

34A Compayne  
Gardens, London NW6  
3DP

# Design & Access Statement

October 2022

**Address:** 34A Compayne Gardens, London NW6 3DP

**Proposal:** The conversion and vertical extension of 34A Gardens  
to create four 2 bedroom flats

## 1. Introduction

- a. This Design and Access Statement has been prepared by Fair Planning in support of a full planning application for a conversion and extension to create four two bedroom flats at 34A Compayne Gardens in West Hampstead.
- b. Following a description of the site and surrounding area, the report will provide an overview of relevant planning policy and outline the reasons why the proposal meets these policy requirements. It will be demonstrated that the proposal complies with relevant local and national policies and that planning permission should therefore be granted.
- c. The following report should be read alongside the site Location Plan and Architect's Drawings prepared by Ariel Greis Design.



*Figure 1 Site Location Plan*

## 2. Site and Location

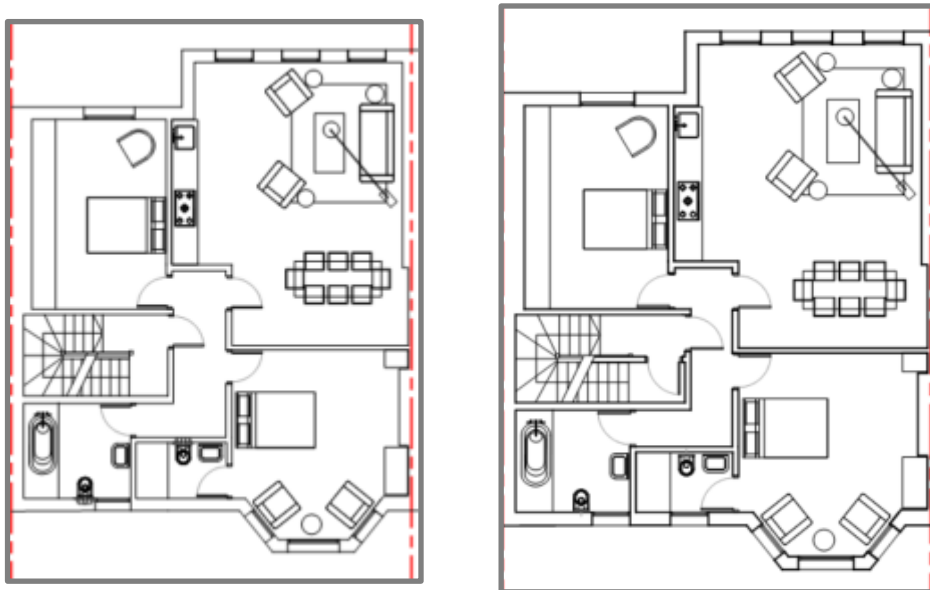
- a. The application site comprises a three-storey and a lower ground floor terraced building on the northern side of Compayne Gardens. It is currently divided into two flats, number 34 occupies the ground and lower ground floors and No 34A on the first and second floors. The application relates to No 34A a five-bedroom maisonette over the first and second floors.
- b. The site lies within the South Hampstead Conservation Area but it is not statutorily locally listed. The Conservation Area Appraisal identifies the building as making a positive contribution to the character and appearance of the area. The Appraisal states that Compayne Gardens is within the 'Central Wedge' of the conservation area and points to the variety of roof forms including dutch gables, simple decorated gables, and turrets which play a very important role in maintaining the character of the area. The site benefits from a small front garden and a large communal garden to the rear.
- c. The property is well located with Finchley Road and West Hampstead tube and overground stations being a 10 minute walk away. Finchley Road is within easy reach where there are a large variety of local shops & restaurants



