



forward PLANNING
and
DEVELOPMENT

39 Primrose Gardens, London, NW3 4UL Planning Statement

On behalf of: GAMA Property Investment



Image of no. 39 Primrose Gardens

8 June 2016 - Revised
FW053/FW

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1 Introduction

1.1 This planning statement has been prepared to support the planning application for alterations and extensions to 39 Primrose Gardens (herein referred to as “the building”).

1.2 The building is currently in residential use and is arranged as five flats (five x two bedrooms).

1.3 This planning application relates to the whole building.

1.4 Planning permission is sought for:-

“Lower ground floor full width extension and re-instatement of rear bay window at ground floor, reconstruction of rear wall in matching brickwork and new painted timber sash windows. Terraces at first and third floor level. Amalgamation of flats 1 and 2, into new three-bedroom unit”

1.5 The building is located in the Belsize Park Conservation Area.

1.6 This planning statement is one of a number of documents which are submitted in support of the planning application. The other supporting documents are:-

- Planning application forms
- Ownership Certificate (Certificate a)
- Site location plan (Ref: GA35 050)
- Existing plans and elevations (Refs: GA35 101, 102, 103, 104, 105, 106, 107)
- Proposed plans and elevations (Refs: GA35.2 301, 302, 303, 304, 305, 306, 307, 308)
- Design and Access Statement

1.7 The objective of the proposal is to create significantly enhanced residential floorspace which will make a positive contribution to the Borough’s housing stock.

1.8 This planning statement provides a comprehensive review of national, regional and local planning policy and guidance relevant to the nature of the proposals and the specific degree to which the proposals would accord with the policies of the statutory

development plan. It also considers other material considerations, in accordance with the requirements of section 38(6) of the Planning and Compulsory Purchase Act 2005.

- 1.9 It is concluded that the development proposals accord with the aims and objectives of national, strategic and local planning policy and therefore support the grant of planning permission.

2 Site and Surroundings

- 2.1 Primrose Gardens is located between Belsize Grove to the north and England's Lane to the south. It has a central communal garden located half way along the street.
- 2.2 The building is located on the south-western side of Primrose Gardens opposite the communal gardens.



Image 1: Location Plan

- 2.3 The area is predominantly in residential use and the majority of the buildings along Primrose Gardens are red brick terraced houses comprising five storeys.



Image 2: Street view

- 2.4 The building forms part of a terrace of houses. It is grey brick with stone window and door surrounds. It has a slate mansard roof with dormer windows.
- 2.5 The property is in need of some updating.



Image 3: Front elevation of 39 Primrose Gardens

- 2.6 The existing building comprises five storeys (lower ground, upper ground, first, second and third floors) and is currently in residential use throughout providing five flats.
- 2.7 The building is not listed but it is located within the Belsize Conservation Area
- 2.8 The property is located in a sustainable location with local retail uses being found on nearby England's Lane and with Belsize Park and Swiss Cottage Underground Stations being located within walking distance.

3 Planning History

- 3.1 A comprehensive review of the Statutory Register of Planning Applications held by the London Borough of Camden has been carried out.
- 3.2 With regards to the property itself, there are two relevant planning applications. Planning permission was granted (Ref: 10688) in May 1971 for the conversion of the building into five flats.
- 3.3 Planning permission was granted (Ref: 10687) in May 1971 for the construction of new dormer windows.
- 3.4 There are a number of examples of planning approvals for rear extensions at lower ground floor level and the creation of roof terraces along Primrose Gardens (namely no. 35 and no. 9).

4 Proposed Development

- 4.1 It is proposed to retain the existing residential use within the building. The existing units will be rationalised to provide three residential units. The existing and proposed unit mix is set out below:-

	Existing	Proposed
One bedroom	0	0
Two bedroom	5	3
Three bedroom	0	1
TOTAL	5	4

- 4.2 The proposal involves the following extensions and alterations to the existing building.
- 4.3 The building will be extended to the rear at lower ground floor level by 3 metres and 22 sqm (GEA) of floorspace will be created.
- 4.4 At upper ground floor level the building will be extended to the rear through the reinstatement of the bay window which was removed at some point in the past.
- 4.5 A terrace will be created at first floor level over the reinstated bay window to the rear of the property.
- 4.6 A terrace will be created at roof level accessed via a sliding roof light.

