

2025/0981/P – Basement Flat, 6 South Hill Park



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Photographs



Photo 1 – Garden of 6 South Hill Park



Photo 2 – Existing conservatory



Photo 3 – Wall shared with 8 South Hill Park



Photo 4 – Wall shared with 8 South Hill Park



Photo 5 – Wall shared with 4 South Hill Park



Photo 6 – Aerial view of property and surrounding development (Google)

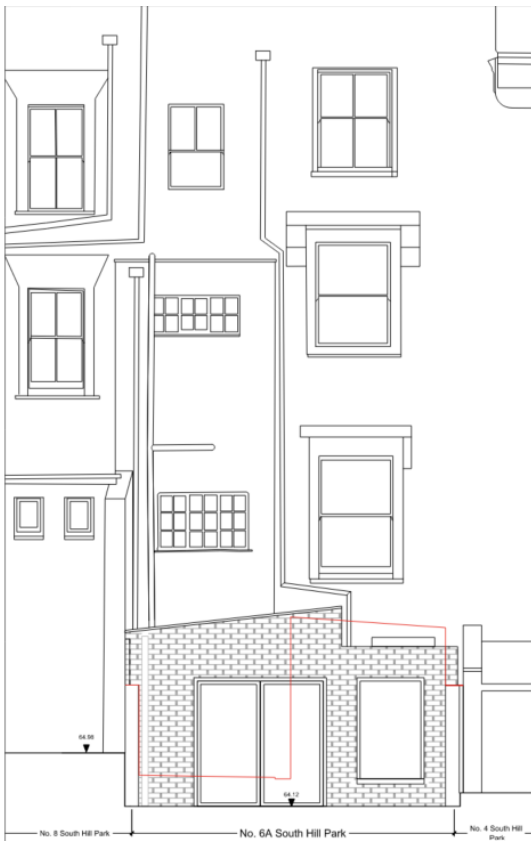


Photo 7 – Rear development at 10 and 12 South Hill Park (refs 2020/1384/P and 2010/6569/P)

