

February 2013

# Planning Statement

## 15 Cleve Road, NW6 3RL

**On behalf of The AJR Charitable Trust (Registered Charity No. 211239)**

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## Appendices

- Appendix 1: Pre-Application Response from Camden Council (Ref: CA/2012/ENQ/08016),  
issued 30 November 2012

# 1. Introduction

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1.1 This statement is submitted in support of the application for planning permission by The AJR Charitable Trust at 15 Cleve Road, NW6.

1.2 Planning permission is sought for:

*'Change of use of the existing premises from Class C3 residential accommodation for elderly persons and an elderly persons day centre at ground and lower ground floor levels to form 9 x Class C3 residential units (2 x 1-bed, 5 x 2-bed and 2 x 3-bed). Erection of rear extension at lower ground to second floor levels following demolition of existing rear conservatory. Creation of lightwells within front elevation and landscaping of the existing front forecourt area.'*

1.3 This statement provides the background information relating to the site and a detailed assessment of the proposals in relation to planning policy and other material considerations.

1.4 It is set out that the proposals will be a sympathetic conversion of the existing property with a subservient addition to the property that preserves the character and appearance of both the building and the South Hampstead Conservation Area. Furthermore, the proposals will not cause any material or demonstrable harm to the residential amenity of neighbouring properties.

1.5 The statement is set out under the following sections:

- Section 2 outlines the site and its context within the surrounding area
- Section 3 provides an overview of the applicant and its charitable status
- Section 4 provides an overview of the planning history
- Section 5 provides an outline of the proposals
- Section 6 sets out the planning policy framework for the site
- Section 7 examines the main planning considerations in relation to the application and makes an assessment of the site context and proposals
- Section 8 draws our conclusions in respect of the proposals

## 2. Site and Surroundings

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- 2.1 The site is located within Cleve Road, approximately 80m east of its junction with West End Lane.



**Figure 1: View of the Street Scene on Cleve Road**

- 2.2 The building is of red brick construction over 4 floors (lower ground, ground, first and second) with a small accommodation space in the roof.
- 2.3 The site is currently in the ownership of the Association of Jewish Refugees (AJR) and was formally in use as an elderly person's "day centre" and sheltered accommodation for elderly persons.



**Figure 2: Internal view of the existing conservatory at lower ground floor level, part of the previous day centre use**

- 2.4 Ground floor and lower ground floor were operated as an elderly persons centre for use by the AJR only. Various lounges, administrative offices, function rooms and commercial kitchens are present.



**Figure 3: View of the commercial kitchen on site**

- 2.5 Within the upper floors, the premises were occupied by the lawful use as sheltered accommodation for elderly persons. No element of formal care was provided to residents of these flats, therefore these were considered to be Class C3 residential accommodation and did not fall within Class C2.
- 2.6 All uses at the premises have ceased and the building is now vacant.
- 2.7 Within the upper floors, the flat units are self contained, in that they have all necessary living facilities (bathroom / kitchen) behind a locked front door from the communal hallway / access stairways.
- 2.8 These flats were accessed solely from the main ground floor entrance and reception / hallway area. This access point and circulation space also formed a key element of the facility which occupies ground and lower ground floor.
- 2.9 To the rear, a large lower ground conservatory extends beyond the rear building line into the garden area which provided the main function space of the day centre.
- 2.10 It sits partially below the level of the mature garden which extends 30m to the rear. A number of mature trees are present within this garden area.





**Figure 4: View of the existing rear elevation**

- 2.11 To the front is a hard surfaced parking area capable of accommodating several parked vehicles off street.
- 2.12 Cleve Road is predominantly residential in character with a number of the buildings providing single dwelling houses or having been subdivided into flats.
- 2.13 The site is located within the South Hampstead (formerly Swiss Cottage) Conservation Area.
- 2.14 The building has been indentified by the Council as a building which makes a positive contribution the character and appearance of the conservation area within the adopted *South Hampstead Conservation Area Character Appraisal and Management Strategy* (February 2011).
- 2.15 It is also noted that the property, in common with most within the South Hampstead Conservation Area, is subject to an Article 4 (1) Direction to remove Permitted Development Rights for householder alterations. This Direction was made as a response to the loss of boundary walls and front gardens to a large proportion of properties in the Conservation Area; however we do not note any benefit of this Direction being made.
- 2.16 The site is located approximately 450-500m south of West Hampstead Overground and Underground rail stations. Bus service C11, linking Archway-Swiss Cottage- Cleve Road-

West Hampstead- Brent Cross, directly passes the site. Numerous other bus services run along nearby West End Lane.

2.17 The site has a Public Transport Accessibility Level ("PTAL") of 6a.

2.18 There are no individual Tree Preservation Orders placed upon trees within the site.

### 3. The AJR Charitable Trust

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- 3.1 The AJR Charitable Trust (from here on referred to as 'The AJR') is a registered charity with a long term presence within the Borough. It continues to serve specific sections of the Jewish community within Camden.
- 3.2 Founded in 1941 by Jewish refugees from Central Europe, The AJR has extensive experience attending to the needs of Holocaust refugees and survivors who came to this country before, during and after the Second World War.
- 3.3 In the main, these Jewish refugees were German and Austrian but also included in their number people who came from Hungary and Czechoslovakia. The organisation was formed as a self-help group; by the members and for the members. This has continued to the present day.
- 3.4 Membership of The AJR is extended to all Jewish victims of Nazi persecution and their spouses. It also welcomes as members the children and grandchildren of Holocaust survivors and refugees, the Second and Third Generations.
- 3.5 15 Cleve Road has been owned by The AJR since the mid 1980s when a decision was taken to establish a dedicated day centre to provide various support services to members. Many of those services had previously been based at the nearby Belsize Square Synagogue.
- 3.6 Subsequently, the AJR Paul Balint Centre opened at 15 Cleve Road in September 1987. As well as its core function of providing hot kosher lunches, the Centre organised entertainment and outings and offered a warm and intimate setting for AJR members to socialise. It was a community resource for refugees displaced by persecution in continental Europe.
- 3.7 Additionally, the centre provided 8 sheltered apartments on the upper levels of the building. Residents were all members of The AJR, paying a subsidised rent for their accommodation. Residents were not dependent upon the services offered within the building and no form of nursing or personal care was ever offered by the Centre to occupants.
- 3.8 The Centre operated successfully for many years. However, there is a sad inevitability that, being now nearly 70 years since the end of the Second World War, many of the persons for whom the charity was established have passed away. It became evident that members' needs



were changing and that they required more specialist housing and other services than The AJR could offer at Cleve Road.

- 3.9 As such, The AJR took a strategic decision to leave empty apartments when vacated by members. The quality of accommodation provided did not (and does not) meet modern standards required by aging members and the site could not provide the range of care and attention that this aging group increasingly required.
- 3.10 The final residents were successfully and happily re-homed during December 2011. Following this, the day centre's functions were predominantly returned to the Belsize Square Synagogue and 15 Cleve Road was closed to members in 2012.
- 3.11 In terms of its most recent functions, 15 Cleve Road is no longer fit for purpose. Both the sheltered accommodation and day centre are out of date in terms of their condition and layout.
- 3.12 Given both this and the requirements of continuing to meet its members changing needs, The AJR intends to dispose of 15 Cleve Road and reinvest to provide alternative services and facilities to the community. Being a Charitable Trust, all receipts from the sale of the property are required by law to return to fund The AJR's ongoing charitable objectives, including the existing long term support services and facilities currently provided (and to be retained) within Camden.
- 3.13 As a part of this process, it has been proposed to convert the existing building into a number of self-contained flats. This can be achieved via a programme of refurbishment and modest alterations and extensions to the existing building and it is on this basis that this application is submitted for consideration.
- 3.14 A statement from The AJR, as the applicant in this case, will be submitted as part of this application.

## 4. Planning History

- 4.1. The following previous planning applications for development on this site have been following a review of the Council's online records and are considered to be of relevance to the current application:

Application Number	Development Description	Date Registered	Decision
5869	Conversion of second floor of 15 Cleve Road, Camden into two flats; the erection of external staircase at side and formation of new windows.	28/08/1968	Conditional
8998	Formation of a means of access to the highway and the provision of hardstanding for the parking of vehicles at 15 Cleve Road, NW6.	22/05/1970	Conditional
9353	The conversion of the second floor into two flats and the erection of an external staircase at the side at 15, Cleve Road N.W.6	27/07/1970	Permission
8501591	Change of use to form one self-contained maisonette and seven self-contained flats including works of conversion alterations to form front and rear basement areas and elevations extensions at sides and rear roof levels and addition of balconies at the rear at ground	11/11/1985	Grant Full or Outline Planning Permission.
8600116	<b><i>Change of use of the first and second floors to provide eight sheltered bedsitting room units and of basement and ground floors to provide social and</i></b>	23/01/1986	Grant Full or Outline Perm. with Condit.

	<i>administrative functions of a day centre for the elderly including the erection of a single-storey rear extension and provision</i>		
8600710	<i>Amendment by enlargement of the basement conservatory of the planning permission granted 27th March 1986 for the change of use of the first and second floors to provide eight sheltered bedsitting room units and of basement and ground floors to provide social and</i>	25/04/1986	Grant Full or Outline Perm. with Condit.
9500160	The provision of a glazed entrance porch to the existing front door as shown on drawing numbers 396/1A - 3.	14/02/1995	Grant Full or Outline Planning Permission
9560017	Demolition of front boundary and formation of a hardstanding for 2 additional car parking spaces and means of access to highway erection of new porch. (Plans submitted)	14/02/1995	Withdrawn after Reg'n (not used on PACIS
P9600317	Conversion of loftspace to create additional bedroom for caretakers flat, including the installation of five velux windows and a projecting skylight, as shown on drawing Nos: 758-01,02	06/02/1996	Grant Full Planning Permission
P9602982	Works of excavation to rear lower ground level to create garden access to the existing conservatory, as shown on drawing nos. 758/03A, /09, /10, /11 and /12.	02/10/1996	Grant Full Planning Permission (conds)

4.2. The permissions granted in 1986 (highlighted) are considered most relevant, allowing for the change of use of the building to its current provision of sheltered accommodation and elderly persons day centre.

