

Application ref: 2022/4196/PRE
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Dear Sir/Madam

Pre-application Medium Development Pre-application Advice Issued

Address:

**Former Hampstead Police Station
26 Rossllyn Hill
London
NW3 1PD**

Proposal: Change of use from police station (Sui Generis) to offices on lower ground, ground and part first floor (Class E) and residential on first, second and roof (C3) with private amenity space to provide 5 units, Two four-storey rear extensions of the east wing, full width roof extension, infill extension to the courtyard and alterations to elevations including steps to the front, lifts and wheelchair access

Drawing Nos: Pre-application Design Document (December 2022), 3d Views Document (December) and Cover letter (23/12/2022)

Design addendum: Design Addendum Document

Site constraints

- Article 4 Basements
- Hampstead Conservation Area
- Hampstead Neighbourhood Plan
- Grade II Listed Building
- Central London Area
- Underground development constraint – Claygate Beds
- Underground development constraint – 50m buffer to Claygate Beds
- Underground development constraint - Slope Stability
- Underground development constraint – Subterranean (groundwater) flow

Relevant planning history

2019/2375/P and 2019/2491/L - Change of use of the site from a police station (sui generis) to a one-form entry school (Use Class D1) for 210 pupils and business/enterprise space (Class B1) including alterations and extensions to the rear and associated works. **Refused 15 May 2019 (Appeals dismissed)** reasons for refusal:

The proposed development by virtue of its use, location and catchment area is likely to result in an increase in trips by private motor vehicles, increased traffic congestion and exacerbating air pollution and would fail to sufficiently prioritise sustainable modes of transport, contrary to policies T1 (Prioritising, walking, cycling and public transport) and C2 (Community facilities) of the Camden Local Plan 2017 and policies TT1 (Traffic volumes and vehicle size) and TT2 (Pedestrian environment) of the Hampstead Neighbourhood Plan

The proposed development, by virtue of the proximity of its outdoor amenity space to 2 neighbouring residential properties would result in an unacceptable increase in noise disturbance to the detriment of the amenity of neighbouring residents contrary to policy A1 (Managing the impact of development) of the Camden Local Plan 2017

The proposed development by virtue of its location on a main road with poor air quality, which could harm the health of pupils, would not be an appropriate location for a school, contrary to policies A1 (Managing the impact of development) and CC4 (Air quality) of the Camden Local Plan 2017 and policy S3 of the emerging London Plan December 2017.

2016/6045/P (1 Telephone kiosk outside Hampstead Police Station, 26 Rossllyn Hill, London NW3 1PD) - Change of use from telephone box to office pod (sui generis). **Granted 9 March 2017**

2016/1590/P and 2016/2042/L Change of use from police station (sui generis) to school (Use Class D1) including the partial demolition and extension to the rear of the Grade II Listed Building and associated works. **Refused 9 April 2016 Reasons for Refusal:**

The proposed rear extension, by reason of its scale, bulk, height and detailed design would fail to preserve the special architectural and historic interest of the host building and its setting and less than substantially harm its significance (there being an absence of substantial public benefits that outweigh such harm) and fail to preserve or enhance the character or appearance of the Hampstead Conservation Area and harm its significance contrary to policy CS14 (Promoting high quality places and conserving heritage) of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies

The proposed development due to its scale and intensity of use would by reason of the additional trip generation and traffic congestion have a detrimental impact on the local transport network contrary to CS11 (Promoting sustainable and efficient travel) of the London Borough of Camden Local Development Framework Core Strategy and policies DP16 (The transport implications of development) DP17 (Walking, cycling and public transport) and DP21 (Development connecting to the highway network) of the London Borough of Camden Local Development Framework Development Policies.

The proposed development, by reason of the scale and intensity of use in close proximity of residential accommodation would harm the amenity of neighbouring residents contrary to policies CS5 (Managing the impact of growth and development) and CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 (Managing the impact of development on occupiers and neighbours) and Policy DP28 (Noise and vibration).

In the absence of sufficient information, the applicant has failed to demonstrate that the proposed development would not have a detrimental impact on air quality as a result of the proposal, contrary to policies CS13 (Tackling climate change through promoting higher environmental standards) and CS16 (Improving Camden's health and wellbeing) of the London Borough of Camden Local Development Framework Core Strategy; and policy DP32 (Air quality and Camden's Clear Zone) of the London Borough of Camden Local Development Framework Development.

In the absence of sufficient information the applicant has failed to demonstrate that the proposed development would not have a harmful impact on neighbouring trees, contrary to policies CS14 (Promoting high quality places and conserving our heritage) and CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity) of the London Borough of Camden Local Development Framework Core Strategy; and policy DP24 (securing high quality design) of the London Borough of Camden Local Development Framework Development.

In the absence of sufficient information the applicant has failed to demonstrate that the proposed development would not have a detrimental impact on neighbouring amenity in terms of noise as a result of the proposal, contrary to policies CS6 (Managing the impact of growth and development) CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy; and policy DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development.

The proposed development, in the absence of a legal agreement securing a school travel plan and associated monitoring and administrative costs for a period of 5 years, would fail to promote the use of sustainable means of travel, contrary to policies CS11 (sustainable travel) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Local Development Framework Core Strategy and policy DP16 (transport implications of development) of the London Borough of Camden Local Development Framework Development Policies.

The proposed development, in the absence of a legal agreement securing it as car free, would be likely to contribute unacceptably to parking stress and congestion in the surrounding area, contrary to policies CS11 (Promoting sustainable and efficient travel) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Local Development Framework Core Strategy and policies DP18 (Parking standards and the availability of car parking) and DP19 (Managing the impact of parking) of the London Borough of Camden Local Development Framework Development Policies.