5 Planning Policy Framework

- 5.1 National Policy Guidance is produced by Central Government in the form of the National Planning Policy Framework, adopted in March 2012. This is a material consideration when determining planning applications.
- 5.2 The Statutory Development Plan comprises of regional policies with the Mayor's London Plan (Consolidated with Alterations since 2011) (herein referred to as "LP"), adopted in March 2015 and at a local level the London Borough of Camden Core Strategy (November 2010) and Development Policies Document (November 2010).
- 5.3 Supplementary Planning Guidance known as Camden Planning Guidance is also a material consideration along with the Belsize Conservation Area Statement.
- 5.4 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the statutory development plan unless material considerations indicate otherwise.

National Planning Policy Guidance

The National Planning Policy Framework (March 2012)

- 5.5 The NPPF document sets out the Government's planning policies for England and how these are expected to be applied. It summarises in a single document, previous national planning policy statements. The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.
- 5.6 The NPPF introduces the presumption in favour of sustainable development although it makes plain that the development plan is still the starting point for decision making.

Regional Planning Policy - The London Plan

March 2015 (Consolidated with Alterations since 2011)

- 5.7 The LP sets out the relevant London-wide planning policy guidance, the relevant regional planning policy guidance for the Royal Borough and forms a component part of the statutory development plan.

- 5.8 It aims to set out a framework to co-ordinate and integrate economic, environmental, transport and social considerations over the next 20-25 years. The LP is the London-wide policy context within which the boroughs set their local planning agendas.
- 5.9 The proposal has taken into account the most relevant LP policies and guidance affecting the proposals for the building. LP policies are referred to, where relevant, in Section 6 (Planning Considerations) of this Statement.
- 5.10 In addition to the LP, the Mayor has produced more detailed strategic guidance of issues, which cannot be addressed in sufficient detail in the Plan, through SPG documents. This does not set out any new policies but provides guidance of policies established by the LP.
- 5.11 The following policies from the LP are considered relevant to the planning application:-
- Policy 7.4 - Local character
 - Policy 7.6 - Architecture
 - Policy 7.8 - Heritage Assets and Archaeology

Camden Core Strategy (2010)

- 5.12 The following Core Strategy Policies are considered relevant to the determination of this application:-
- CS6 - Providing quality homes
 - CS14 - High Quality Places and Conserving Heritage
- 5.13 The following Development Policies are considered relevant to the determination of these applications:-
- CP24 - Securing High Quality Design
 - CP25 - Conserving Camden's Heritage
 - DP26 - Managing the impact of development on occupiers and neighbours

Supplementary Planning Guidance

- 5.14 The relevant LBC Supplementary Planning Guidance includes:-
- The Belsize Conservation Area Statement (April 2003)

Camden Planning Guidance 1(CPG1) - Design
Camden Planning Guidance 2 (CPG2) - Housing
Camden Planning Guidance 6 (CPG6) - Amenity

6 Principal Planning Considerations

- 6.1 This sections assesses the key planning considerations associated with the proposed development.
- 6.2 These are:-
- a) Amalgamation of existing residential units to create four flats;
 - b) Design of the proposed extensions and alterations
 - c) Impact upon the Conservation Area
 - d) Amenity

Amalgamation of five existing flats into four flats

Planning Law

- 6.3 The Town & Country Planning Act 1990, Section 55, Part 3A states that: "the use as two or more separate dwelling houses of any building previously used as a single dwelling house involves a material change in the use of the building and of each part of it which is so used". However, no mention is made as to whether conversion of two flats to a single unit requires permission.
- 6.4 Therefore, whilst planning permission is explicitly required to subdivide a single property into two or more dwellings as it is considered to be a material change of use, amalgamating two residential units does not necessarily constitute development that requires planning permission, subject to no external alterations being proposed.
- 6.5 This position changed with what is known as the Richmond case (2000). In this case the Court held that if the relevant Borough's planning policy resists the loss of residential units then this is a material consideration and the amalgamation of units could constitute a material change of use.
- 6.6 Whether a change of use takes place is therefore a question of whether, as a matter of fact and degree, the existing and proposed arrangements are materially different in planning terms.