4.3. More specifically, the following condition was attached to both the permission granted in March 1986 and then the subsequent amended scheme granted in May 1986:

*“The use of the first and second floors hereby permitted shall not be used otherwise than as sheltered housing flats for the elderly and shall be used for no other purpose”*

4.4. This sets a clear position on the current lawful use of the upper floors of the application site which is discussed in more detail at Section 7 of this statement.

#### *Pre-Application Discussions*

4.5. Pre-application discussions were held with officers in October and November 2012 (Reference: CA/2012/ENQ/08016), to discuss the principle of the proposal in terms of both the change in use on-site and the associated external alterations.

4.6. The outcomes of the pre-application discussions were generally positive, though some points for clarification were raised. A copy of the LPA's advice note is provided at Appendix 1.

4.7. This formal application builds upon the proposal that was presented to the Council for pre-application discussions. The proposal has been further developed in order to respond to officers' comments.

4.8. In addition, discussions took place with a member of the Council's Community and Third Sector Team in February 2013 to discuss the development proposal that is now submitted for formal consideration.

## 5. The Proposals

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- 5.1. It is proposed to change the use of the building from its current mix of Class C3 sheltered accommodation and Class D1 elderly persons day centre to use as 9 Class C3 self-contained residential units. These residential units would be a mix of flats and duplex flats, made up of 2 x 1-bed, 5 x 2-bed and 2 x 3-bed units.
- 5.2. Four flats will be laid out as duplex units on the lower ground and upper ground floor levels. Three further flats will be at first floor level, one at second floor level and one at both second and third floor levels.
- 5.3. The existing main front access to the upper ground floor level will be maintained and provide access to all units. A secondary access to the lower ground floor level will be provided to the side of the building. A communal lift and stairwell will give access to communal lobbies at lower ground, upper ground, first and second floor levels.
- 5.4. To the front of the property, the existing forecourt will be extensively remodelled and the casual parking area removed. A new boundary wall and planting to Cleve Road will be provided.
- 5.5. It is intended to restore the stepped access up to the main entrance to an appearance approach that of the building's original form. Either side of this stepped area, new lightwells will be provided to increase levels of light received within bedrooms at the lower ground floor level.
- 5.6. To the rear, the existing (non-original) conservatory at lower ground floor level will be removed. Within the same general footprint, a new brick extension to the main building will provide additional accommodation across lower ground, upper ground and first floor levels. At second floor level, this extension will provide a private external terrace to a single flat.
- 5.7. Each of the two units to the rear of the building at lower ground floor level will be provided with a private courtyard and garden space. These areas will be created through a small amount of excavation of the garden area, predominantly within the footprint of the existing conservatory.
- 5.8. All other properties will have access to the extensive communal garden.
- 5.9. With the exception of the addition of two small rooflights and the erection of photovoltaic panels to the rear elevation, no other alterations to the existing roof of the building are proposed.



- 5.10. The ground levels of the site are such that the upper ground floor sits above ground level to the rear.
- 5.11. It should also be clearly stated that no new basement level below the existing building is proposed by this application whatsoever. Excavation is limited to the front lightwell and rear private garden/courtyard areas, ensuring improved amenity to the residents of this accommodation.

## 6. Planning Policy Framework

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- 6.1. The 2004 *Planning & Compulsory Purchase Act* requires that determination of any planning application must be in accordance with the development plan unless material considerations indicate otherwise.
- 6.2. In this case the development plan comprises;
- *The London Plan (adopted 22 July 2011); and*
  - *The London Borough of Camden Core Strategy and Development Policies (both adopted November 2010).*
- 6.3. Other documents of relevance to the appeal are;
- *The National Planning Policy Framework, adopted March 2012; and*
  - *Various Camden Planning Guidance documents.*
- 6.4. The proposed development is in conformity with the NPPF's golden thread of a presumption in favour of sustainable development.

## 7. Planning Considerations

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7.1. The proposed redevelopment of the site is considered under the following headings:

**A) Land Use**

- i. Current Planning Uses*
- ii. Replacement of Sheltered Accommodation*
- iii. Replacement of Elderly Persons Day Centre*
- iv. Proposed Residential Use*
- v. Affordable Housing*

**B) Design Matters**

- i. Proposed Rear Extension*
- ii. Access and Lifetime Homes*
- iii. Basement and Lightwell Development*
- iv. Impact Upon Trees*

**C) Amenity**

- i. Residential Amenity*
- ii. Outdoor Amenity Space*
- iii. Daylight and Sunlight*
- iv. Privacy and Overlooking*

**D) Impact on Heritage Assets**

- i. Development Affecting Heritage Assets*
- ii. Assessment of Significance of Heritage Assets*
- iii. Assessment of Impact of Proposed Development*
- iv. Summary of Heritage Impacts of Proposals*

**E) Sustainability**

- i. BREEAM Assessment*
- ii. Emissions Improvements and Renewable Energy*

**F) Transport and Waste Management**

- i. Cycle Storage*
- ii. Refuse and Recycling*

## **A) Land Use**

### **i. Current Planning Uses**

- 7.2. As set out in Section 4, the current planning position for the site is based upon two planning permissions granted in 1986. Specifically, in March 1986 planning permission was granted for the following development:

*“Change of use of the first and second floors to provide eight sheltered bedsitting room units and of basement and ground floors to provide social and administrative functions of a day centre for the elderly including the erection of a single-storey rear extension and provision.”*

- 7.3. There are two key use elements within the premises:

- 1) “use of the first and second floors as eight sheltered bedsitting room units”
- 2) “use of basement and ground floors to provide social and administrative functions of a day centre for the elderly”

- 7.4. This 1986 description of development does not explicitly set out which use classes the Council considered the two uses to fall within.

- 7.5. Attached to this permission was a condition which controls use of the premises. This states:

*“The use of the first and second floors hereby permitted shall not be used otherwise than as sheltered housing flats for the elderly and shall be used for no other purpose”*

- 7.6. This March 1986 permission was amended by a permission granted in May 1986, to provide an enlarged rear lower ground conservatory.

- 7.7. The AJR operated the building in accordance with these planning permissions until these functions ceased upon the centre’s closure in early 2012.

- 7.8. It is therefore considered that these elements were the existing and current lawful use of the property.

#### *Elderly Persons Sheltered Accommodation*

- 7.9. No personal or nursing care was provided at the premises whatsoever. On this basis it is clear that the elderly person’s accommodation on the upper floors could not fall within Class C2.
- 7.10. Furthermore, the fact that the flats were entirely self contained (i.e. bathrooms, kitchens) leads us to consider that the flats are Class C3a dwelling units.

7.11. Officers agreed with this position in their formal pre-application response, stating that:

*‘...it is considered that the use falls within Class C3 and not C2 as there is no element of personal or nursing care provided as part of this use. Furthermore, the units are fully self-contained with their own bathroom and kitchen.’*

*Elderly Persons Day Centre*

7.12. The ground and lower ground floors of the building were previously used as an elderly persons day centre. This is considered to fall within Use Class D1.

7.13. In their pre-application response, officers set out that the proposal to remove the day centre should be assessed against the requirements of *Development Policy* DP15. This relates specifically to community and leisure uses.

7.14. On this basis, it is considered that the existing day centre falls within the remit of being a community facility. An assessment against Policy DP15 is provided at part iii) below.

**ii. Replacement of Sheltered Accommodation**

7.15. It is considered necessary to assess the replacement of the existing sheltered accommodation against the requirements of *Development Policy* DP7, which states as follows:

*‘The Council will support development of sheltered housing and care homes for older people provided that the development:*

- a) will be suitable for the intended occupiers in terms of the standard of facilities, the level of independence, and the provision of support and/or care;*
- b) will be accessible to public transport, shops, services, community facilities and social networks appropriate to the needs of the intended occupiers; and*
- c) contributes to creating a mixed and inclusive community.*

*In the case of the market-led development of self-contained sheltered housing in Use Class C3, the Council will expect the development to make a contribution to the supply of affordable housing in accordance with policy DP3. In the case of care homes, the Council will encourage a mix of tenures.*

*The Council will particularly support development of extra care homes and other homes for older people that combine independent living with the availability of support and nursing care. Where existing homes for older people no longer meet*



*contemporary standards, the Council will favourably consider conversion or redevelopment to provide extra-care homes.*

*The Council will resist development that involves the net loss of floorspace in sheltered housing and care homes for older people unless either:*

- d) adequate replacement accommodation will be provided that satisfies criteria a), b) and c) above; or*
- e) it can be demonstrated that there is a surplus of homes for older people in the area; or;*
- f) it can be demonstrated that the existing homes are incapable of meeting contemporary standards for homes for older people.*

*Where the Council is satisfied that a development involving the loss of sheltered housing, care homes or other homes for older people is justified, we will expect it to provide an equivalent amount of residential floorspace for vulnerable people, or of permanent housing in Use Class C3, including an appropriate amount of affordable housing, having regard to policy DP3.'*

- 7.16. Parts a), b) and c) of this policy are not applicable, in that this development does not propose new sheltered accommodation. This proposal is therefore considered in terms of meeting one of either criteria d), e) or f); it is not a requirement to meet all three of criteria d), e) and f) to support a change of use.
- 7.17. With regards to part d), there is no proposal to provide replacement accommodation. However, this is in part due to the changing circumstances of The AJR and the operations that it will continue to provide in order to support the changing needs of its members and the local Jewish community.
- 7.18. As set out in Section 3 there has been a sad inevitability that, with the passing of significant time since the Second World War, many of the persons for whom the charity was established have passed away. It became evident to The AJR in recent years that its members' needs were changing and more specialist housing was required than was able to be provided at Cleve Road.
- 7.19. As such, The AJR took a strategic decision to leave empty apartments when vacated by members. The quality of accommodation provided did not (and does not) meet modern standards required by aging members and the site could not provide the range of care and attention that this aging group increasingly required.

