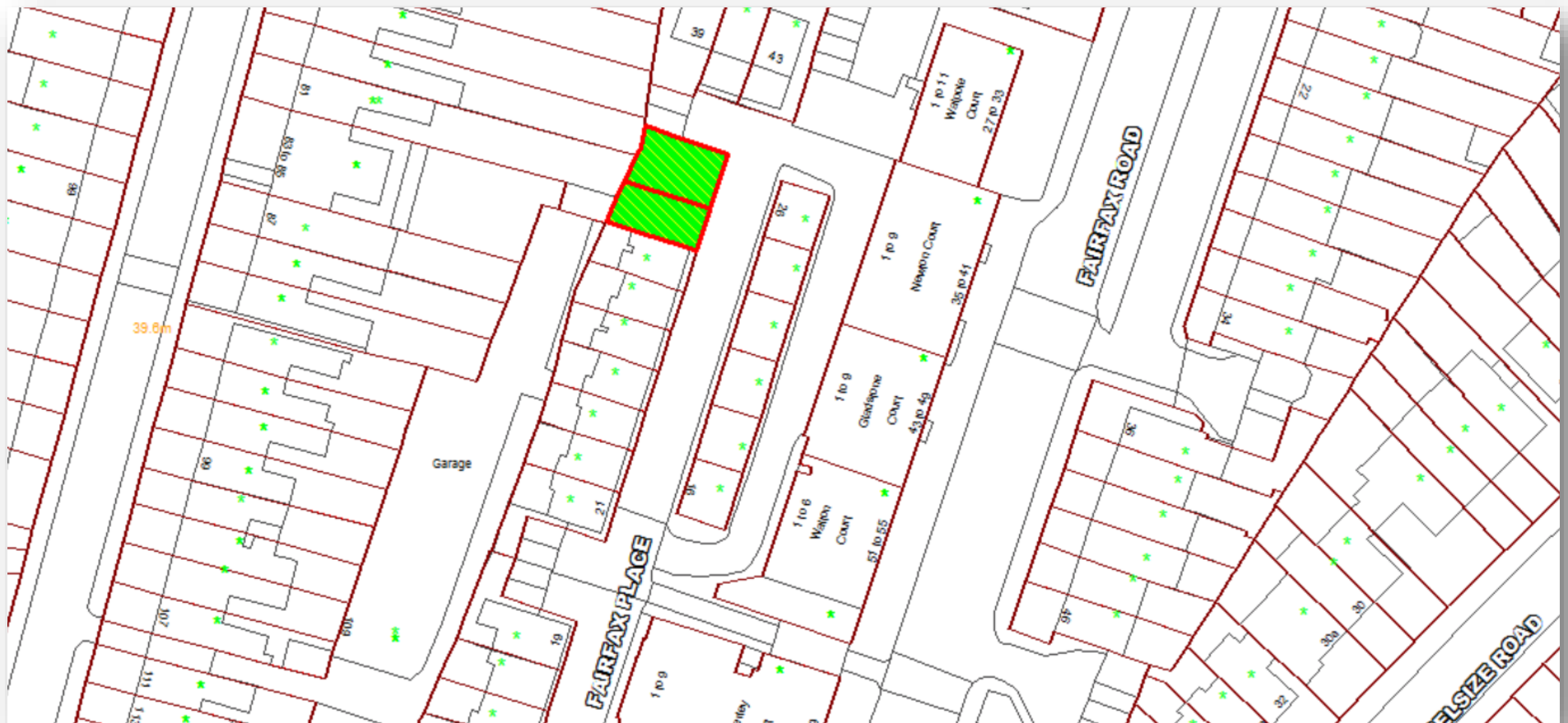


35-5 Fairfax Place  
NW6 4EJ

Ref. 2021/1692/P



## Site photos and drawings 35-7 Fairfax Place

1. Aerial view with number 35 and 37 highlighted. Rear roof extensions already in place at properties to the south.



2. Existing rear elevation



3. Existing side elevation



4. Existing front elevation



5. Proposed rear elevation



6. Proposed side elevation



## 7. Proposed front elevation



## 8. Photomontage of rear elevation (proposed)

### Revised proposals July 2021

The amendments have been revised following the planning consultation period to respond to comments.

AMENDMENT:  
Proposed dormers rationalised to provide the 0.5m clearance from the eaves

AMENDMENT:  
Revised openings to the roof, responding to the existing building line and scale of openings to the ground and first floor elevations.

AMENDMENT:  
Dormers divided into two with a 1m distance between dormer cheeks.

AMENDMENT:  
0.5m offset from dormer cheek to the party wall line.

AMENDMENT:  
Balcony and balustrade removed.



AMENDMENT:  
Replacement of the Juliet balcony with a new window matching in size and style with the existing.