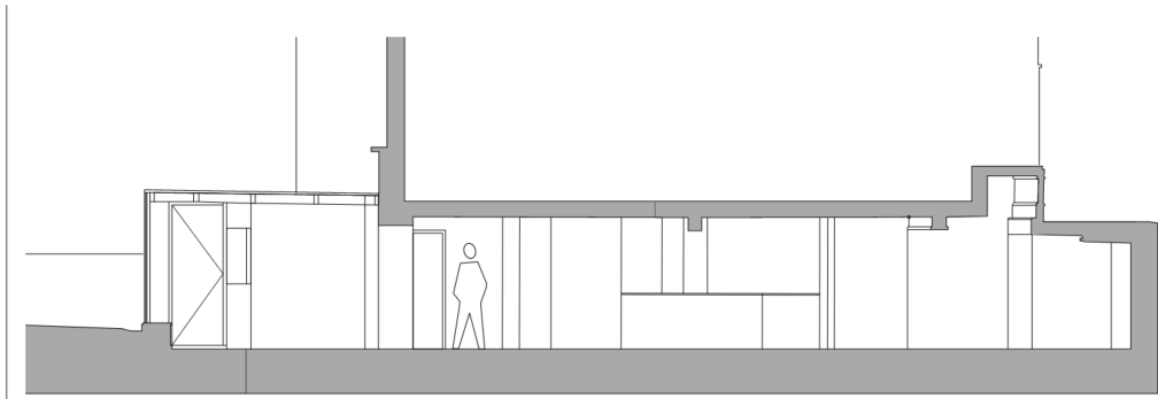
Plans



Existing elevation



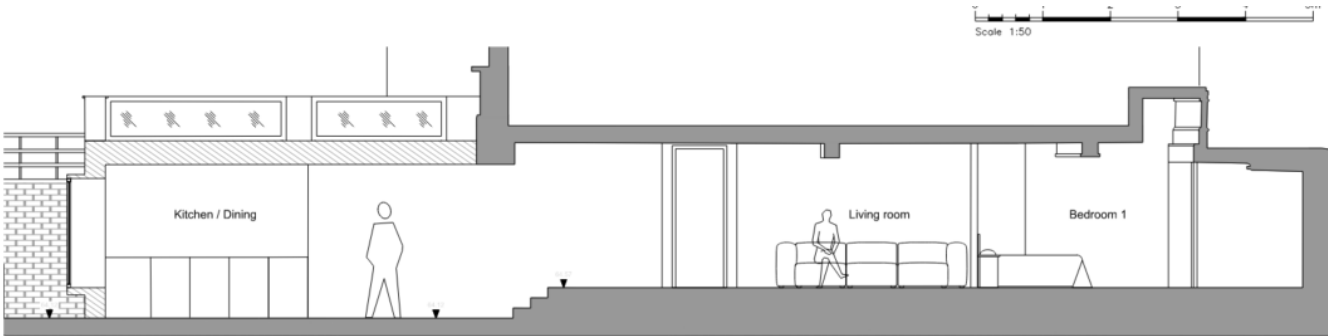
Proposed Elevation



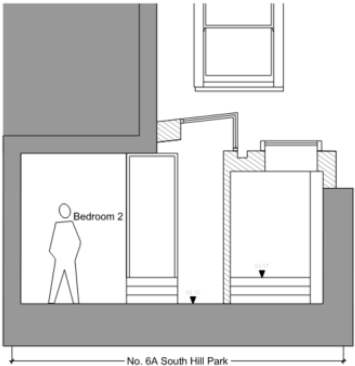
Section AA

Rev	Date	Description

Existing section



Section AA



Section BB

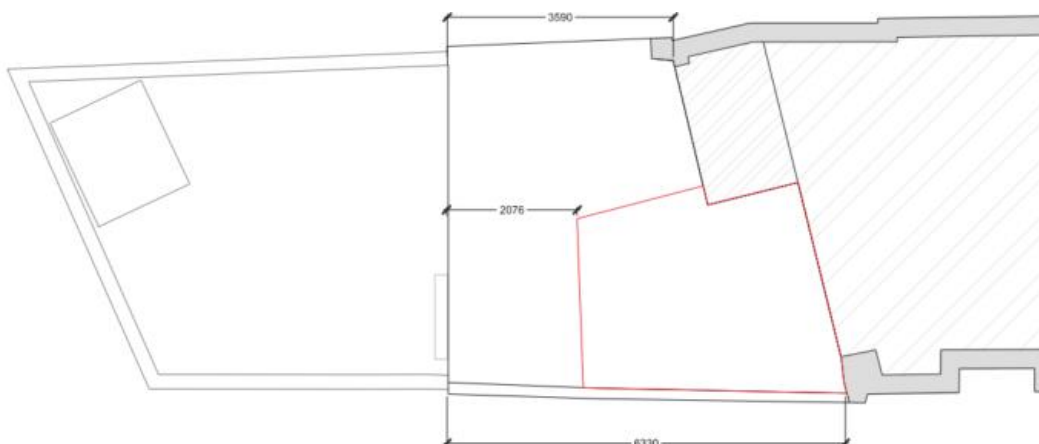
Proposed sections



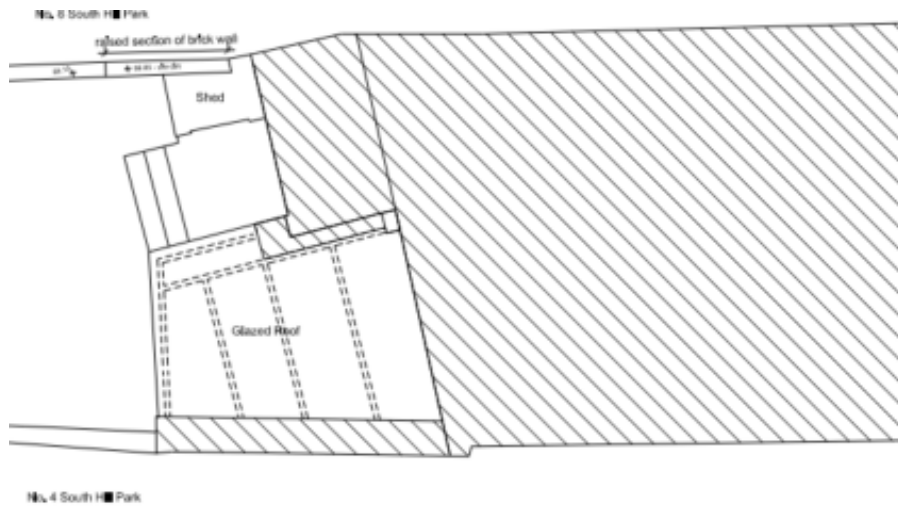
Existing site plan



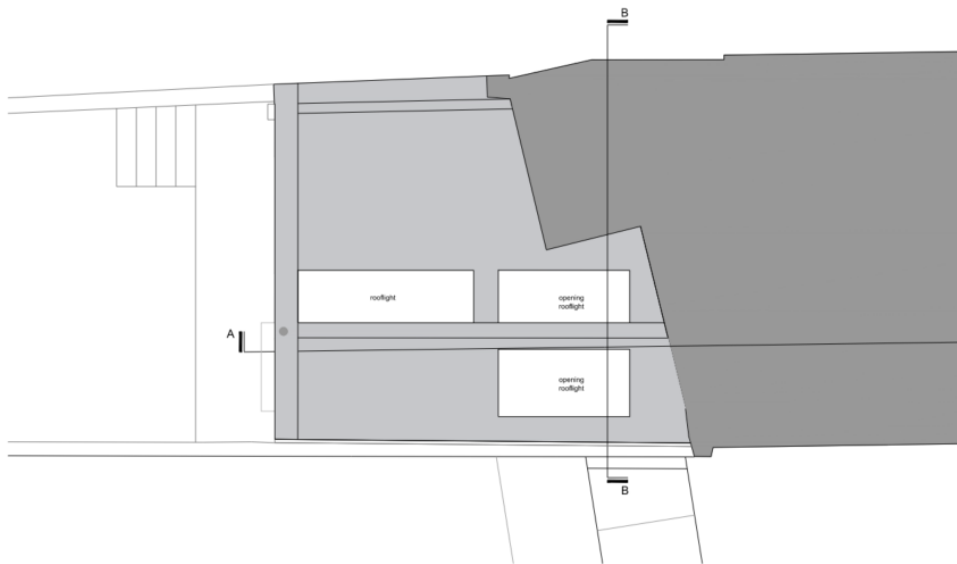
Proposed site plan



Existing and proposed site plan



Existing roof plan



Proposed roof plan

Delegated Report (Members Briefing)		Analysis sheet	Expiry Date:	30/04/2025
		N/A / attached	Consultation Expiry Date:	13/04/2025
Officer			Application Number(s)	
Connie Marinetto			2025/0981/P	
Application Address			Drawing Numbers	
Basement Flat 6 South Hill Park London NW6 3DD			See draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Demolition of existing rear conservatory and erection of a single storey rear extension.				
Recommendation:	Grant conditional planning permission			
Application Type:	Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Summary of consultation:	Press Notice: published 20/03/2025, expired 13/04/2025. Site Notices: displayed 14/03/2025, expired 07/04/2025.			
Adjoining Occupiers:	No. of responses	17	No. of objections	11

**Neighbouring
residents**

11 objections and 6 comments of support were received from neighbouring residents. The objections can be summarised as follows:

1. Excessive scale, bulk and massing
2. Overdevelopment of the site and loss of over 50% of garden and soft landscaping
3. Increased sense of enclosure and overbearing impact
4. Loss of daylight, sunlight, and outlook
5. Removal of trees
6. Loss of biodiversity and increased surface water run-off
7. Structural risks from excavation
8. Encroachment on ownership above
9. No details on materials
10. Difficulty with access for maintenance
11. Exceeds requirement for 2 bed unit
12. Harm to Conservation Area character and setting

Officer response:

- 1. The proposal has been revised to reduce the overall height. The flat roof element now sits lower than the existing conservatory, and the pitched portion has been reduced in height from the original submission. The proposal is of a scale to the rear extensions at no. 10 (2020/1384/P) and no. 12 (2010/6569/P).*
- 2. The proposed garden that remains is over 50% of the garden of the original house prior to any extensions*
- 3. The revised extension projects minimally above the existing garden walls: 0.6m on the boundary with no. 4 (where the existing projection is 1m), and 0.1m on the side of no. 8. It is therefore not considered to result in an overbearing form.*
- 4. On both sides, the extension is set below a 45 degree line from the top of the garden wall to neighbouring windows and is therefore unlikely to impact daylight and sunlight to neighbouring windows.*
- 5. No trees are proposed to be removed as part of the application. Trees in the garden were removed under permission 2025/0243/T.*
- 6. The garden is paved over with artificial grass and planting along the borders. There would be no significant loss of habitat. Planting and soft landscaping will be secured by condition. Existing drainage is to be reused with minimal adaptation to ensure ongoing access for maintenance.*
- 7. A Basement Impact Assessment is not required for the proposed 0.5m excavation.*
- 8. Notice has been served correctly on the other owners/occupiers of the proposed development.*
- 9. Details of the materials are provided in the Design and Access Statement.*
- 10. The revised roof design would facilitate access for maintenance*
- 11. The proposed works would increase the second bedroom so it would meet the guidance of 7.5sqm for a single room. The proposed layout would exceed the minimum space for a 2-bed flat, but there is no policy requirement to limit the size of residential units to the minimum standard, provided the overall scale is acceptable in design and amenity terms. The increase in floor area is not considered excessive, given the constraints of the site and revised design.*
- 12. Design and heritage are further assessed in section 3.*

It is noted that Cllr Chung has objected to the application by reason of its scale, bulk and massing and impact on the Conservation Area. She also raised concerns regarding the loss of garden, loss of green space and biodiversity and loss of amenity to its neighbours. Concern was also raised regarding felling of trees in the garden which need to be replaced.

Officer response: As noted above and in Sections 3.0 and 4.0 of this report, the proposal has been revised to reduce the height and massing of the extension, addressing concerns regarding design and neighbouring amenity. The current scheme is considered to preserve the character and appearance of the Conservation Area and would not result in significant harm to residential amenity. The removal of two trees was previously approved under a separate tree application (ref: 2025/0243/T). No significant loss of habitat is identified, and soft landscaping and planting will be secured by condition to mitigate the impact and support biodiversity.

Support was expressed on the grounds that the proposal would provide a more functional and healthier living space, addressing specific issues such as the lack of ventilation in the existing kitchen. Supporters noted that the extension would improve the internal layout for a long-standing local family whose current accommodation is no longer suitable. It was also highlighted that similar developments exist in the surrounding area, setting a precedent for this type of improvement.

**Hampstead
Neighbourhood
Forum**

An objection was raised by the Hampstead Neighbourhood Forum who commented as follows:

The proposed extension fails to enhance biodiversity as required by the emerging Hampstead Neighbourhood Plan 2025, Policy DH1 (c), which has recently passed examination:

‘Development proposals that contribute positively to the distinctiveness and history of the characters areas and help to mitigate climate change (see DH3) through high quality design and landscaping will be supported where: (c) For extensions, they are subservient to the original footprint and mass of the house, contribute positively to the character of the area and provide biodiversity net gain (BNG)’

The new Policy DH3 states that development should reduce greenhouse gas emissions through minimising both annual and peak energy demand by following the steps of the Energy Hierarchy and expects the use of sustainable and local materials, as well as water efficiency.

As the proposal is consuming a major part of the existing garden, we would like to see the proposal better address biodiversity and sustainability’

Officer response:

- *The revised design is considered to be proportionate to the building and the context of surrounding development. Design and heritage is further assessed in section 3.*
- *While the Hampstead Neighbourhood Plan 2025 has passed examination and is a material consideration, it currently holds limited weight in decision-making until formally adopted.*
- *It is noted that BNG requirement came into effect for small sites on 2nd April 2024. However, the application is to below the ‘de-minimis’ threshold, because it does not impact an on-site priority habitat and impacts less than 25sqm of on-site habitat with biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat. Therefore, the application is exempt from providing BNG.*
- *While formal landscaping details have not been annotated on plan, the existing garden includes paving, artificial turf with some border planting, and the revised layout retains over 50% of the original garden area.*
- *The existing conservatory is fully glazed. The replacement structure should comply with the Building Regulations which include thermal performance and energy use requirements. As such, it would not be unduly ‘unsustainable’.*

Site Description

The application site is a four-storey building with a basement level. The application relates to the basement residential unit with access to the garden. The unit at ground floor level is in office use and there are flats on the upper floors.