7.20. The final few residents were successfully and happily re-homed during December 2011. On this basis, it is considered that replacement accommodation of the type required under part d) of Policy DP7 is no longer required by the Jewish community.

7.21. On this basis, it is considered that part d) of the policy has been met. This was agreed in part by officers in their pre-application response, as follows:

*'The final remaining residents prior to the closure of the centre were re-housed in more appropriate accommodation prior to closure. As such, it is considered that there is no longer a demand for this facility within the local Jewish Community. This goes part way to meeting criteria (d) as it demonstrates that the change of use would not displace existing residents and it has been demonstrated that there is no longer a demand for this use within the local Jewish Community.'*

7.22. Considering the other relevant parts of Policy DP7, it has not been proposed to assess the proposal against criterion e). Therefore, consideration turns to criterion f) in terms of the quality of the existing accommodation.

7.23. The existing accommodation has remained essential unchanged since it was provided in the late 1980s. As such, it falls well below modern standards and requirements for sheltered housing.

7.24. For example, though there is a lift to all floors this would not be large enough to accommodate a wheelchair user. It would not be possible to provide a suitable lift without considerable intervention into the existing fabric of the building, resulting in a reduction in the size of the flat units.

7.25. Units are already relatively small and generally fall below the Council's expected size standards. They also fail to comply with Lifetime Homes Standards and Wheelchair Accessible Homes Standards.

7.26. Overall, it would take considerable development and expense to bring these units up to modern standards, notwithstanding the fact that the sector of the community that this accommodation previously served no longer has a requirement for such housing. As stated, all remaining residents were re-homed to modern accommodation that better served their requirements.

7.27. On the basis therefore that the existing accommodation is incapable of meeting contemporary standards for sheltered housing for elderly persons, the loss of this floorspace has been justified under the terms of part f) of *Development Policy DP7*.

7.28. This position is supported by the formal pre-application response from officers, where it was stated that:

*‘...it has been demonstrated that the existing homes are incapable of meeting contemporary standards for homes for older people in compliance with criteria (f) of DP7.’*

- 7.29. The proposed replacement use of permanent housing within Use Class C3 is discussed further under part iv) below.

### **iii. Replacement of Elderly Persons Day Centre**

- 7.30. Specific guidance on the provision or replacement of community or leisure facilities is set out under *Development Policy DP15*, as follows:

*‘To help to meet increased demand for facilities, the Council will expect:*

- a) developments that result in any additional need for community or leisure facilities to contribute towards supporting existing facilities or providing for new facilities; and*
- b) suitable developments to make rooms available for local community groups to use or hire at a discounted rate, particularly where a development displaces or replaces a community facility.*

*The Council will protect existing community facilities by resisting their loss unless:*

- c) a replacement facility that meets the needs of the local population is provided; or,*
- d) the specific community facility is no longer required in its current use. Where this is the case, evidence will be required to show that the loss would not create, or add to, a shortfall in provision for the specific community use and demonstrate that there is no demand for any other suitable community use on the site. Where this is successfully demonstrated, the Council’s preferred new use will be affordable housing.*

*The Council will protect existing leisure facilities by resisting their loss unless:*

- e) adequate alternative facilities are already available in the area, and therefore no shortfall in provision will be created by the loss; or*
- f) the leisure facility is no longer required and it can be demonstrated that there is no demand for an alternative leisure use of the site that would be suitable;*

*The Council will resist the loss of premises that are suitable for continued theatre use.*

*New community and leisure uses must be:*

- g) close or accessible to the community they serve;*
- h) accessible by a range of transport modes, in particular walking, cycling and public transport;*
- i) located in the Central London Area or in the Town Centres of Camden Town, Swiss Cottage/Finchley Road, Kilburn, West Hampstead or Kentish Town if they are expected to attract larger numbers of visitors.*

*New community facilities must be provided in buildings which are flexible and sited to maximise the shared use of premises.'*

- 7.31. Parts a) and b) of this policy are not applicable since new development that would create an additional need for community facilities is not being proposed. Parts e) and f) are also not relevant since they apply to leisure facilities. Parts g), h) and i) are also not relevant because it is not proposed to provide a new community facility.
- 7.32. This leaves parts c) and d) as substantive parts of Policy DP15 that must be considered as material considerations for the proposed development.
- 7.33. With regard to part c), as has already been noted the changing circumstances of the community that The AJR serve means that the demand for the specific day centre facility previously offered at 15 Cleve Road has reduced considerably in the recent past.
- 7.34. Notwithstanding this, since the closure of the site many of the services previously offered at the Cleve Road centre have been transferred to the Belsize Square Synagogue.
- 7.35. These services will continue to be operated under the auspices of The AJR in the same way that the facilities at Cleve Road were.
- 7.36. The Synagogue is within 2km distance of the existing Centre, approximately seven minutes drive or twenty minutes walk away. It is a long established and accessible facility within the local community that already acts as a hub for similar services.
- 7.37. The AJR had also been based at this centre previously, prior to the opening of Cleve Road.
- 7.38. Overall, there has been no reduction in the level of services offered to the community relative to those previously provided within the Cleve Road day centre, indeed we are advised by The AJR that the quality and range of serviced has actually been enhanced since the transfer to the Synagogue site.
- 7.39. This site and location meets the needs of the local population, specifically it meets the needs of those members of the Jewish Community who were previously served at Cleve Road.

- 7.40. The AJR has therefore provided replacement services within an existing building within the locality of Cleve Road.
- 7.41. We consider this to be a highly material consideration. Whilst new bricks and mortar have not been provided, The AJR now offers a full range of services albeit at an alternative location within a facility with wider purposes than just being a replacement community facility.
- 7.42. In their formal pre-application response, officers considered that this transfer of services met the requirements of part c) in part, for the following reasons:

*‘Criteria (c) of Policy DP15 is partially met as the remaining services have relocated to Belsize Square Synagogue, this includes the meals on wheels function, support and pastoral care. This is considered to meet the needs of the local Jewish Community. It is considered that this does not fully justify the proposal in relation to criteria (c) as these facilities would only be available to the Jewish community and not the local community as a whole.’*

- 7.43. In response, it is a matter of fact that the Jewish community forms a significant part of the local population. As such, the continued provision of The AJR’s services within the Belsize Square Synagogue is considered to be a significant contributor to meeting the community needs of the local population. Considerable weight should be attributed to this ongoing local provision.
- 7.44. Notwithstanding this, under the requirements of part d) of Policy DP15 it is required to show that there is no demand for an alternative community use within the existing building at 15 Cleve Road. As such, on the advice of officers the applicant approached the Council’s Communities and Third Sector Team in order to discuss their potential requirements for alternative community uses.
- 7.45. In a meeting held in February 2013, a member of the Council’s Communities and Third Sector Team was appraised of the existing state of the building, the nature of The AJR and its changing circumstances and also the objectives of the currently proposed scheme. This included the benefits to the community members that The AJR will continue to serve.
- 7.46. Following this meeting, no objections were raised to The AJR’s proposals and there was a general support for the intended redevelopment of the site. The Team also recognised the ongoing benefits to achieving charitable objectives that would be accrued as a result of this development.
- 7.47. In short, this support from the Communities and Third Sector Team is considered to meet the expectations of part d) of *Development Policy* DP15. The retention of the AJR’s facilities and services, albeit at an alternative location, means that there is no shortfall in provision of this specific community use.



- 7.48. It is therefore considered that it has been demonstrated that the replacement of the existing day centre at the application site will not result in a shortfall of community facilities. The existing offering of the AJR is still available at an alternative site, while the Communities and Third Sector Team are also supportive of the replacement of the facility in order to support the AJR's continuing provision to the local community.

#### **iv. Proposed Residential Use**

- 7.49. It is proposed to convert the building in its entirety to provide 9 Class C3 self-contained residential flats. The following mix of units is proposed:

- 2 x 1-bed (22%)
- 5 x 2-bed (56%)
- 2 x 3-bed (22%)

- 7.50. Under the auspices of *Core Strategy Policy CS6* and *Development Policy DP2*, housing is promoted as a priority land use within the Borough. The proposed development will make a contribution to meeting this priority.

- 7.51. In terms of the mix of residential accommodation provided, *Development Policy DP5* sets out the Council's intention to secure a mix of different sized properties. Specifically, the published Dwelling Size Priorities Table sets out the following mix of dwellings that the Council looks to secure:

Dwelling Size Priorities Table					
	1-bedroom (or studio)	2-bedrooms	3-bedrooms	4-bedrooms or more	Aim
Social rented	lower	medium	high	very high	50% large
Intermediate affordable	medium	high	high	high	10% large
Market	lower	very high	medium	medium	40% 2-bed

**Figure 5: The Council's Dwelling Size Priorities Table**

- 7.52. It is also noted that in terms of market housing, the Council will aim for at least 40% of new accommodation to be secured as 2-bedroom units. This development therefore meets the priority of units sizes set out under Policy DP5.
- 7.53. Permanent residential use is also the Council's preference when existing sheltered accommodation is replaced, as set under *Development Policy DP7*.

- 7.54. For all of these reasons, the proposed change of use of the building in its entirety to Class C3 permanent residential accommodation is considered to be appropriate and meets the requirements of all relevant policies.

