

Delegated Report		Analysis sheet		Expiry Date:		21/05/2024		
		N/A		Consultation Expiry Date:		10/06/2024		
Officer				Application Number(s)				
Kristina Smith				a.) 2024/1200/P b.) 2024/1816/L				
Application Address				Drawing Numbers				
33 Ferncroft Avenue London NW3 7PG				See decision notice				
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature		
Proposal(s)								
Amalgamation of four residential units to a single dwelling and internal and external alterations								
Recommendation(s):		a.) Refuse Planning Permission b.) Grant Listed Building Consent						
Application Type:		a.) Full Planning Permission b.) Listed Building Consent						
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice						
Informatives:								
Consultations								
Adjoining Occupiers:		No. of responses			0	No. of objections		0
Summary of consultation responses:		A site notices was displayed in the surrounding area on 16/05/2024 (expiry 09/06/2024). No responses were received						
Local groups comments:		Redington and Frognaal Neighbourhood Forum or CAAC did not submit a representation.						

Site Description

The application site comprises a two storey (plus attic and basement floors) semi-detached house that has been divided into multiple flats.

The building is Grade II listed, designed by CHB Quennell. It is located in the Redington Frogna Conservation Area.

The site is situated in the Redington Frogna Neighbourhood Plan area.

Relevant History

2010/0087/P - Change of use from two self-contained flats (Class C3) at lower ground and ground floor levels into a single flat including extension at basement level. **Granted 11/02/2010**

2023/2904/P - External alterations include replacement of existing windows on the side and rear elevations, enlarging existing rear and side dormers at roof level, replacement of balustrades and doors to the rear balconies, removal of projecting pelmet on the rear elevation, removal of concrete lintels and replacement with brick arches on the rear elevation, removal of render to rear elevation at lower ground level and reinstatement of brickwork. (see **2023/3741/L** for associated LBC application) **Granted 12/02/2024.**

2023/2898/L - Internal alterations including the reconfiguration of the lower ground, upper ground, first and second floor layout, removal of non-original partitions and staircase, removal of false ceilings, relocation, creation and adjustment to door openings, replacement skirtings, replacement of coffered ceilings with cornices and internal decoration throughout walls and ceilings – **Granted 06/02/2024**

Relevant policies

National Planning Policy Framework 2023

London Plan 2021

Camden Local Plan 2017

H1 Maximising housing supply
H3 Protecting existing homes
H6 Housing choice and mix
H7 Large and small homes
A1 Managing the impact of development
D1 Design
D2 Heritage

Redington Frogna Neighbourhood Plan

SD1 Refurbishment of existing building stock
SD2 Redington Frogna Conservation Area

Camden Supplementary Planning Guidance

CPG Amenity 2021
CPG Design 2021
CPG Developer contributions 2019
CPG Energy efficiency 2021
CPG Employment sites and business premises 2021
CPG Housing 2021
CPG Transport 2021

Assessment

1. Proposal

1.1. The applicant seeks planning permission for the amalgamation of four residential units into a single home, as well as internal and external alterations.

ASSESSMENT

1.2. The main issues of consideration are:

- Land use
- Design
- Amenity

2. Land use

2.1. The amalgamation of four flats into one single family dwelling would result in a net loss of three housing units.

2.2. Part C of Local Plan Policy H3 states, *[The Council will aim to ensure that existing housing continues to meet the needs of existing and future households by] ... 'resisting development that would involve the net loss of two or more homes (from individual or cumulative proposals), unless they:*

- *Create large homes in a part of the borough with a relatively low proportion of large dwellings;*
- *Enable existing affordable homes to be adapted to provide the affordable dwelling-sizes that are most needed; or*
- *Enable sub-standard units to be enlarged to meet residential space standards.'*

2.3. With reference to the first point, the supporting text of policy H3 at paragraph 3.76 states that the amalgamation of three or more dwellings is acceptable within four wards within the borough (Bloomsbury, King's Cross, Holborn and Covent Garden and Kilburn) where there is a low proportion of large dwellings. The application site is not situated within one of the four wards and therefore this is not applicable. The existing units are not affordable units, therefore the second point does not apply.

2.4. In terms of the third criteria, the applicant contends that one of the units that would be lost is sub-standard and so should be disregarded. The supporting text reads, *'we may permit proposals to combine three or more dwellings where the existing dwellings are 20% or more below residential space standards, provided the loss of dwellings is no greater than needed to meet the standards'*

2.5. The unit in question is a 44.6 sqm 1-bed unit located over ground and lower ground floor levels. As the bedroom meets the space standard for a double, they argue this must be assessed as a 1b2p unit, for which the associated space standard over 2 floors is 58 sqm. Officers are of the view that this could well be used as a 1b1p unit for which the associated space standard is 39 sqm over 1 floor. There is no space standard for a 1b1p unit over two floors but this of course is not to say a home cannot be used in this way. Adding on an additional 8 sqm to allow for a stair (consistent with the area that the NDSS allows for) and the space standard would be 47 sqm. It is noted in this case, however, that the stair is a spiral design and therefore occupies a smaller footprint. The space standard therefore is only slightly more than the actual unit size. The shortfall is 5% compared to the 20% stipulated by policy H3.

