



# PLANNING STATEMENT

35 AND 37 FAIRFAX PLACE

# Contents

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1	INTRODUCTION	2
2	APPLICATION SITE	3
3	PROPOSED DEVELOPMENT	5
4	PLANNING CONTEXT	6
5	PLANNING ASSESSMENT	9
6	CONCLUSION	13

# 1 INTRODUCTION

- 1.1 This Planning Statement accompanies a planning application submitted in respect of the Proposed Development at 35 and 37 Fairfax Place, South Hampstead, NW6 4EJ ('Application Site'). The application seeks planning permission for the following:

*“Proposed extension and alterations to two existing dwellinghouses including first floor balcony and roof extension with dormer”*

- 1.2 This Planning Statement describes the planning application proposals and presents an assessment of the proposals in light of the development plan, and material considerations such as national policy and relevant guidance and explains how the Proposed Development is consistent with the development plan and all other relevant considerations.

- 1.3 The application is submitted with the following supporting documents:

- Cover Letter
- Application Form
- Application Drawings (Stefan Shaw Studio)
- Design and Access Statement (Stefan Shaw Studio)

- 1.4 This Planning Statement is structured as follows:

- **Section 2 - Application Site**
- **Section 3 - Proposed Development**
- **Section 4 - Planning Context**
- **Section 5 - Planning Assessment**
- **Section 6 - Conclusion**

## 2 APPLICATION SITE

- 2.1 The site is located to the north west of Fairfax Place and comprises two terraced houses, numbers 35 and 37. The gardens of the properties form a U shape either side of the garden to 81 Goldhurst Terrace. Number 37 has a detached garage located to the north of the property, and there is one on-street parking space for each dwelling.
- 2.2 The site is approximately 300m walking distance from South Hampstead overground station located to the south, and 500m from Swiss Cottage underground station and close to the neighbourhood centre with shops and restaurants on Fairfax Road and Fairhazel Gardens.
- 2.3 To the west, adjoining the rear of the site is South Hampstead Conservation Area. The properties on Goldhurst Terrace are within the Conservation Area, as is the western most section of the garden of 37 Fairfax Place. The Site location and Conservation Area boundary are indicated by Figure 2.1 below.



Figure 2.1 - Site Location Plan

- 2.4 Fairfax Place is characterised by two storey terraced dwellings constructed of brick, with three terraced houses to the north.

### Planning History

- 2.5 The terraced homes on Fairfax Place were constructed in the mid to late 19<sup>th</sup> Century, on what was originally known as Victoria Mews. Maps from the late 19<sup>th</sup> Century show the street as Fairfax Mews, and the houses on Goldhurst Terrace were also constructed around this time. The street today is known as Fairfax Place.

2.6 A summary of the planning applications and permissions relevant to the proposals is provided in table 2.1 below.

Ref. No.	Description of Development	Decision/Date
2016/0364	Certificate of lawfulness for the erection of rear dormer and single storey rear extension to 37 Fairfax Place	Granted 03.02.2016 (under the General Permitted Development Order 2015)
2016/4302/T	Works to 2x trees within the Conservation Area	No objection to works to trees in a Conservation Area (12.08.2016)

Table 2.1 - Planning History

#### Neighbouring Planning History – Fairfax Place

2.7 A number of extensions and alterations have been permitted and installed to the neighbouring terraces along Fairfax Place. The most recent applications are set out as follows:

- 27 Fairfax Place – erection of single storey rear ground floor extension, dormer to rear roofslope and 2 rooflights on front roofslope – Certificate of lawfulness granted 2020 (2020/2210/P)
- 21 Fairfax Place – erection of hip to gable roof extension, enlargement of dormer and insertion of two rooflights to front roof slope – Certificate of lawfulness Granted 2020 (2020/1433/P)
- 7 Fairfax Place – installation of rear dormer window and front rooflights and enlargement of window and door openings at rear ground and first floor level – Granted 2019 (2019/0653/P)
- 26 Fairfax Place – loft conversion involving the installation of a rear dormer – Withdrawn 2017 (2016/7051/P)
- 5 Fairfax Place – erection of single storey roof extension to rear roof slop and installation of roof lights to front elevation – Granted 2011 (2011/3097/P)
- 1 Fairfax Place – erection of flat roof dormer to rear and alterations to provide living accommodation at second floor level – Granted 2010 (2010/1466/P)
- 4 Fairfax Place – certificate of lawfulness for loft conversion including full width rear dormer window and three rooflights on front roofslope – Granted 2008 (2008/0979/P)

2.8 This demonstrates the extent of alterations and extensions to neighbouring properties along Fairfax Place. Images of nearby roof extensions have been included in the accompanying Design and Access Statement to illustrate the scale and materiality of neighbouring extensions and inform the design intent.