<b>Delegated Report</b> <b>Members Briefing</b>		Analysis sheet		Expiry Date:	3/06/2021
				Consultation Expiry Date:	5/07/2021
<b>Officer</b>			<b>Application Number</b>		
John Sheehy			2021/1692/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
35-37 Fairfax Place London NW6 4EJ			See decision		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal</b>					
Erection of a roof extension to the rear of both properties, change of use from two houses to one, hip to gable extension at no. 37, single storey rear extension to no. 35 and installation of rooflights to principal elevation.					
<b>Recommendation:</b>		Grant conditional permission			
<b>Application Type:</b>		Full planning permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	N/A	No. of responses	9	No. of objections	7
			No. electronic	9		



<p>Summary of consultation responses:</p>	<p>Site Notice displayed 11<sup>th</sup> of June 2021 expired 5<sup>th</sup> of July 2021</p> <p>Six objections have been received, from 9, 25, 26, 31, 33, 39, 43.</p> <p><u>Planning Use</u></p> <ul style="list-style-type: none"> <li>Concerns about joining nos 35 and 37 Fairfax Place together by demolishing internal walls, though it's noted that the rear dividing garden wall has already been removed. If this is permitted, could all the houses now be knocked into one to form a hotel?</li> <li>Larger unit is out of character with the whole street. Could change atmosphere of street;</li> <li>Each current house can be extended by loft conversion, thus providing sufficient space for a family with children. This would be a more suitable solution during the current housing shortage, rather than combining two houses into one;</li> <li>Fairfax Place is a very old and well established mews. All the houses are in single ownership. Some have garages on the ground floor. To allow 35 and 37 Fairfax Place to be one building sets a bad precedent for the whole character of the mews to change over time.</li> </ul> <p><u>Officer response:</u> <i>combining the two houses into a single larger house is in accordance with policy H3 as it would not result in a net loss of residential floorspace nor the loss of two homes. For assessment see 3.1 - 3.3 in Land Use section below.</i></p> <p><u>Design / Visual appearance</u></p> <ul style="list-style-type: none"> <li>The first floor balcony destroys the uniformity of the mews which is part of its structure and appeal. The owners of this terraced house are attempting to form a mansion out of a small home.</li> <li>The proposed extensions would make the nearby residents feel that they were overwhelmed by these extensions, proposal is completely out of character with the other houses in Fairfax Place.</li> </ul> <p><u>Officer response:</u> <i>rear first floor and second floor balconies have been removed. For assessment of proposed works see 4.2-4.5 in Design section below.</i></p> <p><u>Impact on Amenity</u></p> <ul style="list-style-type: none"> <li>Potential noise from 35 Fairfax Place. One of conditions should be that full noise cladding is installed between 33 and 35;</li> <li>The balconies should not be allowed as they will overlook the gardens of other houses from close proximity and cause loss of privacy to neighbours.</li> </ul> <p><u>Officer response:</u> <i>Party wall matters are covered by the party wall act rather than planning legislation. As a result they cannot be taken into consideration in the assessment of a planning application. Balconies removed from proposals. See paragraph 5.2 in Residential Amenity section below.</i></p> <p><u>Other Issues</u></p> <ul style="list-style-type: none"> <li>If permission is granted all the scaffolding should be put at the back of the house as otherwise the commercial vehicles and Camden rubbish vehicles will have difficulty getting round</li> </ul>
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		<ul style="list-style-type: none"> <li>Concerns a business is operating out of the site. Deliveries for the company stored in the garage. Three cylinders of gas were delivered one day in June 2021 and were taken into the house which seems very dangerous.</li> </ul> <p><u>Officer response:</u> <i>informatives have been added to the decision notice to ensure impact from construction as limited as possible. Complaint about potential business use has been passed to the enforcement team to investigate.</i></p>
CAAC/Local comments:	groups	<p>Combined Residents Associations of South Hampstead (CRASH), comment:</p> <ul style="list-style-type: none"> <li>This proposal abuts the South Hampstead Conservation Area. CRASH notes that a number of properties in Fairfax place have already added rear dormers, roof level balconies, and in some cases front roof window lights and that this proposal does not seek to amend the roof line etc. However, given the proximity to the gardens in Goldhurst Terrace and the potential for loss of amenity for the Place and properties in the Terrace CRASH asks Camden to look very closely at application of the relevant CPGs particularly in relation to the addition of a roof terrace/first floor balcony on top of the existing extension and from the Juliet balcony.</li> <li>CRASH also notes that the historical information about the development of Fairfax Place in its current form seems inaccurate - the houses do not date to mid-late 19th century as stated in the planning statement.</li> </ul> <p>Officer Response: <i>the application has been revised and the balconies at rear first floor and rear second floor have been removed. Further information on the site context and historic development in Site Description section below.</i></p>

## Site Description

Numbers 35 and 37 Fairfax Place are two-storey red brick houses at the northern end of a terrace of 9 properties on the western side of Fairfax Place.