The proposed development, in the absence of a legal agreement securing a construction management plan and the establishment and operation of a Construction Working Group, would be likely to give rise to conflicts with other road users and would fail to mitigate the impact on the amenities of the area generally, contrary to policies CS5 (Managing the impact of growth and development), CS11 (Promoting sustainable and efficient travel) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Local Development Framework Core Strategy and policies DP20 (Movement of goods and materials), DP21 (Development connecting to highway network) and DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.

The proposed development, in the absence of a legal agreement securing necessary contributions towards highway works would fail to make provision to restore the pedestrian environment to an acceptable condition, contrary to policies Executive Director Supporting Communities Page 4 of 4 2016/1590/P CS11 (sustainable travel) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Local Development Framework Core Strategy and policies DP17 (walking, cycling and public transport) and DP21 (Development connecting to the highway network) of the London Borough of Camden Local Development Framework Development Policies

The proposed development, in the absence of a legal agreement securing a sustainability plan, would fail to ensure that the development is designed to take a sustainable and efficient approach to the use of resources, contrary to policies CS13 (tackling climate change) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Local Development Framework Core Strategy and DP22 (sustainable design and construction) and DP23 (water) of the London Borough of Camden Local Development Framework Development Policies

The proposed development, in the absence of a legal agreement securing a School Management Plan would fail to ensure that the proposed development would not have a detrimental impact on neighbouring amenity as a result of the proposal, contrary to policies CS6 (Managing the impact of growth and development) CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy; and policy DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development.

2015/3217/L (BT Telephone Kiosk O/s 26 Rosslyn Hill, London, NW3 1PD) - Display of 3 x internally mounted LCD screens, removal of telephone equipment with replacement of glazing.
Refused 11 September 2015

Relevant policies and guidance

National Planning Policy Framework (NPPF) 2021

The London Plan 2021

Camden Local Plan 2017

Policy A1 Managing the impact of development
Policy A3 Biodiversity
Policy A5 Basements
Policy D1 Design
Policy D2 Heritage

Policy G1 Delivery and location of growth
Policy H1 Maximising housing supply
Policy H4 Maximising contribution to affordable housing
Policy H2 Maximising the supply of self-contained housing from mixed use schemes
Policy H6 Housing choice and mix
Policy C1 Health and Wellbeing
Policy C2 Community Facilities
Policy C6 Access for all
Policy E1 Economic Development
Policy E2 Employment premises and sites
Policy CC1 Climate Change Mitigation
Policy CC2 Adapting to Climate Change
Policy CC3 Water and flooding
Policy CC5 Waste
Policy DM1 Delivery and monitoring

Hampstead Neighbourhood Plan 2018

Policy DH1: Heritage
Policy DH2: Conservation areas and Listed Buildings
Policy NE4: Supporting Biodiversity
Policy TT4: Cycle and Car Ownership
Policy HC1: Housing Mix
Policy HC2: Community Facilities

Camden Planning Guidance

Amenity CPG 2021
Design CPG 2021
Energy efficiency and adaptation CPG 2021
Employment Sites and Business premises CPG 2021
Housing CPG
Transport CPG 2021
Water and Flooding CPG

Hampstead Conservation Area Appraisal and Management Strategy (2001)

Site and surroundings

The Application Site is located on the north side of Rosslyn Hill at the junction with Downshire Hill, between Hampstead and Belsize Park. The site is located within the Hampstead Conservation Area. The main building is Grade II listed, it was a former Police Station and Magistrates Court and has been vacant since 2013 (the Magistrates Court was last used in 1998). Ancillary to the main red brick building is the Stable Block (which is curtilage listed) and outbuildings to the rear. These do not form part of the site. A Victorian residence, 26 Rosslyn Hill immediately abuts the site to the south-east and was formerly used by the Metropolitan Police. The residence does not form part of the Site

The former police station is described as sui generis, being a use that does not fall within any defined use class. The building comprises a basement, ground floor and two upper storeys. Due to topographical changes (the site slopes down to the rear), the basement is at ground level at the rear. The building has two wings at the rear and forms a 'U' shape.. The main building is three storeys, plus a basement, and constructed in red brick with stone dressings as designed by J Dixon Butler (1910-13).

The listing description describes the building as follows:

A bold and assured composition of considerable civic presence, the strict uniformity of the pedimented principal elevation offset by the picturesque elements of the entranceway and courthouse, built to a high standard in good quality materials; Intricately planned to provide separate areas for the different primary functions of the building, with careful consideration of the requirements of the various parts; The hierarchy of spaces is expressed in the internal detailing, and the stairs, in particular, reflect the status and character of the different areas; The high-status of the courthouse is manifest in the internal joinery and plasterwork, and the courtroom has an extensive scheme of panelling and furniture; The police station is plainly detailed internally, but has architectural features, such as the rounded angles of the walls, and its plan form, which reflect its function.

The building is referred to in the Hampstead Conservation Area Statement as an imposing feature of the Rosslyn Hill and Downshire Hill streetscape character. It is a red brick building with stone dressings by J Dixon Butler (1910-13)

The site falls within the area covered by the Hampstead Neighbourhood Plan and the proposals are assessed against the policies within this plan as well as those of the Local Plan. The Hampstead Neighbourhood Plan designates this part of the conservation area as Character Area 3 – 19th Century expansion.

The main entrance is on Rosslyn Hill, with other entrances including the vehicular entrance on Downshire Hill. The Judges' Chamber area of the Magistrates' Court is accessed off Downshire Hill. To the rear, the slope of Downshire Hill results in level access to the lower ground floor. The building has two wings to the rear, at each end of the façade, forming a U-shaped building. There is a two-storey stable block to the eastern corner of the site, which was built at the same time as the main building.

The site has a PTAL rating of 4, which is a 'good' accessibility level and the site sits within a controlled parking zone.

