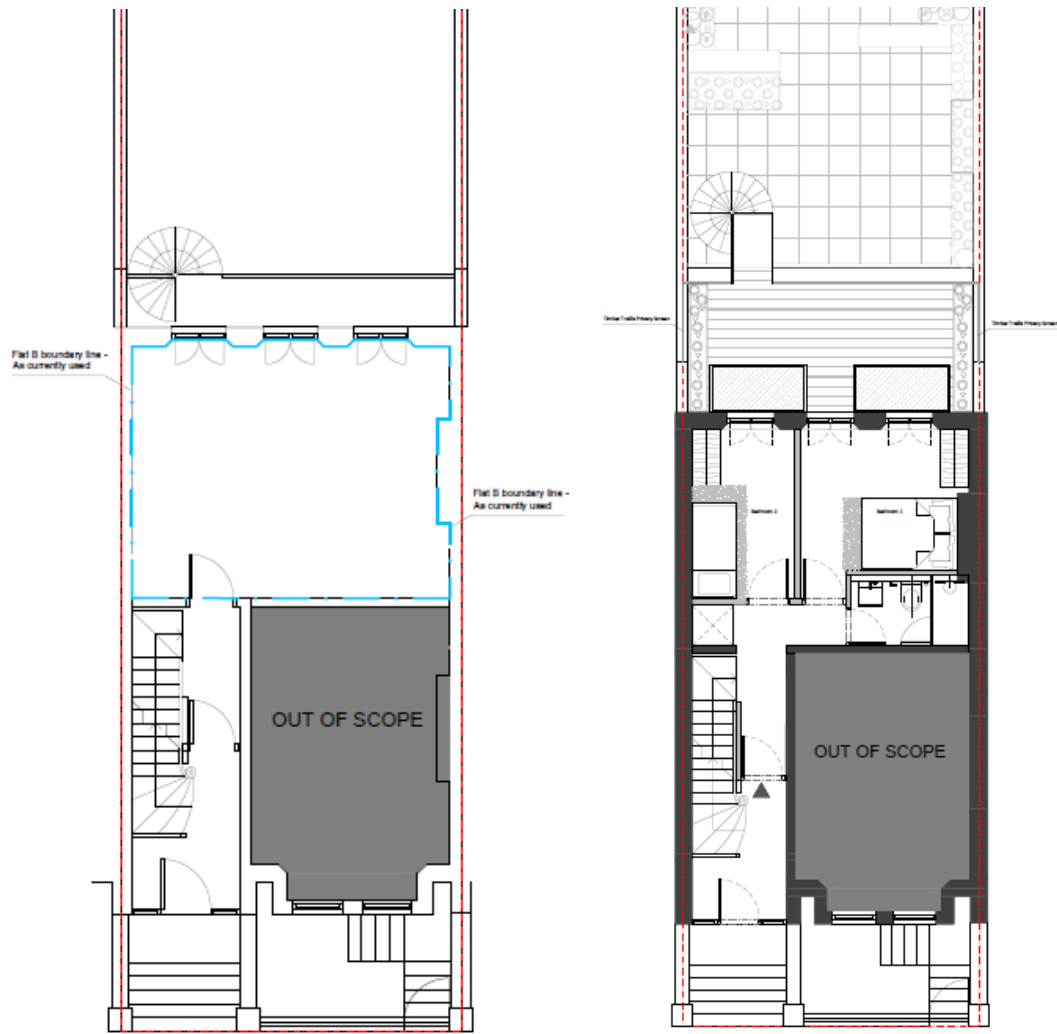


Figure 6: Existing and Proposed Ground Floor Plan.



Figure 7: Existing and Proposed Rear Elevation.

