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Date: 16/09/2019
Our ref: 2019/3967/PRE
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Jennifer Woods
Lichfields
14 Regent's Wharf
All Saints Street
London
N1 9RL

By email

Dear Jennifer,

Re: 17 Lyndhurst Gardens, NW3

Thank you for submitting a pre-planning application enquiry for the above property which was received on 03/08/2019 together with the required fee of £9,890.16.

1. Drawings and documents

Existing floor plans and elevations provided by email dated 23/08/2019, pre-app sketch plans dated July 2019, Bowles & Wyer landscape concept document, cover letter dated 24 July 2019, Lichfields heritage briefing note dated 9 August 2019, and Pre planning design statement dated August 2019.

2. Proposal

Conversion of the property from a rehabilitation and recovery centre and base for mental healthcare teams (Use Class D1), to 1 x 5 bedroom dwellinghouse with ancillary guest accommodation, and 1 x 4 bedroom dwellinghouse within 'The Lodge' (Use Class C3).

3. Site description

The application site is a two storey building on the west site of Lyndhurst Gardens within the Fitzjohns Netherhall Conservation Area. The building is Grade II Listed and was previously in use as a rehabilitation and recovery centre (D1 use). The site is now vacant following vacation by the NHS and purchase by a private seller.

4. Relevant planning history

14291 - The change of use of "The Hoo" 17, Lyndhurst Gardens, N.W.3. from a nurses' hostel to a school of radiography. Refused - 13/12/1972 – Reason for refusal – contrary to

development plan in which the area is zoned for residential purposes/loss of residential accommodation.

8703148 - The change of use and works of conversion including the erection of a two-storey rear extension to provide a twenty-nine bed nursing home for the elderly mentally ill. Granted 30/06/1988 – Government Circular.

PW9802467R1 - Change of use from a nursing home for the elderly (class C2) to a Community Mental Health Team base (class D1), plus provision of a disabled access ramp. Granted 17/12/1998.

Condition – the building shall be used as a ‘Community Mental Health Team’ base and for no other purpose within class D1 or in any provision equivalent to that class.

Reason – In granting this permission, the Council has had regard to the special circumstances of the case and wishes to have the opportunity of exercising control over any subsequent use in the event of Community Mental Health Team vacating the premises.

5. Relevant policies and guidance

[National Planning Policy Framework 2019](#)

[The London Plan March 2016](#)

[Camden Local Plan 2017](#)

Policy H1 Maximising housing supply
 Policy H4 Maximising the support of affordable housing
 Policy H6 Housing choice and mix
 Policy H7 Large and small homes
 Policy C1 Health and wellbeing
 Policy C2 Community facilities
 Policy C6 Access for all
 Policy A1 Managing the impact of development
 Policy A5 Basements
 Policy D1 Design
 Policy D2 Heritage
 Policy CC1 Climate change mitigation
 Policy CC2 Adapting to climate change
 Policy CC3 Water and flooding
 Policy CC4 Air quality
 Policy CC5 Waste
 Policy T1 Prioritising walking, cycling and public transport
 Policy T2 Parking and car free development

[Camden Planning Guidance](#)

CPG Interim Housing 2019

CPG Housing 2019
 CPG Design 2019
 CPG Altering and extending your home 2019
 CPG Amenity 2018
 CPG Transport 2019
 CPG Developer Contributions 2019

[Fitzjohns and Netherhall conservation area statement 2001](#)

6. Assessment

The principle planning considerations are considered to be the following:

- Land Use and Affordable Housing
- Standard of Accommodation
- Design/Heritage
- Impact on neighbouring amenity
- Transport
- Trees and landscaping
- CIL

7. Land Use and Affordable Housing

Loss of D1 use

Previous pre-application advice set out the Council's position on proposals involving the loss of community facilities. Policy C2 will not support the loss of community facilities unless one of two tests is met:

- i. a replacement facility of a similar nature is provided that meets the needs of the local population or its current, or intended, users;
- ii. the existing premises are no longer required or viable in their existing use and there is no alternative community use capable of meeting the needs of the local area. Where it has been demonstrated to the Council's satisfaction there is no reasonable prospect of a community use, then our preferred alternative will be the maximum viable amount of affordable housing.

The policy goes on to state that the loss of a facility may also be acceptable where this forms part of an asset management strategy of a public or voluntary body and the loss is necessary to allow the service to continue operating successfully, for example where a facility is underused or no longer fit for purpose.

'Community Uses, leisure facilities and pubs' CPG outlines the information that is required to support proposals for a loss of community use, including evidence of marketing. However, it goes on to state that an exception to the undertaking of the marketing exercise will be acceptable where development is part of an agreed programmed of social infrastructure re-

provision to ensure the continual redelivery of services and this can be evidenced through a service delivery strategy (paragraph 2.11).

