

<b>Address:</b>	<b>St Thomas More Church Maresfield Gardens London NW3 5SU</b>		<b>10</b>
<b>Application Number:</b>	2014/4774/P	<b>Officer: Seonaid Carr</b>	
<b>Ward:</b>	Frognaal & Fitzjohns		
<b>Date Received:</b>	<b>23/07/2014</b>		
<b>Proposal: Erection of a part single part two storey extension to the church annex building following partial demolition of an existing single storey extension.</b>			
<b>Background Papers, Supporting Documents and Drawing Numbers:</b> 13020 SU1.01, 13020 SU1.02, 13020 SU1.03, 13020 SU1.04, 13020 SU1.05, 13020 wd2.01 Rev P1, 13020 wd2.02 Rev P1, 13020 wd2.03 Rev P2, 13020 wd2.04 Rev P2, 13020 wd2.05 Rev P4, 13020 wd2.06 Rev P1, 13020 wd2.07 Rev P2, 13020 wd2.09, Arboriculturalist's Report by BHA Trees Ltd dated 21 August 2014, BS 5837 2012 Tree Survey and Tree Survey dated 19 <sup>th</sup> August 2014.			
<b>RECOMMENDATION SUMMARY: Grant planning permission subject to Section 106 legal agreement</b>			
<b>Applicant:</b>		<b>Agent:</b>	
Westminster RC Diocese Trustee Archbishops House Ambroseden Avenue Westminster London SW1P 1QJ		Kyle Smart Associates The Barn Butchers Wick Sewell Nr. Dunstable Bedfordshire LU6 1RP	

### ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	D1 Non-Residential Institution		1221m <sup>2</sup>
Proposed	D1 Non-Residential Institution		1381m <sup>2</sup>

## **OFFICERS' REPORT**

**Reason for Referral to Committee:**      **This application is reported to the Development Control Committee as it involves the demolition of part of a building within a conservation area [Clause 3(v)]**

### **1.     SITE**

- 1.1     The site is located to the northern side of Maresfield Gardens. The wider area is predominantly residential however within the immediate proximity to the site the South Hampstead School is located to the opposite site of Maresfield Gardens, the school site spans the length of this section of Maresfield Gardens as it adjoins Fitzjohn's Avenue.
- 1.2     The site comprises of the main church which is the circular building located to the rear and accessed via an external stair from Maresfield Gardens, the Presbytery located to the left (when viewed from Maresfield Gardens) and the church annex located to the right of the church. The annex is the subject of this application. The original annex building was built in a symmetrical form but later extended in the 1950s, resulting in a loss to the symmetry of the building.
- 1.3     The site is located within the Fitzjohns Netherhall Conservation Area, the site does not contain any listed buildings, nor are any identified as positive contributors within the conservation area.

### **2.     THE PROPOSAL**

- 2.1     The proposed development includes the demolition of the single storey 1950s extension to the annex of the church, and replaces with a part two part single storey extension. The development would also include forming a hipped roof to the original building following the removal of the extension to reinstate it's symmetry.
- 2.2     The proposed extension would measure 18.2m wide at ground floor and 16.4m wide at first floor. The extension would terminate in line with the existing church entrance stair and adjoin the original building. At the point it adjoins the original building it would be of single storey, measuring 3.5m in height for a width of 1.6m it would then extend up to a height of 7.8m for the remaining width of the building. The building would have a stepped elevation and to the rear would adjoin the existing church building, as such its depth would range from 6.1m to 13.1m. No element of the building would extend beyond the front elevation of the original annex building to the east.
- 2.3     The extension would read in two main elements with a single storey addition to the side. The two main elements would be defined by building lines and materials with brick used to one element and render to the other. There would a double height stained glass window to one end of the extension with a smaller stained glass window more centrally located. The entrance to the new facility would be centrally located with glass surrounding and following up the first floor level. To the rendered

element of the extension would be three large paned windows which would extend from the ground to the first floor level.

- 2.4 The existing front boundary treatment with hedgerow would be retained with an opening formed to align with the entrance to the new extension.
- 2.5 At present the annex is not fit for purpose, access is via the church through narrow corridors and stairs. The annex has been out of use since the late 1990s. The development would provide a new parish hall annex with clear access from the church and from street level. The element of the building to be retained this will be refurbished at a later date when funds permit to provide additional community facilities.

### 3. **RELEVANT HISTORY**

#### Application Site

- 3.1 2012/0835/P - Erection of two storey building with bell tower to provide parish hall and offices fronting onto Maresfield Gardens (Class D1) (following demolition of existing parish hall and function room). Application withdrawn.