The property is not listed but is located within the South Hill Park Conservation Area and Hampstead Neighbourhood Area. It is noted as making a positive contribution to the special character and appearance of the area in the Conservation Area Statement.

There are no trees protected by Tree Preservation Orders within the application site.

Relevant History

Application site:

Basement Flat (Application Site)

2010/0170/P – Erection of a conservatory extension to rear and garden shed to residential flat. **Granted 23/03/2010.**

2025/0243/T – REAR GARDEN: 1 x Gleditsia (Honey Locust) (T1) - Fell to ground level.
1 x Plum (T2) - Fell to ground level. **Granted 19/02/2025.**

Nearby Sites

10 South Hill Park

2020/1384/P – Erection of single storey full width rear extension with rooflights following demolition of existing extensions to basement flat (C3). **Granted 08/12/2020.**

12 South Hill Park

2010/6569/P – Erection of a full width extension at lower ground floor level and installation of door at rear ground floor level to existing dwelling (Class C3). **Granted 15/02/2011.**

Relevant policies

National Planning Policy Framework (2024)

The London Plan (2021)

Camden Local Plan (2017)

- A1 Managing the impact of development
- A3 Biodiversity
- D1 Design
- D2 Heritage

Draft Camden Local Plan

The council published a new Draft Camden Local Plan (incorporating Site Allocations) for consultation in January 2024 (DCLP). Responses to the consultation and a Submission DCLP (updated to take account of the responses) will be reported to Cabinet on 2 April 2025, and to the Council on 7 April 2025.

The Council is recommended to agree the Submission DCLP for publication and submission to the

government for examination (following a further period of consultation).

The DCLP is a material consideration in the determination of planning applications but still has limited weight until the Council has made a decision on the Submission DCLP. The weight that can be given to it will increase as it progresses towards adoption (anticipated 2026).

Camden Planning Guidance:

- Design (2021)
- Amenity (2021)
- Biodiversity (2018)
- Home Improvements (2021)

Hampstead Neighbourhood Plan 2018-2033

- DH1 Design
- DH2 Conservation areas and listed buildings

Draft Hampstead Neighbourhood Plan 2025

South Hill Park Conservation Area Statement (2001)

Assessment

1. Proposal

1.1 The application proposes the following:

- 1.2 Removal of existing glazed conservatory and erection of a 'full width' single storey replacement rear extension measuring between 3.6m and 6.3m (3.6m deep beyond the existing three storey rear wing and 6.3m deep where the existing conservatory is to be removed). 5m wide and between 2.5m and 3.2m high, the external walls would be in a light brick similar to the existing building. The doors and windows and rooflights would be dark grey metal framed. The roof would be pitched on the part next to no. 8 and flat towards no. 4.
- 1.3 The existing flat is 70 sq.m and provides one double and one single bedroom. The proposal would facilitate the creation of a larger second bedroom so that it meets the space standards of 7.5sqm (15 sq.m additional area overall).

Revisions

- 1.4 The proposal has been revised to reduce the overall height to take on board comments received from neighbours. The flat roof element now sits lower than the existing conservatory, and the pitched portion has been reduced in height from the original submission. The revised extension projects minimally above the existing garden walls: 0.6m on the boundary with No. 4 (where the existing projection is 1m), and 0.1m on the side of No. 8.

