

# Upp

Construction of Residential Terrace

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**Flat 2, Warwick Mansions, 3-5 South End Road, London,  
NW3 2PT**



## 1. Introduction

### Summary

- 1.1 UPP Architects and Town Planners have been instructed by the applicant to submit a full planning application at the site known as Flat 2, Warwick Mansions, 3-5 South End Road, London, NW3 2PT.
- 1.2 This statement should be read in conjunction with the following associated submission documents:
  - Application Form
  - Architectural Plans
    - Existing set
    - Proposed set
- 1.3 This application seeks full planning permission to construct an external amenity area for the existing flat.
- 1.4 This statement will seek to demonstrate that the proposed development complies with national, regional, and local planning policies and guidance and, therefore, should be granted full planning consent by the Local Planning Authority.

## 2. The Site and Surroundings

- 2.1 The application site lies at the top of South End Road, adjacent to the corner plot facing Pond Street. The application flat is situated on the 1st floor of 3-5 South End Road, accessed through the residential entrance along the high street.
- 2.2 Like all across the terraced run, the building is a Class E premise on the ground floor with 5 Class C3 units above. The building forms part of the Edwardian terrace run that has maintained distinctive bay windows, steep-pitched roofs with gables, and ornate brickwork.
- 2.3 The site forms part of a local centre of shops that extends South End Road. To the South of the site, beyond the corner building fronting Pond St, lies the Royal Free Hospital. To the North of the site, further along South End Road, lies Hampstead Heath overground station and Hampstead Heath Park.
- 2.4 The application site is located within the London Borough of Camden Council. The application is not located within the Green Belt or an Area of Outstanding Natural Beauty

(AONB). The site is not a listed building however, it does back onto the side of Grade II Listed Buildings of 33, 35 and 35A Pond Street. The site falls within the Hampstead Conservation Area and is located within Flood Zone 1, indicating a low probability of flooding.

- 2.5 Regarding transport accessibility, Hampstead Heath station is situated to the North along South End Road, approximately 150 metres away on foot, with routes towards Richmond, Clapham and Stratford using the Mildmay line. Additionally, bus stop A (South End Green) services the 24 bus to Pimlico and bus stop B, which services the 46, C11, S towards St Bartholomew's Hospital and Archway around 100 metres from the site. Equally, across Pond Street, bus stop D (Royal Free Hospital) services the 1, 46 and C11 buses towards Canada Water, Paddington and Brent Cross.

### 3. Relevant Planning History

#### Application Site:

- 3.1 No Relevant Applications

#### Other Relevant Sites:

- 3.2 Ref. no: 2023/5280/P | First Floor Flat 33 South End Road London NW3 2PY | Provision of first-floor roof terrace at rear including external access door; erection of associated balustrades and privacy screens | Status: Granted | Date: February 2024
- 3.3 Ref. no: CTP/E8/10/11/19362 | 9 South End Road NW3 | The erection of a rear ground floor extension to the shop, an extension and roof terrace at first floor level for residential use and the installation of a shop front. | Status: Granted | Date: December 1974

### 4. Planning Policy

- 4.1 The Local Development Framework for the application is as follows:

- The National Planning Policy Framework (NPPF)
- The London Plan (2021)
- Camden Local Plan (2017)

## National Planning Policy Framework (NPPF)

- 4.2 The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.
- 4.3 The National Planning Policy Framework (NPPF) was revised on 12<sup>th</sup> December 2024. This is a key part of the Government's reforms to make the planning system less complex and more accessible and to promote sustainable growth.
- 4.4 Paragraph 11 of the national Planning Policy Framework outlines that *Plans and decisions should apply a presumption in favour of sustainable development. For **decision-taking** this means:*
- [c] approving development proposals that accord with an up-to-date development plan without delay; or*
  - [d] where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date<sup>8</sup>, granting permission unless:*
    - i the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or;*
    - ii any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.*
- 4.5 The NPPF states that “Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this”. The NPPF retains a presumption in favour of sustainable

development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

- 4.6 Paragraph 131 states that *“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”*.
- 4.7 The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

## The London Plan

- 4.8 Policy D3 - Optimising Site capacity through the design-led approach - “Development should ... deliver appropriate outlook, privacy and amenity”
- 4.9 Policy D6: Housing quality and standards - “Where there are no higher local standards in the borough Development Plan Documents, a minimum of 5 sq.m. of private outdoor space should be provided for 1-2 person dwellings and an extra 1 sq.m. should be provided for each additional occupant, and it must achieve a minimum depth and width of 1.5m”

Paragraph 3.6.9 explains that “Private outside space should be practical in terms of its shape and utility, and care should be taken to ensure the space offers good amenity. All dwellings should have level access to one or more of the following forms of private outside spaces: a garden, terrace, roof garden, courtyard garden or balcony. The use of roof areas, including podiums, and courtyards for additional private or shared outside space is encouraged.”