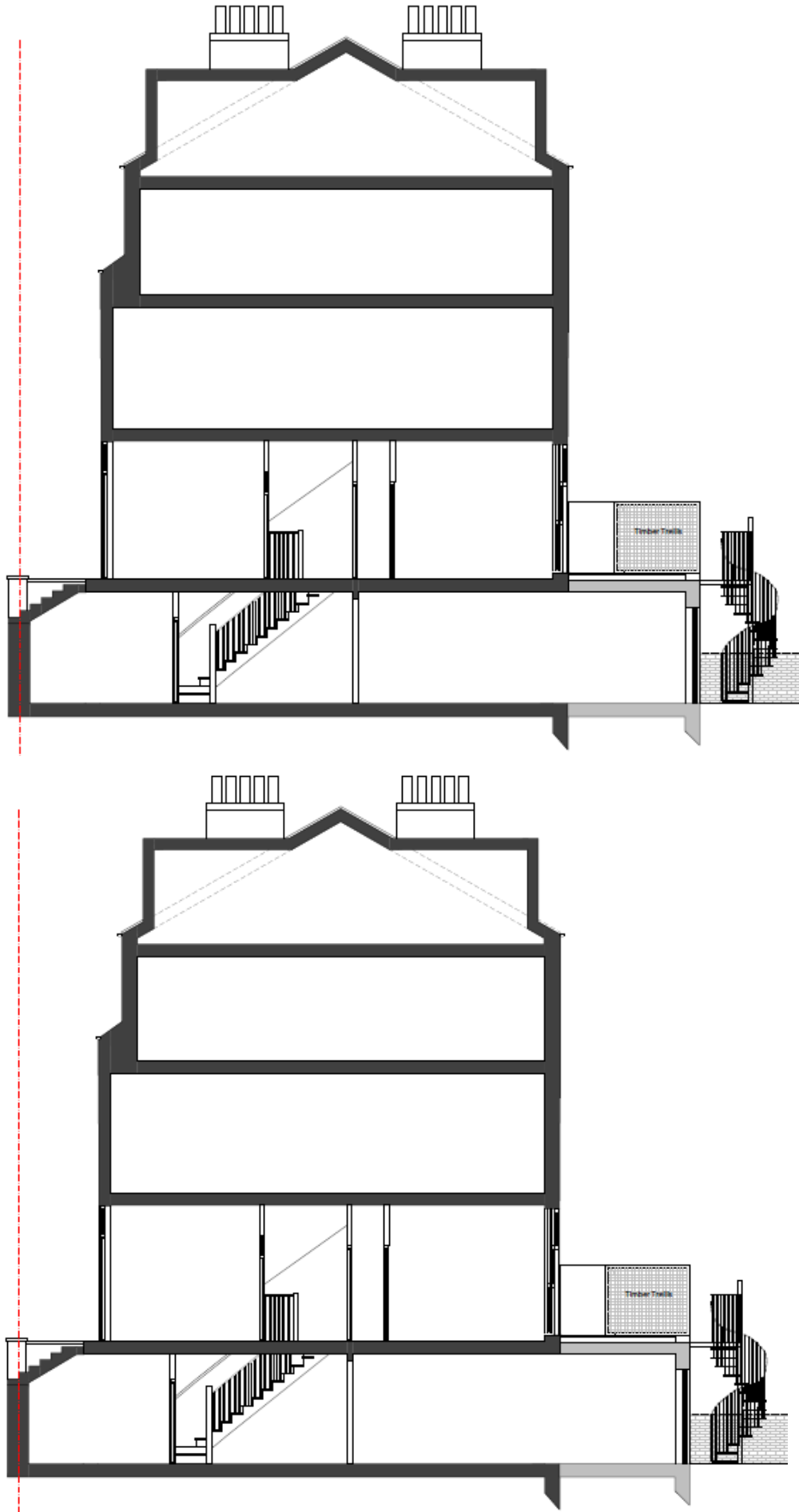


Figure 8: Existing and Proposed Sections.

