

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		i. 14/01/2024 ii. 14/01/2024	
		N/A		<b>Consultation Expiry Date:</b>		i. 22/12/2024 ii. 22/12/2024	
<b>Officer</b>				<b>Application Numbers</b>			
Ewan Campbell				i. 2024/4338/P ii. 2024/4871/L			
<b>Application Address</b>				<b>Drawing Numbers</b>			
Stables building at former Hampstead Police Station 26 Rossllyn Hill London NW3 1PD				<i>See draft decision notice</i>			
<b>PO 3/4</b>		<b>Area Team Signature</b>		<b>C&amp;UD</b>		<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>							
i) Change of use and refurbishment of the Stables building including demolition of the existing annex and construction of new two storey building with front windows, bin store and PV panels to provide residential accommodation (C3)  ii) Change of use and refurbishment of the Stables building including demolition of the existing annex and construction of new two storey building with front windows, bin store and PV panels to provide residential accommodation (C3)							
<b>Recommendations:</b>		i.) Refuse planning permission ii.) Refuse listed building consent					
<b>Application Type:</b>		i. Full Planning Permission ii. Listed Building Consent					

<b>Conditions or Reasons for Refusal:</b>	<b><i>Refer to Draft Decision Notice</i></b>			
<b>Informatives:</b>				
<b>Consultations</b>				
<b>Summary of consultation:</b>	<p>i. Site notices were displayed near to the site on 22/11/2024 (consultation end date 16/12/2024). The development was also advertised in the Ham and High on 28/11/2024 (consultation end date 22/12/2024).</p> <p>ii. Site notices were displayed near to the site on 22/11/2024 (consultation end date 16/12/2024). The development was also advertised in the Ham and High on 28/11/2024 (consultation end date 22/12/2024).</p>			
<b>Adjoining Occupiers:</b>	No. of responses	<b>11</b>	No. of objections	<b>11</b>
<b>Summary of consultation responses:</b>	<p>11 letters of objection were received from properties on Downshire Hill, including Hampstead Hill Mansions, making the following comments:</p> <p><b>Principle</b></p> <ul style="list-style-type: none"> <li>- Scheme is overdevelopment and won't increase number of dwellings</li> <li>- Disagree that the second storey development meets housing need as it won't increase dwellings</li> </ul> <p><b>Design and Heritage</b></p> <ul style="list-style-type: none"> <li>- Overdevelopment of the site</li> <li>- New annex building excessive in scale and larger than existing footprint</li> <li>- Design not in line with pre-app advice from the Council</li> <li>- Extension is wider and has more depth than existing</li> <li>- PV panels are excessive in number and overbearing in appearance</li> <li>- Fails to preserve or enhance character of conservation area</li> <li>- Harm to nearby heritage asset</li> <li>- Concerns over impact on LB not addressed</li> <li>- Contrary to policies</li> </ul> <p><b>Amenity</b></p> <ul style="list-style-type: none"> <li>- Sense of enclosure and loss of light from development</li> <li>- Large roof lights will cause light spill/pollution</li> <li>- Windows will increase overlooking and privacy</li> </ul> <p><b>Other</b></p> <ul style="list-style-type: none"> <li>- Contrary to the applicant's supporting information, the covenant that has been referenced by applicant does not preclude residents of Hampstead Hill Mansions from objecting</li> <li>- The annex building should not be independently let or provide a separate residential unit.</li> </ul> <p><b><u>Officer's response:</u></b></p> <p><i>Please see sections on 'Design and heritage' (section 6) 'Amenity' (section 7) and 'Energy and sustainability' (section 9). Which relate to the assessment and attend to the above comments.</i></p> <p><i>However in relation to points regarding the principle, permission has already been given to convert the main stables building to residential and therefore residential accommodation is acceptable in this location. The pre-app advice was based on a similar designed scheme which included a two storey extension and therefore the</i></p>			

	<i>comments reflected this. The previous scheme addressed these concerns by proposing a single storey building and this was granted permission. This scheme is different and more similar to the pre-app scheme however this will be discussed further in the design section. In the event that permission were to be granted the council would impose a condition on the application to ensure the site is used as a single dwelling.</i>
<b>Hampstead Conservation Area Advisory Committee (CAAC)</b>	No comments on this application
<b>Hampstead Neighbourhood Forum</b>	No comments on this application

## Site Description

The application site is the stables building of the vacant Former Hampstead Police Station at 26 Rosslyn Hill. The site is located on the north side of Rosslyn Hill at the junction with Downshire Hill. The former police station, including the stables, is 'sui generis', being a use that does not fall within any defined use class.