2. Assessment

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

- Design and conservation
- Residential amenity
- Biodiversity

3. Design and Conservation

- 3.1. The Council's design policies are aimed at achieving the highest standard of design in all developments. Policy D1 'Design' states that the Council will seek to secure high quality design in all cases. This policy states that in order to demonstrate high quality, developments should meet several criteria including: respecting local context and character; and comprise details and materials that are of high quality and complement the local character. It continues to state that the Council will resist development of poor design that fails to take the opportunities available for improving the character and quality of an area.
- 3.2. Policy D2 'Heritage' states that to maintain the character of Camden's conservation areas, the Council will not permit development within conservation area that fails to preserve or enhance the character and appearance of that conservation area.
- 3.3. Policies DH1 and DH2 of the Hampstead Neighbourhood Plan outline how development proposals should demonstrate how they respond and contribute positively to the distinctiveness and history of the relevant character areas identified within the Plan.
- 3.4. The proposal involves the demolition of the existing rear conservatory and the construction of a replacement full-width rear extension. The proposed new structure would extend approximately 2 metres beyond the footprint of the existing conservatory, resulting in a total projection of 6.3 metres from the original rear wall. From the end of the outrigger, the extension would project a further 3.6 metres.
- 3.5. The properties along this side of South Hill Park consist of a variety of different forms and detailing. At the rear, the terrace has had some substantial alterations, including the additions of rear extensions, roof terraces, several mansard roof extensions and a large outbuilding at no. 14, facing the cul-de-sac of Park End. Full width extensions are established along the terrace and the scale and dimensions of the proposed rear extension would be of a similar scale to the rear extensions at no. 10 (2020/1384/P) and no. 12 (2010/6569/P).
- 3.6. The rear garden will retain more than 50% of its original area following the proposed development, and the remaining space is considered adequate for a two-bedroom basement flat. Given the established pattern of similar rear extensions along the terrace, the proposal is considered acceptable in terms of scale and footprint. The increased depth is not considered visually dominant in the context of the host building and the terrace, and the extension's simple modern design. The revised proposal, which combines a flat and pitched roof, reduces the overall height, allowing the extension to remain subservient to the host property.
- 3.7. The extension would be constructed using a light toned brick which is considered to compliment the host building. The metal frame doors and windows are also a simple and acceptable feature. It must be noted that the rear extension would not be visible from any public views along South Hill Park, or from the rear. Taking into account the range of alterations already present to the rear of the terrace, and the fact that the basement level is not publicly visible, the proposed development is not considered to result in harm to the character or appearance of the host property or the wider South Hill Park Conservation Area. Overall, the extension is acceptable in terms of scale, design, and materiality, and is considered to preserve the character and appearance of the Conservation Area.
- 3.8. The proposals would involve a small amount of excavation, but the amount proposed is not considered to trigger the need for a Basement Impact Assessment in this instance.
- 3.9. The clerestory window serving the second bedroom is south-facing and of a generous size. It is therefore considered acceptable in terms of providing adequate natural light to the second bedroom.

4. Residential Amenity

- 4.1. Policy A1 'managing the impact of development' of the Local Plan 2017 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. Policy A1 also seeks to ensure that development protects the quality of life of occupiers and neighbours by stating that the Council will only grant permission for development that would not harm the amenity of neighbouring residents. This includes privacy, outlook, noise and impact on daylight and sunlight.
- 4.2. The proposed rear extension is not considered to have a harmful impact on the amenity of neighbouring properties in terms of scale.
- 4.3. Revisions have been undertaken during the course of the application (as a result of comments which were received). On the boundary with no. 4, the revised extension would project 0.6 metres above the existing garden wall. It is noted that the current conservatory projects over 1 metre above this same boundary. On the boundary with no. 8, the extension would rise by only 0.1 metres above the existing boundary wall and fence. Furthermore, no. 8 is set at a slightly higher ground level than the application site at no. 6, which further reduces any potential overbearing effect.
- 4.4. In both cases, the proposed extension falls below a 45-degree line taken from the top of the garden walls. As such, the development is not considered likely to result in a material loss of daylight or sunlight to neighbouring properties.
- 4.5. The proposed rooflights are modest in scale and appropriately positioned. They are not considered to give rise to any harmful amenity impacts. The south-facing clerestory windows are a distance from no. 4 and, given that no. 4 is located at a lower level, they are not considered to result in any undue visual impact.
- 4.6. A condition would be added to ensure the flat roof would not be used as a roof terrace.
- 4.7. The proposed development overall is not considered to lead to harmful impacts upon the amenity of any neighbouring residents. The development is therefore considered to be in accordance with policy A1 of the Camden Local Plan 2017.

5. Biodiversity

- 5.1. As set out in policies CC1 and CC2, the Council requires development to incorporate sustainable design and construction measures.
- 5.2. The garden is paved over with artificial grass and planting along the borders. There would be no significant loss of habitat, and further planting and soft landscaping will be secured by condition.
- 5.3. It is noted that the Biodiversity Net Gain (BNG) requirement came into effect for small sites on 2nd April 2024. However, there are a number of statutory exemptions and transitional arrangements which mean that the BNG condition does not always apply. These are summarised by way of an informative attached to this decision.
- 5.4. This application is considered to be below the 'de-minimis' threshold, because it does not impact an on-site priority habitat and impacts less than 25sqm of on-site habitat with biodiversity value greater than zero and less than 5 metres in length of on-site linear habitat. Therefore, the application is exempt and the applicant is reminded of this by way of an informative attached to this decision.