#### Neighbouring Site

- 3.2 **The South Hampstead High School**  
2010/5482/P - Construction of new three and four storey school building, plus two storey basement and alterations to Waterlow Building and covered walkway, following the demolition of the existing buildings at 3 Maresfield Gardens, 31 College Crescent (Moon & Sixpence) and stair towers of the Waterlow Building. (Use Class D1). Permission granted and works have commenced on site.

### 4. **CONSULTATIONS**

#### **Conservation Area Advisory Committee**

- 4.1 **Fitzjohn's Netherall CAAC** were consulted on the application and raised no objection

#### Adjoining Occupiers

<i>Number of letters sent</i>	45
<i>Total number of responses received</i>	0
<i>Number in support</i>	0
<i>Number of objections</i>	0

- 4.2 A press notice was published on 04 September 2014 expiring 25 September 2014 and a site notice was displayed on 28 August 2014 expiring 18 September 2014.

### 5. **POLICIES**

5.1 **National Planning Policy Framework 2012**

5.2 **The London Plan 2011**

5.3 **LDF Core Strategy and Development Policies 2010**

LDF Core Strategy

CS1 (Distribution of growth);

CS4 (Areas of more limited change);

CS5 (Managing the impact of growth and development);

CS11 (Promoting sustainable and efficient travel);

CS13 (Tackling climate change through promoting higher environmental standards);

CS14 (Promoting high quality places and conserving our heritage);

CS19 (Delivering and monitoring the Core Strategy).

LDF Development Policies

DP16 (The transport implications of development);

DP17 (Walking, cycling and public transport);

DP20 (Movement of goods and materials);

DP21 (Development connecting to the highways network);

DP22 (Promoting sustainable design and construction);

DP24 (Securing high quality design);

DP25 (Conserving Camden's heritage);

DP26 (Managing the impact of development on occupiers and neighbours);

5.4 **Supplementary Planning Policies**

Camden Planning Guidance (2011 (as amended 2013))

CPG1 Design

CPG3 Sustainability

CPG6 Amenity

CPG7 Transport

CPG8 Planning obligations

Fitzjohns and Netherhall Conservation Area Appraisal and Management Strategy (2001)

6. **ASSESSMENT**

6.1 The principal consideration material to the determination of this application are summarised as follows:

- Land Use
- Conservation and Design
- Neighbour Amenity
- Transport Implications
- Trees
- Sustainability
- Access
- Planning obligations and CIL

## **Land Use**

- 6.2 As existing the site is in use as the St Thomas More Church (Use Class D1) the proposed development would not change the use of the facility and it would continue to operate within the D1 use class, as such there is no material change of use and no objection is raised on land use grounds.

## **Conservation and Design**

- 6.3 Policies CS14 and DP24 seek to ensure all development is of the highest quality design and considers the character, setting, context and form of neighbouring buildings. Furthermore Policy DP25 seeks to preserve and enhance the character and appearance of Conservation Areas.
- 6.4 With regard to the demolition of part of the existing building. The section of the building to be removed is not an original feature of the building but one that was added in the 1950's, as such it's loss would not be detrimental to the historic integrity of the building. Furthermore the area allocated for demolition does not contribute positively to the character and appearance of the conservation area, hence why it has not been designated as a positive contributor. As such no objection is raised to the proposed demolition works.
- 6.5 The proposal involves forming a hipped roof to the original part of the annex building, reinstating its symmetry. This is considered to be an welcomed alteration to the roof of the original building, which would complement the character of the building.
- 6.6 Turning to the proposed extension, in respect of its proportions, it is considered that as there would be a single storey element between the original building and the two storey extension as it fronts Maresfield Gardens, this would provide some relief between the old and the new elements of the building and would allow the original annex to be read on its own in keeping with its historic character.
- 6.7 With regard to height, the proposed two storey element would be integrated well with the existing church buildings, it would rise above the eaves height of the original annex but not above the eaves of the presbytery or the main church, as such it is not considered to appear overly dominant when viewed in the context of the site.
- 6.8 In terms of building lines the front building line of the extension would not project beyond the front elevation of the original annex building or the presbytery, thereby respecting the form of the neighbouring buildings.
- 6.9 As such it is considered the overall proportions of the extension are acceptable and would ensure the development integrates well with the existing church buildings.
- 6.10 In respect of the finer detail of the extension, the fenestration is considered to be well considered and reflective of the buildings use as a community facility. The stained glass windows to the front elevation would offer an interesting feature to the front façade, details of which are recommended to be secured via condition.