The stables building is situated at the rear of the site (the northern part) and is accessed via Downshire Hill (see plan below).



The stables building comprises a ground floor and first floor. There is a hardstanding area that was used for car parking between the main building and the stables. The site slopes down to the rear, towards the stables building. The site has been vacant since 2013.

The buildings on site are Grade II listed and sit within the Hampstead Conservation Area. The main building and the stables building were constructed in red brick with stone dressings as designed by J Dixon Butler (1910-13). The buildings on the site are on the 'Buildings at Risk' register, given the length of time they have been derelict.

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

The site was purchased by the Educational Funding Agency (EFA) in 2013, but it has since been sold following unsuccessful attempts to obtain planning permission for the change of use to a school.

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.

## Relevant History

The planning history for the application site can be summarised as follows:

**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.”*

**Planning permission and listed building consent refused 19/12/2003.** A subsequent appeal was dismissed.

**2022/0329/P and 2022/0624/L** - *Change of use and refurbishment of the Stables building and internal alterations to provide residential accommodation, alteration of the flat roof to provide skylights and adequate insulation, installation of solar PV panels, the opening of windows previously blocked on the side elevation and the installation of a rear dormer window at roof level.* **Granted subject to s106 agreement 21/09/2022**

**2022/4112/P and 2022/4500/L** - *Variation of condition 2 (Approved Plans) of planning permission 2022/0329/P and 2022/0624/L dated 21/09/2022 (for 'Change of use and refurbishment of the Stables building and internal alterations to provide residential accommodation, alteration of the flat roof to provide skylights and adequate insulation, installation of solar PV panels, the opening of windows previously blocked on the side elevation and the installation of a rear dormer window at roof level.')*, namely to allow reinstatement of two windows on side elevation

**Granted subject to s106 agreement**

**2022/5552/P and 2023/0920/L** - *Variation of condition 2 (approved plans) and removal of condition 7 (green roof) of planning permission 2022/0329/P granted on 01/03/2022 for 'Change of use and refurbishment of the Stables building and internal alterations to provide residential accommodation, alteration of the flat roof to provide skylights and adequate insulation, installation of solar PV panels, the opening of windows previously blocked on the side elevation and the installation of a rear dormer window at roof level', namely to include removal of original slates and replacement with grey slates, installation of solar slates on rear pitch, removal of green roof, relocation of roof lantern, addition of solar panels and relocation of Air Source Heat Pump (part retrospective).* **Refused (Appeal allowed)**

**2024/0222/P and 2024/1090/L** - *Change of use and refurbishment of the Stables building extending existing residential accommodation (C3) and providing addition bedroom. Demolition of the existing annex and construction of new single storey building with front windows, bin store and PV panels* **Granted subject to s106 agreement**

**2024/3247/P and 2024/4482/L** - *Variation of condition 2 (approved plans) of planning permission ref 2022/0329/P granted on 01/03/2022 (as amended by planning ref 2022/4112/P dated 13/09/2023, 2022/5552/P dated 03/03/2023 and 2023/1909/P and 2023/2758/L dated 21/09/2023) for 'Change of use and refurbishment of the Stables building and internal alterations to provide residential accommodation, alteration of the flat roof to provide skylights and adequate insulation, installation of solar PV panels, the opening of windows previously blocked on the side elevation and the installation of a rear dormer window at roof level', namely to relocate the existing Air Source Heat Pump* **Granted planning permission 22/11/2024**

A new application has been submitted (2024/1078/P and 2024/1186/L) which was for:

*Change of use from former police station (sui generis) to provide 5 residential units(Use Class C3) and commercial floorspace (Use Class E), space for a private healthcare use (Use Class E(e)). three storey and four storey rear extensions, replacement of windows, external alterations, landscaping, cycle and refuse storage, rooftop plant and associated ancillary works.*

This application was for the main Hampstead police station building and has been recommended approval subject to the agreement of the s106 agreement at Camden's Planning Committee.