It is believed that the building was occupied by the Metropolitan Police from 1913 until 2013. The site is currently owned by the Educational Funding Agency (EFA), who purchased it in 2013. The purchase was part of a wider scheme promoted by the Mayor of London, through which public land and property was to be freed up across Greater London to accommodate 11 free schools.

The area is predominantly residential. The site is bounded by the rear gardens of flats on Downshire Hill to the north-west and north, by the rear gardens of properties on Hampstead Hill Gardens to the north-east and borders the side of 24 Rosslyn Hill to the south-east.

ASSESSMENT

The principal planning considerations are the following:

1. Change of use principle
2. Design and Heritage
3. Quality of Accommodation
4. Unit Mix
5. Affordable Housing

6. Neighbouring amenity
7. Transport
8. Energy and sustainability
9. Air quality
10. Community Infrastructure Levy

1. Change of Use Principle

As discussed in the previous appeal statements and committee reports, whilst the use of the former Hampstead Police Station would fall under a sui generis category it still remains community related and therefore policy C2 of the 2017 Local Plan is relevant.

Policy C2 (Community Facilities) aims to work with partners to ensure community facilities and serves the changing needs of the borough. The Council will seek planning obligations to secure new and improved community spaces, expecting additional floor space for community facilities within new development and support investment plans of research bodies to enhance their operations within the borough amongst other things. Hampstead Neighbourhood Plan policy HC2 (Community Facilities) also seeks to protect existing facilities.

The proposal would therefore involve a loss of a community use and would have to meet the requirements outlined in paragraph g of the policy. This is listed below:

ensure existing community facilities are retained recognising their benefit to the community, including protected groups, unless one of the following tests is met:

i. a replacement facility of a similar nature is provided that meets the needs of the local population or it's current, or intended, users;

ii. the existing premises are no longer required or viable in their existing use and there is no alternative community use capable of meeting the needs of the local area. Where it has been demonstrated to the Council's satisfaction there is no reasonable prospect of a community use, then our preferred alternative will be the maximum viable amount of affordable housing;

In the current iteration, the proposal includes a Class E(e) use in the form of a private health centre and therefore does provide a community use. This use is listed as a community use within our local plan. Having some sort of use – which means the building remains on some level open to the public is welcomed and contributes to the retention of the 'civic' character. The documents provided demonstrate that work has gone into finding a community use and this represents the most viable opportunity. This position is accepted and represents one of the benefits of the scheme. That being said, in terms of the balance of acceptability this does little to overcome concerns of the design and heritage implications of the scheme.

The site is located just outside of the Hampstead Town Centre and therefore outside a Local Plan Centre where these types of uses are directed to. The redevelopment would provide 801sqm of new Class E office space on the lower ground, ground and partly on the first floor.

The previous report raised concerns regarding the viability and demonstrating that office accommodation was not needed on site as it did not fall within a central London area or local plan centre. The cover letter explains that an architecture firm have expressed an interest in taking the space occupied currently by the courtrooms thus demonstrating a viable need. Whilst it is accepted that this is a good start in terms of interest, more details should be provided in relation to office take up statistics and similar developments within the area.

The other use proposed is residential (C3) and occupies the first, second and third floors. Policy H1 of the Local Plan aims to secure a sufficient supply of homes to meet the needs of existing and future households and will seek to exceed the target for additional homes in the borough by regarding self-contained housing as the priority land use of the Local Plan. Policy H2 of the Local Plan promotes the inclusion of residential development where non-residential development is proposed as part of a mix of uses. The Council will consider the character of development, size of the site, Local Plan priorities and whether or not the proposal serves a public purpose. Policy H7 of the Local Plan aims to secure a range of homes of different sizes that will contribute to the creation of mixed, inclusive and sustainable communities and reduce mismatches between housing needs and existing supply.

Looking at the proposed floor plates, whilst the residential GIA is very large, it is claimed that potentially only larger units could be accommodated because of the quality of spaces. Evidence in the form of option plans have been submitted to demonstrate the difficulty of doing this. Overall this is accepted and the number of units proposed is an appropriate number in line with policy G1, H1 and H7. However, because of this relatively low number, maximising the retention of historic fabric, made easier by keeping housing units low on site, must be a priority.

Notwithstanding the above, the demonstration that the provision of Class E uses are required is relevant here as the policies indicate that sites should fulfil their maximise housing potential and therefore should be prioritised as a use. However if it can be demonstrated the site can facilitate Class E uses which are required in the area then a mixture of uses can be accepted.

Finally, whilst this will be covered in other sections, it is important to mention that currently the overall scale and therefore GIA remain unacceptable for this site and mean that there will have to be a reduction in floorspace. However on the whole there needs to be an appreciation of the site's different spaces and the appropriateness of the uses proposed within these spaces. The proposal should aim to have an overall acceptable balance of uplift in GIA and land use with heritage considerations as well as policy.

2. Design and Heritage

Internal Works

A considerable amount of demolition is involved, including the loss of all the police cells, a large part of the remaining floor plan, rear roof pitches and the front steps on Rosslyn Hill. Indeed the proposed plan of each floor shows Walls/windows/doors and slab to be demolished.

The Magistrates Court entrance including the original timber glazed screen and the Courthouse waiting hall still remain intact and in relatively good condition. The main entrances to these areas are on Downshire Hill. In the waiting hall there is an impressive window which retains the original Arts and Crafts metal work. Some original cornicing is retained in these areas. The cells are still evident and the staircases. The original floor plan remains discernible in areas and there are a few interesting details relating to policing such as the curved plaster corners.

Very substantial demolitions are proposed internally. The applicant has taken as their justification a set of significance diagrams that identify the majority of the interior as being of medium, low, or no significance, apart from a couple of staircases. The council is entitled to and frequently does disagree with material presented to it in support of proposals, and this is such an occasion. Apart from the controversial opinion of historic value expressed in this document, the applicant proposes to demolish a substantial amount of this material, even where the document states that it is of medium significance.