6. Recommendation

- 6.1. Grant conditional planning permission.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 12th May 2025, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'

Application ref: 2025/0981/P
Contact: Connie Marinetto
Tel: 020 7974 8012
Email: connie.marinetto@camden.gov.uk
Date: 7 May 2025

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE
Phone: 020 7974 4444
planning@camden.gov.uk
www.camden.gov.uk

Gallus Ltd
55a Rochester Place
London
NW1 9JX

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Basement Flat
6 South Hill Park
London
NW3 2SB

DECISION

Proposal:

Demolition of existing rear conservatory and erection of a single storey rear extension.

Drawing Nos: 100, 101, 102, 103 (Rev A), 104 (Rev A), 200, 201 (Rev A), 202 (Rev A), 203 (Rev B), 204 (Rev D), 205 (Rev A), Design and Access Statement prepared by Gallus Studio (Rev A).

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

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

100, 101, 102, 103 (Rev A), 104 (Rev A), 200, 201 (Rev A), 202 (Rev A), 203 (Rev B), 204 (Rev D), 205 (Rev A), Design and Access Statement prepared by Gallus Studio (Rev A).

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017 and policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018-2033.

- 4 No development shall take place until full details of hard and soft landscaping and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policies A2, A3, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 5 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development or any phase of the development. Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies A2, A3, A5, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 6 The roof of the single storey rear extension hereby approved shall not be used as a balcony, roof terrace or for any other ancillary residential purpose and shall be accessible for maintenance purposes only.

Reason: To safeguard the amenities of adjoining properties in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 2 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 4 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition ("the biodiversity gain condition") that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The local planning authority (LPA) that would approve any Biodiversity Gain Plan (BGP) (if required) is London Borough of Camden.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are summarised below.

Based on the information available this permission will not require the approval of a BGP before development is begun because it is below the de minimis threshold.

Summary of statutory exemptions for biodiversity gain condition:

1. The planning application was made before 12 February 2024.
2. The planning permission is retrospective.
3. The planning permission was granted under section 73 of the Town and Country Planning Act 1990 and the original (parent) planning permission was made or granted before 12 February 2024.

4. The permission is exempt because:

- It is not "major development" and the application was made or granted before 2 April 2024, or planning permission is granted under section 73 and the original (parent) permission was made or granted before 2 April 2024.
- It is below the de minimis threshold (because it does not impact an onsite priority habitat AND impacts less than 25 square metres of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat).
- The application is a Householder Application.
- It is for development of a "Biodiversity Gain Site".
- It is Self and Custom Build Development (for no more than 9 dwellings on a site no larger than 0.5 hectares and consists exclusively of dwellings which are Self-Build or Custom Housebuilding).
- It forms part of, or is ancillary to, the high-speed railway transport network (High Speed 2).

5 Irreplaceable habitat:

If the onsite habitat includes Irreplaceable Habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements. In addition to information about minimising adverse impacts on the habitat, the BGP must include information on compensation for any impact on the biodiversity of the irreplaceable habitat. The LPA can only approve a BGP if satisfied that the impact on the irreplaceable habitat is minimised and appropriate arrangements have been made for compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73(2D) of the Town and Country Planning Act 1990:

If planning permission is granted under section 73, and a BGP was approved in relation to the previous planning permission ("the earlier BGP"), the earlier BGP may be regarded as approved for the purpose of discharging the biodiversity gain condition on this permission. It will be regarded as approved if the conditions attached (and so the permission granted) do not affect the post-development value of the onsite habitat, or any arrangements made to compensate irreplaceable habitat, as specified in the earlier BGP.

Phased development:

In the case of phased development, the BGP will be required to be submitted to and approved by the LPA before development can begin (the overall plan), and before each phase of development can begin (phase plans). The modifications in respect of the biodiversity gain condition in phased development are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with the National Planning Policy Framework. The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the website for submitting applications and offers a pre-application advice service.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-planning-decision>.

Yours faithfully

Chief Planning Officer

DRAFT

DECISION