To address this policy requirement, a letter has been provided from the NHS Associate Director of Estates and Facilities setting out the Trust's rationale behind the closure and disposal of the premises. The letter describes that the premises has been declared surplus to the requirements of the trust, and that the service has been re-located in its entirety to another Trust freehold at 3 Daleham Gardens, a seven minute walk away.

This is considered sufficient justification to demonstrate that a replacement facility has been provided which allows for the continued delivery of the service, and that the loss of D1 use would not be to the detriment of existing service users. As such, the loss of D1 use is considered acceptable and the evidence submitted meets the requirements of policy C2.

As advised previously, the proposed change to residential use (C3 use) is the Council's preferred use for the site, with the maximum viable amount of affordable housing. The proposals involve the creation of 1119sqm of new residential floorspace to provide two large dwellings (1 x 4 bedroom and 1 x 5 bedroom). The principle of the change to residential use is considered acceptable subject to the provision of affordable housing, as discussed below.

It is noted that four ancillary guest/staff suites are proposed within the annexe which the applicant requires for visiting family members; however, there are concerns regarding the potential for these to be converted into short term lets in future given that they are fully self-contained with segregated access path and garden area. It is recommended that the guest suites are more integrated and ancillary to the main residential dwelling.

Affordable Housing

Policy H4 requires a proportion of new housing to be affordable in accordance with the sliding scale. Targets are based on an assessment of development capacity whereby 100sqm (GIA) of housing floorspace is generally considered to create capacity for one home. Targets are applied to additional residential floorspace proposed.

A sliding scale target applies to developments that provide one or more additional homes and have capacity for fewer than 25 additional homes, starting at 2% for one home and increasing by 2% for each home added to capacity. Where developments have capacity for fewer than 10 additional dwellings, the Council will accept a payment in lieu of affordable housing. Payments-in-lieu are derived by calculating the affordable housing floorspace required, and converting this to a payment using a 'cost' per sqm.

For developments with capacity for 10 or more additional dwellings, the affordable housing should be provided on site; and where affordable housing cannot practically be provided on site, or offsite provision would create a better contribution (in terms quantity and/ or quality), the Council may accept provision of affordable housing offsite in the same area, or exceptionally a payment-in-lieu.

The proposals involve the creation of 1119sqm (GIA) additional residential floorspace, by the change of use of 969sqm and the creation of an addition 150sqm. The sliding scale in this

instance would require a provision equal to 22% of the total C3 floorspace (expressed in GEA). As the development has the capacity for 10 or more additional dwellings, the provision of affordable housing *on site* should be thoroughly explored and should be considered as part of further pre-application discussions, for example, within the Annexe, or elsewhere on site. However, it is acknowledged that there may be difficulties providing affordable housing on site, given the proposed use as two large single dwellinghouses, and the fact that the host building is a designated heritage asset. If it is not possible to provide on-site affordable housing, a clear narrative and justification which directly addresses the cascade approach of the policy to delivering affordable housing should be provided explaining why on-site delivery is not workable, and what the applicant has considered in terms of off-site options in the surrounding area. Off-site options could include an alternative 'donor' site to provide the required residential floorspace.

The Council's current adopted multiplier for calculating a payment-in-lieu within market residential schemes is £2,650 per sqm (based on GEA). In the event that it is demonstrated that on-site affordable housing is not practicable, and there are no offsite donor sites available, then if the Council were to accept a payment in lieu of affordable floorspace, this would result in an overall requirement of £815,484.50 based on 1398.75sqm GEA of new residential floorspace (using a GIA to GEA conversion of 1.25). It is recommended that a GEA measurement is provided with any future planning application, as the 1.25 multiplier to convert GIA to GEA may be an over-estimate in this instance.

This financial contribution would need be secured via a S106 legal agreement (if the proposal were acceptable in all other regards).

Additional residential floorspace (GIA)	Capacity (rounded floorspace addition/ 100sqm)	AH % target (capacity x 2%)	Estimated GEA (GIA x 1.25)	AH floorspace target (% target x GEA)	Payment in lieu (floorspace target x £2,650).
1119sqm	11 additional homes	22%	1119 x 1.25 = 1398.75	22% x 1398.75 = 307.73	307.73 x £2,650 = £815,484.50

More detailed information regarding the calculation of off-site provision and payments in lieu, including a formula for the 'cost' per sqm, is provided in CPG Interim Housing.

8. Standard of accommodation

The Council expects development to provide high quality housing that provides secure, well-lit accommodation with well-designed layouts and rooms in accordance with guidance provided by Policy H6 (housing choice and mix) and CPG Housing. The London Plan 2016 sets out nationally described space standards which all new dwellings must meet.