**v. Affordable Housing**

- 7.55. *Development Policy* DP3 states that all residential developments with a capacity for 10 or more dwellings will be expected to make a contribution to the supply of affordable housing.
- 7.56. This application proposes 9 residential units, with a gross residential floorspace of 998 sq m, and therefore falls below the threshold for affordable housing.
- 7.57. Further to this, it was confirmed as part of the pre-application discussions that officers agree that the existing accommodation on-site falls into Class C3. As such, the existing residential floorspace can be discounted from the proposed, which further reduces the net additional residential accommodation on site.
- 7.58. The gross existing Class C3 sheltered accommodation totals 491 sq m. As such, once this floorspace has been discounted there is a net increase in Class C3 floorspace of only 507 sq m on this site. This is considerably below the 1000 sq m threshold.
- 7.59. Given this, in line with *Development Policy* DP3 the proposed development is not required to make any contribution to the supply of affordable housing within the Borough. This was confirmed by officers in their pre-application response.

**B) Design Matters**

**i. Proposed Rear Extension**

- 7.60. It is proposed to remove the existing, non-original conservatory from the lower ground floor level and set within its footprint a new rear extension to lower ground, ground and first floor levels. The roof of this extension will provide a terrace to one of the flats at second floor level. This element will also be considerably narrower than the existing conservatory and is therefore set further in from the boundaries to each of the neighbouring properties at 13 and 17 Cleve Road.
- 7.61. As set out under *Development Policy* DP25, the Council expects all developments to display the highest possible standards of design. Specific design guidance regarding rear extensions is provided within *CPG1: Design*, which sets out that such developments should:
- *be secondary to the building being extended, in terms of location, form, scale, proportions, dimensions and detailing;*

- *respect and preserve the original design and proportions of the building, including its architectural period and style;*
- *respect and preserve existing architectural features, such as projecting bays, decorative balconies or chimney stacks;*
- *respect and preserve the historic pattern and established townscape of the surrounding area, including the ratio of built to unbuilt space;*
- *not cause a loss of amenity to adjacent properties with regard to sunlight, daylight, outlook, overshadowing, light pollution/spillage, privacy/overlooking, and sense of enclosure;*
- *allow for the retention of a reasonable sized garden; and*
- *retain the open character of existing natural landscaping and garden amenity, including that of neighbouring properties, proportionate to that of the surrounding area.*

- 7.62. The proposed extension is both set well below the eaves level of the existing building and also set well in from the side elevations of the building. It is also modest in terms of the depth to which it will project from the rear of the main building. Indeed, the depth of projection of the rear extension from the principal rear building line is actually reduced from that of the existing conservatory.
- 7.63. The extension is entirely confined to the rear of the building.
- 7.64. Views from public areas are extremely limited and the overall appearance of the building will not be altered as a result of this addition.
- 7.65. The overall appearance is of a modest design subordinate to, but also in keeping with, the design of the existing building. The extension will be constructed in red brick to match the existing building.
- 7.66. Given that the extension is set within the footprint of the existing conservatory, there is no material impact in terms of the ratio of built to unbuilt space or the pattern in the existing townscape. Existing extensions to neighbouring buildings are much greater than is proposed here, in terms of their depth and extent of projection into garden areas.
- 7.67. A communal garden of 285 sq m will be retained, following development of the extension and the private garden areas. With the extension set within the footprint of the existing conservatory there is no reduction in overall outdoor amenity space and garden.

- 7.68. In terms of architectural features, no details are affected as a result of the extension. The removal of the existing conservatory is considered to be a positive design change for the property.
- 7.69. This extension is clearly subservient to the host building. Every effort has been made to ensure a design that is subordinate and in-keeping the appearance of the existing property.
- 7.70. Additionally, in their formal pre-application response officers made the following comments with regard to the proposed rear extension:

*'The extension would be set down from the eaves of the existing building and it is considered to be modest given the scale of the existing building. The proposed extension is considered to appear subordinate to the host building. It should be finished in materials which respect the original building and the proposed windows should be timber framed.'*

- 7.71. On this basis, officers have been supportive of the general principle of the proposed extension. Although the depth of the extension has been amended slightly since the pre-application discussion, the height, scale, appearance and materials have not changed. Therefore, the weight of officers' comments in support of the proposal remains considerable.
- 7.72. The proposed rear extension is considered to be an appropriate design and addition to the existing building. It accords with the requirement to achieve high quality design that is set out under *Development Policy* DP25 and as assessed against the detailed guidance set out within *CPG1*.
- 7.73. The impacts of the rear extension in terms of daylight and sunlight effects are set out further at part C) below. A fuller assessment of the design of this extension is set out within the Design and Access Statement that forms part of this application.

## **ii. Access and Lifetime Homes**

- 7.74. A communal access to all flats will be provided using the existing main front entrance to the building. A secondary entrance will be provided to the side of the property, accessed via an alley set beyond a secure gate.
- 7.75. Internally, communal stairs and a lift will serve all flats. Communal hallways and landings will be provided with private entrance set off from these areas.
- 7.76. During the life of the pre-application discussions, it was proposed to re-provision a ramped access to the main communal access to the front of the building. However, in the formal pre-application response issued by officers, the following comments were made with regard to this proposal:

*'The proposed ramp is welcomed in the sense it would provide wheelchair access to the properties. However, the character and appearance of the area must also be considered and the Conservation Officer has advised that the refurbishment works to the building result in a good opportunity to reinstate the original steps [which] would enhance the appearance of the building and the character and appearance of the conservation area.'*

- 7.77. On the basis of these comments, the application as now submitted has been revised to provide stepped access to the main communal entrance. This is in line with the Conservation Officer's comments and is considered to enhance the appearance of the building within the South Hampstead Conservation Area.
- 7.78. The layout of the front forecourt area is such that a ramped access could be provided in the future if so required. Therefore, enhancing the appearance of the building as part of this application and in direct response to comments from the Conservation Officer will not prevent future alterations if required at a later date.
- 7.79. Considering the requirements of the Lifetime Homes Standard more specifically, every effort has been made to achieve Lifetime Homes Standards as required under Development Policy DP6. However, it has not proved possible to achieve all Standards in all units and communal areas.
- 7.80. It should be noted that the proposed development is taking place within what is a restricted and existing building. This is in addition to the building's status as a positive element of the South Hampstead Conservation Area (as discussed above) and officers' stated desire that this contribution to local character and appearance is continued (this matter is discussed further in Part D) below.
- 7.81. This development offers a good opportunity to make a contribution to the local stock of residential units. It is also proposed that the renovated building will meet very high standards in terms of sustainability.
- 7.82. A more extensive assessment of the Lifetime Homes Standards is set out within the Design and Access Statement that forms part of this application.

### **iii. Basement and Lightwell Development**

- 7.83. *Development Policy* DP27 focuses on basements. In determining proposals for basements the Council will require an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability, where appropriate.



- 7.84. The Council will only permit basement and other underground development that does not cause harm to the built and natural environment and local amenity, and does not result in flooding or ground instability.
- 7.85. More detailed guidance is set out within *CPG4: Basements and Lightwells*. In particular, the guidance states that the Council will only permit basement and underground development that does not:
- cause harm to the built and natural environment and local amenity;
  - result in flooding; or
  - lead to ground instability.
- 7.86. It should be reiterated that the amount of excavation proposed is relatively small and it is not proposed to provide additional floor levels below the existing lower ground floor level. Instead, excavation is limited to the provision of small and modest lightwells to the front elevation and the creation of sunken courtyard/private garden areas immediately to the rear and sides of the proposed rear extension.
- 7.87. To the rear, the majority of the excavated area is within the footprint of the existing conservatory which will be removed. The result is a small area lower being lowered from the existing garden level to that of the lower ground floor. This level is approximately 1.2 metres below the main garden level.
- 7.88. CPG4 sets out that a Basement Impact Assessment (BIA) should be submitted which is site specific and particular to the proposed development. Specifically, as stated at paragraph 2.6:
- 'The level of information required is defined by DP27 and will be commensurate with the scale, location and complexity of the scheme.'*
- 7.89. As set out, the scale of development proposed is relatively small and does not require excavation under the existing building in any form. Given this, the applicant was advised by officers in their formal pre-application response that with regard to the BIA, '...as a minimum you must undertake the screening exercise'.
- 7.90. Notwithstanding the very minimal area of earth to be removed, please find enclosed a Basement Impact Assessment Stage 1 Screening Report produced by Soiltechnics and a Structural Stability Report produced by Jampel Davison & Bell.
- 7.91. *CPG4* provides three flow charts of matters to be assessed in a BIA Stage 1 screening exercise. These relate to subterranean (ground water) flows, slope stability and surface flow and flooding. In short, if it can be shown at the screening stage that the proposed basement development will have no negative impact upon any part of these three categories for

assessment then there is no requirement to complete a more detailed assessment of the proposal.

- 7.92. As set out within the Basement Impact Assessment Stage 1 Screening Report, there is no impact upon any of these matters as a result of the proposed development. As a result, Soiltechnics conclude that there is no requirement to assess this development any further beyond the initial screening stage that has been completed.
- 7.93. Amenity matters with regard to levels of internal daylighting within rooms served by the lightwells and courtyards are discussed further under part C) below.

#### **iv. Impact Upon Trees**

- 7.94. *Development Policy* DP25 states the need to preserve trees and garden spaces which contribute to the character of a conservation area and which provide a setting for Camden's architectural heritage.
- 7.95. Trees on site are limited to the property's boundaries the lower end of the rear garden, a considerable distance from the building itself. There are no trees in the immediate vicinity of the property and no requirement to reduce or remove any tree in order to allow the proposed development.
- 7.96. As already discussed at various points in this statement, the proposed rear extension will be set within the footprint of the existing rear conservatory. As such, there is no material change in the intervention of the building into any tree rooting zone as a result of the proposed development compared to the existing situation.
- 7.97. Therefore, it is considered that there will be no impact upon trees as a result of the proposed development.

### **C) Amenity**

#### **i. Residential Amenity**

- 7.98. Standards for all matters relating to residential amenity are protected by the requirements of *Development Policy* DP26 to only grant permissions for developments that do not cause harm to amenity. This is applicable to both the occupiers of the development and residents of neighbouring properties.
- 7.99. The LPA sets out a series of standards for residential development in terms of sizes for individual rooms and dwellings as a whole. These are summarised within *CPG2: Housing*.