Considerable importance is ascribed to historic fabric and plan form, so in declaring all this material to be expendable, the significance diagrams appear designed expressly to support the proposal, rather than to dispassionately assess the historic fabric. Consequently, little weight can be given to them.

To take the first floor as an example, the significance diagram (left) notes that only the facades, two staircases and the envelope of the courtroom are of high significance. This is not accepted. There is also no assessment of the fittings in the courtroom:



Even if it accepted that the yellow parts are of merely medium significance, it is entirely unacceptable that they are demolished, as shown in red in the demolition diagram on the right. In short, the scheme appears to have started from the position that a certain number of spaces and features must be accommodated by the building. A successful proposal will assess the form the building takes, correctly assess its significance and insert features where appropriate which appears not to have happened in this instance.

Courtroom

Of particular historic value is the intact courtroom. The application will retain only the panelling and seeks simply to turn it into office space for 19 desks, including the insertion of three windows in the panelling. Against the background of a scheme that is sensitive and acceptable in all other regards, some alterations may be acceptable to this room. This current proposal has to be seen within the context of the previously dismissed appeal and is a material consideration. Paragraph 71-79 of the Inspectors report for the includes much of the assessment on internal works but also includes the following:

The extent of the harm caused by the internal alterations to structure and layout significantly outweigh the benefits. The NPPF indicates that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. The proposed scheme would conflict with the heritage protection aims of LP policy D2 and NP policy DH2. In accordance with paragraph 196 of the NPPF, this harm has to be considered in the balance in the light of the public benefits.

Within the previous application, it appears that there were actually less or less harmful internal alterations being proposed which were still considered to cause unacceptable harm. Therefore any full application should consider the comments above and ensure that as much of the internal fabric, which contributes significantly to the asses' heritage, be retained.

Rear Extensions

The excessive scale of the rear extensions is such that they would be considered just as over-dominant and unacceptable on an unlisted building as they are on a listed building such as this. The significance diagram indicates that, apart from the courtroom itself, the applicant only considers the street-facing elevations of the exterior envelope to be of high significance. As noted, it indicates that anything of medium significance or less is able to be demolished.

To the south of the kitchen wing a full-height side extension is proposed along almost the entire length of the wing, albeit with stepped sections nibbled out to the east. This is the least sensitive section of the site, being least prominent. However, proposals still need to respect the council's general principles of scale of development, as well as the fabric and form of the listed building. A terrace is proposed at second-floor level. To the north of the kitchen another full-height extension is proposed, again along almost the entire length of the wing, with a section nibbled out to the east. A terrace is proposed at second-floor level.

These two extensions mean that the kitchen wing will be, essentially, tripled in size. Its elevations are to be almost entirely demolished or obscured by the extensions. A third substantial, glazed, three-storey extension is proposed in the base of the U, culminating in a terrace at second-floor level. Any one of these components would individually be considered overly dominant and harmful to the plan form and design of the host listed building. Cumulatively, they amount to the almost total loss of significance of the rear elevations and plan form of the interior. Again, almost no regard appears to have been had for the host building. The proposal seems to stem entirely from the applicant's aspirations, rather than from the fabric and layout of the host building.

Roof Extension

The roof extension includes the total removal of half of the pitched roof to accommodate additional residential units. A new terrace and metal railings for the roof unit is also added with new dormer windows and roof plant enclosure.

It is proposed to demolish the roof in order to install a steel-framed structure containing rear extensions at attic level and incorporating flats. This entails almost total loss of significance of the original historic roof. Were it to be possible to incorporate development at this level without damaging fabric, it would be of the scale of modest dormers, not the substantial, intrusive and alien forms proposed here. Again, it must be emphasised that, were this an unlisted building in a conservation area, these large, glazed forms would be considered harmful.

Infill Extension

The Infill extension is located in the rear courtyard between the two wings of the police station and improves the circulation of the building and aids with the separation of uses. The extension does not have a significant depth but does extend four storeys with a significant amount of glazing on the ground and first floor.

Overall the principle of an extension in this location is accepted however the design also needs to be better rationalised in relation to the host building; the rear elevation shows floor to ceiling glazing on the ground floor, glazed windows on the first and small brick windows on the second. Each of these three floors remains different in design and means it is read differently to the whole scheme. The significant amount of glazing is also of concern and should be reduced.

Main Entrance

The front elevation is not changing significantly with like-for-like replacement windows and a new entrance design to accommodate accessibility issues.

It is still not completely clear the appearance of the new entrance and if this can accommodate a lift. The removal of the entrance would be of significant concern. If the steps are retained however providing the design and materials are sympathetic, then there is no objection in principle to the alterations.

In general this scheme could be supported if there were greater retention of significant fabric. As it stands the current scheme involves an unacceptable level of harm to the heritage asset which needs to be addressed before the proposal can be fully supported. Any harm will need clear justification and clear public benefit to flow from the development as prescribed by the NPPF. In terms of the loss of fabric and alterations to the structure, I do not consider the current scheme overrides the concerns the Inspector had with the previous proposal.

Whilst, for ease, the elements have been broken up in the assessment, the development and architecture needs to relate better to the host building and respond in a more sympathetic manner as a whole. The extensions demonstrate that there needs to be more consideration to what development the host building can take or why the decisions on scale have been taken. For example paragraph 5.6 of the Heritage Statement states:

To the rear of the building, repair and refurbishment works are proposed to all elevations, whilst extensions are proposed to the rear eastern wing at lower ground, ground, and first and second floor level. Where extensions are proposed, these are to be constructed from a contextual material, matching the red brick of the existing building, whilst maintaining a clear distinction between old and new through the use of modern glazing and balconied areas secured by contextual iron railings. New sash windows are proposed to match those seen across the façade, creating degree of order to the rear elevation of the eastern rear wing (currently comprising blocked up openings and an irregular fenestration pattern).