- 6.11 With regard to materials, the extension would marry the neighbouring elements of the church neatly, to the west the extension would be constructed in brick and to the east in render, details and samples of the brick and render are recommended to be secured via condition.
- 6.12 When considering the development within the context of the conservation area it is considered to be an appropriate addition to the conservation area which would provide more vitality to the church frontage, benefitting its operation as a community facility. As such the development is considered to preserve and enhance the character and appearance of the conservation area.
- 6.13 In light of the above it is considered the proposed works are an acceptable form of development that would result in an extension that integrates well with the existing buildings on site and in the wider area and would not harm the character and appearance of the conservation area. As such no objections are raised on grounds of design.

### **Neighbour Amenity**

- 6.14 Policy CS5 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. Policy DP26 seeks to ensure that development protects the quality of life of neighbours by only granting permission to development that would not harm the amenity of neighbouring residents. This includes privacy, outlook, implications on daylight and sunlight and noise.
- 6.15 The nearest residential neighbours are located at No.5 Maresfield Gardens and Nos.3-7 Fitzjohn's Avenue. Given the location of the proposed development it would not have an impact on neighbour amenity in terms of daylight, sunlight, outlook and sense of enclosure. The development would be screened from No.3-7 Fitzjohn's Avenue by the original annex and from 5 Maresfield Gardens by the existing presbytery.

### **Transport Implications**

#### Cycle Parking

- 6.16 The applicant has not included any cycle parking facilities on the proposed plans, however they have agreed to provide some spaces as part of the development. Details of the location and type of cycle parking is recommended to be secured via condition. There are around 100 visitors to the church, including the volunteers who assist in running the facility, in accordance with London Plan Standards this would result in the requirement of 10 cycle spaces.

#### Construction Management Plan

- 6.17 A Construction Management Plan will be secured via a Section 106 legal agreement given the level of demolition works that would be undertaken on site and due to the development which is currently under construction at the South Hampstead High School, directly opposite the site. The plan would outline how the

site would be serviced by construction vehicles during construction, and ensure the impact on neighbour amenity would be controlled.

### Highways Contribution

- 6.18 The footway directly adjacent to the site could be damaged as a direct result of the proposed works. As such a financial contribution is sought for highway works to be secured via Section 106, as such the development would accord with DP21.

### **Trees**

- 6.19 No trees are to be removed as part of the development. There are two trees located on Maresfield Gardens, both are Category B Mature trees in good condition. To ensure these trees are not harmed during the construction works a condition is recommended to secure details of tree protection ahead of commencement of works.

### **Sustainability**

- 6.20 The additional floorspace for the proposed development would be 324sqm, as such requirements of DP22 would not take effect given the development would not exceed 500sqm. However, the applicant has provided a sustainability statement as part of their application, within which it is outlined that the materials to be used will be from environmentally sustainable sources, the development will use a high level of thermal insulation to reduce energy requirements and heating appliances and water saving measures such as flow restrictors and aerated taps will be used. As such the development would be in the spirit of DP22 which is welcomed.

### **Access**

- 6.21 As an alteration and extension to an existing building any new feature will be required to be fully accessible to satisfy Policy DP29.
- 6.22 The proposed new building provides a new accessible entrance to level 0 and the associated facilities on this level. The new staircase and lift then provide full access to both the current entrance level and additional floor above. As such the development would be fully accessible and in accordance with DP29.

### **Planning obligations and CIL**

- 6.23 As noted above the following would be secured via Section 106 legal agreement
- Highways contribution
  - Construction Management Plan
- 6.24 With regard to both the Mayoral and Camden CIL(effective 01 April 2015) as the church is a registered charity it would be exempt from paying CIL. The applicant has provided an exemption form which has been reviewed by the Council's CIL officer.

## 7. CONCLUSION

- 7.1 The proposed works are considered to be an appropriate form of development. The development would integrate well with the parent building and would not harm the character and appearance of the conservation area. Furthermore the development would not impact on neighbour amenity. The planning obligations south for a Construction Management Plan and a highways contribution in the event of damage to the public highway would ensure the highway network would not be impacted upon.
- 7.2 The development would be appropriate and in accordance with relevant National and Regional Policy, Core Strategy and Development policies and Camden Planning Guidance for the reasons noted above.
- 7.3 Planning Permission is recommended subject to a S106 Legal Agreement.

## 8. LEGAL COMMENTS

- 8.1 Members are referred to the note from the Legal Division at the start of the Agenda.

### Condition(s) and Reason(s):

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

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

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

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: 13020 SU1.01, 13020 SU1.02, 13020 SU1.03, 13020 SU1.04, 13020 SU1.05, 13020 wd2.01 Rev P1, 13020 wd2.02 Rev P1, 13020 wd2.03 Rev P2, 13020 wd2.04 Rev P2, 13020 wd2.05 Rev P4, 13020 wd2.06 Rev P1, 13020 wd2.07 Rev P2, 13020 wd2.09, Arboriculturalist's Report by BHA Trees Ltd dated 21 August 2014, BS 5837 2012 Tree Survey and Tree Survey dated 19th August 2014.