Delegated Report (Members Briefing)		Analysis sheet	Expiry Date:	12/12/2023
		N/A / attached	Consultation Expiry Date:	26/11/2023
Officer			Application Number(s)	
Alex Kresovic			2023/4459/P	
Application Address			Drawing Numbers	
Flat Lower Ground Floor 25 Primrose Gardens London NW3 4UJ			See draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Amalgamation of two units to a three-bed maisonette unit over the lower ground and part of the upper ground floor, and a rear extension with upper ground floor roof terrace.				
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. of responses	05	No. of objections	05
Summary of consultation responses:	<p>Press Notice: published 02/11/2023, expired 26/11/2023. Site Notice: displayed on 25/10/2023, expired 18/11/2023.</p> <p>Five (5) objections were received from neighbouring occupiers. Concerns arising from these objections are summarised below:</p> <p><u>Design</u></p> <ul style="list-style-type: none"> • Full-width extension would cause a considerable reduction in open land and garden space. • A roof terrace on the extension has never been accepted historically on our street and is therefore out of character. • The bulk and appearance of the obscure glass screens effectively create a two-storey block. <p>Officers Response:</p> <ul style="list-style-type: none"> • <i>The proposed rear extension will be constructed on the existing hard-paved area. No loss of garden will occur.</i> • <i>A number of planning applications have been granted planning permission for rear extensions with roof terraces. Refer to the site history section for further details.</i> • <i>The works are subordinate in scale, would respect the character and setting of the surrounding area, and would not be out of place due to the large number of rear extensions within the vicinity. There would also be no views of the extension from the public realm.</i> • <i>The privacy screens have been amended from obscure glass to timber trellis privacy screen.</i> <p><u>Amenity</u></p> <ul style="list-style-type: none"> • Proposal would impact the privacy of adjoining properties. • Loss of light (daylight/sunlight) due to the privacy screens and extension. • The terrace is too large and could lend itself to parties (noise issues). • No precedents for having a terrace at the upper ground floor level. • Would disrupt the rhythm and continuity of the terrace form. • The spiral staircase extending (including the stairs) further out by at least another 2 metres. Neither the staircase nor the platform is screened. <p>Officers Response:</p> <ul style="list-style-type: none"> • <i>A number of properties along Primrose Gardens have upper ground-floor balconies. Therefore, the privacy impacts are negligible and would be reciprocated by that currently existing from the adjoining terrace.</i> • <i>The rear extension extends to a maximum of 3m, which is considered subordinate in scale to the host dwelling. The terrace is of a modest scale and serves a 3 bedroom flat as such it is not anticipated to be used by lots of people</i> 			

- A number of planning applications have been granted planning permission for rear extensions with roof terraces. Refer to the site history section for further details.
- The existing spiral staircase is not screened.

Belsize CAAC:

An objection was received by the Belsize CAAC. Concerns arising from the objection is summarised below:

- Not clear how the rear extension relates to the neighbours on either side.
- The rooflights are not necessary and will lead to light pollution.

Officers Response:

- The rear extension will protrude beyond the existing rear building line of the neighbouring properties but will be subordinate in scale to the host dwelling and similar to recently granted planning permissions for rear extensions.
- The ground floor does not receive adequate levels of natural daylight/sunlight due to the southwest orientation of the rear garden. The rooflights are therefore considered vital in improving amenity to the ground floor. In addition, the timber trellis privacy screens would assist in reducing any such light pollution.

Site Description

The site, located south of Primrose Garden facing northeast, is a lower ground floor two-bedroom apartment and an upper ground floor studio apartment in a five-storey mid-terrace building along Primrose Gardens. The strong collective architectural style contributes positively to the character and appearance of the streetscape and, thus, that of the wider Belsize Park Conservation Area.

The site is located within the Belsize Conservation Area and, although not listed, is considered to positively contribute to the character and appearance of the conservation area.

Relevant History

Application Site:
No relevant history.

