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80-83 Long Lane
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Via Planning Portal Only

18th November 2021

Dear Sir/Madam

FULL PLANNING APPLICATION – THE TOWN AND COUNTRY PLANNING ACT 1990

AMALGAMATION OF FOUR LOWERGROUND FLATS TO TWO FLATS, LOWER GROUND REAR EXTENSIONS, FIRST FLOOR REAR EXTENSIONS, FENESTRATION ALTERATIONS, INSTALLATION OF BALCONIES/TERRACES AND ASSOCIATED WORKS AT 5-7 ADAMSON ROAD.

Please accept this covering letter as an accompaniment to this full planning application for the proposed amalgamation of four lower ground flats to two flats, lower ground rear extensions, first floor rear extensions, fenestration alterations, installation of balconies/roof terraces and associated works at 5-7 Adamson Road.

Description of Proposed Development

Amalgamation of four flats to two flats, lower ground rear extensions, first floor rear extensions, fenestration alterations, installation of balconies/ terraces and associated works.

The Site

The site is located on the north side of Adamson Road, to the east of the junction with Winchester Road. The site comprises of a pair of 4 storey (with basement and rooms in the roof), semi-detached, properties which have been subdivided into a total of 19 flats. No.5 currently comprises 9 flats (A-I) across 5 floors and no.7 comprises of 10 flats (1-10) across 5 floors.

The site is on a street comprised of similar residential properties. The site lies within the Belsize Park Conservation Area.

Planning History

On the 7th of September 1967, planning permission (reference H7/3/B/4066) was granted for alterations to provide 8 self-contained flats at no. 7 Adamson Road.

On the 21st of April 1972, planning permission (reference H7/3/15/13055) was granted for the conversion of basement at no. 5 Adamson Road to provide 2 self-contained flats.

On the 31st of January 1975, planning permission was refused for 3 applications (references H7/3/B/19775, H7/3/B/18926R and H7/3/B/19625R) for the change of use of the first, second and third floor to provide 2 self-contained flats on each floor at both no.5 and no.7 Adamson Road. The applications were refused on the grounds of inadequate room sizes and exceeding the density standards.

On the 10th of April 1975, permission (reference H7/3/B/20303) was granted for the change of use of the first floor to provide 2 self-contained flats at no.5 Adamson Road.

On the 5th of August 2021, a lawful development certificate (reference 2021/2543/P) was granted for the continued use of no.5 and no.7 Adamson Road as 19 self-contained residential flats (C3).

On the 26th of October 2021, a pair of lawful development certificate applications were submitted seeking to amalgamate two lowerground floor flats into a single flat at no.5 and no.7 Adamson Road. At the time of writing, these applications had not been registered.

The Proposal

Amalgamate two flats into one at lowerground floor level, erect a single storey rear extension at lowerground level with roof terrace above, erect a first floor rear extension including roof terrace above, fenestration alterations and associated works at both no.5 and no.7 Adamson Road.

Please refer to the supporting plans for full details.

Planning Policy:

National Planning Policy

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. At the heart of the NPPF is a presumption in favour of sustainable development which incorporates three specific strands – economic, environmental and social. The following sections are relevant to the consideration of this application; Section 11 (making effective use of land), Section 12 (achieving well designed places) and Section 16 (Conserving and enhancing the historic environment).

Local Planning Policy

For the purposes of this application, the adopted development plan for the London Borough of Camden comprises the London Plan (2021), the Camden Local Plan (2017), Kentish Town Neighbourhood Plan (2016) and associated Supplementary Planning Guidance. The following policies are considered relevant to this proposal:

London Plan (2021) (LLP)

- Policy GG2 – Making the Best Use of Land
- Policy GG4 – Delivering the Homes Londoners Need
- Policy D3 – Optimising Site Capacity Through a Design Led Approach
- Policy D4 – Delivering Good Design
- Policy D6 – Housing Quality and Standards
- Policy D12 – Fire Safety
- Policy H1 – Increasing Housing Supply
- Policy H2 – Small Sites
- Policy HC1 – Heritage Conservation and Growth
- Policy T5 – Cycling
- Policy T6.1 – Residential Parking

Camden Local Plan (2017) (CLP)

- Policy H1 – Maximising Housing Supply
- Policy H3 – Protecting Existing Homes
- Policy H6 – Housing choice and mix
- Policy H7 – Large and Small Homes
- Policy G1 – Delivery and Location of Growth
- Policy A1 – Managing the Impact of Development
- Policy D1 – Design
- Policy D2 – Heritage
- Policy CC1 – Climate Change Mitigation
- Policy CC3 – Water and Flooding
- Policy CC5 – Waste
- Policy T1 – Prioritising Walking, Cycling and Car-Free Development
- Policy T2 – Parking and Car-Free Development

Kentish Town Neighbourhood Plan (2016) (KTNP)

- Policy D3 – Design principles

Supplementary Planning Guidance Documents (SPDs)

- Design (2021)

- Home Improvements (2021)
- Housing (2021)
- Amenity (2021)
- Transport (2021)

Planning Analysis:

Principle of development

Amalgamation of existing flats:

Section 55(1) of the Town and Country Planning Act 1990 sets out that planning permission is required for “development”, including making a material change of use of land. The main issue arising is whether or not an amalgamation of two dwellings to one would constitute a material change of use.