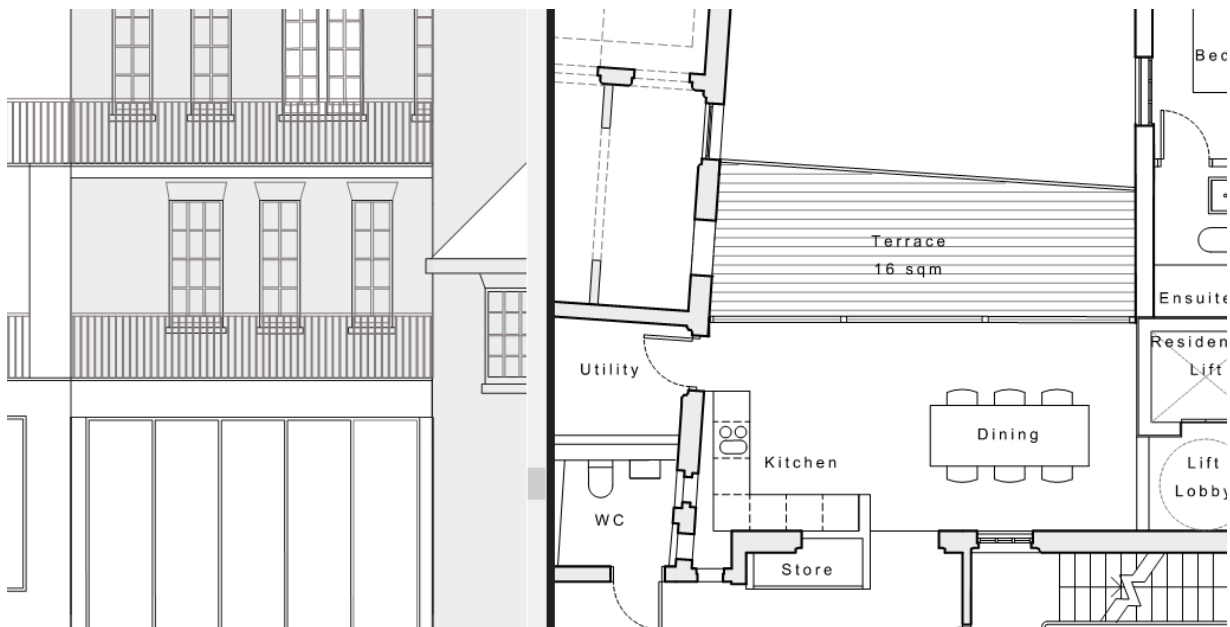
This only goes into the materials in any sort of detail and reinforces the point that, whilst it is accepted that rear extensions could go on the site, there needs to be a more proportionate balance between heritage concerns and GIA uplift.

Contrary to para 195 of the 2022 NPPF, the applicant does not accurately identify or assess the significance of the heritage asset. Even were the levels of significance identified in the schedule agreed, and they are not, it cannot be accepted that anything below “high significance” is fair game for demolition. Para 197 mentions the desirability of finding viable uses for heritage assets “consistent with their conservation”. This proposed overdevelopment does not achieve that. Para 199 notes that great weight should be given to the asset’s conservation. This proposal does not do that; it places the asset’s conservation second to floor space. Para 200 notes that substantial harm should be exceptional. This proposal could be argued to be substantially harmful. There is no justification to grant such an exception. If the view is taken that it is at the highest level of less-than-substantially harmful, there would need to be substantial public benefits to outweigh this. There is no substantial public benefit. Nor is the building incapable of being brought back into beneficial use, as either offices or housing, without a scheme of this scale and scope.

Design Addendum

Following the pre-application meeting and discussion around the proposal above, a revised design was submitted for further review. Overall, the second iteration of the second pre-app is a move in the right direction and it is clear that the comments within the meeting have been considered within the new design.

From looking at the plans and elevations there appears to be some contradictions which may have been missed when redrawing up the revised scheme. For example on the first floor within the infill extension the elevations show traditional windows whereas the floor plans still show the full glazing (see below)



The loss of the courtroom fabric remains problematic; for such a level of harm even to be considered and in the context of the scheme providing fairly limited public benefit, there needs to be considerably less harm elsewhere. The reuse of fragments of the room's fitted furniture elsewhere on the site is not in itself a satisfactory solution. The proposed windows have been removed from the courtroom. However, the courtroom is still shown as being stripped of its features.

At ground-floor level, slightly more of the western wall of the canteen wing is shown as retained. There appears to be more of an acceptance on the part of the applicant that the plan form will have to be retained, with demolitions increasingly taking the form of openings and greater consequent retention of historic fabric. Whilst more should be done to retain internal fabric this is an improvement on the previous proposals.

At first-floor level, bulk has been reduced in the base of the U, but retained to the north of the canteen wing. This reduction is welcomed and helps expose more of the original rear elevation in a prominent location. However, whilst it is appreciated that the overall depth and bulk of the extension north of the canteen wing has been reduced in the form of a larger terrace, more effort should be made to set the bulk and form of the extension back further. The instep that has been proposed is a good introduction but reducing the overall depth also needs to take place.

At second-floor level, bulk has been removed from the north of the canteen wing and moved to the less-sensitive east side which is agreed as an acceptable decision. In the base of the U, the bulk and terrace has been slightly reduced. The rear extension of the canteen wing has been removed and the original elevation detailing have been retained. This is a good start however there does need to be more reduction in bulk and massing to the rear of the canteen wing which now contains a very large terrace. It is not clear what is happening to replace the columns shown as demolished in the south-west rooms but the insertion of substantial amounts of metalwork and damage to the roof are not acceptable.