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



- 4 No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials, satellite dishes or rooftop 'mansafe' rails shall be fixed or installed on the external face of the buildings, without the prior approval in writing of the local planning authority.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 5 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

- a) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills, external doors and gates;

- b) Details of the new stained glass window design at a scale of 1:20;

- c) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 6 Prior to the commencement of any works on site, details demonstrating how the trees on Maresfield Gardens, neighbouring the application site shall be protected during construction work shall be submitted to and approved by the Council in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

- 7 Prior to occupation of the hereby approved extension, details of secure and covered cycle storage area for 10 cycles shall be submitted to and approved by the local planning authority. The approved facility shall thereafter be provided in its entirety prior to the first occupation of the development and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

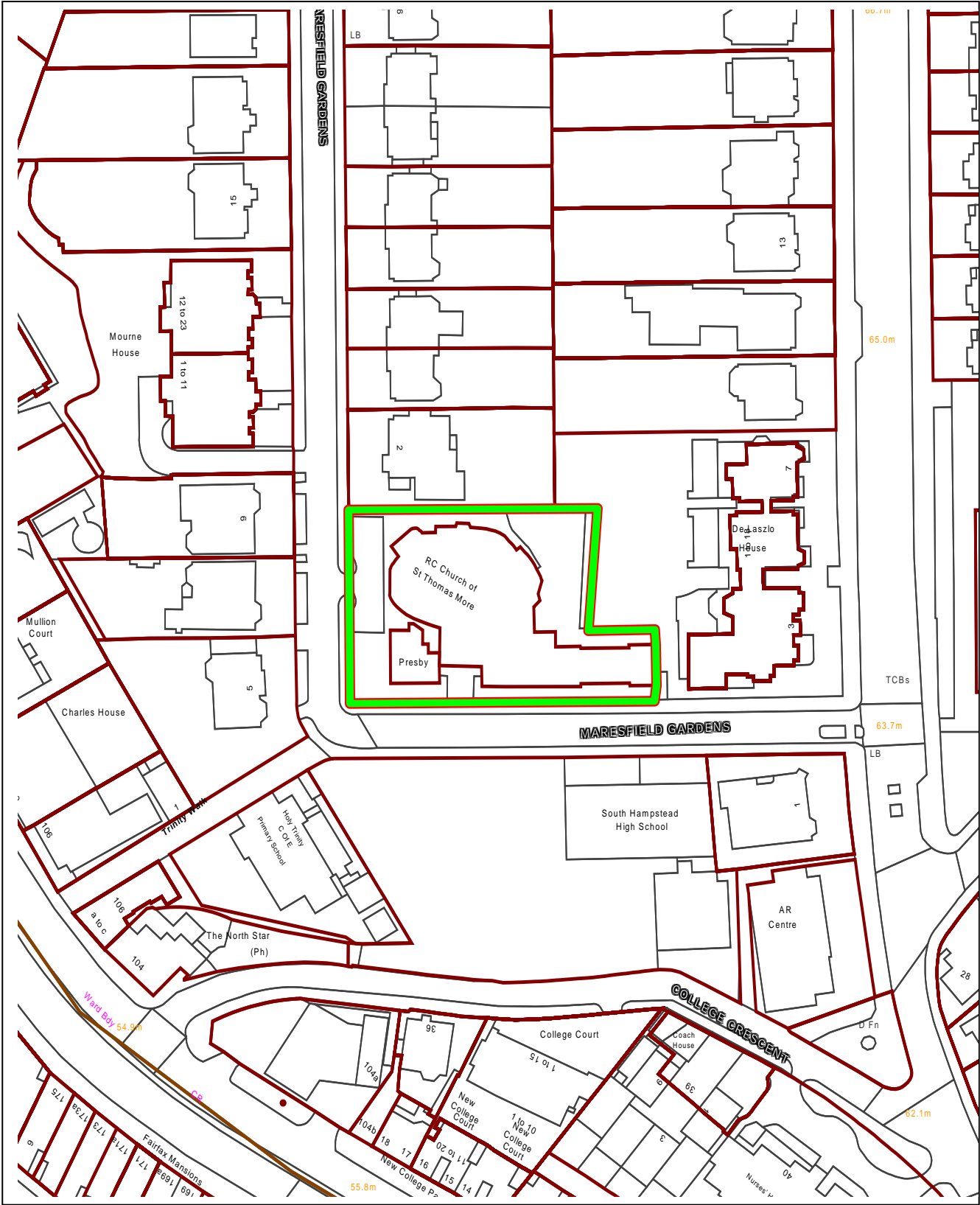
The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid

when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to [CIL@Camden.gov.uk](mailto:CIL@Camden.gov.uk)



