

2 Kemplay Road London NW3 1SY

Planning, Design and Access and Heritage Statement

LPA Ref:

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Documents

Document 1 Existing Photographs of the Site and Surrounding Area

Section 1: Introduction

- 1.1 This Planning, Design and Access and Heritage Statement has been prepared in support of a planning application for a change of use of 2 Kemplay Road, London NW3 1SY from a sui generis (guest house and residential) use to a C3 residential use as a single family dwelling house.
- 1.4 The acceptability of the proposed development is demonstrated in the following sections of this statement:
- **Section 2** sets out the relevant background information, comprising a site description and the relevant planning history;
 - **Section 3** provides details of the proposed works;
 - **Section 4** sets out the relevant planning policy issues;
 - **Section 5** provides the heritage impact assessment;
 - **Section 6** provides a design and access statement;
 - **Section 7** assesses the acceptability of the application proposals in the context of the relevant planning policies; and
 - **Section 8** sets out conclusions.

Section 2: Background Information

a) Site and Surrounding Area

- 2.1 The application site comprises a three storey and basement, double fronted, detached house located at the corner of Kemplay Road and Pilgrim's Lane. There are private gardens to the front, side and rear. The accommodation is provided over four floors. The basement rooms are used as utility space, storage, a library and a study. The ground floor comprises the entrance hall, two living rooms, dining and kitchen space. There are four bedrooms on the first floor with ensuite facilities that are occasionally used for letting and a small study. The top floor comprises a bedroom, dressing room, bathroom and roof terrace.
- 2.2 There is a separate single storey garage building with access off Pilgrim's Lane. This block was partially converted and extended to provide a garden/play room for use ancillary to the main property. A single garage is retained.
- 2.3 The property was constructed around 1873 and lies within the Hampstead Conservation Area. This part of the conservation area is made up of properties of a similar age and is primarily residential in character. Photographs of the property are attached as document 1.

DOCUMENT 1

b) Planning History

i) The Application Site

- 2.4 The property was originally constructed and used as a private single family dwelling house.
- 2.5 In 1985/86 planning permissions were granted (ref: PL/8501460/E/15/27 and PL/8600571/E7/15/27) for the conversion and extension of two of the garages to provide a playroom and garden room for use ancillary use to the residential property. These permissions were implemented.
- 2.6 In 1995 planning permission was granted (ref: HB/9560166/E7/15/27) for creation of openings and excavation at basement level to provide lightwells, stairwell, windows and a door to the basement. These works were implemented.

- 2.7 The current occupier purchased the property in 1978 and originally occupied it as a single-family dwelling. Over the years, the property has been used as a guest house/bed and breakfast with the occasional letting of between one and four letting rooms on the first floor. Enforcement action was taken in 1998, alleging an unauthorised change of use from residential to residential and guesthouse. An appeal was lodged and the notice was subsequently withdrawn by the Council.
- 2.8 In recent years the extent of the guest house use of the property has diminished to almost nil. These days one or two rooms are still let on a very occasional basis.

Section 3 Application Proposals

- 3.1 The application seeks planning permission for a change of use of the entire property back to a single dwelling house. The guest house use will cease completely.

- 3.2 No physical alterations requiring planning consent are proposed or required to facilitate the change of use.

- 3.3 The accommodation within the garage block will continue to be used for purposes ancillary to the main dwelling.

Section 4 Planning Policy Summary

4.1 This section of the report highlights the planning policies relevant to the proposal. In developing and assessing these proposals, the following documentation has been considered:

- National Planning Policy Framework (NPPF, 2012)
- London Plan (2016)
- LB of Camden Local Plan
- LB Camden Hampstead Conservation Area Appraisal

a) National Planning Policy Framework (NPPF)

4.2 The NPPF was adopted in March 2012 and provides the Government's overarching economic, environmental and social planning policies for England.

4.3 The document states that at the heart of the planning system, there is a "*presumption in favour of sustainable development*", which should be seen as a "*golden thread*" running through both plan-making and decision taking. The NPPF goes on to specifically emphasise that local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. It states that:

"Local planning authorities should look for solutions rather than problems. Decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area."

b) The London Plan (2016)

4.4 The London Plan provides the overall strategic plan for London, setting out an integrated economic, environmental, transport and social framework for the development of the capital.