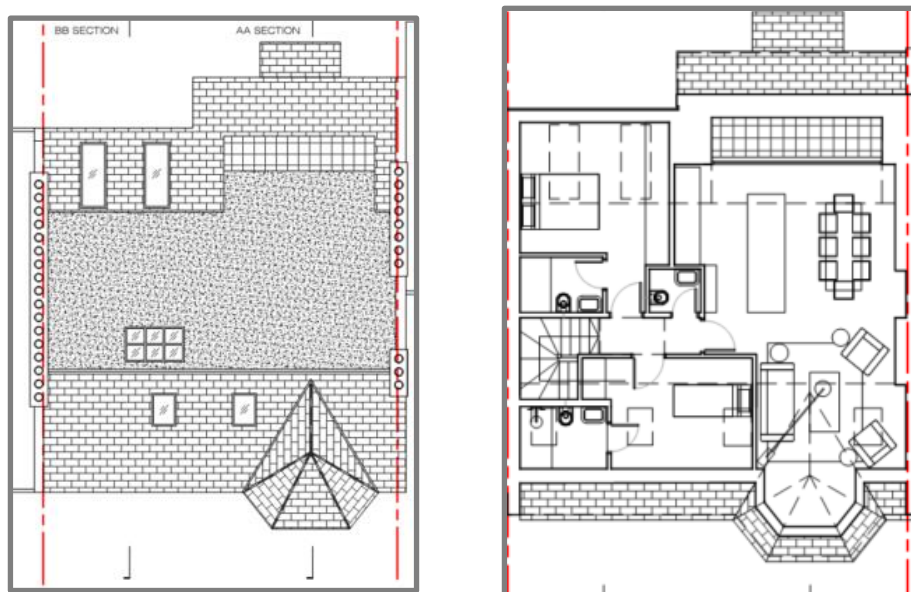
*Figure 2. front elevation from Compayne Gardens*

### 3. Proposal and Planning History

- a. The proposal is for a vertical extension and conversion of No 34A which is a five-bedroom maisonette to provide four two-bedroom flats. The proposals provide an uplift of three homes by providing a two-bedroom flat per level (3no. four-person two-bedroom flats and 1no. three-person two-bedroom flat).
- b. There are some minor changes to the first and second-floor plan form to create self-contained flats on each floor. As shown by Figures 3 & 4 the existing plan form would be continued upwards to create a new fourth floor. The extension would replicate the design and materiality of the existing top storey with the red brick and pitched roof and a turret continued upwards to match the style of the existing front elevation. The rear would replicate the dormer and rooflights approved in 2015 albeit one storey higher.



*Figure 3 Proposed second floor plan to the left and proposed third floor plan to right*



*Figure 4. The proposed roof plan and fourth floor*

- c. On the 9<sup>th</sup> of September 2020 a Lawful Development Certificate (reference: 2020/1733/P) was refused to establish the implementation of reference: 2014/5359/P for the 'conversion of 5 bed maisonette into one 2 bed flat and one 3 bed maisonette, erection of rear dormer roof extension with inset roof terrace and installation of 2 front roof lights and 2 rear roof lights'. According to the reason for refusal,

*the applicant has provided insufficient evidence to demonstrate that, on the balance of probability, the development approved by planning permission ref 2014/5359/P commenced within 3 years of its decision date of 21/07/2015 and prior to the final implementation date of 21/07/2018.*

- d. On the 21<sup>st</sup> of July 2015 planning permission was granted (reference: 2014/5359/P) for the conversion of 5 bed maisonette into 1 x 2 bed flat and 1 x 3 bed maisonette, erection of rear dormer roof extension, inset rear roof terrace and installation of 2 front roof lights and 2 rear roof lights.

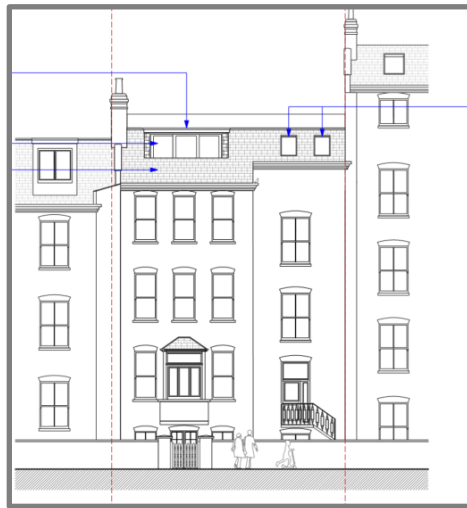


Figure 5. Rear elevation approved in 2015

- e. On the 6<sup>th</sup> of June 2014 planning permission was granted (reference 2014/2119/P) for the erection of rear dormer roof extension, inset rear roof terrace and installation of 2 front roof lights and 2 rear roof lights.
- f. On the 5<sup>th</sup> of June planning permission was granted (reference 2014/2118/P) for the erection of a rear dormer roof extension and installation of 2 front roof lights and 2 rear roof lights.