London Borough of Camden- Planning Position

- 6.7 We understand that the Council is of the view that planning permission is required for any amalgamation of existing residential units.

Planning Policy

- 6.8 Whilst increasing the supply of housing is one of the key objectives of the London Plan, as set out in Policy 3.3, there is equally strong emphasis on the quality of housing.

- 6.9 Paragraph 3.11 of the London Plan states that:-

“Housing has a major impact on the health of residents, and the policies in this Plan are intended to enable Londoners to live in well designed, high quality homes, appropriately sized and energy efficient, warm and dry, safe”

- 6.10 The LP recognises that many housing developments are of variable quality (paragraph 3.35) and that the relative size of homes in London is a key element of this issue (paragraph 3.36). The LP therefore provides minimum space standards for dwellings based on Gross Internal Area (GIA) at Table 3.3.

- 6.11 Table 3.3 of the London Plan is as follows:-

Table 3.3 Minimum space standards for new development

	Dwelling type (bedroom (b)/persons-bedspaces (p))	GIA (sq m)
Flats	1p	37
	1b2p	50
	2b3p	61
	2b4p	70
	3b4p	74
	3b5p	86
	3b6p	95
	4b5p	90

6.12 Policy 3.14 relates to improving the quality of London's existing housing stock and states that:-

"Boroughs should support the maintenance and enhancement of the condition and quality of London's existing homes".

This policy also states that:-

"Loss of housing, including affordable housing, should be resisted unless the housing is replaced at existing or higher densities with at least equivalent floorspace".

6.13 The Mayor's Housing Supplementary Planning Guidance (SPG) published in 2012 makes clear that it is the Mayor's view that:-

"providing good homes for Londoners is not just about numbers. The quality and design of homes, and the facilities provided for those living in them, are vital to ensuring good liveable neighbourhoods" (para 0.1.1)

6.14 In terms of Local Planning Policy, Core Strategy Policy CS6 aims to maximise the supply of additional housing and minimise the net loss of existing homes. Paragraph 6.39 states that the Council's dwelling size priorities for market housing are homes with two bedrooms (highest priority) and homes with three or four bedrooms (medium priority).

6.15 Development Policy DP2 relates to making full use of Camden's capacity for housing.

6.16 This policy states that the Council will seek to minimise the loss of housing in the Borough by:-

"f) resisting developments that would involve the net loss of two or more homes, unless they:-

- Create large homes in a part of the borough with a relatively low proportion of large dwellings;
- Enable sub-standard units to be enlarged to meet residential space standards"

6.17 Paragraph 2.25 states that “some housing in the borough does not conform to current residential space standards. Where existing homes fall substantially below the residential space standards set out in our Camden Planning Guidance, the Council may consider proposals involving the loss of dwellings in order to meet the standards. We will consider proposals favourably if existing homes are 20% or more below the space standards and the loss of dwellings is no greater than is necessary to meet the standard”.

6.18 Turning to the Council’s SPG, the Council has set minimum space standards to ensure rooms are large enough to take on varying uses. Space standards relate to the occupancy of a home rather than number of bedrooms.

6.19 The overall internal floorspace in new self-contained dwellings (excluding communal lobbies and staircases) should normally meet or exceed the minimum standards set out in the following table:-

Number of Persons	1	2	3	4	5	6
Minimum floorspace (sq m)	32	48	61	75	84	93

6.20 The Council will expect bedrooms to meet or exceed the following minimum sizes:

First and double bedrooms - 11.0 sq m

Single bedrooms - 6.5 sq m

Assessment

6.21 The proposal involves the amalgamation of the existing flats within the building which will result in the loss of one residential unit. Flats 1 (66 sqm) and 2 (51.1 sqm) at lower ground floor and upper ground floor will be amalgamated to form a flat comprising 142 sqm.