### 3 PROPOSED DEVELOPMENT

- 3.1 Planning permission is sought for works to extend and alter the existing two terraced houses including a single storey rear extension, balcony and dormer roof extension involving hip-to-gable alteration.
- 3.2 The proposed development forms part of a wider package of works that the owners of the properties are seeking to implement in order refurbish the buildings and provide a functional family home. The application proposals comprise of:
- Roof extension with dormer roof to provide an additional usable floor to the buildings. This includes altering the profile of the roof from hip to gable to the northern elevation.
  - Installation of first floor balcony to existing single storey rear extension to 37 Fairfax Place.
  - Creation of new first floor door opening to provide access to the new balcony.
  - Alterations to existing ground floor double doors to provide continuous opening across 35 and 37 Fairfax Place.

#### Additional Works

- 3.3 Separately to this application for planning permission, the applicant proposes a series of internal works that fall outside of the definition of development (as defined in the S.55 of the TCPA, 1990). These include internal alternation works to amalgamate two dwellings into a single dwelling, refurbishment and exterior works, such as the replacement of windows to the rear elevation, and landscaping works.
- 3.4 Whilst the amalgamation of two units does not constitute development, it is noted that the Camden Local Plan indicates that the principle of combining two dwellings into a single dwelling would not be contrary to any policy within the development plan (para 3.75).
- 3.5 Further works that are proposed fall within the definition of permitted development, in accordance with the Town and Country Planning (General Permitted Development) (England) Order 2015, and include:
- a) The installation of six roof lights to the principal elevation is permitted under the Town and Country Planning (General Permitted Development) (England) Order 2015 (Class C): which allows such installations where they would not protrude more than 0.15m beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof. The proposed rooflights would be flush with the existing roof and therefore benefit from permitted development.
  - b) The erection of a single storey rear extension at 35 Fairfax Place. This extension is 2.55m deep, 3m in width and 2.8m in height. This aspect of the proposals therefore falls within the definition of Class A section (f) which permits a single storey extension where it does not extend beyond the rear wall of the original dwellinghouse by more than 3m (in the case of a terrace) and does not exceed 4 metres in height. The proposed materials will be of a similar appearance to the existing dwelling as required by Condition A.3.
- 3.6 This Statement provides an assessment of those works that require planning permission against the relevant planning policy context. The details of the additional works set out in this section are provided for illustrative purposes only within this planning application and the works that are installed may vary to the extent that the relevant permitted development rights may allow.

## 4 PLANNING CONTEXT

- 4.1 This section provides an overview of the key policies relevant to the development. More details are set out in the next section regarding the relevant policy framework and level of compliance the proposals have with that framework.
- 4.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. For the redevelopment of 35 and 37 Fairfax Place, the Development Plan comprises:
- London Plan (2021)
  - Camden Local Plan (2017)
  - Camden Policies Map (Updated January 2021)
- 4.3 Other material considerations include the National Planning Policy Framework (NPPF) (February 2019), the Planning Practice Guidance and Camden's Supplementary Planning Guidance.

### London Plan (2021)

- 4.4 The London Plan 2021 was formally published in March 2021. The Plan is underpinned by the principle of 'Good Growth', that is, growth that is socially and economically inclusive and environmentally sustainable (Paragraph 1.0.1). Paragraph 1.1.4 highlights the positive impact that good quality, affordable homes, better public transport connectivity, accessible and welcoming public space and social, physical and environmental infrastructure that meets London's diverse needs can have on London.

### Camden Local Plan 2017

- 4.5 Camden Local Plan sets out the Council's planning policies 2016-2031. The Plan plays an essential role in the delivery of the Council's vision for the borough. The policies relevant to the application proposals are set out below.
- 4.6 Policy H3 resists development that would involve the net loss in residential floorspace or the net loss of two or more homes. Paragraph 3.75 states that 'net loss of one home is acceptable when two dwellings are being combined into a single dwelling'.
- 4.7 Policy A1 requires development to protect the amenity of occupiers and neighbours including visual privacy, outlook, daylight, sunlight and overshadowing. Development is expected to avoid harmful effects on the amenity of existing and future occupiers or take appropriate measures to minimise potential negative impacts.
- 4.8 Policy D1 seeks to secure high quality design in development. Proposals should respect local context and character and preserve or enhance the historic environment comprising details and materials that are of a high quality and complement the local character. It should also consider sustainability in terms of materials and construction.
- 4.9 Policy D2 requires development to preserve and, where appropriate, enhance Camden's heritage assets and their settings including Conservation Areas. The Council will not permit substantial harm to a designated heritage asset unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss. The Council will resist

development outside of a conservation area that causes harm to the character or appearance of that conservation area.