## 4. Planning Legislation and Policy

- a. The legislative context managing conservation areas is the Planning (Listed Buildings and Conservation Areas). Sections 69 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 provide a statutory presumption in favour of the preservation of the character and appearance of Conservation Areas. The designation of a conservation area provides the basis for policies designed to preserve or enhance the special interest of such an area.
- b. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires Local planning authorities (LPAs) to determine an application in accordance with the development plan unless material considerations indicate otherwise. The adopted Statutory Development Plan for the site comprises the London Plan and Camden Local Plan 2017.

- c. **National Planning Policy Framework 2021 (NPPF)**

- d. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The NPPF is an important material consideration in decision-making.
- e. According to paragraph 38 of the NPPF,

*"Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available ... and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible."*

- f. Chapter 5 deals with housing supply and sets out the government's objective to boost substantially the supply of homes.
- g. According to paragraph 68,

*"Small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly."*

- h. Paragraph 73 requires that Councils identify a 5-year supply of housing plus a buffer of 5-20%. Where a Council cannot demonstrate a 5-year supply, the presumption in favour of granting planning permission set out in paragraph 11 of the NPPF, applies.
- i. Chapter 6 requires local planning authorities to support economic growth. Chapter 11 encourages developers and local planning authorities to make the best use of land and to focus on previously developed land in sustainable locations. According to paragraph 118(d), planning decisions should-

*"promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure)"*

j. Paragraph 123 requires that densities be maximised, to "ensure that developments make optimal use of the potential of each site".

k. Paragraph 124 states that:

*"Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."*

l. According to paragraph 130:

*"...where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development."*

m. Section 16 (Conserving and enhancing the historic environment) sets out how heritage assets should be conserved in a manner appropriate to their significance.

n. The approach set out in Section 16 is based on the applicant providing a description of the significance of any heritage assets (para 189.) LPAs should identify and assess the particular significance of any heritage asset that may be affected (para 190). LPAs should take into account the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness (para 192). LPAs should give great weight to the asset's conservation (para 193).

o. Paragraph 200 of the NPPF states that local planning authorities should look for opportunities for new development within Conservation Areas and within the setting of heritage assets to enhance or better reveal their significance. It continues that proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

p. A proposal that would cause harm should only be permitted where there are strong countervailing planning considerations that are sufficiently powerful to outweigh the presumption. The NPPF provides guidance on the weight that should be accorded to such harm and in what circumstances such harm might be justified (paras. 199-208). Where a development proposal leads 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.



q. **The London Plan 2021**

- r. London Plan is the overall strategic plan for London, setting out an integrated economic, environmental, transport and social framework for the development of London over the next 20-25 years.
- s. Policy H1 (Increasing housing supply) sets a London-wide target to of annual average housing completions of 52,287 net homes across London. The Plan sets the London Borough of Camden an annual target of 1,038 additional homes per year to contribute towards the target.
- t. Policy H2 (Small sites) encourages the optimisation of small sites to provide new homes. It sets a presumption in favour of small housing developments. According to the policy:

*"Boroughs should pro-actively support well-designed new homes on small sites (below 0.25 hectares in size) through both planning decisions and plan-making in order to:*

- 1. significantly increase the contribution of small sites to meeting London's housing needs*
- 2. diversify the sources, locations, type and mix of housing supply*
- 3. support small and medium-sized housebuilders*
- 4. support those wishing to bring forward custom, self-build and community-led housing."*

- u. The policy goes on to say that the boroughs should:

*"recognise in their Development Plans that local character evolves over time and will need to change in appropriate locations to accommodate additional housing on small sites*

- v. Table 4.2 of the plan sets the London Borough of Camden to deliver 328 homes per year through the development of small sites.
- w. Policy D6 (Housing quality and standards) requires all new residential development to provide new housing to be designed to achieve a standard of accommodation. It states new housing should be dual-aspect and meet minimum internal space standards.
- x. According to Policy HC1 (Heritage conservation and growth), Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.
- y. The London Plan sets out maximum car parking standards and minimum cycle parking standards for new development. These are set out in Appendix 2.