Surrounding Area:

Application	Address	Description	Status
2017/4647/P	30 Primrose Gardens London NW3 4TN	Erection of a single storey rear extension, replacement windows throughout and alterations to lower ground floor flat entrance of residential dwelling (class C3).	Granted 3 November 2017
2017/5540/P	Flat 1, 42 Primrose Gardens London NW3 4TP	Erection of a part single, part two storey rear extension at lower and upper ground floors with garden access.	Granted 6 March 2018
2018/1399/P	1A Primrose Gardens London NW3 4UJ	Erection of single storey rear extension with green roof and installation of new rear window to existing two storey side addition to lower ground floor flat.	Granted 13 June 2018
2018/5116/P	9 Primrose Gardens London	Erection of rear extension at lower ground floor level and	Granted 13 December 2018

	NW3 4UJ	replacement front/rear windows.	
2020/0172/P	Flat A, 40 Primrose Gardens London NW3 4TP	Erection of a single storey rear extension.	Granted 1 June 2020
2020/5311/P	Flat B, 11 Primrose Gardens London NW3 4UJ	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.	Granted 5 March 2021
2021/0693/P	Flat Ground Floor 16 Primrose Gardens London NW3 4TN	Erection of a single storey rear extension, following the removal of the existing conservatory.	Granted 19 April 2021
2023/0833/P	47 Primrose Gardens London NW3 4UL	Single storey rear extension with upper ground floor roof terrace to an existing maisonette and associated internal reconfiguration.	Granted 26 April 2023
2023/2914/P	8 and 8A Primrose Gardens London NW3 4TN	Demolition of existing rear conservatory. Erection of single-storey lower ground floor rear extension. Provision of ground floor roof terrace at rear.	Granted 9 November 2023
2023/3843/P	13 Primrose Gardens London NW3 4UJ	Erection of single storey rear extension.	Granted 18 December 2023

Relevant policies

The National Planning Policy Framework 2023

The London Plan 2021

Camden Local Plan 2017

A1 Managing the Impact of Development

A4 Noise and Vibration

D1 Design

D2 Heritage

CC2 Adapting to climate change

CC3 Water and flooding

CC5 Waste

H1 Maximising Housing Supply

H6 Housing Choice and Mix

H7 Large and small homes

T1 Prioritising Walking, Cycling and Public Transport

T2 Parking and Car Free Development

Camden Planning Guidance

Home Improvements CPG (2021)

Amenity CPG (2021)

Design CPG (2021)

Transport CPG (2021)

Developer Contributions CPG (2019)

Water and flooding CPG (2019)

Belsize Conservation Area Statement (2003)

Assessment

1. Proposal

1.1 The application proposes to convert an existing 2 bed flat and a studio flat, into a 3 bed maisonette apartment at lower and upper ground floor level. The studio flat, in its current form, measures 22 sq. m and does not comply with the Building Regulations and the London Plan Nationally described space standard for a 1-bed flat, which is 39 sq. m.

1.2 The proposal also incorporates a three-metre deep single-storey extension to the rear elevation, which would span the plot's width, adding an area of 16 sqm to the lower ground floor. The extension would feature a set of highly insulated timber-glazed sliding doors at the lower ground, two walk-on rooflights and metal balustrades and two timber trellis privacy screens on both sides of the roof to create a new roof terrace.

1.3 Spiral metal stairs will be placed on the side adjacent to No. 23, where the existing spiral stairs are currently located.

2. Assessment

3. Land Use

3.1 Policy H1 promotes the efficient use of buildings in Camden to supply additional homes, as self-contained housing is the priority land use of the Local Plan.

3.2 Policy H6 (Housing Choice and Mix) confirms that the Council will require a range of dwelling sizes in accordance with Policy H7 (Large and small homes). The Camden Strategic Housing Market Assessment (SHMA) indicates that the greatest requirement in the market sector is likely to be for two and three-bedroom homes, followed by one-bedroom homes / studios. The proposal is for the conversion of two existing flats (1 x 2bed and 1 x studio) into a 1 x 3bed maisonette flat. The proposed scheme will provide the highest priority of housing onsite in the form of a 3-bed home, which is therefore acceptable as it accords with Policies H1 and H7.