**Application No: 2014/4774/P**

**St Thomas More Church □ Maresfield Gardens □ London □ NW3 5SU**

**Scale: 1:1250**  
**Date: 13-Mar-15**



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# 2014/4774/P St Thomas More Church



# Elevations

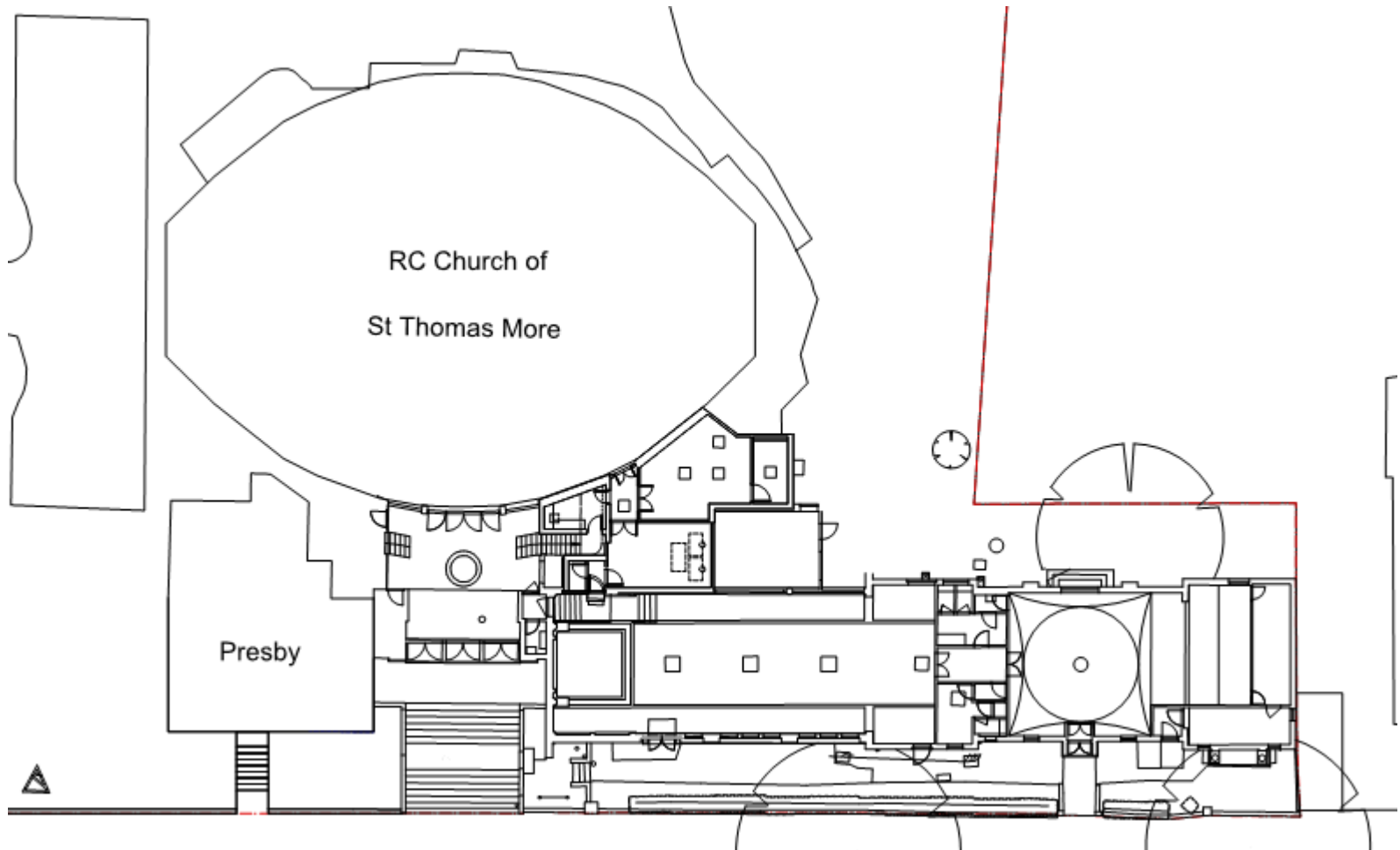


Existing Elevation to Street

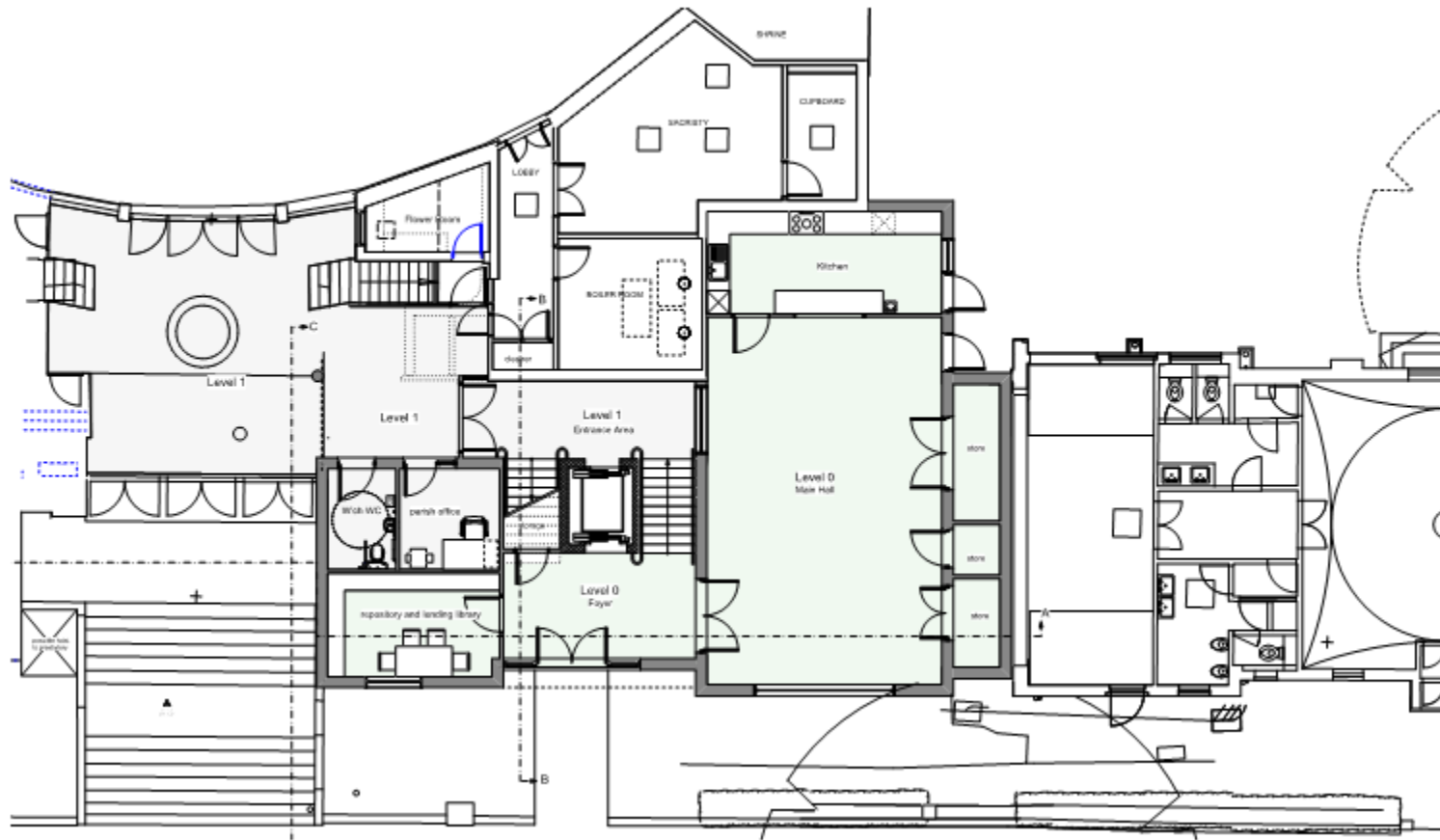


Proposed Street Elevation 1:100

# Existing floor plans

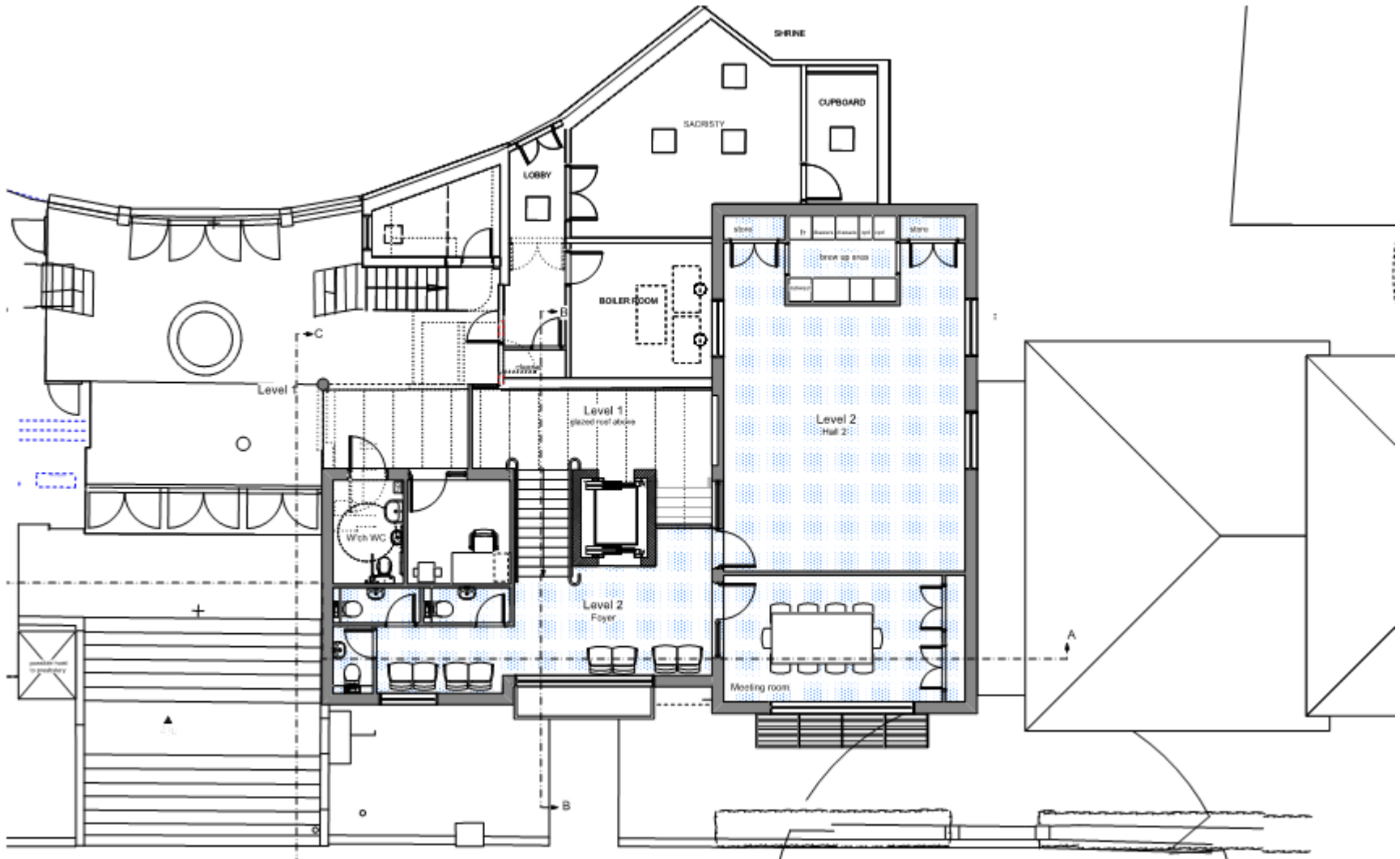