The proposals would be reverting the property back into residential use, with two separate self-contained large family dwellings. The main house would be very large with five bedrooms. Given the house was originally built as a large residential home, it would provide a high standard of accommodation. Likewise, the 'Lodge' would provide a new three storey, four

bedroom dwelling of 196sqm (GIA), which meets the national standard of 130sqm for a three storey, four bedroom, eight person dwelling.

There are concerns regarding the potential overlooking between the east facing windows of the main house and the south facing windows and terrace of the lodge. These windows are in close proximity to each other with clear views into the neighbouring property when one is stood in front of the window. Measures to prevent overlooking and perceived sense of overlooking should be investigated which are sensitive to the building's listed status.

9. Design/Heritage

The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions are proposed. Policy D1 of the Local Plan requires development to be of the highest architectural and urban design quality which improves the function, appearance and character of the area; and Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings.

Camden's Local Plan is supported by CPG (Design) and the Fitzjohn's/Netherhall Conservation Area Statement.

Significance

The property is divisible into three parts. The first two are the House and the Lodge, actually one grand Victorian house of 1890 by Horace Field which the applicant wishes to separate into two. It is in these parts, and their garden surroundings, that the significance lies. Much historic fabric survives and plan form is largely intact, albeit subdivided in places. The third component, the Annexe, is a 1980s addition of no conservation interest, although well-mannered in design.

Exterior

External works to the main house are not envisaged, although a brick meter cupboard attached to the façade can be removed. Gentle cleaning is acceptable, but patina should remain. Stonework repairs should only take place where necessary. Again, patina must remain. Likewise, the stripping of paint from the archway above the front door is discouraged as this would be removing 130 years of patina.

The existing external finish of the upper part of the Annexe is closely matched to that of the House. Any new finish should be similarly polite. Care will need to be taken with the proposed lantern that it does not present an alien form visible from the House. Also, having garden terraces set hard against the first floor windows is uncharacteristic, especially since their floor level appears to be at sill height. The site is well provided with gardens, so additional roof terraces will need clear justification.

The removal of the external metal fire escape stair would be supported, provided the existing brick work was made good to match the existing.

Windows

The existing windows should be renovated and fitted with secondary glazing in the House and the Lodge. Double glazing is not acceptable. There would be no objection to double glazing within the Annexe as this would not affect a historic room or fabric.

Internal

Internally and externally, all fittings and surfaces should be retained. Research should be carried out to find a suitable replacement for the bannister rails.

The separation of the Lodge is not of itself a problem provided the means of separation are reversible and legible. However, building regulations requirements regarding fire and noise will need to be fully explained and mitigated.

In the House, removal of non-original partitions is welcome where it re-establishes historic plan form. However, the plan to install pocket doors in the principal ground floor room is not acceptable. Likewise, the large first floor room within the Lodge facing Lyndhurst Gardens should remain in its original layout.

Plan alterations to the Annexe are likely to be acceptable.

Roof

The proposed roof extension to the House, to create a playroom, would result in a high degree of loss of fabric and would change the external form and plan form of the house. This is considered to be harmful with no corresponding public benefit.

Infill extension

The rear extension would result in loss of fabric. This would need to be clearly justified. Lightweight glazed extensions might be an appropriate form.

Annexe

The proposals include the re-cladding of the existing modern extension, and the demolition and rebuilding of the glass linking structure. The re-cladding of the annexe is likely to be considered acceptable provided it is a high quality design which preserves and enhances the special character of the listed building. The demolition of the existing timber and glass linking conservatory would not be objectionable given that it is not considered to contribute to the significance of the listed building. Care should be taken with how this element joins the historic building and how it sits in relation to existing fenestration. Any excavations to the floor level of more than 500mm would require the submission of a [basement impact assessment](#).

Landscaping

This is one house and should have one garden. The historic photos show the house visible from the street across a sloping lawn. The proposed heavy subdivision of the gardens is

unfortunate. There appears to be no good reason to separate the path from the garden areas to its north. The hedge to the south of the path appears to be motivated by the presence of parked cars, the introduction of which may be unacceptable if parking is not already present. The removal of the hedge from the boundary outside the Lodge accentuates the Lodge's functional division from the House, which is not an historic arrangement and so is unacceptable. Any alterations to the front boundary will need to be properly detailed and to retain the existing wall. Areas of walk-on roof lights are shown in the drawings. These would likely be considered acceptable to the north of the annexe, but should not be included adjacent to the historic building.

Servicing and structure

The structural implications of the gym machines and Japanese bathroom will need to be explained. The same is true of all servicing for new bathrooms, especially for lavatories. Air cooling does not appear to be envisaged and is likely to harm the character of the interiors.

Car parking

Four underground parking spaces are envisaged. As long as this basement is not beneath the House and has no above-ground manifestations, there are no heritage concerns. However, although it is acknowledged that historically there appears to be a ground level car parking space, the re-introduction of car parking at the site in association with the change of use back to residential use would be contrary to Policy T2 of the Local Plan and would not be supported at application stage. Please refer to section 11 for more information.