- 7.100. All individual rooms and the property as a whole clearly exceed the minimum standards expected by the Council. On this basis, the application accords with Policy DP26 with reference to accommodation size.
- 7.101. In terms of the overall area of each residential unit, minimum standards are set out within Table 3.3 of the London Plan. All units proposed exceed the minimum standards required.

**ii. Outdoor Amenity Space**

- 7.102. In addition to the requirements under Policy DP26, *Development Policy* DP24 on 'Securing high quality design' states that in all developments, including alterations and extensions to existing buildings, there should be a provision of appropriate amenity space.
- 7.103. Furthermore, *CPG2: Housing* states that all new dwellings should provide access to some form of private outdoor amenity space, such as balconies, roof terraces and private or communal gardens.
- 7.104. This development proposes three separate elements of outdoor amenity spaces. At second floor level, Flat 8 has access to a private terrace space. At the lower ground floor level, Flats 3 and 4 each have access to a private courtyard and garden. All other flats retain communal access to the 285 sq m rear garden.



**Figure 6: The large rear garden which will be retained as part of the development**

7.105. As such, all flats have access to an area of outdoor amenity space, in accordance with the requirements of *Development Policies* DP24 and DP26.

### ***iii. Daylight and Sunlight***

7.106. As part of the LPA's formal pre-application response, officers confirmed that they did not consider that the proposed rear extension would cause any material or demonstrable to existing neighbouring properties in terms of daylight and sunlight.

7.107. Since the pre-application discussions, the depth of the proposed extension has been slightly increased, now reaching to a point 4.7 metres beyond the main rear elevation. However, this is not considered to be a material change compared to the proposal reviewed by officers previously.

7.108. The proposed extension remains well set in from the boundaries and side elevations to both of the neighbouring properties. It also remains behind the line of the existing rear extensions to both Nos. 13 and 17 Cleve Road.

7.109. Furthermore, there are no windows to habitable rooms at No. 13 on the side elevation immediately adjacent to the proposed extension and only a small number in the existing extension at No. 17, as shown on the images below. Given the limited projection and narrow form of the proposed extension, this is not perceived to cause any material harm in terms of overshadowing or loss of sunlight or daylight.



**Figure 7: The rear elevation of No. 13 Cleve Road**





**Figure 8: The rear elevation of No. 17 Cleve Road**

- 7.110. Furthermore, the rear elevations of these properties are south facing. As such, the movement of the sun is such that it predominantly in the sky behind the properties, rather than coming towards the front elevation of the properties on Cleve Road itself. This means that a modest extension to the rear of No. 15 will have only a negligible impact.
- 7.111. On this basis, the officer's comments on this matter remain applicable in principle. This proposal will not cause any material harm to neighbouring properties in terms of sunlight and daylight.
- 7.112. With regard to internal lighting to the flats with access to the front lightwell and rear courtyard areas, an assessment of this has been undertaken by Savills and is included as a part of this application.
- 7.113. This assessment concludes that all rooms within these areas will receive adequate levels of light, as measured against the BRE guidelines on Average Daylight Factors. These flats, at lower ground floor level, are considered to be the worst case scenarios within the development, therefore by definition all other units will also receive levels of lighting that are in excess of the required minimums.

#### ***iv. Privacy and Overlooking***

- 7.114. In terms of privacy to each of the new units proposed, there is no concern in terms of overlooking from either within the new development or into it from neighbouring properties.

There are no directly facing windows between the application site and the existing properties at either No.13 or No. 17 Cleve Road.

- 7.115. To the front, distances to and from the windows from both the public highway and the residential properties immediately opposite is unchanged from the existing situation for the sheltered accommodation on the upper floor levels. As a result, there is no material change from the current situation as a result of this development.
- 7.116. A concern was raised at pre-application stage regarding overlooking from windows in the side elevation of the proposed rear extension to the rear elevation of the neighbouring property at 17 Cleve Road. However, the proposed windows are set at a 90 degree angle from the neighbouring rear elevation. As such, any views of this elevation from these windows would be at a very acute angle.
- 7.117. In addition, these windows have been set at a higher level within the extension. Whilst still offering light to the rooms internally (in conjunction with the windows in the rear elevation), this will further reduce any possibility of overlooking into neighbouring windows.

#### **D) Impact on Heritage Assets**

##### **i. Development Affecting Heritage Assets**

- 7.118. The Borough's approach to protecting and enhancing its heritage assets is set out under Core Strategy Policy CS14 and Development Policy DP25.
- 7.119. With regard to this specific application, parts a) and b) of Core Strategy Policy CS14 of considered to be of most relevance as follows:

*The Council will ensure that Camden's places and buildings are attractive, safe and easy to use by:*

- a. requiring development of the highest standard of design that respects local context and character;*
- b. preserving and enhancing Camden's rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens;*

- 7.120. Similarly, parts a) and b) of Development Policy DP25 are also relevant as follows:

*In order to maintain the character of Camden's conservation areas, the Council will:*

- a. *take account of conservation area statements, appraisals and management plans when assessing applications within conservation areas;*
- b. *only permit development within conservation areas that preserves and enhances the character and appearance of the area;*

7.121. With regard to national guidance, the following definition of a heritage asset is provided within the glossary to the *National Planning Policy Framework (NPPF)*:

*'A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).'*

7.122. Specific guidance relating to the consideration of development that has the potential to affect heritage assets is set out within Part 12 of the *NPPF*.

7.123. Of most relevance, paragraph 128 of the *NPPF* states:

*'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.'*

7.124. In this context, the relevant historic is the *South Hampstead Conservation Area Character Appraisal and Management Strategy* (adopted February 2011. From an analysis of this record to establish the significance of both the Conservation Area and the individual building, it is possible to assess the impact of the development upon these heritage assets as discussed below.

## **ii. Assessment of Significance of Heritage Assets**

7.125. The following overall description of the South Hampstead Conservation Area is set out at paragraphs 3.1-3.3 of the Character Appraisal document:

*'South Hampstead is a well preserved example of a leafy Victorian suburb, almost exclusively residential in nature, and largely homogenous in scale and character. The area is characterised by large, semi-detached and terraced late-Victorian properties, in red or gault (white / cream) brick, with a particularly distinctive and attractive roofscape including turrets, gables, and tall chimneys. Houses are made special by a variety of decorative treatments including terracotta panels and brickwork*



*ornamentation, tiled and patterned footpaths, delicate ironwork, and elaborate timber doors and windows, including some original stained and leaded glass.*

*One of the most prominent features of the area is vegetation – both to the front and rear of properties. Green front gardens demarcated by low or ornate garden walls topped with hedges contribute strongly to the area's character. Building lines of the residential streets are generally set-back from the pavement which, with the boundary landscape treatment and many mature specimen trees, are essential in giving the streetscape its attractive and serene quality.*

*The open green spaces of the private rear gardens and the communal gardens between terraces of houses remain undeveloped and are a very important amenity for local residents – both for those who look onto the spaces and those who have access to them. In some cases they are managed as natural wildlife spaces, in others as more formal parkland. These copses and gardens are a haven for wildlife with areas set aside as natural habitats, as well as picturesque herbaceous borders, flowering shrubs, fruit trees, communal vegetable plots and a number of mature trees. These private spaces, along with the green front gardens, are vital in providing wildlife corridors, enhancing biodiversity and reducing flood risk as well as in preserving the attractive, tranquil character of the conservation area.'*

- 7.126. More specific description of the spatial character of the Conservation Area is set out at paragraph 5.1 of the Character Appraisal document, as follows:

*'The spatial character of South Hampstead is derived from the interplay of wide streets lined with mature trees and large and rhythmically spaced brick buildings. These substantial residential properties could easily dominate views to either side, however their bulk is moderated both by their placement within the plot - set back from the street in verdant front gardens - and because their elevations are carefully modelled, using recession and projection and decorative details to great effect. The whole ensemble is further enlivened by variety at roofscape level – again carefully designed to balance the height and mass of the properties and yet retain an attractive, homely character.'*

- 7.127. Considering Cleve Road, the street is described as having '...a great variety of form and much red brick'. It also falls within the 'Colonel Cotton' character area within the Conservation Area.

- 7.128. As already set out, the individual property is considered to make a positive contribution to the Conservation Area. Such properties are described at paragraph 6.4 of the Character Appraisal Document as being:

*'...individual buildings and groups of buildings that contribute to the character of their immediate surroundings and the Conservation Area as a whole...Whilst some of these buildings may have experienced minor alterations over the years, they contribute as part of a group.'*

- 7.129. In terms of overall significance, the heritage value of the Conservation Area is drawn from its overall preservation as a leafy Victorian suburb. Many of the original houses remain and the interplay between these properties and the spaces between them typify the area. There is also shared detailed to individual properties and in other elements such as boundary treatments and garden areas.
- 7.130. The individual building at 15 Cleve Road is seen as a generally good example of the type of building typical of the Conservation Area.
- 7.131. However, it should also be noted that the building's contribution (despite its designation as a positive building) is limited by some loss or lack of detailing in both the property itself and the front boundary treatment.