The loss of the whole of the roof is no longer proposed, although there is still a bulky and unintegrated bedroom 'pod' proposed above the canteen wing at third floor level. This appears slightly contrived as well as being publically viewable from the Rosslyn Hill. If this element is to be kept then it should read more like a dormer rather than a small roof extension.

Again, whilst this is a move in the right direction more work needs to be done to ensure the level of development and loss of historic fabric is at the right balance. Whilst four storeys in some form could go in the gap to the south of the canteen wing, anything over two storeys anywhere else on the site seems problematic and would be difficult to support.

The design in general appears quite alien and contrived and the officers would recommend re-thinking this massing first approach. Whilst this was discussed at the meeting, it appears what has driven the design is the floor area requirement which does not work, especially considering the building is listed and we should not have the previous design iteration as a starting point and work back from it. The documents themselves go into little detailed analysis relating to the building and how the extension complements or is related to the building. This needs to be the starting point and working out the character of the building.

Towards the rear of Hampstead Police station there are interesting building elements, different roof forms and that can be played on to create an interesting addition which is seen as an extension to the building rather than the very large glazed blocks added on in a contrived way

Moreover, currently the proposal includes a small amount of very large units. Work has been to demonstrate that more residential units cannot go on site however this means there is scope to reduce the GIA of these units and still have units that far exceed the minimum standards. This aspect will help reduce bulk but also help with the issues of overlooking and amenity impacts discussed below.

When the time comes to assess a final proposal, the drawings will be placed next to Dixon's original drawings and an acceptable degree of loss of plan form and fabric will be decided, room by room. In only valuing the street elevations and the staircases, the significance drawings reflect the developer's desires rather than a reality by which any proposal will be assessed. They are therefore of little use and should not be considered by the applicant to form a basis for what might be considered acceptable. As stated above, it is Dixon's drawings that will be used to assess significance and a truly useful significance drawing would simply separate later walls from original ones.

3. Quality of Accommodation

All units would well exceed the national space standards in terms of overall GIA. Below a table shows the GIA of each flat, with the nationally described space standards.

| Flat Number | Overall GIA |
|--------------------|--------------------|
| Apt 1 (2b3p) | 137sqm |
| Apt 2 (2b4p) | 138sqm |
| Apt 3 (2b4p) | 132sqm |
| Apt A (3b6p) | 237sqm |
| Apt B (2b4p) | 225sqm |

The minimum requirement for private amenity space is 5sqm which is easily exceed for all units in the form of the respective terraces.

In terms of internal configuration most of the units, due to their spacious nature, appear acceptable and the layout seems appropriate and considered. However there are a couple of issues which need further consideration. For example in Apartments 2, 4 and 5 in order to get to the residential terrace you have to go through bedrooms which is not an ideal arrangement.

The site lies on Rosslyn Hill and is a former police station, therefore occupies a relatively open and standalone site. This means outlook is very high quality for all units. There are concerns regarding the glazing, but even if there were reductions, the level of outlook would still be of good quality. All the units are dual aspect and therefore an acceptable level of outlook and light will benefit the units.

One thing that needs to be considered within any full application is the amount of privacy and perception of overlooking potential residents will feel in relating to the other proposed residential units. Because of the 'U' shape which is narrow at points the terraces and windows of the apartments are quite close to the amenity space and windows of the other units. There may be a way of designing these issues out in terms of reducing glazing or reducing the size of terraces however does need to be considered in any full application.

In terms of waste storage and collection, the details are listed below:

Waste collection in Camden

8.10 The Council currently offers waste collection of the following minimum volumes per dwelling with three bedrooms or less, per week:

- 120 litres of bin, box or sack volume for general waste or 'refuse'
- 140 litres of mixed dry recycling
- 23 litres of food waste

Looking at the pre-application plans these standards are incorporated into both the residential and office elements.

4. Unit Mix

Policy H7 of the Local Plan aims to secure a range of homes of different sizes that will contribute to the creation of mixed, inclusive and sustainable communities and reduce mismatches between housing needs and existing supply. The policy requires that all housing development, including conversion or extension of existing homes and non-residential properties contributes to meeting the priorities set out in the Dwelling Size Priorities Table (DSPT) (see below); and includes a mix of large (3 or more bedrooms) and small homes.

Table 1: Dwelling Size Priorities

| | 1-bedroom (or studio) | 2-bedroom | 3-bedroom | 4-bedroom (or more) |
|--------------------------|----------------------------------|------------------|------------------|--------------------------------|
| Social-affordable rented | lower | high | high | medium |
| Intermediate affordable | high | medium | lower | lower |
| Market | lower | high | high | lower |

The Council considers that each development should contribute to the creation of mixed and inclusive communities by containing a mix of large and small homes overall. In terms of policy H7, the application would also provide three 2 bedroom market flats, one 3 bedroom market flat and one 4 bedroom market flat. Whilst the unit mix contains 2 and 3 bedroom market flats which are listed as a high priority, as stated above, the potential of more units on site needs to be explored.

5. Affordable Housing

Policy H4 seeks to maximise the provision of affordable housing. 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. Capacity for one additional home is defined within the Local Plan as the creation of 100m² of additional residential floorspace (GIA). In assessing capacity, additional residential floorspace is rounded to the nearest 100m² (GIA). Where developments have capacity for fewer than 10 additional dwellings (or 1000sqm), the Council will accept a payment-in-lieu of affordable housing.

The current application proposes the creation of 895sqm (GIA) of residential floorspace, which would trigger an affordable housing contribution in line with Policy H4. The sliding target in this instance would require a provision equal to 18% of the total C3 floorspace (expressed in GEA). Policy H4 accepts that a payment-in-lieu is often the most appropriate means to secure this provision in schemes of under 10 units and no longer requires off-site provision to be explored for schemes of this scale.