- 4.10 Policy CC1 relates to Climate change mitigation and expects all proposals to reduce carbon dioxide emissions and optimise resource efficiency.

#### **Camden Policies Map (Updated January 2021)**

- 4.11 There are no designations that affect the site itself. South Hampstead Conservation Area is located to the west of the site, encompassing part of the garden of 37 Fairfax Place. Fairfax Road and Fairhazel Gardens Neighbourhood Centre is located to the east and south of the site.

#### **Material Considerations**

- 4.12 In addition to the adopted Development Plan, the following documents are material considerations to the Proposed Development:

- National Planning Policy Framework (NPPF) (February 2019)
- National Planning Practice Guidance (last updated October 2019)
- Camden Design CPG (January 2021)
- Camden Home Improvements CPG (January 2021)
- Amenity CPG (March 2018)

#### **Camden Design CPG (2021)**

- 4.13 The key messages for design proposals in the borough include considering the context of a development and its surrounding area, the design of the building itself, the use and function of buildings and the use of good quality sustainable materials.
- 4.14 Responding to context means ensuring the scale of the proposal overall integrates well with the surrounding area, carefully responding to the scale, massing and height of adjoining buildings and the general pattern in the surrounding area.
- 4.15 Materials should be contextual in terms of texture, colour, pattern and quality of materials, they should respond to existing heritage assets and features by relating to the character and appearance of the area and be durable and fit for purpose.
- 4.16 Sustainability should be integral to design, considering development which is durable and adaptable and reduce energy and water use.
- 4.17 Development is required to show how the significance of a heritage asset, including any contribution made by their setting, has been taken into consideration in the design of the proposed works. The level of detail required will be proportionate to the asset/s importance and no more than is sufficient to understand the potential impact of the proposal on the significance of the asset/s affected.
- 4.18 Paragraph 5.11 and 5.12 sets out general principles for proposed extensions to ensure they are sensitively and appropriately designed having regard to scale, form and massing of neighbouring buildings and using materials and detailing that are sympathetic to the host building and buildings nearby. Extensions should also assess the impacts of the proposal on the amenity of adjacent residential properties with regard to daylight, sunlight, outlook, light pollution/spillage and privacy.



- 4.19 Paragraph 5.13 sets out that roof alterations are likely to be acceptable where there are good quality materials and details proposed and the visual prominence, scale and bulk would be appropriate having regard to the local context and where there is an established form of roof addition or alteration to a group of similar buildings and where continuing the patterns of development would be a positive design solution. Alterations should be architecturally sympathetic to the age and character of the building and retain the overall integrity of the roof form.
- 4.20 Paragraph 5.17 states that balconies and terraces should complement the elevation upon which they are to be located and should prevent overlooking of habitable rooms in residential properties or nearby gardens.

*Camden Home Improvements CPG (2021)*

- 4.21 The principles set out by this guidance are to:
- Respect and be complementary to the original character of the existing building;
  - Design spaces to be functional and adaptable for a range of uses, such as social gatherings, rest and relaxation;
  - Ensure rooms achieve a good quality internal environment that benefit from adequate natural daylight, outlook and ventilation;
  - Ensure that the space is usable and accessible to people with varying abilities;
  - Consider sustainable measures within the design that maintain and improve your living conditions;
  - Ensure extensions and alterations are safe and secure.
- 4.22 This guidance sets out that dormers should sit within the roof slopes and appear as an extension to the existing roof whilst maintaining the existing roof form.

*Amenity CPG (March 2018)*

- 4.23 This SPD sets out the standards of amenity expected for developments in the Borough. It requires development to be designed to protect the privacy of occupiers of both existing and proposed dwellings. Mitigation measures should be included to reduce overlooking.

## 5 PLANNING ASSESSMENT

- 5.1 This section provides an assessment of the application proposals in light of the development plan and material considerations relevant to the scheme. The site history, planning designations and policy context provides a framework within which emerging proposals have also been considered.