## **z. The Camden Local Plan 2017**

- aa. Local Plan Policy H1 identifies self-contained housing as the Borough's priority land use
- bb. Local Plan Policy H6 states that the council will seek to secure high quality accessible homes in all developments that include housing. It will encourage all housing to provide functional, adaptable and accessible spaces and expect all self-contained homes to meet the nationally describes space standard.
- cc. Policy H7 aims for developments to provide s range of homes of different sizes that will contribute to the creation of mixed, inclusive and sustainable communities, and seeks to ensure that all residential development contributes to meeting the priorities set out in the Dwelling Size Priority Table. The table identifies 2 and 3 bedroom market housing units as being high priority and 1 and 4 bedroom units as lower priority.
- dd. According to Policy D1 development should be of high-quality design which respects local context and character. According to Policy D2 the Council will preserve and enhance Camden's heritage assets and their settings, including conservation areas.
- ee. Policy A1 and A4 seek to protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenities. Factors that are considered include noise, privacy, outlook, daylight and sunlight.
- ff. Policy T1 aims to promote walking, cycling and public transport use, and requires any new dwelling to provide cycle parking. Policy T2 aims to mitigate impact of new development on the transport network, and requires any new dwelling to be designated car-free.

## **gg. The Home Improvements Camden Planning Guidance 2021**

- hh. According to section 2.2 Roof Extensions,

*A successful roof extension would consider the overall roof form of the existing building, adjoining buildings and impact in key views (when relevant) and be proportionate to the roof slope being extended*

- ii. **The South Hampstead Conservation Area appraisal and management strategy 2011 (SHCAAMS)**
- jj. Paragraph 3.1 and 3.6 of the SHCAAMS describes the Special Interest of the conservation arrea,

*South Hampstead is a well preserved example of a leafy Victorian suburb, almost exclusively residential in nature, and largely homogenous in scale and character. The area is characterised by large, semi-detached and terraced late-Victorian properties, in red or gault (white / cream) brick, with a particularly distinctive and attractive roofscape including turrets, gables, and tall chimneys. Houses are made special by a variety of decorative treatments including terracotta panels and brickwork ornamentation, tiled and patterned footpaths, delicate ironwork, and elaborate timber doors and windows, including some original stained and leaded glasses*

*The conservation area is planned on a gently curving grid-iron pattern with houses arranged predominantly in grand terraces or as large semi-detached dwellings. The fairly rigid street plan is enlivened by elaborate architectural detail, variety in roofscapes, recession and projection in elevations, attractive boundary walls and lush green front gardens*

- kk. According to paragraph 5.1 the spatial character of South Hampstead is derived from the interplay of wide streets lined with mature trees and large and rhythmically spaced brick buildings,

*These substantial residential properties could easily dominate views to either side, however their bulk is moderated both by their placement within the plot - set back from the street in verdant front gardens - and because their elevations are carefully modelled, using recession and projection and decorative details to great effect. The whole ensemble is further enlivened by variety at roofscape level – again carefully designed to balance the height and mass of the properties and yet retain an attractive, homely character.*

- ll. Paragraph 5.2 describes the significance of roof forms within the conservation area,

*The character of South Hampstead Conservation Area relies significantly on the attractive, wide variety of prominent roof forms. Roofs are formed by decorated gables to the frontage, with terracotta decoration and timber windows, sometimes as oculus (round) openings or balconies with railings, capped by elaborate Dutch gables and pediments, or elsewhere treated as steep French style hipped and mansard roofs, some with original dormers, their size, shape and materials designed to harmonise with the host building*

- mm. According to paragraph 5.5 and 5.19 describe how it is the detail, form and materials which create enlivening elevations,

*East of Fairhazel Gardens they form imposing mansion blocks of 3 and 4 storeys - on Canfield Gardens rising to 5 storeys. The use of terraced dwellings maximised the amount of lettable space, and minimised building costs – however the detail and form of elevations enlivens what could very easily become austere. Ornate gables, and recession and projection, with larger double and tripe height bay windows, are used to great effect.*

*The majority of properties in the CA are faced in red brick – very fashionable in the late 19th century because of the revival in domestic vernacular architecture and the Arts & Crafts movement*

*The heart of the conservation area these properties are some of the most ornate and attractive in the area, with lively roofscapes, timber and ironwork porches, typically late 19th century multi-paned sashes and gaps between houses contributing to character.*

nn. Paragraph 5.22 describes the character areas or zones and Compayne is described as the 'Central Wedge',