3.3 Policy H3 of the Local Plan states that the net loss of one home is acceptable when two dwellings are combined into a single dwelling. The proposal would combine two flats to create a large single dwelling, which is in accordance with the requirements of Policy H3 and considered acceptable. There is no planning history to confirm that any other flats within the building have been converted so there appears to be no incremental loss of homes within the building.

4. Design

4.1 Policy D1 states that the Council will seek to secure high-quality design in all cases. This policy states that to demonstrate high quality, developments should meet several criteria, including respecting local context and character, being sustainable and durable and comprising details and materials that are of high quality and complement the local character. It continues to state that the Council will resist the development of poor design that fails to take the opportunities available for improving the character and quality of an area.

4.2 The proposed extension is full-width and 3m deep, which is considered acceptable in size and depth. It would feature a modern appearance with large patio doors and a matching brick facade. Further, the metal balustrades and timber privacy screens are considered acceptable materials within a conservation area. The retention of the external spiral metal stairs is welcomed.

4.3 There are many similar types of single storey extensions on properties along Primrose Gardens, as mentioned in the relevant history section of the report. Therefore, the proposal is acceptable in principle and in keeping with the prevailing form of development in close proximity to the host building.

4.4 The rear extension of the application property is not visible from any public views along Primrose Gardens. In terms of location, form, scale, proportions, and dimensions the proposed extension is

considered subordinate to the existing building and would respect and preserve the character of the existing building and the wider conservation area.

4.5. 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. Owing to the size, scale, design, and location of the proposed rear extension, it is considered to preserve the character and appearance of the Belsize Park Conservation Area.

4.6. As such, the proposed development would preserve the character and appearance of the Belsize Park 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 Belsize Conservation Area Statement (2003).

5. Living standards of future occupiers

5.1 Policy H6 and the Housing CPG require new development to provide an acceptable standard of accommodation in terms of internal arrangements, dwelling and room sizes and amenity space; facilities for the storage, recycling, and disposal of waste; facilities for bicycle storage; and private outdoor amenity space.

5.2 Policy H6 of the Camden Local Plan states that all new residential development should meet nationally described space standards.

Flat no. and bedroom size	Proposed internal floor areas	National Standards	Space
Flat 1 - 3B5P / 2 STOREY	95sqm	93sqm	

5.3 As illustrated by the above table, the proposed flat would comply with the national space standard by 2 sq. m. It is considered that all the rooms in the newly created dwelling would be able to function for the purposes for which they are intended and would have an adequate size, shape, door arrangement, height, and natural lighting. Taking this into consideration, as well as the fact that the proposal includes the conversion of 2 existing flats into 1, the proposed new flat would be considered to provide an acceptable standard of accommodation for future occupiers.

5.4 There is an existing communal bin area at the front of the site, which would cater for the storage, recycling, and disposal of waste, which is acceptable.

5.5 A condition will be added to secure water efficiency measures, ensuring a maximum internal water usage of 105 litres per day (plus an additional 5 litres for external water use) for the newly created home to comply with the guidance in CPG Water and Flooding.

5.6 Overall, it is considered that the new dwelling would provide an acceptable standard of residential accommodation in accordance with Policy H6.

6. Residential Amenity

6.1 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.

6.2 The proposed full width, 3m deep single-storey rear extension at the lower ground floor proposes new habitable space in the form of an open living arrangement featuring a kitchen and dining area, with a total area of 16 sqm. The proposal will also include a sliding door overlooking the rear yard which will provide adequate sunlight to the lower ground floor. A daylight / sunlight assessment has

been provided. The neighbouring property, no 27, sits roughly 150mm higher than the application site and is slightly overshadowed by the existing fence, mature vegetation, and privacy screen on the upper ground floor. No. 27 has an external staircase running along the boundary and an existing roof covering which obstructs the rear-facing windows. As such, the proposed extension and 1.6m high privacy screens would cause further impact to the neighbouring properties, however this is negligible due to the extension slightly protruding the 45-degree line in plan only, while not protruding the 45-degree line in elevation, therefore the amenity, in terms of daylight/sunlight, will not adversely be impacted as a result of the proposal.