- 4.5 On 10 March 2015, the Mayor published the Further Alterations to the London Plan (FALP). Accordingly, the London Plan (July 2011) has been updated to incorporate the Further Alterations together with incorporating the Revised Early Minor Alterations, which were published in October 2013.
- 4.6 Most recently, the Mayor of London published on 14 March 2016 Parking Standards and Housing Standards Minor Alterations to the London Plan (MALP), which bring the London Plan in line with national housing standards and car parking policy. The following London Plan policies are considered of particular relevance to the current application.
- 4.7 Policy 3.3 recognises the pressing need for more housing within London. Paragraph 3.32 notes that securing new housing of the highest quality and protecting and enhancing residential neighbourhoods are key Mayoral priorities.
- 4.8 Policy 4.5 deals with tourism development and sets out priority areas for the location of tourism related development. Outside the central activities zone, this is to be directed to town centres and opportunity and intensification locations where there is good access to public transport to central London and national and international transport termini.

c) Local Policy

- 4.9 The Camden Local Plan was adopted in July 2017 and provides an up to date framework for consideration of these proposals.
- 4.10 Section 3 of the Camden Local Plan deals with meeting housing needs. It notes that the Council attaches equal weight to the quality and quantity of new homes.
- 4.11 Policy H1 seeks to maximise housing supply with an aim of exceeding a target of 16,800 additional homes between 2016/17 and 2030/31, including 11,130 additional self-contained homes. The provision of self-contained housing is identified in H1 (a) as the priority land use of the Local Plan.
- 4.12 Paragraph 3.18 notes that:

“Self-contained homes have the greatest potential to provide for a variety of household types with a reasonable standard of privacy and amenity. They generally have the space and flexibility to provide for people whether they are young or old, single people (often sharing), couples or families, and disabled people or people who need a carer for certain activities or overnight.”

4.13 Policy H3 aims to ensure that existing housing continues to meet the needs of existing and future households by:

“a. Resisting development that would involve a net loss of residential floorspace, including any residential floorspace provided:

- **within hostels or other housing with shared facilities**
- **as an ancillary element to another use or separating the housing floorspace from the main use;**

b. protecting housing from permanent conversion to short-stay accommodation intended for occupation for periods of less than 90 days;

c. resisting development that would involve the net loss of two or more homes...”

4.14 Paragraph 3.71 recognises that letting housing to visitors reduces the accommodation available to permanent residents. It also notes that visitor letting can also increase the incidence of noise, sometimes at unsocial hours, and generate high turnover of occupiers that harms community cohesion and increases the fear of crime.

4.15 Policy H7 seeks to secure a range of homes of different sizes that will contribute to the creation of mixed, inclusive and sustainable communities and reduce mismatches between housing needs and existing supply.

4.16 Policy E3 deals with tourism in the Borough. It recognises the importance of the visitor economy in Camden. New large scale tourism development is directed to central London, Kings Cross, Euston, Tottenham Court Road and Holborn. Smaller scale facilities are directed to Camden Town, Kilburn, Westhampstead, Kentish Town and Finchley Road/Swiss Cottage. The policy notes that outside these preferred areas tourism development will be considered where it would have a local or specialist focus and would attract a limited number of visitors from outside the Borough.

d) Hampstead Conservation Area Appraisal

4.17 The conservation area appraisal identifies the site as being within character area 3 - Willoughby Road/Downshire Hill. There are no relevant policies contained within the appraisal document.

Section 5 Heritage Impact Assessment

5.1 The site is located within the Hampstead Conservation Area. The property is however not listed or identified as a building of special merit, although it is identified, along with its neighbours, as making a positive contribution to the conservation area.

a) Heritage Policy Framework

5.2 As set out in the National Planning Practice Guidance (NPPG), protecting and enhancing the historic environment is an important component of the National Planning Policy Framework's (NPPF) drive to achieve sustainable development (as defined in paragraphs 6-10 of the NPPF).

5.3 The appropriate conservation of heritage assets forms one of the 'Core Planning Principles' (paragraph 17 bullet 10 of the NPPF) that underpin the planning system which sets out that planning should:

"Conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations".

5.4 This core principle is expanded upon in paragraphs 126 – 141 and the Glossary of the NPPF, and within the NPPG. This principle stems from Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("The Act") which places a duty on Local Authorities to have:

"...special regard to the desirability of preserving the building or its setting or exercise of any features of special architectural or historic interest which it possesses."

5.5 Section 72 of The Act also requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

5.6 Paragraph 126 of the NPPF sets out that heritage assets should be conserved in a manner that is appropriate to their significance. Local planning authorities should take into account:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

- the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- the desirability of new development making a positive contribution to local character and distinctiveness; and
- opportunities to draw on the contribution made by the historic environment to the character of a place.

b) Significance of the Heritage Asset

5.7 In this case the designated heritage asset of significance is the conservation area as a whole. The character of the area is described in the conservation area appraisal and the properties in Kemplay Road were built in the 15 to 20 years after Carlisle House was sold off for development in 1875. The area now occupied by Kemplay Road was part of its extensive grounds. The property at number 2, unlike its immediate neighbours, is a detached dwelling and the streetscape audit notes ‘the very delicate iron gate’ and ‘iron archway over’.

5.8 The building is not listed but, like its neighbours, makes a positive contribution to the overall character of the conservation area.

5.9 The conservation area appraisal divides the conservation area into sub areas and the property falls within the Willoughby Road/Devonshire Hill character area 3. The character is described in the report as follows:

“These streets form one of the most dense and homogenous parts of Hampstead, laid out somewhat like a grid. The houses are mostly of red or gault brick. Few are of high architectural quality, but many have attractive timber porches, ornamental brickwork or other flourishes typical of their period. Denning Road, Carlingford Road, Kemplay Road all run downhill away from Willoughby Road comprising largely four storey terraced Victorian houses with their rooflines stepping downhill to the east. Many of the houses have semi-basements and steps up to the front door with boundary walls to the pavement. Architectural details vary from street to street adding character to the area as a whole.”