## Relevant policies

**National Planning Policy Framework (2024)**

## **The London Plan (2021)**

### **Camden Local Plan (2017)**

- **A1** Managing the impact of development
- **CC1** Climate change mitigation
- **CC2** Adapting to climate change
- **CC3** Water and flooding
- **CC5** Waste
- **D1** Design
- **D2** Heritage
- **H1** Maximising housing supply
- **H2** Maximising the supply of self-contained housing from mixed-use schemes
- **H4** Maximising the supply of affordable housing
- **H6** Housing choice and mix
- **H7** Large and small homes
- **T1** Prioritising walking, cycling and public transport
- **T2** Parking and car-free development

The council has published a new [Draft Camden Local Plan](#) (incorporating Site Allocations) and consultation has ended. The DCLP is a material consideration and can be taken into account in the determination of planning applications, but has limited weight at this stage. The weight that can be given to it will increase as it progresses towards adoption (anticipated 2026).

### **Hampstead Neighbourhood Plan (2018):**

- Policy DH1: Design
- Policy DH2: Conservation areas and listed buildings
- Policy DH3: The urban realm
- Policy NE1: Local Green Spaces
- Policy NE2: Trees
- Policy NE3: Biodiversity Corridors
- Policy NE4: Supporting biodiversity
- Policy TT4: Cycle and car ownership

N.B The Hampstead Neighbourhood Forum has submitted their revised Neighbourhood Plan to the Council. This is intended to update the Hampstead Neighbourhood Plan adopted by Camden Council in 2018. A map showing the area to which Plan relates is shown on page 11 of the Hampstead Neighbourhood Plan 2025-2040 as well as in the list of submitted documents below.

The Council has also received an application seeking the redesignation of the Hampstead Neighbourhood Forum for a further 5 year period.

### **Camden Planning Guidance:**

- CPG Amenity (2021)
- CPG Design (2021)
- CPG Developer Contributions (2019)
- CPG Energy efficiency and adaptation (2021)
- CPG Housing (2021)
- CPG Transport (2021)

### **Conservation Statements:**

- Hampstead Conservation Area Statement (2001)

# Assessment

## 1. Background

Previous applications for refurbishment and conversion of the Stables building have been granted approval (2022/0329/P) and have been implemented. The works are substantially complete, but not finished and the use has not commenced. As per the planning history, permission has also been granted to demolish the annex and replace it with a similarly scaled building (2024/0222/P). This application includes brings together elements of earlier approvals, but looks to propose a two-storey building place of the single storey annex.

## 2. Proposal

2.1. Planning permission is sought for:

- Change of use and refurbishment of the Stables building annex (sui generis) to provide residential accommodation (C3);
- Erection of new two storey building using brick on the ground floor and metal cladding on the first floor
- Bin store to the side with PV panels and roof lights on the roof.

2.2. There are no changes planned as part of this application to the stables building itself as this was part of the previous application.

## 3. Assessment

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

- Land use
- Housing – Affordable Housing and Quality of accommodation
- Design and Conservation
- Impact on Amenity
- Transport
- Energy and Sustainability
- Biodiversity
- CIL

## 4. Land use

4.1. Considering permission has already been granted for the stables to be converted to residential accommodation, the Council supports the decision to include the annex building as part of this residential unit.

4.2. The existing buildings have been vacant and would appear to have been vacant since around 2014. The previous use was as a Police Station. It is highly unlikely that the police would want to move back on to the premises or use the annex building for any ancillary activities. Given the above, the proposed change of use to residential (Class C3) is welcomed.

4.3. Camden Local Plan policy H1 and Hampstead Neighbourhood Plan policy HC1 promote housing. The area is predominantly residential. However, the proposal would not be adding any additional units on site but rather just increasing the size of the already consented and substantially complete residential unit. The annex would be included into the previously approved single-family dwelling house adding an additional two bedrooms. Notwithstanding, the proposed house is considered acceptable in land use terms.

4.4. If the application were to be recommended for approval, a condition would have been placed on the decision notice to ensure this remains a single-family dwelling house and not split up into multiple units.