6.3 The proposed roof terrace would be located off two bedrooms on the ground floor. To mitigate any overlooking or loss of privacy impacts, the applicant has proposed the installation of 1.6m high timber trellis privacy screens. The result is that users of the roof terrace would not have any direct views into the habitable rooms of neighbouring properties. The installation of the privacy screen will be secured by condition.

6.4 In terms of the noise or disturbance resulting from the use, this is a material planning consideration; however, it is not considered that the level of noise generated from the new dwelling (net loss of one dwelling) or comings and goings to the dwelling within an existing residential development would cause undue harm to neighbouring properties. It is therefore considered that the proposals are in general accordance with policies A1 and A4.

6.5 Overall, the proposed rear extension and roof terrace are not considered to lead to a significant impact on the amenities of any neighbouring resident. The development is thus considered to be in accordance with planning Policy A1.

7. Transport

7.1 Given that no new residential units are being created and the number of flats is decreasing, the Council's car-free and cycle parking policies do not apply. It is considered that sufficient space exists within the property and the rear garden to accommodate cycles if required.

8. Recommendation

8.1 In conclusion, the proposed works are considered to preserve the character or appearance of the host building and this part of the Belsize Conservation Area. As such, the proposals are considered to accord with the requirements of Policies A1, A4, H1, H6, H7 D1, and D2 of the Camden Local Plan 2017, 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 8th January 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: 2023/4459/P
Contact: Alex Kresovic
Tel: 020 7974 3134
Email: Alex.Kresovic@camden.gov.uk
Date: 3 January 2024

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

Twelve Forty One Limited
28C Navarino Road
London
E8 1AD
United Kingdom

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Flat Lower Ground Floor
25 Primrose Gardens
London
NW3 4UJ

DECISION

Proposal: Amalgamation of two units to a three-bed maisonette unit over the lower ground and part of the upper ground floor, and a rear extension with upper ground floor roof terrace.

Drawing Nos: 25PG-0010 dated 08.06.23, 25PG-0100 dated 05.10.23, 25PG-0101 dated 05.10.23, 25PG-0150 dated 25.08.23, 25PG-0171 Rev PL1 dated 24.11.23, 25PG-1100 Rev PL1 dated 24.11.23, 25PG-1101 Rev PL1 dated 24.11.23, 25PG-1151 Rev PL1 dated 24.11.23, 25PG-1171 Rev PL1 dated 24.11.23, Design & Access Statement dated 17 October 2023, Right of Light Dated December 2023.

The Council has considered your application and decided to grant permission subject to the following condition(s):

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:

25PG-0010 dated 08.06.23, 25PG-0100 dated 05.10.23, 25PG-0101 dated 05.10.23, 25PG-0150 dated 25.08.23, 25PG-0171 Rev PL1 dated 24.11.23, 25PG-1100 Rev PL1 dated 24.11.23, 25PG-1101 Rev PL1 dated 24.11.23, 25PG-1151 Rev PL1 dated 24.11.23, 25PG-1171 Rev PL1 dated 24.11.23, Design & Access Statement dated 17 October 2023.

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 The 1.6 metre high timber trellis privacy screen, as shown on the drawings hereby approved, shall be erected on northwest and southeast sides of the terrace as shown on the approved plans, prior to commencement of use of the roof terrace and shall be permanently retained.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies A1 and D1 of the London Borough of Camden Local Plan 2017.

- 5 The development hereby approved shall achieve a maximum internal water use of 105 litres/person/day, and 5 litres/person/day for external water use. The dwelling shall not be occupied until the Building Regulation optional requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CC1, CC2 and CC3 of the London Borough of Camden Local Plan.

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 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.
- 3 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.

- 4 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.

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 2023.

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

Chief Planning Officer