The East Barnet UDC v British Transport Commission [1962] case established that the character of the use of the land is an important consideration in the assessment as to whether a change of use of land is material. In this case, the existing and proposed use would continue to be residential (C3 use class). There would be no material change in the character of the use of the land associated with the proposed amalgamation. No external alterations are proposed. The proposal would have no impact on the residential character of the area. There are numerous examples in the Borough whereby the amalgamation of two dwellings into one have been considered to not constitute a material change of use, both under delegated authority and at appeal. This includes appeal reference APP/X5210/X/17/3172201 and application references 2019/0002/P, 2019/1399/P, 2019/3652/P and 2019/4264/P.

The London Borough of Richmond upon Thames v The Secretary of State for the Environment, Transport and the Regions and Richmond upon Thames Churches Housing Trust [2000] case concluded that the Planning Inspector was wrong to exclude the impact of the loss of small units of accommodation from his consideration of whether a material change of use had occurred. The Royal Borough of Kensington and Chelsea v Secretary of State for Communities and Local Government [2016] found that the Local Planning Authority was entitled to consider the impact of the amalgamation on housing supply irrespective of the fact that the adopted plan did not have a policy on such a matter.

Camden Local Plan Policy H3 states that the Council will resist development that would involve a net loss of residential floorspace and that would involve the net loss of two or more homes (from individual or cumulative proposals). Camden’s Planning Guidance on Housing (2021) provides useful guidance on how the Council interpret Local Plan Policy H3. Of particular note is paragraph 10.1, which confirms that guidance does not relate to applications for Lawful Development Certificates.

The proposal results in the loss of a single dwelling in each property and does not result in the loss of any residential floorspace. There would be no conflict with Local Plan Policy H3. The proposal would not have a material impact on the Borough’s housing stock or impact on the ability of the Council to meet its housing target. The proposal does not constitute a material change of use and therefore is not development, as defined by Section 55 of the Town and Country Planning Act 1990 (as amended).

Notwithstanding the above, the proposal is to retain the permanent residential use of the site and is not proposing short stay accommodation and the proposal would not result in the loss of two or more homes in each of the properties to which the application relates or a loss of residential floor space and therefore wholly accordance with Local Plan Policy H3.

Design, visual and heritage impacts

Case law dictates that decision makers are required to give great weight to any harm to the significance of a heritage asset. Section 16 of the NPPF reflects the statutory duty insofar as it requires a consideration as to whether the proposal preserves and enhances the significance of the heritage asset, making a balanced judgement having regard to the scale of harm or loss and the significance of the heritage asset.

Paragraph 130 of the NPPF outlines that decisions should ensure that developments are visually attractive and are sympathetic to local character.

LP Policy D3 sets out that all development must make the best use of land by following a design-led approach. The policy also states that developments should enhance local context, respect local character and be of high-quality architecture. Policy HC1 require development proposals that affect heritage assets and their settings should conserve their significance and appreciation within their surroundings.

CLP Policy D1 requires development to be of the highest architectural and urban design quality, have regard to design and visual impact and to the context within which it is placed, and the contribution it makes to the landscape qualities of the area. CLP 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.

The aims of Policy D1 are further reinforced by guidance contained within the Camden Planning Guidance (CPG) on Home Improvements and Design. In relation to rear extensions, it is advised that extensions are subordinate to the host building and respect the original design, proportions, architectural detailing and materials of the host building whilst ensuring a reasonable sized garden is retained. The guidance continues that extensions should respect and preserve the historic pattern and established townscape of the surrounding area and ensure that extensions have a height, depth and width that respects the existing common pattern and rhythm of rear extensions at nearby sites, where they exist.

Whilst the application buildings are not listed, they are located within Belsize Park Conservation Area.

The Belsize Park Conservation Area appraisal is characterised by mid C19 villas of consistent scale, materials finish and detailing that address the street with modest front and reasonably deep rear gardens. The Conservation Area appraisal identifies inappropriate materials, extensions and alterations to be a threat to the character of the area. The buildings are not identified as making a positive contribution to the character and appearance of the conservation area and therefore are deemed to be neutral. Threats to the character of the conservation area include, infilling gaps between buildings, unsympathetic extensions and alterations involving inappropriate materials, scale, bulk, massing, inappropriate railings to roof terraces/balconies and loss of original detailing.