### Principle of Development

- 5.2 The NPPF supports a presumption in favour of sustainable development, set out at paragraph 11 which requires the approval of development proposals that accord with an up-to-date development plan without delay.
- 5.3 Camden Local Plan Policy H3 resists the net loss of residential floorspace, or the net loss of two or more homes. These works would not involve any loss to floorspace and do not involve the loss of two or more homes. The proposals are therefore consistent with Policy H3. The proposed development would increase the supply of larger homes for families in the local area and therefore the principle of the development is consistent with the development plan.
- 5.4 The proposals have also taken appropriate regard of relevant policies associated with design, heritage and amenity to demonstrate they are suitable in terms of scale and appearance.

### Design

- 5.5 Camden Local Plan Policy D1 seeks to secure high quality design in development. Proposals should respect local context and character and preserve or enhance the historic environment comprising details and materials that are of a high quality and complement the local character. It should also consider sustainability in terms of materials and construction.
- 5.6 The Camden Design CPG reinforces that extensions should be sensitively and appropriately designed having regard to scale, form and massing of neighbouring building and using materials and detailing that are sympathetic to the host building and buildings nearby.
- 5.7 The proposed roof extension has regard to local context, where there is an established form of roof additions and alterations. The extension to 35 and 37 Fairfax Place involving a hip to gable alteration is consistent with the established pattern of development in the local area and is considered to respect and enhance the design intent of the original building. The alteration to the north elevation facilitates the provision of a new stairway internally providing access directly from the main entrance to 37 Fairfax Place. The proposed development brings the form of the roof into line with the adjacent 26 Fairfax Place and 1 and 2 Fairfax Place which form the southern elevation of the terraces.
- 5.8 The scale of the roof extension is proportionate to the host building, responding to the general pattern of extensions and local context.
- 5.9 The proposed materials complement the existing building using a colour and material in-keeping with the existing roof. Other building extensions and alterations use brick to match the existing façade.
- 5.10 The proposed alterations to the window and doors will enhance the internal amenity of the dwellings by improving daylight levels into the main living areas of the house. The materials have been selected as a contemporary addition to the building, and the dark grey colour will be consistent across the rear façade, complementing the dark colour of the roof.

- 5.11 The design therefore meets the requirements of Camden Local Plan Policy D1 with a high quality design that has respects local context, whilst reusing existing buildings to meet the needs of the residents.

### Amenity

- 5.12 Camden Local Plan Policy A1 requires development to protect the amenity of occupiers and neighbours including visual privacy, outlook, daylight, sunlight and overshadowing. Development is expected to avoid harmful effects on the amenity of existing and future occupiers or take appropriate measures to minimise potential negative impacts.
- 5.13 The proposal does not involve the addition of any windows to the side elevation of the property, towards the neighbours at 39 and 43 Fairfax Place. The distance between these homes and 37 Fairfax Place is sufficient (approximately 13.5m) that the change from hip to gable elevation is unlikely to have any adverse impacts on the amenity of neighbouring properties. This should also be considered in the context of the approximate 8m distance face to face between the terraces to the east and west of Fairfax Place.
- 5.14 The roof extension has considered the outlook and privacy of the neighbouring property to 33 Fairfax Place by minimising the number of windows and openings. The window adjacent is to the master bedroom and its positioning is consistent with a standard row of terraces with windows to the rear elevation. There is currently a window to a bedroom in the first floor elevation in a similar location.
- 5.15 The single storey to be constructed under permitted development rights will include provision of a green roof which will soften the appearance in views from 33 Fairfax Place.
- 5.16 The proposed balcony has been located above the existing single storey extension to 37 Fairfax Place and will be enclosed by a glass balustrade. The location has been selected to preserve the amenity of the residents to 33 Fairfax Place (to the south) and will not overlook any habitable rooms or their garden. The balcony will be close to the rear garden of 81 Goldhurst Terrace. However, the overlap is minimal with most of the balcony area overlooking the garden to 37 Fairfax Place itself. The relationship to the neighbouring garden should be viewed in the context of its depth which is a minimum of 27m, substantial for a residential garden in London.
- 5.17 The proposals have been designed to preserve the amenity of neighbouring residents and ensure that overlooking is minimised and privacy is protected as required by Camden Local Plan Policy A1 and relevant CPGs.