6.22 The following table sets out the existing sizes of the five flats:-

	Sqm	Bedroom 1 size	Bedroom 2 size
Lower ground floor - 3 person	66	14.4 sqm	6.6 sqm (single)
Upper ground floor - 4 person	51.1	9.5 sqm	9.5 sqm
First - 4 person	55.7	9.9 sqm	9.4 sqm
Second - 4 person	54.2	9.7 sqm	10.2 sqm
Third - 4 person	63.1	11.2 sqm	10.4 sqm

- 6.23 When compared against national minimum space standards, only the lower ground floor flat and the third floor flat fall within the minimum standards.
- 6.24 The proposal will ensure that the four proposed flats provide quality, well designed accommodation.
- 6.25 All of the bedrooms in the four proposed flats will comply with National and local space standards.
- 6.26 Flat 1 will exceed National, Regional and local space standards enabling 6 people in total to live in a well designed, high quality home which is appropriately sized and energy efficient in accordance with paragraph 3.11 of the LP.
- 6.27 Flats 2 and 3 will remain relatively the same size i.e. 55 sqm but will be rationalised so that the unit can only accommodate three rather than four people and the bedrooms will be altered so that they comply with local minimum space standards for double and single bedrooms. This is considered to be an important improvement when compared to the existing arrangement.
- 6.28 The proposal represents a significant enhancement of the existing housing stock which meets the policy objectives of Policy 3.14 of the LP. The proposal will not result in any loss of residential floorspace or use.
- 6.29 The proposal will result in the net loss of one residential unit which is substandard in terms of its size. The proposal therefore accords with Policy DP2 and paragraph 2.25

which states that **“we will consider proposals favourably where the existing units are more than 20% below the space standards”**.

- 6.30 The proposal will result in the creation of a three bedroom unit which could accommodate a number of different groups in the community including families and older people in accordance with paragraph 50 of the NPPF.
- 6.31 Whilst the Council’s policies seek to resist the loss of residential units, where those existing units are substandard in terms of size and quality, it is considered that the opportunity to improve the quality of the existing accommodate should be welcomed and should be considered to comply with relevant planning policies and objectives at a National, Regional and Local level.

Design

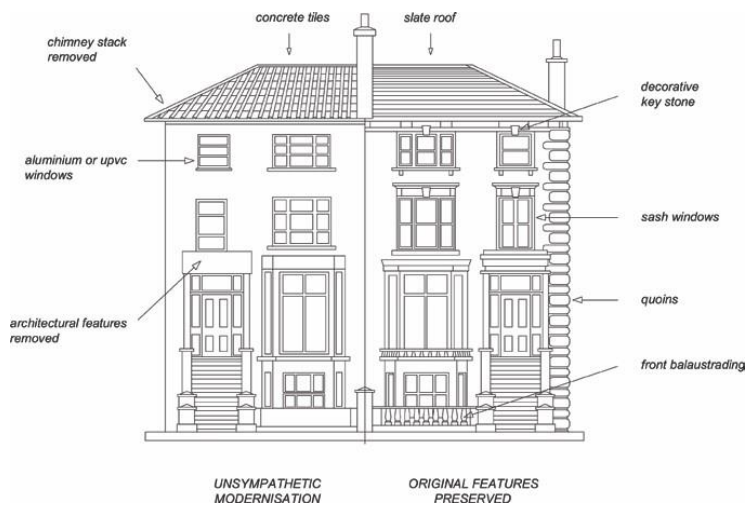
- 6.32 The Government attaches great importance to the design of the built environment in the NPPF. Paragraph 56 states that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positive to making places better for people.
- 6.33 At paragraph 57 the NPPF stipulates that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.
- 6.34 LP policies 7.4, 7.5 and 7.6 relate to ensuring that development respects the local character of the area, promotes high quality public realm, and ensures that the architecture makes a positive contribution to a coherent public realm, streetscape and wider cityscape.
- 6.35 At a local level Policy CS14 seeks to ensure that new developments are attractive, safe and easy to use.
- 6.36 The aim of development policy DP24 is to require all developments to be of the highest standard of design. It states that developments should consider:-
- The character, setting, context and form and scale of neighbouring buildings;
 - The character and proportion of the existing building;

- The quality of materials to be used;
- The provision of visually interesting frontages at street level;
- The appropriate location for building services equipment
- The provision of hard and soft landscaping; and
- The provision of appropriate amenity space.