### **iii. Assessment of Impact of Proposed Development**

- 7.132. Paragraph 134 of the *NPPF* states that:

*'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 securing its optimum viable use.'*

- 7.133. Therefore having assessed the significance of the relevant heritage assets as required by the *NPPF*, the impact of the proposed development upon these assets can also be assessed.
- 7.134. It should also be noted that a number of development pressures upon the Conservation Area have been identified within the *Character Appraisal and Management Strategy* Document, as follows:

- *excavation of basement areas for additional accommodation*
- *rear extensions and loss of rear gardens to hard landscaping*
- *roof extensions and changes to roof profiles and detail*
- *increased on street parking and pressure for forecourt parking*
- *loss of verdant front gardens for parking / hard landscaping*
- *loss of front boundary walls; inappropriate replacement walls / railings*
- *pressure to fell and lop trees*
- *provision of refuse facilities within front gardens*
- *elevation alterations and loss of detail*

- 7.135. Some of these pressures are applicable to the application site in its existing form. However the proposed development will overcome these existing pressures, as discussed in more detail below.
- 7.136. Given the outdated nature of the existing facilities and the general decline in demand for them as part of The AJR's charitable offer, it is felt that securing the building's future through the introduction of a residential use is an appropriate route to securing an optimum viable use. The building will contribute to the Borough's housing stock in a highly sustainable way (as discussed further in Part E) below) and provides a mix of dwellings that meets the Council's priority for 2-bedroom dwellings.
- 7.137. The proposed rear extension and other external alterations form parts of securing the building's use going forward. It is considered that these alterations are entirely in keeping with both the existing building and the South Hampstead Conservation Area more widely.
- 7.138. As was discussed at Part B) above, the rear extension reflects the appearance of the existing building in terms of form, massing and materials. The extension is subservient to the main building and responds to the existing design.
- 7.139. Furthermore, most changes are confined to the rear elevation. As such, their impact upon the appearance of the Conservation Area is limited – only small parts of the external alterations will be visible from the public realm.
- 7.140. Those elements that are visible are all considered to improve the appearance of the building and, by extension, the appearance of the conservation area. The removal of the 'institutional' porch, the extensive ramped access and the informal parking area are all considered to be positive achievements.
- 7.141. These are further enhanced by the proposal to offer a replica of the original steps and a boundary treatment more in-keeping with the appearance of this part of the conservation area. Indeed, the re-introduction of a front boundary treatment and landscaped areas responds directly to the Council's concerns at the loss of these elements that resulted in the introduction of an Article 4 (1) Direction to remove Permitted Development Rights for householder alterations.
- 7.142. Furthermore, alterations such as the provision of a low boundary wall with hedge planting above, the introduction of planting to the front forecourt area and the improvements to the detailed design elements on the property together form a direct response to some of the identified pressures upon development within the Conservation Area.
- 7.143. Other positive responses to these identified pressures include the removal of the existing forecourt parking area (as discussed further at Part F) below, given the high public transport accessibility to the site, this development will be legally secured as 'car-free'), the provision of refuse storage away from the front garden area and the introduction of new detailing to the front elevation.

- 7.144. Of equal importance is where this development will not result in additional pressures as identified by the Character Appraisal and Management Strategy Document. For example, it has been shown that the development will have no impact upon neighbouring trees, will not result in the loss of garden space (front or rear), or lead to changes to the building's roof profile. The excavation as part of the development is also extremely limited and will not lead to a basement area under the existing building.
- 7.145. As such, the development will not add to any of the identified existing negative pressures upon the Conservation Area. Furthermore, the development will positively overcome a number of those identified pressures. As a direct result of the proposed development, there will be notable improvements to the status of the Conservation Area.
- 7.146. Therefore, the impacts of the proposed development upon both the host building and the wider Conservation Area are only positive. The overall public appearance of the building is significantly enhanced by the proposed alterations to the front elevation. This in turns enhances the contribution of the property to the Conservation Area.

#### **iv. Summary of Heritage Impacts of Proposals**

- 7.147. Overall, this development will result in an enhancement to a building that has been identified as a positive contributor to the South Hampstead Conservation Area. By extension, there will therefore also be enhancement to the appearance of the Conservation Area more widely.
- 7.148. The majority of external alterations are confined to the rear elevation of the building. As such, views of these changes from public areas within the Conservation Area will be extremely limited.
- 7.149. Furthermore, the changes to the rear are entirely complementary and in-keeping with the appearance of the existing building.
- 7.150. The more limited, but more visible, changes to the front of the building significantly enhance its appearance relative to the current front elevation. The removal of the 'institutional' porch area, the extensive ramp and the informal parking area immediately enhances the building.
- 7.151. The subsequent alterations, specifically the introduction of small lightwell areas, the reprovision of steps that are of similar appearance to the original access and the introduction of a formal boundary treatment, will enhance the appearance of the building and thus also the Conservation Area.
- 7.152. The proposed alterations are considered to reflect existing elements of the Conservation Area, as discussed at part ii) above. Furthermore, this changes make a positive contribution towards overcoming a number of the identified negative issues within the Conservation Area, as discussed in part iii) above.
- 7.153. This development therefore meets the requirements to respect, protect and enhance the character, context and appearance of both the individual building and the South Hampstead

Conservation Area, as set out under Core Strategy Policy CS14 and Development Policy DP25.

## **E) Sustainability**

### **i. BREEAM Assessment**

- 7.154. *Development Policy* DP22 requires all new development to incorporate sustainable construction and design methods. To assess such matters, a full Energy Strategy Report has been completed by Syntegra Consulting and is submitted as part of this application.
- 7.155. For the refurbishment and alteration of an existing building to provide new residential accommodation, under *Development Policy* DP22 the current expectation is that a rating of 'excellent' under the BREEAM Domestic Refurbishment Pre-Assessment will be encouraged.
- 7.156. Such a Pre-Assessment has been undertaken by Syntegra Consulting and is submitted with this application as part of their Energy Strategy Report. This confirms that the proposed development can achieve the required 'excellent' rating and therefore meets the expectations of Policy DP22.

### **ii. Emissions Improvements and Renewable Energy**

- 7.157. Further specific guidance relating to sustainability matters is set out within *CPG3*. Of most relevance to this development is the expectation to achieve 60% of the un-weighted credits for energy available within the BREEAM Assessment (set out at part 4 of *CPG3*) and to also target achieving a 20% reduction in carbon dioxide emissions from on-site renewable energy technologies (set out at Part 6 of *CPG3*).
- 7.158. As set out above, a BREEAM Domestic Refurbishment Pre-Assessment of the proposed development has been undertaken by Syntegra Consulting. In terms of the energy credits specifically, this confirms that 66% of these credits can be achieved. This is therefore in accordance with the expectation set out in *CPG3*.
- 7.159. With regard to renewable energy sources, it is proposed to utilise photovoltaic cells (PVs) mounted on the south facing roof to the rear elevation of the main building. A total of 9 high efficiency PV panels will be installed on this area of roof. This is the maximum number of PVs that can be installed on this part of the roof which measures 24 sq m.
- 7.160. It has been estimated that the use of these PVs will result in a reduction in carbon dioxide emissions of around 10% from current levels. It is recognised that this falls short of the 20% target set out within *CPG3*.
- 7.161. As set out within the Energy Strategy Report, a number of other options for renewable energy provision were considered as part of the development. This included wind turbines, biomass

boilers, a ground source heat pump and a combined heat and power. However, each of these was rejected on the grounds of both high costs for the potential returns and also the general practicalities in installing and operating them.

- 7.162. This development is not a new build proposal. Significant emphasis that has been placed by officers upon ensuring that the appearance of the building contributes to the overall character and appearance of the Conservation Area.
- 7.163. In this context, the provision of on-site renewable energy sources has been maximised within these limitations. Furthermore, despite the reduced contribution of on-site renewable energy sources relative to that set out in CPG3 the development still achieves an 'excellent' rating within the BREEAM Domestic Refurbishment Pre-Assessment as required under Policy DP22. This includes the requirement to achieve at least 60% of un-weighted credits for energy categories.
- 7.164. Overall, the sustainability rating achieved by this development is extremely good and makes a significant contribution to reducing the amount of energy required overall. This is in line with the energy hierarchy set out within the *London Plan* of 'Be Lean, Be Clean, Be Green'. Greatest emphasis is placed upon reducing overall energy consumption, an aim that this proposed development meets extremely well.

## ***F) Transport and Waste Management***

### ***i. Cycle Parking***

- 7.165. Secure cycle parking is provided in the side passage area adjacent to the property. This is directly accessible from the secondary communal access point. This will be enclosed from the public highway by a locked gate.
- 7.166. There is more than adequate area in this location to provide the required number of cycle storage spaces in accordance with the requirements set out under Policy 6.9 of the *London Plan*. Full details of this provision can be provided through an appropriately worded condition.

### ***ii. Refuse and Recycling***

- 7.167. Space has been set aside within the side passage area for the storage of communal bins for recycling and waste. There will also be dedicated storage space set aside within each unit for individual waste and recycling containers. It is suggested that full details of this provision can be met through an appropriate worded condition.
- 7.168. Full details of this provision can be provided through an appropriately worded condition.

## 8. Conclusions

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- 8.1. This application proposes the replacement of existing Class C3 elderly persons sheltered residential accommodation and a Class D1 elderly persons day centre with a total of 9 Class C3 residential units. A limited number of external alterations will also be undertaken as part of the conversion of the property to its new use, namely a new rear extension in place of the existing conservatory, provision of modest lightwells to the front elevation and alterations to the front facade and forecourt area including the reprovisioning of a boundary treatment.
- 8.2. The building is no longer required in its current use by the applicant, The AJR Charitable Trust (The AJR). Indeed, the building has not been in use since early 2012.
- 8.3. The proposed development will bring considerable benefits to The AJR and allow it to continuing serving its members who form a considerable group within the local community. In this context, the Council's Community and Third Sector Team have raised no objection in principle to the proposed development.
- 8.4. This proposal will introduce 9 additional residential units to the stock of housing within the borough, including a contribution in terms of 2-bed units that are considered to be of the highest requirement. It has also been demonstrated that all of the proposed units will meet the normal standards in terms of accommodation size, layout and amenity. All properties will also have access to external amenity spaces.
- 8.5. The alterations to the rear elevation are considered to be relatively modest and in-keeping with the general design and appearance of the existing building. Given that the extension sits within the footprint of the existing rear conservatory which will be removed, there will be no loss of garden space and no impact upon trees as a result of this development.
- 8.6. The roofline and form of the property will be unaffected by these proposals. Detail changes to the facade are considered to improve the general appearance of the building.
- 8.7. Although the building is considered to be a positive contributor to the South Hampstead Conservation Area, the current frontage of the building has a number of negative features including the 'institutional' porch area, the large ramped access, the informal parking area and the lack of a boundary treatment to the public highway.
- 8.8. This development will improve all of these aspects of the building, introducing a more traditional stepped access and front boundary wall, making improvements to the landscaping of the forecourt and removing the existing porch. Therefore, this is a clear positive development for the appearance of both the building itself and the Conservation Area more widely.