Conclusion

There does not appear to be much scope for enlargement of the accommodation. The proposed roof extension is unacceptable; however, a modest gain may be made in the yard behind reception, provided harm is avoided. Historic parts of the site must be either kept as they are or regressed to a more original condition, where appropriate. It is recommended that further pre-application advice is sought on the on-site delivery of affordable housing to determine the potential heritage implications of this.

10. Amenity

Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and would not harm the amenity of neighbouring residents. This includes privacy, outlook, noise, daylight and sunlight.

Given the fact that the building is located within a predominantly residential area, was originally a residential property when first constructed, and there are limited external alterations proposed, the conversion of the building back into residential use is unlikely to materially impact the amenity of neighbouring residents. It is recommended that floor plans depicting neighbouring buildings and their windows are included with any future application to demonstrate that there would be no unreasonable overlooking.

11. Transport

Car parking

Policy T2 of the Camden Local Plan states that the Council will limit the availability of parking and require all new developments in the borough to be car-free. This includes limiting the availability of both off-street and on-street parking.

The proposals include the installation of a car turntable within a new driveway at street level which would provide access down to a basement level with parking for four cars. There is no on-site parking at present, and the introduction of car parking would be contrary to Policy T2. New car parking is only considered acceptable where it is limited to spaces designated for disabled people (and this is often provided in the form of on-street designated parking bays) or parking for essential operation or servicing needs. Neither of examples are applicable in this instance. Policy T2 also states that the Council will resist the development of boundary treatments and gardens to provide vehicle crossovers and on-site parking.

The Council would also require the development to be car-free so that new occupants would not be able to obtain on-street parking permits, secured as a section 106 obligation if planning permission is granted.

Cycle parking

Policy T1 of the Camden Local Plan requires development to provide cycle parking facilities in accordance with the minimum requirements of the London Plan and the design requirements outlined in Camden Planning Guidance CPG (Transport).

The London Plan 2016 cycle parking standards (Table 6.3) sets out the number of cycle parking spaces required depending on the proposed dwelling size and requires one cycle parking space per one bedroom unit, and two spaces for all other dwelling sizes. Cycle parking must be secure, step-free and covered, in accordance with the guidance contained in CPG Transport.

12. Trees and landscaping

Policy A3 of the Local Plan is relevant in relation to trees. As there are trees within the application site and on adjacent sites, you would need to provide a Tree survey / Arboricultural assessment to support any future application. The Council will resist the loss of trees of significant amenity, historic, cultural or ecological value including proposals which may threaten the continued wellbeing of such trees.

13. CIL

The scheme may be liable to pay Community Infrastructure Levies for both the Mayor of London and the London Borough of Camden CIL. The Mayor's CIL will apply to all development that adds one or more dwellings or more than 100sqm of floorspace at a rate of £50 per sqm.

The Council's CIL will equally apply at a rate of £500 per sqm in the Zone C area. Please refer to the Council's website for further information on the Borough's CIL.

14. Conclusion

The proposed demolition of the existing linking structure between the historic house and annexe and re-cladding of the annexe would be likely to be considered acceptable subject to the detailed design, quality of materials, and how this structure would join the historic building. However, the proposed roof extension is considered to cause harm to the historic plan form and fabric and would not be supported. The conversion to residential use would likely be considered acceptable, subject to the maximum contribution to affordable housing. Further consideration should be given to how overlooking between residents of the main house and the lodge will be prevented. Car parking on site would not be supported.

15. Planning application information

If you submit a planning application which addresses the outstanding issue detailed in this report satisfactorily, I would advise you to submit the following for a valid planning application:

- Full planning and listed building consent application form
- An Ordnance Survey based location plan at 1:1250 scale denoting the application site in red
- Floor plans, roof plans, elevations and section drawings
- Planning statement including justification for change of use and exploration of affordable housing
- Heritage Assessment
- Design and access statement
- Tree survey and arboricultural method statement
- Sample photographs/manufacturer details of proposed brick cladding
- The appropriate fee
- Please see [supporting information for planning applications](#) for more information.

We are legally required to consult on applications with individuals who may be affected by the proposals. We would put up a site notice on or near the site and, advertise in a local newspaper. The Council must allow 21 days from the consultation start date for responses to be received.

A proposal of this size would be determined at full planning committee. For more details click [here](#).

This document represents an initial informal officer view of your proposals based on the information available to us at this stage and would not be binding upon the Council, nor prejudice any future planning application decisions made by the Council.

If you have any queries about the above letter or the attached document please do not hesitate to contact Laura Hazelton on the number above.

Thank you for using Camden's pre-application advice service.

Yours sincerely,

Laura Hazelton
Planning Officer
Planning Solutions Team