6.37 The Camden Planning Guidance (2015) on Design (CPG1) provides more detailed information on design issues.

6.38 In relation to alterations, the CPG states that (in summary), timber is the traditional window material and new windows should match the originals as closely as possible, characteristic doorway features such as porches should be retained where they make a positive contribution to the character of groups of buildings. Materials should complement the colour and texture of materials in the existing building.

6.39 The CPG includes a diagram demonstrating appropriate and inappropriate alterations to residential facades. This is attached below.



6.40 With regards to rear extensions, the CPG provides some general principles. It states that rear extension 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 proportion of the building, including its architectural period and style;

- Respected and preserve existing architectural features such as projecting bays, decorative balconies or chimney stacks;
- Respect and preserve the historic pattern and established townscape,
- Not cause a loss of amenity to adjacent properties with regard to sunlight, daylight, outlook, overshadowing, light pollution, privacy/overlooking and sense of enclosure;
- Allow for the retention of a reasonable sized garden;
- Retain the open character of existing natural landscaping and garden amenity.

6.41 Paragraph 4.12 states that ground floor extensions are generally considered preferable to those at higher levels and the width of extension should be designed so that they are not visible from the street and respect the rhythm of existing rear extensions.

6.42 With regards to roof extensions and terraces, the CPG states that additional storeys and alterations are likely to be acceptable where:-

- There is an established form of roof addition or alteration to a terrace or group of similar buildings and where continuing the pattern of development would help to re-unite a group of buildings and townscape;
- Alterations are architectural sympathetic to the age and character of the building and retain the overall integrity of the roof form;
- There are a variety of additions or alterations to roofs which create an established pattern and where further development of a similar form would not cause additional harm.

6.43 In terms of balconies and terraces, the CPG recognises that these can provide valuable amenity space for flats. Considerations should be given to:-

- The detailed design to reduce the impact upon the existing elevation
- Careful choice of materials and colour to match the existing elevation
- Possible use of setbacks to minimise overlooking
- Possible use of screens or planting to prevent overlooking of habitable rooms or nearby gardens;
- Need to avoid creating climbing opportunities for burglars.

6.44 Terraces at roof level should be set back behind the slope of a pitched roof or behind a parapet on a flat roof. The guidance states that a terrace will only normally be acceptable on the rear of properties. Where a terrace is provided within the slope of a pitch the tiles and slates should be kept unbroken and the width of the terrace should be no wider than a dormer opening.

Assessment

6.45 Limited alterations are proposed to the front elevation.

6.46 Turning to the alterations and extensions to the rear of the property

6.47 At lower ground floor level, the property will be extended across the whole width of the property. This will create an additional 22 square metres of (GEA) floorspace for this unit. A generous rear garden will be maintained.

6.48 As this extension is at lower ground floor level, it will have a minimal impact both on surrounding properties and the appearance of the building and the Conservation Area as a whole. The extension extends to 3 metres from the rear building line and only occupies lower ground floor level which will ensure it reads as a subordinate addition to the original building in accordance with the provisions of the CPG.

6.49 A bay window will be reintroduced at upper ground floor level which will sit on the extension to the lower ground floor.

6.50 This is considered to be a significant enhancement to the appearance of the rear of the building reinstating what is recognised within the Conservation Area statement as a key original feature of these houses.

6.51 A terrace will be created over the bay window at first floor level. This will be enclosed by a simple and elegant black painted metal railings.

6.52 A roof terrace is proposed which will be accessed via a skylight. This has been carefully designed to ensure it is set back from the front and rear elevations by 2 metres from the rear and 2.7 metres from the front. This will be surrounded by black

painted metal railings which are considered to be appropriate materials for this building.

6.53 The rear façade we will be rebuilt in matching London stock bricks and will enable the reinstatement of the elegant detailing of the sash windows and brick lintels. The proposed windows will reinstate the original well designed hierarchy and proportions seen on the adjoining properties.