### Heritage

- 5.18 The Application Site directly adjoins the South Hampstead Conservation Area. Camden Local Plan Policy D2 requires development to preserve the setting of heritage assets including conservation areas and will resist development outside of a conservation area that causes harm to the character or appearance of that conservation area.
- 5.19 In the context of the neighbouring properties, the proposed roof extension is not an incongruous addition to the roofline of Fairfax Place where dormer roof extensions have been implemented to a great number of the rear elevations to the terraced houses.
- 5.20 The alteration of the roof from hip to gable to the northern elevation has been sensitively designed, and the row of terraces will appear comparable to the south elevations of 1 and 2 Fairfax Place. This alteration is unlikely to have any impact on the setting of the conservation area.

- 5.21 In terms of materials, these have been selected given the context of the existing houses and the appearance of the roof extension from the conservation area. A variety of materials have been used in neighbouring dormer extensions including dark red and grey cladding meaning there is no consistent precedent. The proposals propose to use a dark grey tile cladding to match the existing roof and complement the appearance of the host building.
- 5.22 The addition of a balcony to the existing single storey extension is unlikely to alter the setting of the conservation area, and the use of a glass balustrade will be imperceptible. The introduction of a balcony is therefore not anticipated to cause any harm to the character or appearance of the conservation area.
- 5.23 Whilst the Application Site is not within the Conservation Area, it is visible from within it. The scale of the proposed works are consistent with the existing building line and are not expected to give rise to any impact on the character or appearance of the Conservation Area in accordance with Camden Local Plan Policy D2.

### Sustainability

- 5.24 Camden Local Plan Policy CC1 requires proposals to reduce carbon emissions and optimise resource efficiency.
- 5.25 The reuse of existing buildings to provide a large family home preserves the existing building fabric and reduces the embodied carbon emissions. The alterations to the building will include enhancements to the existing insulation and upgrades to energy efficient windows and doors to improve the thermal performance of the building and reduce energy demand. These measures will assist in delivering sustainable development as set out at Camden Local Plan Policy CC1.

### Parking and Transport

- 5.26 The proposed development does not involve any alterations to the existing vehicular access and parking arrangements. The properties have two parking spaces with storage for bicycles in the existing garage (to the north of 37 Fairfax Place). There is no proposal to change the use of the existing building, and therefore the proposals do not give rise to any issues in relation to parking and transport.

### Summary

- 5.27 The proposed development seeks to improve the quality and appearance of the existing terraced houses to provide a large family home for the current residents. The proposals have been designed with consideration for the existing context including the adjoining South Hampstead Conservation Area and the extent of roof dormer extensions to the row of terraces. Materials have been selected to complement the existing character of the building and will be of a high quality.
- 5.28 The proposals will not result in any harm to the setting of the conservation area and will be discreet in the context of surrounding development and extensions and the existing building.
- 5.29 The amenity of neighbouring properties has been taken into consideration and balconies and windows located to minimise the degree of overlooking to neighbouring gardens. The proposals would not result in any undue impacts to the internal amenity or privacy of any neighbouring properties.
- 5.30 The proposals are therefore in line with the requirements of the Camden Local Plan and accompanying Supplementary Planning Documents by providing high quality design, which preserves the amenity of

the adjacent properties. The proposals represent sustainable development and are considered to be in full accordance with the Development Plan.

## 6 CONCLUSION

- 6.1 Planning permission is sought for works to extend the roof and implement a first floor balcony to complement works to provide a family home for the existing residents of 35 and 37 Fairfax Place. The building sits at the northern end of a row of mid to late 19<sup>th</sup> century terraced houses, many of which have been altered and extended especially through the use of dormers at roof level.
- 6.2 This Planning Statement has addressed a variety of planning considerations arising from the proposed development and should be read in conjunction with the supporting Design and Access Statement (Stefan Shaw Studio) and accompanying drawings.
- 6.3 The proposed development represents sustainable and high quality design, having cognisance to the local character by:
- Retention and reuse of an existing building, minimising carbon emissions;
  - Sensitive and complementary material palette in-keeping with the existing building and context;
  - Locating the proposed balcony away from neighbouring properties to preserve internal amenity and privacy, and minimise impacts on external amenity;
  - Supporting the reuse of existing residential accommodation to meet the family's needs.
- 6.4 Section 38(6) of the Planning and Compulsory Purchase Act requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 6.5 This Planning Statement demonstrates that the development proposals within this application are in full accordance with the development plan and represent sustainable development in line with paragraph 11 of the NPPF. It is therefore respectfully requested that planning permission be granted for the proposed development without delay.