- 8.9. This development is a positive proposal that brings benefits to the building itself, the South Hampstead Conservation Area and the community group that The AJR continues to serve.

# Appendices

Appendix 1: Pre-Application Response from Camden Council (Ref: CA/2012/ENQ/08016), issued  
30 November 2012

Date: 30/11/2012  
Your ref:  
Our ref: CA\2012\ENQ\08016  
Contact: Jenna Litherland  
Direct line: 020 7974 3070  
Email: [Jenna.Litherland@camden.gov.uk](mailto:Jenna.Litherland@camden.gov.uk)

**Development Management  
Regeneration and Planning**  
Culture & environment directorate  
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Dear David,

**Town and Country Planning Act 1990 (as amended)**  
**Re: 15 Cleve Road, NW6 3RL**

Thank you for your enquiry received on the 16 October 2012, regarding your proposal for alterations and extension to enable a change of use from 9 x self contained sheltered accommodation units (C3) and elderly person centre (D1) to 9 x residential flats (C3). External alterations include erection of a 3 storey rear extensions, creation of front lightwells and associated landscaping works. The proposal is detailed in the following submitted document: Pre-application Submission by MR Partnership dated September 2012. Further to our site visit on the 26 October and our meeting on the 8 November I can provide you with the following advice.

**Site Description**

The site comprises a detached red brick 3 storey building with basement located on the southern side of Cleve Road. The property benefits from a large rear garden which is soft landscaped. The front garden is a hard surfaced parking area and there is no front boundary treatment. The site is located within South Hampstead Conservation Area as is identified as making a positive contribution of the character and appearance of the Conservation Area.

The site is owned by the Association of Jewish Refugees Charitable Trust and opened in 1987 as 9 x self contained sheltered to serve members of the Association of Jewish Refugees in Great Britain Benevolent Society (AJRBS), Holocaust refugees who fled Nazi-occupied Europe and found refuge in Britain prior to the outbreak of the Second World War. At ground and lower ground floor level the building was used as an elderly persons day centre for the Jewish Community. The day centre provided hot lunches, organised entertainment and outings and a place to socialise. With the passing of time many of the people who benefited from the Centre have passed on and the in 2011 the final three residents were relocated to accommodation which better suited their needs. The Centre and residential accommodation closed in 2012 and the building is now currently vacant.

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**Relevant Policies**

*LDF Core Strategy and Development Policies*  
CS1 Distribution of growth

CS3 Other highly accessible areas  
 CS5 Managing the impact of growth and development  
 CS6 Providing quality homes  
 CS10 Supporting community facilities and services  
 CS11 Promoting Sustainable and efficient travel  
 CS13 Tackling climate change through promoting higher environmental standards  
 CS14 Promoting high Quality Places and Conserving Our Heritage  
 CS15 Protecting and Improving our Parks and Open Spaces & encouraging Biodiversity  
 CS16 Improving Camden's health and well-being  
 CS17 Making Camden a safer Place  
 CS18 Dealing with our waste and encouraging recycling  
 CS19 Delivering and monitoring the Core Strategy

DP2 Making full use of Camden's capacity for housing  
 DP3 Contributions towards the supply of affordable housing  
 DP5 Homes of different sizes  
 DP6 Lifetimes Homes and Wheelchair Housing  
 DP7 Sheltered housing and care homes for older people  
 DP15 Community and leisure uses  
 DP16 The Transport implications of development  
 DP17 Walking, Cycling and public transport  
 DP18 Parking standards and limiting the availability of car parking  
 DP19 Managing the impact of parking  
 DP20 Movement of Goods and Materials  
 DP22 Promoting Sustainable Design and Construction  
 DP23 Water  
 DP24 Securing High Quality Design  
 DP25 Conserving Camden's Heritage  
 DP26 Managing the impact of development on occupiers and neighbours  
 DP27 Basement and lightwells  
 DP29 Improving access  
 DP31 Provision of, and improvements to, open space and outdoor sport and recreation facilities

#### *Updated Camden Planning Guidance 2011*

*CPG1 – Design*  
*CGP2 – Housing*  
*CPG3 – Sustainability*  
*CPG4 - Basements*  
*CPG6 - Amenity*  
*CPG7 – Transport*  
*CPG8 – Planning Obligations*

#### *South Hampstead Conservation Area character appraisal and management strategy, 2011*

### **Considerations**

During our meeting we discussed the following matters which are considered to be material considerations:

- Land use (loss of sheltered housing, loss of community facility, creation of residential);
- Design (rear extension, front lightwells, front boundary treatment, entrance ramp/steps);
- Basement;
- Transport;
- Sustainability;

- Amenity; and
- Public Open Space.

I will now provide my comments in relation to the above considerations.

## **Land Use**

### **Loss of sheltered housing**

The site visit, site history and the information you have provided satisfactorily demonstrates that the existing residential units are sheltered accommodation rather than a care home. The existing use was granted in 1986 (ref: 8600116). The description of development was:

‘Change of use of the first and second floors to provide eight sheltered bedsitting room units and of basement and ground floor to provide social and administrative functions of a day centre for the elderly including erection of a single-storey rear extension and provision.’

This permission was subject to the following condition:

‘The use of the first and second floors hereby permitted shall not be used otherwise than as sheltered housing flats for the elderly and shall be used for no other purpose.’

The use class of the sheltered housing is not made clear by this permission, however it is considered that the use falls within Class C3 and not C2 as there is no element of personal or nursing care provided as part of the use. Furthermore, the units are fully self-contained with their own bathroom and kitchen.

Policy DP7 states that the Council will resist development that involves the net loss of floorspace in sheltered housing and care homes for older people unless either: adequate replacement is provided (criteria d); or it can be demonstrated that there is a surplus of homes for older people in the area (criteria e); or it can be demonstrated that the existing homes are incapable of meeting contemporary standards for homes for older people (criteria f). It is important to note that the policy only requires compliance with one of the above criteria in order to demonstrate that the loss of sheltered housing would not be considered inappropriate. The policy goes on to say that where the Council is satisfied that the loss is justified we will expect developments to provide an equivalent amount of residential floorspace for vulnerable people, or permanent housing, including an appropriate amount of affordable housing.

In this case the sheltered housing is no longer in use so the proposed change of use would not displace any residents. There has been a gradual reduction in demand for this facility within the local Jewish Community as the generations that the centre was set up to support have passed away. The final remaining residents prior to the closure of the centres were re-housed in more appropriate accommodation prior to closure. As such, it is considered that there is no longer a demand for this facility within the local Jewish Community. This goes part way to meeting criteria (d) as it demonstrates that the change of use would not displace existing residents and it has been demonstrated that there is no longer a demand for this use within the local Jewish community. Based on the information provided at pre-application stage it has not been demonstrated that the proposal would meet criteria (e) as an analysis of provision of homes for older people in the local area has not been undertaken. In relation to criteria (f) the existing accommodation is considered to be substandard. The units generally fall below the Council's space standards. They also, despite the building having a lift, fail to comply with Lifetime Homes standards or Wheelchair Accessible Homes standards. The bathrooms and kitchens are too small and do not contain the facilities expected in contemporary homes for older people such as grab rails and hoists in the bathrooms. As such, it has been demonstrated that the existing homes are incapable of meeting contemporary standards for homes for older people in compliance with criteria (f) of DP7.

The proposed replacement use of permanent residential is also considered to be acceptable and is the Council's priority land use. Policy DP7 requires that where sheltered accommodation is replaced with permanent residential include an appropriate proportion of affordable housing. The sub-text of policy DP7 states that affordable housing should be sought in accordance with policy DP3. This is addressed below (proposed residential use section).

### **Loss of community facility**

The proposal also includes the loss of the day centre which is considered to be a community facility. Policy DP15 states that the Council will protect existing community facilities by resisting their loss unless a replacement facility that meets the needs of the local population is provided (criteria c) or where the specific community facility is no longer provided and evidence is provided to show that the loss would not create, or add to, a shortfall in provision for the specific community use, and demonstrate that there is no demand for any other suitable community use on the site (criteria d). The policy states that where this is successfully demonstrated the Council's preferred new use will be affordable housing.

The existing day centre closed earlier this year and all remaining facilities and services it provided have been relocated to the Belsize Square Synagogue. Prior to the centre's closure it saw a reduction in the number of people using the centre. This is because many 1<sup>st</sup> and 2<sup>nd</sup> generation refugees which relayed upon the centres services have now reached old age and many of which have passed away

Criteria (c) of Policy DP15 is partially met as the remaining services have been relocated to Belsize Square Synagogue, this includes the meals on wheels function, support, and pastoral care. This is considered to meet the needs of the local Jewish Community. It is considered that this does not fully justify the proposal in relation to criteria (c) as these facilities would only be available to the Jewish community and not the local community as a whole. Therefore the proposal must also comply with criteria (d).

In order to comply with criteria (d) you need to demonstrate that there is no demand for any other suitable community use on the site. In order to do this it would be useful if you could map all other community facilities in the local area and assess whether there is a demand for additional community uses within the area. In order to do this it is suggested that you make contact with the Council's Third Sector team who would be able to advise you whether there is demand for a community use in this location. You are advised to contact Adam Demosthenous on 020 7974 4214 or Jeff Hopwood 020 7974 6441 who work in the Communities and Third Sector Team. If you can demonstrate that the loss of the existing community facility would be acceptable, housing is considered to be the most appropriate alternate land use for the site.