## Camden Local Plan 2017

4.10 Policy A1 : Managing the impact of development - “The Council will seek to protect the quality of life of occupiers and neighbours. We will grant permission for development unless this causes unacceptable harm to amenity

- a) seek to ensure that the amenity of communities, occupiers and neighbours is protected”

Paragraph 6.3 details that “Protecting amenity is a key part of successfully managing Camden’s growth and ensuring its benefits are properly harnessed. The Council will expect development to avoid harmful effects on the amenity of existing and future occupiers and nearby properties or, where this is not possible, to take appropriate measures to minimise potential negative impacts”

4.11 Policy A2 : Open Space - “To secure new and enhanced open space and ensure that development does not put unacceptable pressure on the Borough’s network of open spaces, the Council will

- a) ensure developments seek opportunities for providing private amenity space”

4.12 Policy D1 : Design - “The Council will seek to secure high quality design in development. The Council will require that development:

- a) incorporates outdoor amenity space”

Paragraph 7.23 explains that “Private outdoor amenity space including gardens, balconies and roof terraces, can add significantly to resident’s quality of life and applicants are therefore encouraged to explore all options for the provision of new private outdoor space.”

4.13 Policy D2 : Heritage - “Conservation areas are designated heritage assets and this section should be read in conjunction with the section above headed ‘designated heritage assets’. In order to maintain the character of Camden’s conservation areas, the Council will take account of conservation area statements, appraisals and management strategies when assessing applications within conservation areas.:

- a) require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area”

## 5. The Proposal

- 5.1 The proposal is to construct an external amenity area for the existing flat on top of the existing ground floor roof space.

## 6. Policy Considerations

### Principle of Development

- 6.1 The principle of creating private amenity space for the existing flat is supported by local policy A2, which aims to ensure that “developments seek opportunities for providing private amenity space”. Policy D2 echoes this requirement for private amenity space and notes that “Private outdoor amenity space including gardens, balconies and roof terraces, can add significantly to resident’s quality of life and applicants are therefore encouraged to explore all options for the provision of new private outdoor space.” This application seeks to explore the provision of new private outdoor space for the existing flats, respectively fulfilling these policy aims and significantly increasing the quality of life for the applicant while working from home.
- 6.2 Additionally, private amenity space provision is supported by policies D3 and D6 of the London Plan. Under policy D3, development should deliver appropriate amenity space. The existing flat currently has no private amenity space; therefore, this application aligns with policy D3 by creating amenity space for the residents. Equally, policy D6 requires a minimum of 5 sq.m. of private outdoor space should be provided for 1-2 person dwellings and an extra 1 sq.m. should be provided for each additional occupant, and it must achieve a minimum depth and width of 1.5m” The proposed terrace exceeds these minimum requirements and is therefore acceptable. Therefore, paragraph 3.6.9 stipulates, “All dwellings should have level access to one or more of the following forms of private outside spaces: a garden, terrace, roof garden, courtyard garden or balcony.” This proposal for an outdoor terrace aligns the existing flat with the London Plan standards.
- 6.3 The principle of a residential terrace is established by the neighbouring properties of First Floor Flat 33 South End Road London NW3 2PY, 36 Maryon Mews, London, NE3 2PU, 25

South End Road, NW3 2PT and 9 South End Road, NW 3 2PR all of which have a rear terrace/ private amenity space.

- 6.4 Furthermore, the roof terrace at First Floor Flat 33 South End Road London NW3 2PY was approved in February last year (ref no. 2023/5280/P), setting recent precedence for the first-floor rear residential terrace along the high street. Equally, and adjacent to the application site, the terrace at 9 South End Road sets historical precedence for this type of development, which has been established since 1974. Therefore, the creation of a rear 1st floor residential terrace is in keeping with the area and development of neighbouring plots. Due to these precedents and backland setting, this development would have no impact on the character of the conservation area. This assessment is echoed in the delegated report for application ref no. 2023/5280/P.

## Neighbouring Amenity

- 6.5 As outlined by Policy A1, the local authority will seek to “seek to ensure that the amenity of communities, occupiers and neighbours is protected”. As shown by Figure 1, the floorplans of the adjacent block of flats, the windows overlooking the proposed terraces would be internal corridors for each flat, frosted bathroom windows or the stair core. These areas would not be considered to be primary habitable spaces, nor would they create an overlooking impact onto the proposed outdoor amenity area. Additionally, there is a spacing between the horseshoe-shaped corridor and the proposed 1st-floor terrace, which would further minimise any adverse impact.
- 6.6 Furthermore, any issues of overlooking onto the terrace or from the terrace are mitigated by a 1.8m privacy screen on the northern and southern borders of the terrace and a 1.2m privacy screen on the east.
- 6.7 Overall, as evidenced by the neighbouring floorplans and implementation of a privacy fence, there would be no adverse impact on neighbouring properties or users regarding overlooking or overbearing, which aligns with policy A1.
- 6.8 Additionally, due to the site's high street location, there is anticipated to be no adverse noise impact on the neighbouring properties from creating a private terrace for a single residential flat.





Figure 1: Neighbouring Floor Plans

## 7. Conclusion

- 7.1 This application seeks to achieve full planning permission to construct an external amenity area for the existing flat.
- 7.2 This statement should be read in conjunction with the following associated submission documents:
- Application Form
  - Architectural Plans
    - Existing set
    - Proposed set
- 7.3 It is considered that the proposed development is compliant with National, Regional and Local Planning Policy and Guidance.