The expected provision is then calculated as a percentage of the overall uplift of residential floorspace. The conversion provides an additional 895sqm GIA of floorspace which equates to a capacity for 9 additional homes at an 18% contribution. The Council's current adopted multiplier for calculating a payment-in-lieu (PIL) with market residential schemes is £5,000 per sqm. Using the sliding scale formula and multiplier (18% of 895 GIA x £5,000 per sqm), this means that £805,500 would be required as payment-in lieu for affordable housing, provided all other elements of the proposal were acceptable which currently they are not.

6. Neighbouring Amenity

Policy A1 of the Local Plan seeks to protect the quality of life of occupiers and neighbours. The factors to consider include visual privacy, outlook; sunlight, daylight, and overshadowing; artificial lighting levels; noise and vibration; odour, fumes, and dust; and impacts of the construction phase, including the use of Construction Management Plans.

The site itself is fairly unique in character (given surrounding context) and is of considerable scale to begin with. The alterations to the front, on Rosslyn Hill and the side elevation along Downshire Hill will not have any significant impact. From the drawings, this side elevation will not be changing in appearance anyway and the front elevation is set far back from the road. Therefore any issues relating outlook, increased sense of enclosure, privacy, daylight/sunlight and overlooking are not considered to be significant.

In terms of the rear elevation and roof extensions, whilst loss of outlook are not significantly impacted upon, issues of privacy and perceived issue of overlooking could be. Since the previous pre-app meeting, the design has not changed significantly and the proposal still includes roof extensions, large glazing and balconies to the rear which could potentially see into properties along Downshire Hill and the large building to the other side (22 Rosslyn Hill). The Stables building to the rear which was originally part of the site is within close proximity to the rear windows and terrace. There is the potential of oblique views into 26 Rosslyn Hill as well from these terraces.

For East wing side the 'extension 4' extends beyond no.26 Rosslyn Hill at ground and first floor level. For the ground floor the bulk surpass the building line is not considered large or would impact amenities of residents in no.26 Rosslyn Hill. However the number of roof terraces in this location mean that overlooking and loss of privacy could potentially be an issue and further examination of this is required.

Since the previous design iteration, not much work has been seemingly done to address these concerns and there is a potential eventually where the impacts to amenity are significant enough for refusing the application. More analysis including daylight/sunlight and overlooking studies need to be conducted as this remains a significant part of the acceptability of the scheme.

Construction Management Plans are discussed in the 'Transport' section.

7. Transport

Policy T1 aims to promote sustainable transport by prioritising walking cycling and public transport. This is achieved by improving pedestrian friendly public realm, road safety and crossings, contributing to the cycle networks and facilities and finally improving links with public transport. All these measure are in place to ensure the Council meets their zero carbon targets.

Policy T2 limits the availability of parking in the borough and requires all new developments in the borough to be car-free. This will be done through not issuing parking permits, resisting development of boundary treatments and using legal agreements to secure these actions.

The applications site has a PTAL score of 4 which indicates that it has a good level of accessibility by public transport. The nearest station is Hampstead Heath Overground station, located to the west of the site, whilst Hampstead Underground station is located to the North West and Belsize Park Underground station is located to the south east. Numerous bus services run past the site on Rosslyn Hill, whilst additional services are available from Pond Street to the south.

In line with Policy T1 of the adopted Camden Local Plan, there is an expectation that cycle parking is going to be provided in accordance with the standards set out in the London Plan. For residential units with 2 or more bedrooms, the requirement is for 2 spaces per unit although the Hampstead Neighbourhood Plan requires the provision of 3 spaces per 3 bedroom unit. The proposals include the provision of 12 cycle spaces in two tier racks within the basement for the residential units (equivalent to 2 spaces per 2 bedroom unit and 3 spaces per 3/4 bedroom unit). These would be accessed directly from the rear court yard via the ground floor from an undersized platform lift or a short set of steps within the court yard. A wheel channel would be provided on the steps.

For the commercial floor space, 18 spaces would be provided in two tier racks in a separate store within the basement, which would be accessed from within the building via what appears to be an undersized lift, or from the outside via a door to the bin store or the rear office entrance. The door between the bin store and the cycle store should be removed so that the two uses remain separate. Showers and lockers would be provided adjacent to the cycle store. The level of cycle parking is 2 spaces short and slightly below the required standard of 1 space per 75 sqm, therefore efforts should be made to accommodate more cycle parking if possible.

Visitor cycle parking would be provided in the rear court yard in the form of 2 spaces (1 Sheffield stand) plus a non-standard sized cycle space (1 Sheffield stand).

In accordance with Policy T2 of the adopted Camden Local Plan, all 5 of the residential units should be secured as on-street Resident parking permit (car) free by means of a Section 106 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 travel such as walking, cycling and public transport. The commercial spaces should also be secured as on-street Business permit free by means of the Section 106 Agreement. Whilst the plans refer to the central court yard, no attention is given to the rear car parking area. This area of car parking should be removed and the space used for garden landscaping. The retention of any car parking spaces on site is not acceptable.

Given the sensitive location of the site, surrounded by residential properties, it will be necessary to secure a Construction Management Plan and associated Implementation Support Contribution of £9,456 and Impact Bond of at least £15,000 by means of the Section 106 Agreement. This will help prevent the proposed development from having an undue impact on the operation of the local highway network or neighbouring amenity.

Given that the development will lead to an increase in the number of trips from this vacant site, it is considered appropriate that it should be subject to a Pedestrian, Cycle and Environmental Contribution of at least £20,000 and that this be secured by means of the Section 106 Agreement.

Given the location of the site adjacent to the footway on Rosslyn Hill and Downshire Hill, a highways contribution towards repaving the adjacent footway may also be necessary. This will also need to be secured by means of the Section 106 Agreement.