5.10 With regard to the application property it notes:

“At the corner with Pilgrim’s Lane is No.2, a two storey double fronted house with similar brickwork to the adjacent terrace. The single storey bay and porch has a parapet and balustrade and there are pollarded trees in the front garden.”

c) Impact of the Proposals

- 5.11 The proposed change of use will have no adverse impact on the external appearance of the property and no impact on the visual appearance of the conservation area. Returning the property to its original use as a single dwelling house will have a positive impact on the character and function of this part of the conservation area and should be welcomed.

Section 6: Design and Access Statement

a) Use

6.1 The property's current use is a sui generis (guest house and residential) use. The guest house use has been less intensive in recent years and the proposal is to change the use of the entire property back to residential.

b) Scale and Amount

6.2 There is no alteration to the overall scale of the property or amount of floorspace. This is simply a change of use of the existing property and no physical alterations which require planning permission are required.

c) Layout

6.3 The layout of the building is not proposed to be altered.

d) Appearance

6.4 The overall external appearance of the building and the site will remain unchanged.

e) Landscaping

6.5 There are no proposals to alter the landscaping.

f) Access

6.6 Access will remain as existing with the principal pedestrian access being from Kemplay Road and vehicular access from Pilgrim's Lane. The site has a PTAL rating of 3.

Section 7: Planning Assessment

7.1 The main planning issues to be considered in respect of this application are:

- the principle of the change of use;
- the loss of visitor accommodation;

a) Principle of the change of use

7.1 The Camden Local Plan clearly identifies self-contained housing as the priority land use within the Borough. The proposal will ensure that this property, which was originally built as a single family home, can be returned to its optimum use.

7.2 No physical work is required to ensure that the accommodation can be returned entirely to C3 use. The use of part of the property for letting purposes did not alter the character of the interior and there is no requirement for any physical works which would require planning consent to return the property to use as a single-family unit. As such there is no impact on the appearance of the conservation area.

7.3 Although the Hampstead conservation area is of mixed character, this part of the conservation area is almost exclusively in residential use, being outside the town centre area. The change of use back to entirely residential use will help to meet the need for accommodation by larger families. The Local Plan identifies a variety of sizes of accommodation are required. It will also be consistent with and enhance the character of this part of the conservation area, which is residential in character rather than commercial.

7.4 The change of use back to a residential use will be more compatible with the use of surrounding properties, which are all in residential use. The use by a single family rather than offering guest accommodation will also lead to less intensive use of the external amenity space, which is currently used by the owners of the property and guests. As such it will enhance residential amenity for neighbouring properties.

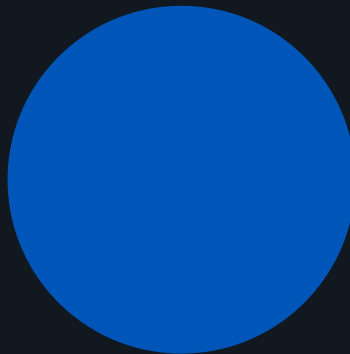
b) Loss of tourist accommodation

7.5 The London Plan and the Council recognises the value of tourism, but this is not one of the preferred locations for tourist accommodation, having a PTAL rating of only 3.

- 7.6 The Local Plan also recognises the potential for visitor accommodation to adversely affect residential amenity. Indeed, the original change of use was the subject of enforcement action because it was considered that the alleged unauthorised use was harmful to amenity. The loss of this use and the return of the property to a single-family house should therefore be welcomed.
- 7.7 The proposal to change the use to C3 residential use as a single family dwelling is consistent with policies at national and local level and the limited loss of visitor accommodation should be considered acceptable in this location.

Section 8 Conclusions

- 8.1 This application seeks planning permission for a change of use of the sui generis (mixed guest house and residential) use back to a single residential property (C3). No physical changes to the exterior of the property are required.
- 8.2 As demonstrated within this statement, the application is entirely acceptable for the following reasons:
- the guest house use was originally the subject of enforcement action as the Council resisted the unauthorised loss of residential use;
 - the provision of single family residential accommodation is identified as the priority land use in the Local Plan and the change of use will help to meet the need for quality family accommodation;
 - the property was built as a single residential house and the proposals will restore the optimum use;
 - this part of the Hampstead Conservation Area is residential in character and the change of use will preserve and enhance this character;
 - no physical alterations to the property are required and the change of use will not affect the appearance of the property in the conservation area;
 - this is not a preferred location for visitor accommodation and has a low PTAL of 3;
 - the mixed use has the potential to cause disturbance in this primarily residential area.
- 8.3 The proposals are consistent with all of the relevant planning policies and guidance at both national and local level, and are acceptable in all other respects. We therefore respectfully request that planning permission is granted without delay.



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