6.54 The rear façade detracts considerably from the appearance of the building when viewed from the rear and this element of the proposal will significantly improve the appearance of the building.

Impact upon the Conservation Area

6.55 Under paragraph 128 of the NPPF, in determining application, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.

6.56 Paragraph 131 states that in determining planning applications, local planning authorities should take account of:-

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- The desirability of new development making a positive contribution to local character and distinctiveness.

6.57 A proposal should not lead to substantial harm to or total loss of significance of a designated heritage asset unless it can be demonstrated that the harm or loss is necessary to achieve substantial public benefits (paragraph 133).

6.58 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 (paragraph 134).

- 6.59 The effect of an application on the significance of non-designated heritage assets should be taken into account in determining the application (paragraph 135).
- 6.60 Core Strategy Policy CS14 aims to manage growth in Camden in a way that conserves and enhances the heritage and valued places that give the Borough its unique character.
- 6.61 Development policy DP25 relates to conservation areas and states that the Council will only permit development that enhances the character and appearance of the area

Assessment

- 6.62 The existing building does make a contribution to the character and appearance of the conservation area.
- 6.63 The refurbishment of the building will undoubtedly enhance the contribution that the building makes to the Conservation Area.
- 6.64 The lower ground floor rear extension will have a limited impact upon the character and appearance of the Conservation Area. It will not be visible from the street and only extends from the rear building line by 3 metres.
- 6.65 The roof level alterations to create a roof terrace will be limited in terms of their visual impact as the terrace is set back from the front and rear roof. The alterations proposed will therefore not have a noticeable impact upon the overall character and appearance of the conservation area.
- 6.66 The rebuilding of the rear façade in London stock brick will enhance the character and appearance of the Conservation Area.

Amenity

- 6.67 Core Strategy Policy CS5 relates to managing the impact of growth.

- 6.68 Development policy DP26 states that when considering applications for new development and changes of use, the Council will seek to protect or enhance the amenities of the area.
- 6.69 Camden's Planning Guidance relating to amenity provides detailed information relating to overlooking, privacy and outlook.
- 6.70 This states that development should be designed to protect the privacy of both new and existing dwellings to a reasonable degree. It states that design measure to reduce overlooking and loss of privacy include obscured glazing, screening.

Assessment

- 6.71 The proposed roof terrace will provide important outdoor amenity space for the future occupants of the third floor flat which is a two bedroom unit.
- 6.72 The first floor terrace will provide important amenity space for the first floor flat without any increase in the amount of overlooking or loss of privacy to adjoining properties.
- 6.73 Issues surrounding amenity have been carefully considered as part of the design development stage, particularly in relation to the creation of the terraces.
- 6.74 The proposed roof terrace is set back from the front and rear parapet and the railing is offset from the roof edge by 2 metres at the rear and 2.7 metres at the front to limit the potential for any overlooking of and loss of privacy to adjacent properties.

7 Summary and Conclusions

- 7.1 The proposed refurbishment of this building will provide improved residential floorspace and a high quality environment for the proposed flats. The scheme is an excellent design conceived by Nash Baker Architects.
- 7.2 The proposal will result in the net loss of one residential dwelling but the proposal will result in rationalised and improved accommodation throughout the building. The proposal also complies with local policies.
- 7.3 The Council will favourably consider the loss of units where the existing units fall below Council standards by 20%.
- 7.4 The proposed extensions and alterations are fairly minor in nature and have been carefully designed to ensure they read as subordinate additions and alterations to the property.
- 7.5 Careful consideration has been given to the relevant policies and in particular the Camden Planning Guidance relating to design, throughout the design development process.
- 7.6 The lower ground floor extension is subordinate to the existing building and not noticeable from the street. It will create important additional residential floorspace whilst retaining a generous rear garden.
- 7.7 The proposed terraces at first and roof level will not have any adverse impacts upon the amenity enjoyed by surrounding residents and will provide important outdoor amenity space for the future occupants of the first and second/third floor flat.
- 7.8 Overall, the proposal complies with the relevant policies at national, regional and local level and planning permission should be granted.