The application site comprises a pair of semi-detached C19 villas constructed of stock brick with stucco projecting bays, quoin detailing, window surrounds and porches. Both properties have stepped access to the main front entrances. The properties have overhanging eaves supported by decorative brackets, tiled dormer roof extensions and chimney stacks. The existing fenestration comprises of recessed sashes which reduce in size from the ground floor up. The rear elevations are less ornate in its detailing and comprises a lowerground/upperground floor projecting bay. Many of the aforementioned features are characteristic features of buildings within the conservation area. The properties are located on a street of similar properties, many of which have been extended and altered, particularly to the rear at ground, first floor level and at roof level.

The proposal includes a linear lower ground floor rear extension with terrace above, new timber windows and timber doors to match existing, the amalgamation of two lower ground floor flats to a single flat to each of the properties, a first floor rear extension to the existing rear bays, fenestration improvements, new balconies and balustrades at ground and first floor level, new roof lights, automatic vents and soil vent pipe.

The proposed extensions and alterations primarily relate to the side, rear elevation and roof of the property which are not readily visible from public vantage points. The proposed rear extensions are modest in their scale and proportions, are subservient to the host building and retain the legibility of the characteristic rear bay and the fenestration rhythm. The extensions also facilitate an improved external amenity space, and access thereto, for the future occupants of the property. The fenestration alterations re-instate the historic window arrangement to the rear elevation and provide regularity and hierarchy to the side elevations. The internal reconfiguration responds to the historic fenestration and building structure to create an arrangement that takes inspiration from and is more closely related to the original layout of the properties. The traditional features of the building, as highlighted in the Belsize Conservation Area appraisal, are retained. If deemed necessary, appropriate materials finishes can be secured by way of suitably worded planning conditions. The proposal enhances the appearance of the building and preserves the contribution it makes to the character and significance of the conservation area.

The proposal is in line with the aspirations of LP Policies D3 and HC1, CLP Policy D1 and D2, KTNP Policy D3 and the Camden's Supplementary Design Guidance Documents.

Neighbour amenity

Paragraph 130 of the NPPF sets out that decisions should create places which are safe, inclusive and accessible which promote health and well-being, with a high standard of amenity for existing and future users.

Policy D3 of the LP states that proposals should deliver appropriate outlook, privacy and amenity. Policy D6 sets out that the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.

CLP policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and ensuring that development protects the quality of life of occupiers and neighbours by not granting permission that would give rise to amenity harm to neighbouring residents.

The amenity aspirations of CLP policy A1 are expanded upon within the adopted Amenity CPG (2018) which sets specific amenity standards for development.

The proposed lower ground rear extensions would not project above the existing boundary treatments. The proposed first floor extensions to the rear bays are modest in their proportions and set well in from the shared boundaries with the neighbouring properties. The upper ground level roof terrace would sit well below the existing shared boundary treatments and would not offer any overlooking opportunity of the neighbouring rear amenity areas. Front and rear balconies at upper floor levels are characteristic of the area in which the building is located. Whilst the proposal includes additional balconies, they are shallow in their depth and would not facilitate large gatherings. The proposed fenestration would not directly face any existing neighbouring windows, in close proximity. The proposal would not harm neighbour amenity with respect to loss of daylight, sunlight, privacy, outlook, overbearing impacts or other noise or disturbance.

The development meets the amenity aspirations of LP Policy D3, CLP Policy A1 and the Councils adopted Amenity CPG (2021).

Living conditions for future occupants

Paragraph 130 (f) of the NPPF states that planning decisions should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Policy D6 of the London Plan states that housing development should provide adequately sized rooms with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners.

CLP Policy H6 states that in all developments the Council will encourage design of all housing to provide functional, adaptable and accessible spaces, and expect all self-contained homes to meet the national derived space standards. The CLP advises that private amenity space is also important in adding to residents' quality of life and CLP Policy D1 requires development to incorporate outdoor amenity space.

The proposed 4 bedroom flats at lowerground level have a floor area of approximately 142 square metres (well in exceedance of the national minimum space standard guidance for 4 bedroomed, 6-8 person dwellings). All habitable rooms are served by a window and direct access is to a semi-private rear amenity area measuring approximately 22 square metres is provided for each property. The properties will provide high quality family accommodation. With the exception of flats 4, 5, 6, 10, 11 and 15, all the proposed dwellings meet the Nationally Described Minimum Space Standards (table 1). Whilst these properties fall below the space standard in terms of their total floorspace, the room sizes and layout have been improved such that they meet the space standard requirements for the individual rooms. The proposal provides a better quality of living accommodation than currently exists. Overall, the proposal delivers a higher quality living environment for the future occupants than currently exists. All properties have access to the shared garden to the rear of the property. The site is in an accessible location with respect to existing services and facilities, including public open space and transport infrastructure. The proposal provides a high quality living environment for the future occupants in line with the aspirations of LP Policy D6, CLP Policy H6 and the Council's Amenity CPG.