### **Residential use**

Providing the loss of community use is considered acceptable, the principle of providing residential accommodation at the site would be supported by policies CS6 and DP2.

The proposal includes provision of 9 residential units with a floor area of 982sqm. As such, the proposal falls below the floorspace threshold for affordable housing. Therefore, the proposed is not required to include affordable housing.

The proposed residential mix would include 2 x 1 bedroom flats, 5 x 2 bedroom flats and 2 x 3-bed flats. Policy DP5 expects 40% of all units within developments to be 2 bedroom units which is the highest priority. The current proposal includes 55% 2 bed units. This is considered appropriate. The London Plan encourages the provision of family units in smaller development. The provision of 2x 3 bed family units would be welcomed.



### Residential development standards

The Council's residential development standards (refer to CPG2- Housing 2011) give general guidance on the floorspace and internal arrangements for all housing tenures. In addition, homes of all tenures should meet lifetime standards in accordance with Policy DP6 and the section of CPG2 on Lifetime homes and wheelchair housing. Development should provide high quality housing that provides secure, well-lit accommodation that has well-designed layouts and rooms. With regard to daylight all habitable rooms should have access to natural daylight.

All of the proposed residential units meet the overall internal space standards including ceiling height, room size and utility space standards. Please include a Lifetimes Homes statement confirming which criteria will be met. If some the criteria are not met please explain why. You are not required to provide Wheelchair Accessible Units as the proposal is for less than 10 residential units, however, if you were to include units designed to meet wheelchair housing standards or to be designed so a future occupier can easily adapt the dwelling to meet wheelchair housing standards this would be welcomed.

You proposed to include a refuse, recycling area along the side passage of the building. There is considered to be sufficient space in this area to store refuse and recycling and the area is easily accessible. Please provide details of the design of the refuse store with your application.

### Design

Policy DP24 of the LDF states that the Council will consider whether any proposed extension would respect the character, setting, context, form and scale of neighbouring buildings. Policy DP25 states that the Council will only permit development within conservation areas that preserves and enhances the character and appearance of the conservation area.

External alterations proposed include removal of the existing rear extension at lower ground floor level and erection of 3 storey rear extension; creation of two front lightwells; erection of front boundary treatment; and creation of a ramp to the front door in the front garden.

### **Rear Extension**

The proposed rear extension would have a lesser footprint than the existing conservatory, it would be centrally located on the rear elevation and would have a depth of 5.5 metres and a width of 8.5 metres. It would be set in from the side elevations of the building. The extension would be set down from the eaves of the existing building and it is considered to be modest given the scale of the existing building. The proposed extension is considered to appear subordinate to the host building. It should be finished in materials which respect the original building and the proposed windows should be timber framed. It is considered that the removal of the conservatory and erection of the proposed extension would preserve and enhance the appearance of the host building and the conservation area.

### **Front lightwells, boundary treatment and ramp in the front garden**

The proposal includes two front lightwells which would have a dual purpose of allowing light the basements room as well as providing outdoor amenity space for these units.

In respect of lightwells the South Hampstead Conservation Area Character Appraisal and Management Strategy states that the creation of new lightwells can harm the relationship between the building and the wider streetscape, as well as resulting in the loss of garden space. Development will be resisted where it is considered there would be a negative impact on the character and appearance of the conservation area.

Lightwells are a feature of a number of properties along Cleve Road including the adjacent neighbouring property no. 13. However, the lightwells proposed at the application property are significantly larger than those at neighbouring properties. It is considered that the proposed lightwells would appear out of keeping and would harm the relationship between the building and the streetscape and the character and appearance of the conservation area. It is considered that the proposed front lightwells should be significantly reduced in depth to ensure they do not appear prominent and detract from the streetscene. As the lightwells will provide sole light to the front basement rooms it is clearly essential that they are of sufficient size to allow daylight which complies with BRE guidelines. In this respect, it would be useful if you could provide a study of the impact the depth of the lightwell has on light to the front basement rooms so that officers can make a balanced assessment.

The current site has no front boundary treatment. You proposed to re-instate a front boundary wall with railing above. The reintroduction of a front boundary treatment is welcomed and the low boundary wall is considered to be in-keeping with other boundary treatment in the area. However, the proposed railings above the boundary wall are not considered to respect the character of this part of the Conservation Area. As such it is suggested that you look at providing a front boundary treatments which is more in keeping with those at the adjacent properties.

The proposal also includes removal of the existing porch and replacement of the existing ramp with a ramp which would lead from the pavement to the front door. The proposed ramp is welcomed in the sense it would provide wheelchair access to the properties. However, the character and appearance of the area must also be considered and the Conservation Officer has advised that the refurbishment works to the building result in a good opportunity to reinstate the original steps up to the property which can be seen at the neighbouring properties. The reintroduction of the steps would enhance the appearance of the building and the character and appearance of the conservation area. The detailed design of the ramp has not been provided. It would be beneficial to see the detailed design of the ramp including its gradient prior to offering an opinion on this aspect of the proposal.

### **Basement**

Policy DP27 states that the Council will consider whether schemes will lead to the loss of open space or trees of townscape or amenity value; provide satisfactory landscaping, including adequate soil depth; harm the appearance or setting of the surrounding area. The proposal includes basement excavations in order to construct the front lightwells.

Policy DP27 states that developers will be required to demonstrate with methodologies appropriate to the site that schemes maintain the structural stability of the building and neighbouring properties; avoid adversely affecting drainage and run-off or causing other damage to the water environment; and avoid cumulative impact upon structural stability or water environment in the local area.

You are required to submit a Basement Impact Assessment (BIA) which satisfactorily demonstrates that the proposal would maintain the structural stability of the building and neighbouring properties; avoid adversely affecting drainage and run-off or cause other damage to the water environment; and avoid cumulative impacts upon the structural stability or water environment in the local area. Details on preparing a Basement Impact Assessment are contained within CPG4 – Basements and lightwell. The BIA should be commensurate with the scale of the proposed works and as a minimum you must undertake the screening exercise. This will establish whether a full BIA is required.

### **Transport**

The proposed works would create 9 new self contained units. The area has excellent access to public transport and the CPZ is constrained. Therefore the new units would be secured to be car free by a S106 agreement.

The proposal includes cycle storage for 6 bikes within the side passage of the dwelling. In total 11 cycle parking spaces would be required. 1 cycle parking space is required for the 1 and 2 bed units and 2 spaces for the 3 bed units. It is considered that there is sufficient space within the side passages to accommodate additional cycle parking. The cycle parking would be secured within the boundary of the site. You will need to demonstrate that it complies with the layout standards set out in CPG7 (Transport).

You are advised that the proposed basement excavation is likely to result in the requirement for a Construction Management Plan. This would be secured by S106 agreement. It would be helpful if you could provide initial construction details with your application. CPG7 (Transport) provides detailed information of what level of information is necessary for these types of documents. These documents would be secured as part of a S106 Legal Agreement.

### **Sustainability**

Policy DP22 states that the Council requires development to incorporate sustainable design and construction measures. CPG3-Sustainability states that all buildings which are updated or refurbished should reduce the carbon emission of the building by making improvements to the existing building such as draught proofing, introducing energy efficient lighting, use of thermally efficient windows, insulation, or improved heating and hot water. As a guide, at least 10% of the project cost should be spent on improvement to reduce carbon emissions. The Council would expect the proposed dwellings to achieve 'excellent' in an EcoHomes assessment or a BREEAM (residential) assessment.

### **Amenity**

The proposal should be assessed in accordance with policy DP26 to ensure it does not result in harm to neighbour amenity.

Concern is raised in relation to overlooking from the proposed side windows of the rear extension into the rear projection at no. 17 Cleve Road. This could be addressed through amending the design of the windows so that they are high level or obscurely glazed, you could also look at the positioning of the windows. There is a similar concern in relation to the proposed roof terrace and it may be necessary to including privacy screens. Privacy screens could have potential design issues, therefore, without drawings I cannot confirm the acceptability of this approach.

It is not considered that the proposed extension would impact on daylight or sunlight to either of the neighbouring properties.

Any plant proposed as part of the development should be detailed within the application and an Acoustic Report will be required to assess the impact on the nearest noise sensitive window. Noise level must comply with the Council's noise standards set out in policy DP28.

### **Other Matters**

#### **Educational and Open Space Contributions**

As the scheme provides more than 5 additional residential units, educational contributions should be sought. Based on the calculations within the Camden Planning Guidance, a sum of £23,706 (2 bedroom = £2,213, 3 bedroom = £6,322) should be provided towards educational infrastructure. Private roof terraces and garden would be available for future occupants of the development.

However, there would still be a requirement to contribute towards public open space, and in accordance with the formula in Camden Planning Guidance, this should be £12,788

Both these contributions would be secured via the S.106 agreement.

### **S106 – Legal Agreement**

Should permission be granted for the proposal it is likely to be subject to a S106 legal agreement, including but not limited to the following Heads of Terms:

- Car Free
- Construction Management Plan
- Sustainability Plan (Eco-Homes– design stage and post construction assessment)
- Educational Contribution
- Public Open Space Contribution

### **Conclusion**

It is considered that provided the points raised above are addressed the proposal is likely to be considered acceptable should a planning application be submitted. The outstanding issues which need to be addressed are:

- Loss of the community facility,
- The size of the front lightwells/ light to basement rooms
- Front boundary treatment,
- Overlooking the neighbouring properties.

I trust this information is of assistance. Should you have any further queries please do not hesitate to contact me by telephone on 020 7974 3070.

Please note that this is an officer's opinion and does not prejudice any future decision made by the Council with regards to this matter.

Yours sincerely,



Jenna Litherland  
Senior Planning Officer  
Development Management