## 5. Housing

Affordable housing

- 5.1. The Council expects a contribution to affordable housing from all developments that provide one or more additional homes. Targets are based on an assessment of development capacity whereby 100sqm (GIA) of housing floor space is generally considered to create capacity for one home. Policy H4 also indicates that where developments have capacity for 10 or more additional dwellings, the affordable housing should be provided on site. Where developments have capacity for fewer than 10 additional dwellings, the Council will accept a payment-in-lieu of affordable housing.
- 5.2. Because the stables building had a GIA of 156sqm and provided a single unit, the previous permission (2022/0329/P) secured an affordable housing payment of £31,200. This has been confirmed as paid to the Council.
- 5.3. The addition of the annex to the building means that the approved dwelling is now bigger and would have commanded a higher fee if approved together. To ensure the development does not circumvent the Council's affordable housing policy, the Council will secure the payment for the new annex space only via s106 agreement.
- 5.4. Previously the original floorspace was 156sqm of residential floorspace in one new unit. Where a contribution to affordable housing is sought, the Housing CPG requires a payment of £5,000 per square metre multiplied by the on-site target for affordable housing (in the previous case 4%). Based on the 156sqm of previous residential floorspace, the housing contribution is calculated as £31,200.
- 5.5. The annex building measures 121.9sqm which means that the total GIA is measured as 277.9sqm which still means there is a provision of 3 homes (and therefore a 6% target). The calculation would be  $4\% \text{ of } 277.9 = 11.1 \times £5,000 = £55,500$ . Considering the previous payment has already been taken then this can be subtracted from this figure and therefore the affordable housing figure would be £24,300 secured via s106 agreement in the event of an approval. However, as the application is being refused this will be listed as an reason for refusal for failing to enter into a s106 agreement to secure this obligation

#### Standard of accommodation

- 5.6. Policy D1 of the Local Plan seeks to secure high quality design in development. In relation to housing, part (n) of the policy requires development to provide a high standard of accommodation. The proposals would also need to comply with the sub-text (within paragraph 7.32) regarding the design of housing, with regards space, ceiling heights etc.
- 5.7. The proposed dwelling within the stables building has already been assessed providing a good standard of accommodation. The annex building merely adds onto this provided additional living space and bedrooms but provides a good living spaces, acceptable bedroom size and acceptable level of outlook and daylight. Therefore, the standard of accommodation is acceptable.

## **6. Design and Conservation**

- 6.1. The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to the application: development should respect local context and character; comprise details and materials that are of high quality and complement the local character; and respond to natural features. Policy D2 'Heritage' states that in order to maintain the character of Camden's conservation areas, the Council will not permit development within conservation areas that fails to preserve or enhance the character and appearance of that conservation area. This is also stated in policies DH1 and DH2 of the Hampstead Neighbourhood Plan.
- 6.2. Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Listed Buildings Act") provide a statutory presumption in favour of the preservation of the character and appearance of Conservation Areas, and the preservation of Listed Buildings and their settings. Considerable importance and weight should be attached to their preservation. A proposal which would cause harm should only be permitted where there are strong countervailing planning considerations which are sufficiently powerful to outweigh the presumption including public benefit.
- 6.3. The duties imposed by the Listed Buildings Act are in addition to the duty imposed by section 38(6) of the Planning and Compulsory Purchase Act 2004, to determine the application in accordance with the development plan unless material considerations indicate otherwise.
- 6.4. The NPPF requires its own exercise to be undertaken as set out in chapter 16 - Conserving and enhancing



the historic environment. Paragraph 190 requires local planning authorities to identify and assess the particular significance of any heritage assets that may be affected by a proposal. Paragraphs 199-202 require consideration as to the impact of a proposed development on the significance of a designated heritage asset, including an assessment and identification of any harm/the degree of harm. Paragraph 202 states:

*‘Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use’*

6.5. This application concerns the conversion of the annex of the stable block of the former Hampstead Police Station (Listed Grade II). Set at the rear of the former station yard this scheme involves the conversion of this modest ancillary building which does not contribute to the listing and is later addition to the stables building. Built in red brick with white painted timber windows to match the main police building and dating from the turn of the 19th/20th century. The site is a modern, single-storey former evidence store attached to the front of a grade-II-listed 19th-century former stables, making a positive contribution to the Hampstead Conservation Area.