Table 1: Schedule of habitable accommodation.

Existing Flat no.	Existing floorspace	Existing number of bedrooms	Proposed Flat no.	Proposed floor space	Proposed number of bedrooms	Change in floorspace	Change in number of bedrooms
No.5			No.5				
A	57*	2	1	145.41	4	+26.41	0
B	62	2					
C	46*	2	16	37.74	1	+8.26	-1
D	45*	2	15	51.43*	2	+6.43	0
E	50*	2	12	42.93	1	-7.07	-1
F	49*	2	11	60.93*	2	+11.93	0
G	51*	2	8	47.79	1	-3.21	-1
H	51*	2	6	64.36	2	+13.36	0
I	104	2	3	119.76	3	+15.76	+1
Sub-total	515	18		570.35	16	+71.87	-2
No.7			No.7				
1	63	2	2	145.61	4	+23.61	0
2	59*	2					
3	35*	1 (studio)	5	28.44*	1 (studio)	-6.56	0
4	55*	2	4	54.77*	2	-0.23	0
5	52*	2	9	48.15	1	-3.85	-1
6	51*	2	7	54.78*	2	+3.78	0
7	49*	2	13	43.29	1	-5.71	-1
8	49*	2	10	51.35*	2	+2.35	0
9	47*	2	17	37.6	1	-9.4	-1
10	45*	2	14	42.98	1	-2.02	-1
Sub-total	505	19		506.97	15	+1.97	-4
Total	1020	37		1077.32	31	+73.84	-6

*Falls below national minimum space standards.

Note discrepancies between the changes in floor space are likely due to the calculations only involving habitable space (not circulation space).

Highway and parking impacts

CLP Policy T1 sets out that the Council seek to encourage sustainable transport by requiring developments to provide cycle parking that meets or exceeds the requirements set out in the London Plan. Policy T2 advises that the Council limit parking availability by requiring all developments to be car free. Policy T5 of the London Plan requires developments to provide 1 cycle parking space per 1 bedroomed dwelling and 2 spaces per 2 bedroomed dwelling.

The existing properties comprises of eighteen 1-2 bedroom flats. The proposal reduces the number of flats within the properties to 16 and reduces the number of bedrooms within the properties by 6. This reduces the parking demand for the properties. The existing cycle and vehicular parking arrangements are un-altered as a result of the proposed development. The proposal would have no adverse impact on highway safety. The proposal accords with LP Policy T5 and CLP Policies T1 and T2.

Waste storage and collection

Policy CC5 sets out that the Council will make sure that developments include facilities for the storage and collection of waste and recycling.

The proposal result in a less intensive residential use of the site and subsequently reduces the waste storage demands for the property. The existing waste storage and collection arrangement is unchanged as a result of the proposal. The proposal is in line with CLP Policy CC5.

Energy and water efficiency

Policy CC1 of the CLP requires all development to minimise the effects of climate change by encouraging sensitive energy efficient improvements to existing buildings. Policy CC2 sets out that all development shall adopted appropriate climate change adaption measures such as the provision and protection of green infrastructure, not increasing surface water runoff, incorporating green and blue roofs and walls and measures to reduce impacts of overheating. London Plan Policy SI2 states that new residential development should achieve a minimum of a 10% reduction in carbon emissions above that the current building regulations requirement.

The proposal is for extensions and alterations to existing flats within an existing residential building. It is envisaged that the refurbishment will include the installation of energy and water efficient fixtures and fittings which will benefit the energy and water efficiency of the building.

Summary & Conclusion

As demonstrated in this letter and the plans and documents that support this planning application, the development constitutes sustainable development which will provide high quality family accommodation and significantly improved living conditions for the future occupants of the building whilst enhancing the appearance of the building and preserving the contribution the building makes to the character and appearance of the Conservation Area. The proposal would not alter the existing parking, cycle parking or waste storage/ collection arrangements and would not have any adverse highway safety impacts. The proposal preserves neighbour amenity and will seek to improve the energy and water efficiency of the building. The development is in accordance with the relevant Development Plan Policies and therefore it is respectfully requested that planning permission is granted.

I trust this letter and the enclosed documents provide you with sufficient information to determine the application but if you require any points of clarification or have any questions, please do not hesitate to contact me.

Yours faithfully



Stuart Minty - Director – SM Planning