# Proposed ground floor plan

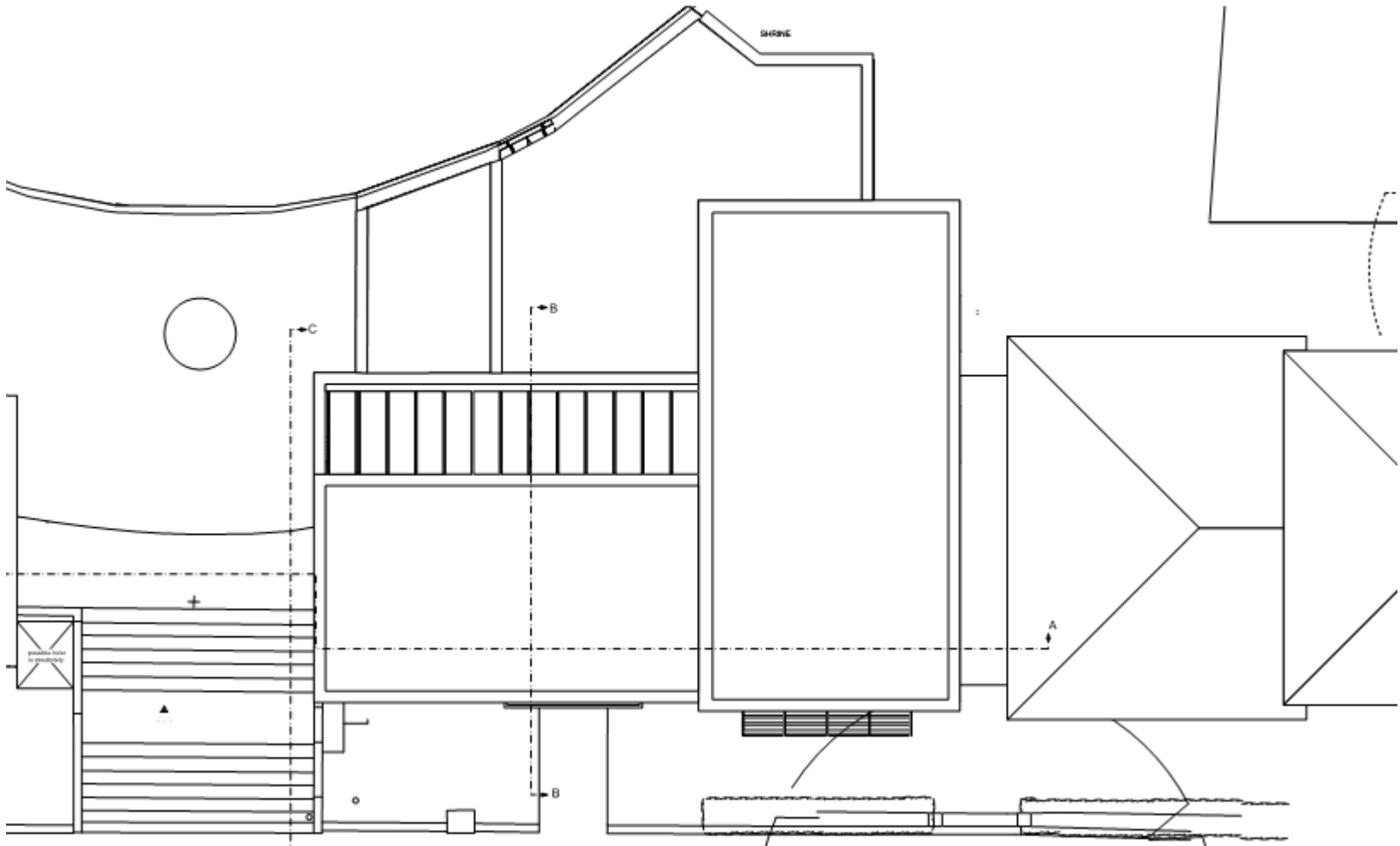




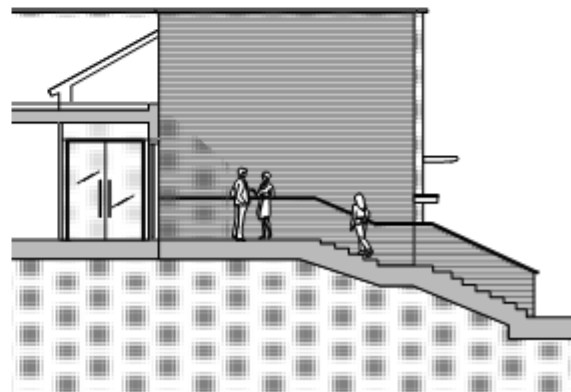
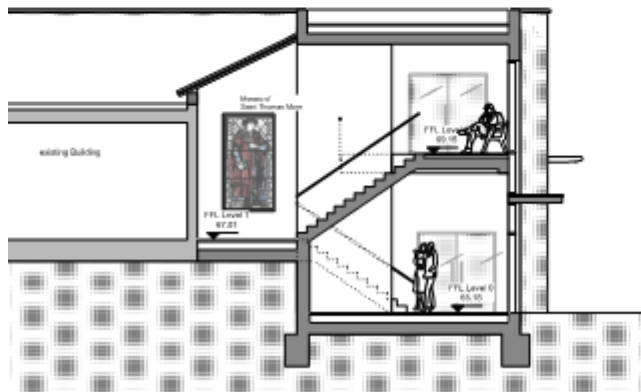
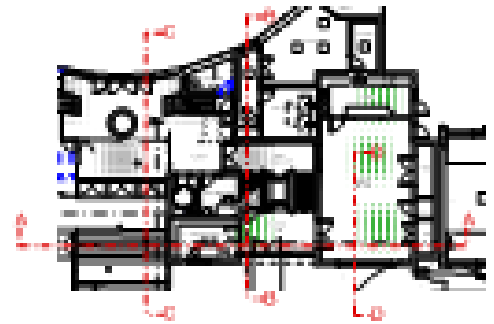
# Proposed first floor plan



# Proposed roof plan



# Proposed sections



Proposed Section B - B 1:50

Proposed Section C - C 1:50

# Artist Impression



# Photos



View from west



View from east