6.6. The enhanced listing description which relates specifically to the subject of this application reads as follows:

*“SUBSIDIARY FEATURES: the former stable block and harness room stand at the north-east corner of the rear courtyard, facing north-west. On the ground floor are a series of doors and windows under slightly cambered, gauged-brick lintels; the left-hand side of the elevation is obscured by a late-C20 extension. Above, on the first floor, are two dormers with pairs of sash windows, and a third dormer the left with an inserted sash, possibly replacing an opening to a hayloft. The building had been converted to offices by 1986, and is not believed to contain any features related to its original use.”*

6.7. The former stable building had been disused and empty for quite a while and it is in a poor state of repair before permission was granted and works started as part of a different scheme. The same can be said for the annex building which is also in a poor condition and is mainly dilapidated. Therefore, demolishing the annex, considering it is a later, non-historical addition is acceptable in principle and has been established under 2024/0222/P and 2024/1090/L.

6.8. Prior to the application above, pre-application advice (under 2022/5620/PRE) was originally provided making clear that a two-storey addition in this location would not be supported. This is uploaded onto the application webpage but states that:

*It is felt that the existing store is already inappropriate in its relation to the host stables, being essentially a front extension. Front extensions are considered unacceptable in almost all circumstances. Given that this structure is felt to be unwelcome in its position, it is not considered appropriate to enlarge it. The proposal crowds the front of the listed stables even more than the existing structure, being both taller and deeper. The proposed floor plan shows that the intended structure will challenge the primacy of the historic building to which it is attached; the host stables has an internal ground floor area of about 98m<sup>2</sup>, while the ground floor of the proposed addition will be 81m<sup>2</sup>.*

*Furthermore the presence of a first floor in this location creates an awkward juncture with the original listed building. Whilst the buildings are attached at ground floor, the roof extension at its closest is 1.2m away, meaning that they are very close together and the relationship between the original stables building and this ancillary building is unnatural. The roof extension should be removed in any forthcoming planning application.*

6.9. Since the pre-application feedback the previous scheme (2024/0222/P and 2024/1090/L) largely incorporated comments and recommendations from the Council including keeping the annex at one storey and maintaining a more ancillary design which was subsequently granted approval.

6.10. However, the applicant now wishes to add another half-storey in height to this consented structure, making it a two-storey building. The proposal is described as a “mansard”. However, it would take the form of a metal-clad box, set into the roof of the consented structure which has little historic foundation or link to the listed building. On top of this, an array of 14 angled solar panels would be prominently visible.

6.11. It is considered that the proposed additional storey with the proposed PV panels would add to the bulk

and prominence of the already undesirable front element of the listed stables. In becoming a two-storey house in its own right, the proposal would take on a stand-alone character and would no longer be capable of being read as a subordinate addition to the historic building. The overall scale now is excessive, visually 'competing' with the stables building and divulging from the historic architectural hierarchy that allowed for a single storey addition in this location. The first-floor element also creates an awkward relationship with stables building; very close to the front elevation on a perpendicular angle which climbs to the eaves height.

- 6.12. In relation to materiality, the ground floor element is proposed to be in brick and follows previous permitted schemes on site which is accepted. The first-floor element would be metal clad which appears incongruous and unsympathetic in this location. The planning statement confirms that there are other metal-clad elements on permitted schemes within the close vicinity; one on the permitted Hampstead Police Station scheme (2024/1078/P and 2024/1186/L) and on the roof design on 52 Downshire Hill. However, the use of metal cladding in these instances have much more of a historical connection whether it be the use of similar materials in the same location as with the police station or the use of metal cladding to appear similarly to a historic roof material like with no.52. This means the current proposal shares little with the precedents provided and therefore is not supported.
- 6.13. The site itself is small and ancillary, and the development potential is limited on site. Previously consented applications have increased the footprint of development; increasing the size of the stables building and now replacing the annex building with a large front single storey front extension. With this scheme and the addition of another two-storey building, this small site appears cramped and incongruous compared to the existing and historic layout. It is also important to remember that whilst the stables have undergone alterations it remains part of the Grade II listing for the Hampstead Police Station and the excessive scale of the two-storey addition along with the small site means that it undermines the special character and setting of the stables building and is considered to cause less than substantial harm. It is accepted that the proposal would not impact on the special character or setting of the former Hampstead Police station or other nearby listed buildings
- 6.14. The additional bulk and solar PV array would also protrude above the party wall of the communal gardens of Hampstead Hill Mansions next door, to the detriment of the character and appearance of the conservation area. It is noted that the views are mostly private however the site occupies a spot very visible to multiple buildings in the area; along Downshire Hill and Hampstead Hill Gardens meaning that the alteration has more of an impact to the Conservation area compared to a barely visible extension. Overall, it is considered that this would cause less than substantial harm to the listed stables building
- 6.15. As per paragraph 6.2 when assessing applications that are considered to cause less than substantial harm to listed buildings, this harm needs to be balanced against the public benefit of the scheme. The proposal merely extends existing residential accommodation and does not provide any new housing units. Due to the size of the site this would be difficult in any case however means the scheme does not provide any notable public benefits to balance the harm.
- 6.16. The bin and cycle parking are appropriately placed however conditions would have been attached to the decision notice to secure these details if the Council had been minded to approve the application.
- 6.17. Given the above, the proposals fail to comply with policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017 and policies DH1, DH2 and DH3 of the Hampstead Neighbourhood Plan (2018)