*The wide variety of roofs – from simple decorated gables, to elaborate Dutch gables and pediments, to steep French style hipped and mansard roofs, turrets and ogee-shaped domes - play a very important role in maintaining the character of the conservation area*

oo. Paragraph 7.15 describes the harm that can be caused by inappropriate roof extensions and changes to roof profiles and detail,

*These can be damaging to the character of the area if what is proposed does not take into account the careful design of the original building – its front elevation and traditional roof form - and the pattern of neighbouring buildings as a whole.*

## 5. Case for the development

- a. New Housing
- b. The NPPF and local policies emphasize the need to deliver high-quality new housing, ideally on existing previously developed land in sustainable urban areas with access to transport links and local shopping facilities. The London Plan increases Camden's housing target to 1,038 homes per year and places a new emphasis on delivering new housing through the redevelopment of small sites. The site is sustainably located and the creation of three new homes would contribute to meeting the council's ambitious housing targets.
- c. Policy H7 seeks to ensure a range of homes of different sizes and seeks to ensure that all residential development contributes to meeting the priorities set out in the Dwelling Size Priority Table. The proposals would provide four 'high-priority' two bedroom dwellings and therefore the development would meet this policy requirement.
- d. The government's nationally described space standards set out minimum gross internal areas (GIAs) for new dwellings. The flats meet the minimum requirement of 61m<sup>2</sup> for the one 2 bedroom 3 person dwelling and 70m<sup>2</sup> for the three 2 bedroom 4 person dwellings. In addition, all of the habitable rooms are generously sized and regularly shaped and benefit from good light and outlook. The flats will provide future occupiers with a very high quality of internal living accommodation
- e. Heritage and Design
- f. The property adjoins an imposing five storey plus basement mansion block which sits on a corner. There is a similar five storeys plus a basement mansion block on the opposite side of the road which establishes this scale in the street. The neighbouring mansion block has a dutch gable which is one full storey higher than the application site. The other adjoining property is attached on a setback wing so appears as a detached property. The eaves and ridge of this building are set is slightly lower, so the application site sits on an intermediate position between its two adjoining neighbours. The proposals would therefore not interrupt the uniformity of the terrace.
- g. As a result of the higher ridge level, the height required to create an additional floor of habitable accommodation is minimal. The eaves line of the extension would still be set below the neighbouring dutch gable. The extended building would sit comfortably alongside the five storey mansion block. We believe that the height of the mansion block and the setback wing of the neighbouring property allows the proposals to not appear dominant within the street scene as required by Camden Planning Guidance and the SHCAAMS.

- h. The views shown below illustrate how the extension would not be out of keeping with the prevailing scale and character of the street. The roof extension has carefully considered the design of the existing building and would use matching red brickwork to appear as a seamless continuation of the lower floor. The timber-framed windows would match the design of the existing building.
- i. The extension would not be appreciated as a roof extension as it simply continues the existing building upwards in the same design. It would therefore not detract from its character or appear over-dominant. As a result, we consider that the proposals preserve the character and appearance of the South Hampstead Conservation Area.



*Figure 6. Existing front elevation*



*Figure 7. Proposed view of the extension*

- j. As described in the planning history section there was an earlier approval for the conversion and extension of the attic level and the proposals would generally replicate these proposals to the rear, although one storey higher.
- k. Impact on neighbours
  - l. The roof extension would not obstruct light or outlook entering neighbouring windows. The previous approvals at the site for a roof extension raised no objections in relation to impact on neighbours amenity.
- m. Transport
  - n. London Plan complaint cycle parking will be provided. This would be in the form of a timber bike shed located in the front garden area.
  - o. We understand that all flats would be subject to a car-free restriction. The applicant has expressed willing to agree to this requirement.

## 6. Conclusion

- a. The extension continues the existing building upwards in the same design and materials. As required by SHCAAMS and Camden Planning Guidance, the extension would take inspiration from the existing building's character and not appear over-dominant in the street. Consequently, we consider that the proposals preserve the character and appearance of the South Hampstead Conservation Area.
- b. There would be no harm to the living conditions at neighbouring properties. The applicant would accept the new flats being secured as parking permit free. London Plan complaint cycle parking spaces would be provided at ground floor.
- c. The development is considered to comply with the requirements of national planning legislation and Camden Local Plan policies. We believe the proposal also accords with the provisions of the NPPF by ensuring that conservation area is either preserved or enhanced and therefore we respectfully request that planning permission is granted.