

PK/S2054-1
2022/0744/P

Head of Development Management
LB of Camden
5 Pancras Square
London
N1C 4AG

31-32 Ely Place
London EC1N 6TD

T +44 (0)20 7822 2222

F +44 (0)20 7822 2211

E info@gscsolicitors.com

www.gscsolicitors.com

DX 462 London/Chancery LN

DDI: 020 7822 2233

Mob: 07855 251189

Email: pkratz@gscsolicitors.com

1 September 2022

Dear Sir / Madam

Application for planning permission: Additional storey extension to existing closet wing, with new timber sash window and skylight to flat roof at 1 South Hill Park Gardens, NW3 2TD

I write further to the recent grant of planning permission 2022/0744/P for improvement works at 1 South Hill Park Gardens, NW3 2TD (“the Property”) in connection with its use as a single family home.

My clients have started those improvement works. Having considered the context I am now instructed to make this further application (“the Application”) for an additional storey extension to existing closet wing with new timber sash window and skylight to flat roof (“the Proposal”); enclosed with the Application are:

1. A completed application form;
2. Application drawings, including location plan, as existing/as proposed floor plans, sections and elevations;
3. A Heritage Statement;
4. A Design and Access Statement; and
5. A completed CIL form.

This letter should be treated as the supporting Planning Statement for this Application.

The locality and the Property

South Park Hill Gardens is a quiet, residential street, situated in the South Hill Park Conservation Area (which was designated in 1988). The locality contains predominantly substantial semi-detached and detached houses, with several streets and properties identified as making a positive contribution to the conservation area (including the Property).

The properties in the conservation area are generally four-storey (including attic) plus lower ground floor in height. A number of the properties have been converted into self-contained flats.

The Property is a late Victorian, semi-detached terrace house in Victorian Gothic Revival style, with villas of similar style and size elsewhere in the street; it has been altered in an ad hoc manner over the years.

The Conservation Area Statement confirms that the area is a good example of late 19th Century suburban development, which largely retains its homogenous architectural character. The Conservation Area Audit sets out that this part of South Hill Park Gardens is relatively uniform with semi-detached Italianate style villas. It comments that the “elaborate architectural detail in this part of the Conservation area is generally limited to the front elevations and the rear and flank elevations are faced in yellow stock brick with simple segmental brick arches to window and door openings”. In this context, the Proposal is considered to *enhance* the character and appearance of the Conservation Area.

Planning history

There is no *relevant* planning history, but there were recent applications as follows:

Ref	Description	Decision
2022/0744/P	Replacement extension at lower ground floor, a door to the front elevation, rear elevation windows, the widening of a door on an existing balcony, the removal of existing planters, the removal of trees, the introduction of a new skylight and the enlargement of an existing skylight.	Granted.
2021/3118/P	Certificate of Lawfulness / Use as a single-family dwelling house (C3).	Granted.
2018/5827/P	Conversion of single dwellinghouse into 2 x 2 bed self-contained units.	Withdrawn.
2013/5688/T	Fell conifer in front garden.	No objection to works.
PWX0002780 (2001)	Enlargement to existing conservatory.	Granted.

The Proposal

At the heart of the Proposal comprised in the Application is the wish to create a family home at the Property, fit-for-purpose and appropriate to meet the needs of the Applicants (and any other occupiers) now and for many years to come.

The essence of the Proposal is described in the accompanying Design and Access Statement; it is self-explanatory, and is intended to bring the residential use of the Property up to 21st Century standards.

Overall, the Proposal is modest in scale, but achieves a sensible balance of further improvement, bringing benefit by way of enhancement and causing no harm to the character or appearance of the Conservation Area.

National and local planning policy

National planning policy is in the National Planning Policy Framework (“NPPF”), as amended, and as expanding in the online Planning Practice Guidance (“PPG”).

Paragraph 38 of the NPPF provides that local planning authorities should approach decisions on proposed development in a “positive and creative way”, concluding that “decision-makers at every level should seek to approve applications for sustainable development where possible”.

Section 16 of the NPPF (paragraphs 184 et seq) deals with “Conserving and enhancing the historic environment”. Paragraph 189 provides that in determining applications, LPAs should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the asset’s importance and no more than is sufficient to understand the potential impact of the proposal on their significance. Please see the Heritage Statement for this assessment; the heritage asset is the conservation area, its significance is described above, and that significance is unaffected by this very minor proposal.

Paragraph 196 provides that where a development proposal will lead to “less than substantial harm” to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Although the Applicant feels that there is no “harm” to be weighed in the balance, if there was thought to be any it would be “less than substantial” and would be outweighed by the public benefit of bringing a family home into optimum beneficial use with inherent architectural benefits.

The PPG expands on policy, offering practical guidance. It reiterates (at 015:18a-015-20190723) that “harmful” development may be justified in the interests of realising optimum viable use.

S.38(6) of the Planning and Compulsory Purchase Act 2004 requires that any planning application must be determined in accordance with the development plan (in this case the London Plan and the Camden Local Plan, July 2017), unless material considerations indicate otherwise; supplementary planning documents provide additional guidance, and are material considerations in their own right, including the South Hill Park Conservation Area Statement and CPG 1 (Camden Design SPD).

The main relevant Local Plan policies are:

- D1 Design: Seeks to secure high quality design that respects the local context;
- D2 Heritage: Seeks to preserve and enhance the heritage environment, including conservation areas.
- A1 Managing the impact of development: seeks to preserve neighbouring amenity in regard to privacy, outlook, sunlight, daylight etc.

The Proposal is compliant with all of these.

The Applicant therefore feels that the Proposal is compliant with national and local planning policy, but in any event there is insufficient “harm” to justify refusal.

Conclusion

The Proposal has been carefully considered, thoughtfully designed, compliant with national and local planning policy, and in any event so minor in scale that it can be approved without giving rise to any harm to the interests of the Conservation Area, and with no impact on the amenity of neighbouring interests. The Applicant therefore hopes that planning permission will be granted, so they can carry out these improvements to their new home.

If there are any queries, please do not hesitate to contact me.

Yours faithfully

P. Kratz

Philip Kratz

Consultant Solicitor and Head of Planning
for and on behalf of GSC Solicitors LLP