## **7. Residential Amenity**

- 7.1. Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting 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. Policy A4 seeks to ensure that residents are not adversely impacts upon by virtue of noise or vibrations.
- 7.2. The site itself is fairly stand-alone in character and is of small scale to begin with. The existing annex means there is an existing development in the same location albeit at only one storey. Because of the location of the annex and its distance set away from the rear boundary of properties on Downshire Hill impacts of outlook or enclosure are not harmful. In some cases (like nos.3 and 5 Hampstead Hill Gardens) due to the distance away, the development will have no impact; in other cases (like no. 52 and no.51

Downshire Hill and the northern addresses of Hampstead Hill Mansions) the boundary wall will ensure any impact to be minimal.

- 7.3. When measuring the distances and angles from the windows to the rear of 49 or 50 Downshire Hill or Hampstead Hill Mansions the two-storey annex building passes the 25 degree line and therefore does not cause an adverse impact on daylight/sunlight.
- 7.4. In terms of privacy, which was also raised as a concern from neighbours, there are no new windows facing to the rear of Downshire Hill and only roof lights and therefore the overall loss of privacy will not significantly increase. The new windows at first floor level are not facing directly to the rear of properties on Downshire Hill and therefore will not cause a harmful increase in overlooking
- 7.5. Another concern was light spill with the introduction of new rooflights. Whilst this was considered by officers, acceptable mitigation measures are in place such as the light barriers which cover all of them. Considering this, the issue of light spill or pollution is not considered to be harmful for neighbours.
- 7.6. There is an external MVHR unit proposed adjacent to the bin store. Whilst no noise impact assessment has been provided, the unit would be contained within an enclosure and, in the event of an approval, have compliance conditions to ensure the unit did not reach harmful noise levels.
- 7.7. Overall the proposal complies with A1 of the Local Plan.

## **8. Transport**

- 8.1. Policy T2 of the new Local Plan relates to parking and car-free development. The policy notes that the Council will limit the availability of parking and require all new developments in the borough to be car-free. Given that the proposal involves the creation of two new flats, these new flats would need to be car free development. The legal agreement will secure car-free housing.
- 8.2. The previous applications supported the application from a transport perspective in principle and this scheme will continue the details that were secured and previous relationship between the site, area and former police station.

### Access

- 8.3. The Police Stables sit entirely within the back parking area of the Police Station, only accessible via a private gate and right of way from Downshire Hill, and do not face or abut public roads or paths.

### Car parking

- 8.4. Policy T2 states that all new residential developments (the Council considers the change of use is new development) in the borough should be car-free. To prevent the future occupants from obtaining on-street parking permits from the Council, the development should be subject to a car free agreement. In this case as the approved residential use granted under an earlier permission (and secured as car-free) has not yet commenced (although the works have largely been completed), this is not an amendment application and includes works to extend the residential unit, it is recommended that the residential unit shown here be secured as car free by means of a Section 106 Agreement. The Council's concern is that were it not to be then the applicant might seek to argue in the future that it is this permission which creates the residential unit rather than the earlier permission that they implemented and if there were no S106 obligation for car free then they would be able to secure a parking permit. As the application is being refused this is listed as a reason for refusal.
- 8.5. In the event of an approval a condition would be attached requiring a landscape plan, showing the site boundary, the treatment of surfacing between the dwelling and the boundary, and what measures there will be to prevent the area within the development site from being used for car parking.