The area where the terrace is located, west of Fairfax Road, comprises a sequence of linear buildings constructed by the Eyre Estate in the early 1960s. Before this development, the land was used as mews and stables for grand houses fronting onto Fairfax Road; these were also redeveloped at the same time at higher density.

The properties in the terrace where the application site is located are built up to the street front and have rear gardens that stretch to Goldhurst Terrace to the west where the South Hampstead Conservation Area starts; Fairfax Place is not located in a conservation area.

## Relevant History

### 37 Fairfax Place

**February 2016** Certificate of Lawfulness **granted** for erection of rear dormer and single storey rear extension, ref. 2016/0364/P.

### 27 Fairfax Place

**January 2007** Certificate of Lawfulness **granted** for erection of single-storey rear ground floor level extension, a dormer window in the rear roof slope and alterations to fenestration including installation of 3 rooflights on front roof slope, ref. 2006/5421/P.

### 21 Fairfax Place

**June 2020** Certificate of Lawfulness **granted** for erection of a hip-to-gable roof extension, enlargement of dormer window at rear and insertion of 2 rooflights to front roof slope, all to single dwelling house (Class C3), ref. 2020/1433/P.

## Relevant policies

### **National Planning Policy Framework 2021**

### **The London Plan 2021**

### **London Borough of Camden Local Plan 2017**

A1 - Managing the impact of development  
A3 – Biodiversity  
A4 - Noise and vibration  
CC1 - Climate change mitigation  
CC2 - Adapting to climate change  
D1 - Design  
D2 - Heritage

### **Camden Planning Guidance 2021 (as amended)**

CPG – Amenity  
CPG – Design  
CPG - Home Improvements

## Assessment

### **1.0 Proposal**

The proposal comprises:

- erection of a roof extension to each property;
- change of use from two houses to one;

- single storey rear extension to no. 35;
- hip to gable extension at no. 37; and
- installation of rooflights to principal elevation.

### Revisions

1.7 Balconies were initially proposed to the rear at first (no. 37) and second floor level (no. 35). These have been removed from the proposals.

1.8 The rear roof extensions initially formed a single large extension. This has been split into two separate dormers and the design treatment has been altered to better integrate with the host properties.

## **2.0 Assessment**

2.1 The main issues for consideration are:

- Land Use
- Design / Conservation
- Amenity

## **3.0 Land Use**

3.1 The proposal would result in the loss of 1 x 3 Bed house and 1 x 3 Bed house to create a 1 x 6 Bed house.

3.2 Policy H3 of the Local Plan states that the net loss of one home is acceptable when there is no net loss of residential floorspace and when two dwellings are being combined into a single dwelling as this can help families grow without moving home. However, the supporting text to Policy H3 states that the Council will resist incremental loss of homes through subsequent applications to combine further homes within the same building or site.

3.3 The proposal would combine two houses to create a large single dwelling, and there would be no net loss of residential floorspace so the proposal is in accordance with Policy H3 and acceptable.

3.4 Policy H3 would not allow for any more than two houses to be combined in any given application, not the whole terrace. A change of use to hotel accommodation would be a change in land use (Class C3 to C1) for which planning permission would need to be applied for, and which would be unlikely to be acceptable in land use planning terms.

## **4.0 Design / Conservation**

4.1 Local Plan Policy D1 (Design) states that to achieve high quality design that integrates into its surroundings, careful consideration needs to be given to a site's characteristics, features of local distinctiveness and the wider context.

4.2 A number of properties in the terrace have rear roof extensions and the gable layout is prevalent in the immediate area, including at the property at the other end of the terrace, no. 21, which benefits from a Lawful Development Certificate for a hip to gable extension. The application properties would benefit from such rights as single houses, however this application is for 35 and 37.



4.3 The proposed roof extensions would be set away from the ridge, eaves and sides of the roofs by 0.5m, ensuring that they would not be excessively dominant. They have been split into two, following the grain of the terrace, and the detailed design would integrate with the rest of the building and terrace. The single storey rear extension to no. 35 would project by 2.5m and would replace an existing 0.5m extension. This would be less than half the width of no. 35 and would be discreet and unobtrusive. There would be four rooflights to the front elevation. These would be arranged in pairs and set flush into the front roof slopes. They would be modest in scale and would not harm the appearance of the property or the terrace as a whole.

4.4 The rear view of the proposal as amended is as follows:



## Revised proposals July 2021

The amendments have been revised following the planning consultation period to respond to comments.