2.6. The applicant also contends that the floor to ceiling heights do not comply with the Nationally Described Space standard which seeks 2.3m across 75% of the GIA. In this case this would only be achieved throughout 36.5% of the property. However, the supporting text does not reference floor to ceiling heights as one of the criteria it considers in assessing whether an amalgamation could be supported on the grounds of improve standards, it only refers to floor area. Whilst 2.3m

across 75% of the unit is the Council's starting point when assessing new homes, in this case the situation is an existing one and has provided suitable living accommodation. Furthermore, the shortfall appears very minor.

- 2.7. In all other respects the unit benefits from a good standard of accommodation with aspect across the front garden from a large living room bay window. The bedroom would look out onto a lower ground level lightwell but light and outlook for bedrooms is less essential than living areas. As such, it is not agreed by officers that the unit is of sufficiently poor living standard to justify its amalgamation. In any event, even if the unit were disregarded, the proposal would result in the loss of two high priority dwelling sizes which is contrary to policy.
- 2.8. The objective of the policy is to allow the amalgamation of sub-standard units to improve the living condition of homes whereas the aspiration of the application is to make a very large family home. As such, policy H3 is careful to caveat the scenario where sub-standard living condition may justify the loss by the inclusion of '*provided the loss of dwellings is no greater than needed to meet the standards*'. This is not the case of a sub-standard unit being enlarged slightly so it can provide a better home, rather the amalgamation of several units to create one large home.
- 2.9. Policy H7 identifies 2 and 3-bed units as high priority whilst 1-bed and 4-bed+ units are lower priority. The proposal would involve the loss of 1 x 5-bed; 2 x 1-bed; and 1 x 3-bed units to create a large 5-bed family home with several reception rooms, plus gym, study and multiple kitchen spaces. Not only would there be a loss of units overall, but the existing mix includes a good mix of large and small units including a high priority 3-bed. The proposed mix consists of a single low priority unit.

3. Design

Statutory provisions

- 3.1. Of the planning permission, sections 72 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Listed Buildings Act") are relevant. Section 72(1) requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area when considering applications relating to land or buildings within that area. Section 66(1) requires that local authorities shall have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.
- 3.2. Of the listed building consent, special regard has been attached to the desirability of preserving the listed building and its features of special architectural or historic interest, under section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.
- 3.3. The effect of these sections of the Act is that there is a statutory presumption in favour of the preservation of the character and appearance of conservation areas as well as listed buildings and their setting. Considerable importance and weight should therefore 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. The NPPF provides guidance on the weight that should be accorded to harm to heritage assets and in what circumstances such harm might be justified.
- 3.4. Policy D1 (Design) of Camden Local Plan states that the Council will seek to secure high quality design in development and will require that development to respect local context and character. Local Plan policy D2 (Heritage) states that '*the Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains...*'.
- 3.5. The proposed works subject to the planning permission and listed building consent are the same as those already consented under application refs. 2023/2904/P, 2023/3741/L and

2023/2898/L. Externally, they involve the replacement of existing windows on the side and rear elevations, alterations to existing rear and side dormers, replacement of balustrades and doors to the rear balconies, removal of projecting pelmet on the rear elevation, removal of concrete lintels and replacement with brick arches on the rear elevation, removal of render to rear elevation at lower ground level and reinstatement of brickwork. The proposed internal alterations include the reconfiguration of the lower ground, upper ground, first and second floor layout, removal of non-original partitions and staircase, removal of false ceilings, relocation, creation and adjustment to door openings, replacement skirtings, replacement of coffered ceilings with cornices and internal decoration throughout walls and ceilings.

3.6. The house has undergone harmful alterations associated with its conversion into four flats including the subdivision of rooms, additional staircases and proliferation of bathrooms. Crude modern windows have been added to the rear. The works would offer heritage benefits in the form of reinstating significantly damaged plan form in principal rooms on principal levels, reinstating the original single stair core, and reinstatement of the windows of the rear elevation to their historic form. This is a material consideration in the planning balance.

4. Amenity of neighbours

4.1. By virtue of the nature of the proposals, there are no associated amenity concerns.

5. Planning balance

5.1. The loss of 3 units of permanent C3 housing, the Local Plan's priority land use, has been given considerable weight. The heritage benefits offered by the proposal do not outweigh the loss of housing stock. Whilst some of the improvements to plan form are associated with the conversion back to a single dwelling house, other external alterations could come forward independently of a planning application to amalgamate multiple units. Furthermore, the harm including a loss of fabric has already taken place and is the existing situation which tempers the benefits offered. In other words, there is no heritage harm associated with retaining the existing situation.

6. Recommendations

6.1. Refuse planning permission on the following grounds:

- The proposed development would result in the net loss of three permanent self-contained homes, including a mix of large and small homes and a high priority unit size, and would undermine the Council's aim of securing a sufficient supply of homes to meet the needs of existing and future households, contrary to policy H1 (increasing housing supply) of the London Plan and policies H1 (maximising housing supply), H3 (protecting existing homes), H6 (housing choice and mix) and H7 (large and small homes) of the Camden Local Plan 2017.

6.2. Grant Listed Building Consent