8. Energy and Sustainability

The Council requires all development to minimise the effects of climate change and encourage all developments to meet the highest feasible environmental standards that are financially viable during construction and occupation. The Council promotes zero carbon development and requires all development to reduce carbon dioxide emissions through following the steps in the energy hierarchy; requires all major development to demonstrate how London Plan targets for carbon dioxide emissions have been met, including zero carbon development; and expects all developments to optimise resource efficiency. All major developments are required to assess the feasibility of connecting to an existing decentralised energy network, or where this is not possible, establishing a new network.

Policy CC1 requires all development to reduce carbon dioxide emissions by following the steps in the energy hierarchy; supports and encourages sensitive energy efficiency improvements to existing buildings; and expects all developments to optimise resource efficiency.

Policy 5.2 of the London plan requires development to be designed in accordance with the energy hierarchy: be lean (use less energy), be clean (supply energy efficiently), be green (use renewable energy). In addition chapter 5 of the London Plan sets out the need for schemes to secure a minimum 35% reduction in regulated CO2 emissions below the maximum threshold allowed under Part L 2013. The Council expects zero carbon development, with at least 35% reduction to be made on-site. A carbon offset contribution would be required for the shortfall. This would be used to secure the delivery of carbon reduction measures elsewhere in the borough.

Developments are also expected to implement the sustainable design principles as noted in policy CC2 by achieving a BREEAM 'Excellent' rating and minimum credit requirements under Energy (60%), Materials (40%) and Water (60%).

Policy CC2 requires all development to adopt appropriate climate change adaptation measures such as:

- A. the protection of existing green spaces and promoting new appropriate green infrastructure.
- B. not increasing, and wherever possible reducing, surface water runoff through increasing permeable surfaces and use of Sustainable Drainage Systems.
- C. incorporating bio-diverse roofs, combination green and blue roofs, and green walls where appropriate; and
- D. measures to reduce the impact of urban and dwelling overheating, including application of the cooling hierarchy.

The development is classed as a medium development (5-9 units / between 500 – 1000 sqm) by *CPG Energy Efficiency and adaptation*. All medium applications for new dwellings should demonstrate that they meet sustainable design principles and are also required to meet a target of 19% reduction in carbon emissions below Part L of the Building Regulations 2013, of which 20% is achieved by on-site renewable technologies.

An initial MEP services document has been provided within the addendum pack which outlines locations of air intake louvres, risers, ASHP units and mechanical ventilation units. It is difficult to know the precise nature of this however must link up with the retention of historic fabric. To be clear this must be incorporated early within the scheme to ensure it can be accommodated and it is considered. No details at this stage is concerning and therefore significant attention should be paid to these issues and how to incorporate sustainability measures within the scheme.

Active cooling, especially for the residential areas will not be supported in any full application and should not be included in a proposal. The south elevation is to the front and contains limited glazing meaning the solar gain potential is limited anyway. With the commercial spaces, this could be justified however information relating to the units need to be provided and the following of the cooling hierarchy needs to be demonstrated. Noise Impact Assessments for the plant equipment also need to be provided.

Retrofitting the building with more energy efficient measures to minimise energy consumption (draught-proofing, thermally efficient windows and insulation) should be considered and involved as part of any refurbishment works.

The Council will also seek to ensure that development does not increase flood risk and reduces the risk of flooding where possible, through the incorporation of water efficiency measures (policy CC3).

Developments must be designed to be water efficient. This can be achieved through the installation of water efficient fittings and appliances (which can help reduce energy consumption as well as water consumption) and by capturing and re-using rain water and grey water on-site.

Policies D1 and CC2 of the Local Plan encourage sustainable urban drainage systems, green roofs and walls and high quality hard and soft landscaping. The inclusion of a green roof is therefore welcomed.

9. Air Quality

The Council will take into account the impact of air quality when assessing development proposals, through the consideration of both the exposure of occupants to air pollution and the effect of the development on air quality.

Owing to the site's location near to a Rosslyn Hill and in the context of the reason for refusal in the previous application there is the possibility that new occupants will be exposed to poor air quality. Furthermore, the demolition and construction work could have a detrimental impact on local air quality. As such, a basic Air Quality Assessment should be submitted with an application. For more information, refer to CPG Air Quality

10. Community Infrastructure Levy

If the proposal was deemed acceptable it would be liable for both Mayoral and Camden CIL. This would be based on Mayor's CIL2 (MCIL2) and Camden's latest CIL charging schedule from 2020. As the proposal includes an uplift of 420m², the CIL estimate is:

MCIL2 = £80 x 895m² = £71,600

Camden CIL (Zone C) = £644 x 895m² = £576,380

Total CIL = £71,600 + £576,380 = £647,980

Officers note that the floor areas and calculations above are approximate and sums are indicative. Final payable contributions would be calculated (following any potential approval of the scheme) by the Council's CIL officers.

CONCLUSION

It is considered that the principle of a mixed use scheme and extensions to the building could be acceptable. However, the current design appears excessive and fails to properly address the significant heritage concerns officers have regarding both the internal and external alterations. The uses and concentration of uses need proper examination considering how viable the proposed commercial use (Class E) would be and the potential for more housing to go on site.

Given the sensitive nature of the site itself, it is recommended you begin early with consultation and engagement with local resident groups, societies and the CAAC to ensure local residents are consulted.

Moving forward this proposal is considered to be a case that would benefit from being presented to the Design Review Panel (DRP).

This document represents the Council's initial view of your proposals based on the information available to us at this stage. It should not be interpreted as formal confirmation that your application will be acceptable, nor can it be held to prejudice formal determination of any planning application we receive from you on this proposal.

If you have any queries about the above letter or the attached document, please do not hesitate to contact **Ewan Campbell**

Thank you for using Camden's pre-application advice service.

It is important to us to find out what our customers think about the service we provide. To help us in this respect, we would be very grateful if you could take a few moments to complete our online survey at the following website address: www.camden.gov.uk/dmfeedback. We will use the information you give us to help improve our services.