### Cycle Parking – Policy T1

- 8.6. No cycle parking is shown on the submitted plans, other than for the main stables building. The approved drawings for 2024/0222/P showed 2 cycle parking spaces along the side of the building. Whilst the London Plan requires the provision of 2 spaces per 2 bedroom dwelling, the Hampstead Neighbourhood Plan requires the provision of 3 spaces. It is considered that sufficient space exists within the site to accommodate this and that the provision of cycle parking would be secured by means of a suitably worded condition in the event of an approval.

## **9. Energy & Sustainability**

- 9.1. The Local Plan requires development to incorporate sustainable design and construction measures, to ensure they use less energy through decentralised energy and renewable energy technologies. All developments are expected to reduce their carbon dioxide emissions by following the steps in the energy hierarchy (be lean, be clean, be green and be seen) to reduce energy consumption.
- 9.2. Policies CC1 and CC2 of the Local Plan require development to minimise the effects of and be resilient to climate change and to meet the highest feasible environmental standards. This is also supported by policy DH3 of the Neighbourhood Plan.
- 9.3. The application is extending from the existing scheme which is sustainable in principle, in that it brings a vacant building back into use. That application proposed the following sustainable technologies and features:
- Mechanical ventilation with heat recovery (replacing existing plant) (a condition is attached regarding details of this)
  - Wastewater heat recovery
  - Air Source Heat Pumps
  - Photovoltaic Panels (to be secured by condition)
  - Solar Hot Water
  - Green roof on the flat-roofed areas (to be secured by condition)
- 9.4. Details of the sustainability measures would have been secured via condition if the Council had been minded to approve the application although they are generally supported in principle.

## **10. Biodiversity**

- 10.1. Policy A3 aims to protect and enhance sites of nature conservation and biodiversity. This will be achieved through several criteria (a to i). The Council will assess developments against the ability to improve biodiversity and its impact upon and secure management plans where appropriate. This policy also includes the protection of trees and the Council will seek to resist the loss of trees and vegetation of significant amenity, historic, ecological or cultural value but also promote incorporating trees within any proposal. There is also an expectation, where developments are near trees, the relevant documents should be provided.
- 10.2. The application form correctly states that they do not fall within the legislation for Biodiversity Net Gain, though this is because there are no on site habitats.

## **11. Community Infrastructure Levy**

- 11.1. The proposal will be liable for the Mayor of London's Community Infrastructure Levy (CIL)/Camden Community Infrastructure Levy (CIL) as it includes the addition of a private residential unit. The applicant is in discussion with the CIL Team on this.

## **12. Conclusion**

- 12.1. Bringing back the existing derelict building into use and its use for residential purposes are welcomed and the proposed extension to the new house would have an adequate standard of amenity. However, the proposed design changes will adversely impact on the character of the listed building and conservation area.

## **13. Recommendation**

### **13.1. Refuse planning permission for the following reasons:**

1. The proposed two storey annex extension and PV panels, by reason of their overall scale, height, materiality and design would be detrimental to the special architectural and historic interest of the listed building and the character and appearance of the Hampstead Conservation Area contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017 and policies DH1, DH2 and DH3 of the Hampstead Neighbourhood Plan (2018)

2. The proposed development, in the absence of a legal agreement securing an affordable housing contribution, would fail to maximise the supply of affordable housing to meet the needs of households unable to access market housing, contrary to policy H4 (Maximising the supply of affordable housing) of the Camden Local Plan 2017.
3. The proposed development, in the absence of a legal agreement securing car-free housing, would contribute unacceptably to parking stress and congestion in the surrounding area and fail to promote more sustainable and efficient forms of transport and active lifestyles, contrary to policies T2 (Parking and car-free development) and DM1 (Delivery and monitoring) of the Camden Local Plan 2017.

**13.2. Refuse listed building consent for the following reasons:**

4. The proposed two storey annex extension and PV panels, by reason of their overall scale, height, materiality and design would be detrimental to the special architectural and historic interest of the listed building, the proposal is therefore contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017 and policies DH1, DH2 and DH3 of the Hampstead Neighbourhood Plan (2018)