### AMENDMENT:

Proposed dormers rationalised to provide the 0.5m clearance from the eaves

### AMENDMENT:

Revised openings to the roof, responding to the existing building line and scale of openings to the ground and first floor elevations.

### AMENDMENT:

Dormers divided into two with a 1m distance between dormer cheeks.

### AMENDMENT:

0.5m offset from dormer cheek to the party wall line.

### AMENDMENT:

Balcony and balustrade removed.

### AMENDMENT:

Replacement of the Juliet balcony with a new window matching in size and style with the existing.



4.5 The proposed works follow the established pattern of development along the terrace and would use materials and finishes that ensure continuity and consistency across this set of buildings. As such, the works respond to the immediate and wider context and are in accordance with Policy D1.

4.6 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013. The roof extensions would be visible from the rear gardens of Goldhurst Terrace, in the South Hampstead Conservation Area, however as they would respond to the site's characteristics, in particular it's terrace form, they would have no harmful impact on the character and appearance of the nearby Conservation Area.

## 5.0 Residential amenity

5.1 Policy A1 (Managing the impact of development) seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and by only granting permission for development or alterations that would not harm the amenity of communities, occupiers and neighbouring residents.

5.2 Given the removal of the balconies from the proposals, no new views would be opened up towards neighbouring properties so there would be no loss of privacy as a result of the application as current levels of overlooking would not be exacerbated.

5.3 There would be an increase in overall bulk of the property as a result of the roof extensions, the change from hip to gable and the ground floor rear extension to no. 35. This would have no significant impact on the access to sunlight and daylight of neighbours in the terrace as they are located to the south. In terms of sunlight and daylight, the proposed additional built form would only affect properties to the north, nos. 39-43 Fairfax Place. These are located 14.7m to the north of the site and have a largely unobstructed south-facing aspect, the principal buildings in view being this terrace which faces them side-on. Due to the generous separation distance these properties would continue to have very generous access to sunlight and daylight and would be very modestly affected by the proposed roof works. Similarly, the impact on outlook of these properties as a result in the proposal would be very limited.

5.4 Due to the scale and location of the proposed additional built form, the proposal would not result in any significant loss of daylight, outlook to neighbouring occupiers, and there would be no impact on neighbour privacy.

## **6. Transport impact**

6.1 Policy T2 seeks to limit the availability of parking and requires all new developments to be car free. It also includes provision for less intensive use of existing sites and that the Council will also seek car-free development and a reduction in the parking provision. The applicant seeks to increase the size of their home and the Transport CPG makes clear that the intention of the policy is not to remove existing rights. Both units are currently entitled to parking and the amalgamation of the two houses into one would have the net result of reducing the demand for such parking permits, together with its associated benefits. Given the existing owner/occupier will be returning to the property once the works are complete, it would be disproportionate in this particular case to secure the development as on-street parking permit free under policy T2 by means of a Section 106 Agreement, especially as it would be the only obligation.

## **7.0 Recommendation**

7.1 It is recommended that conditional planning permission is granted .

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 9<sup>th</sup> August 2021, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.***



Application ref: 2021/1692/P  
Contact: John Sheehy  
Tel: 020 7974 5649  
Email: [John.Sheehy@camden.gov.uk](mailto:John.Sheehy@camden.gov.uk)  
Date: 3 August 2021

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE

Phone: 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk](http://www.camden.gov.uk)

Quod  
8 - 14 Meard Street  
London  
W1F 0EQ

# DRAFT

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Full Planning Permission Granted

Address:

**35-37 Fairfax Place**  
**London**  
**NW6 4EJ**

Proposal:

Erection of a roof extension to the rear of both properties, change of use from two houses to one, hip to gable extension at no. 37, single storey rear extension to no. 35 and installation of rooflights to principal elevation.

Drawing Nos: Site location plan, 0081\_1000; 1001; 1002; 1003; 2000; 2001; 2002; 2003; 3000; 3001; 3002. 0081\_1100 P1; 1101 P1; 1102 P1; 1103 P1; 2100 P2; 2101 P1; 2102 P2; 2103 P2; 3100 P1; 3101 P1; 3102 P2.

The Council has considered your application and decided to grant permission subject to the following conditions:

Conditions and Reasons:

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

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

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

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans Site location plan, 0081\_1000; 1001; 1002; 1003; 2000; 2001; 2002; 2003; 3000; 3001; 3002. 0081\_1100 P1; 1101 P1; 1102 P1; 1103 P1; 2100 P2; 2101 P1; 2102 P2; 2103 P2; 3100 P1; 3101 P1; 3102 P2.

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

Informatives:

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 2 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at [www.camden.gov.uk](http://www.camden.gov.uk)) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Chief Planning Officer

**DRAFT**

**DECISION**