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194 Goldhurst Terrace

Planning Appraisal



Prepared by

Regeneration &
Place Service



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Please note: This document and its contents have been prepared by the Regeneration and Place Team for the Council's Asset Management Service to inform planning options for the site.

It does not represent the formal view of the Council or constitute Council policy for this site or on any related matter.

Specifically it does not represent the views of the Council as the local planning authority and is provided without prejudice to the opinions expressed through formal pre-application discussions or the determination of a planning application for the site.

The London Borough of Camden assumes no responsibility to any party in respect of matters arising out of or in connection with the document and/or its contents. It relies on available information and based on indicative assessment and assumptions.

All parties should independently verify and satisfy themselves as to its contents and on relevant site conditions and constraints and are advised to carry out their own planning assessment and make their own enquiries with the local planning authority.

1. INTRODUCTION

Owned by the London Borough of Camden, 194 Goldhurst Terrace is surplus to the Council's requirements following a reorganisation and relocation of the supported living that previously operated from the property. This planning statement has been prepared to accompany the sale of the site.

This report provides an assessment of the site and relevant planning policy context to identify the opportunities for alternative uses and development.



2. THE SITE

194 Goldhurst Terrace is a vacant detached property last used as residential accommodation providing support for people with special needs. This supported housing has been relocated to new accommodation in the borough at Oakley Square, providing higher quality and more accessible homes for people needing care and support. As a result, and because the property is considered no longer fit for purpose, it has been declared surplus to requirements by the Council (see the reports at Appendices 2, 3 and 4 confirming Council decisions in relation to this property and reprovision proposals).

It is located to the west of the borough in the South Hampstead Conservation Area, a primarily residential area characterised by wide tree-lined streets with large, mainly red brick, semi-detached and terraced late Victorian residential properties. It is located in between three town centres (West Hampstead, Finchley Road/Swiss Cottage and Kilburn) each offering a range of shops, services and facilities.



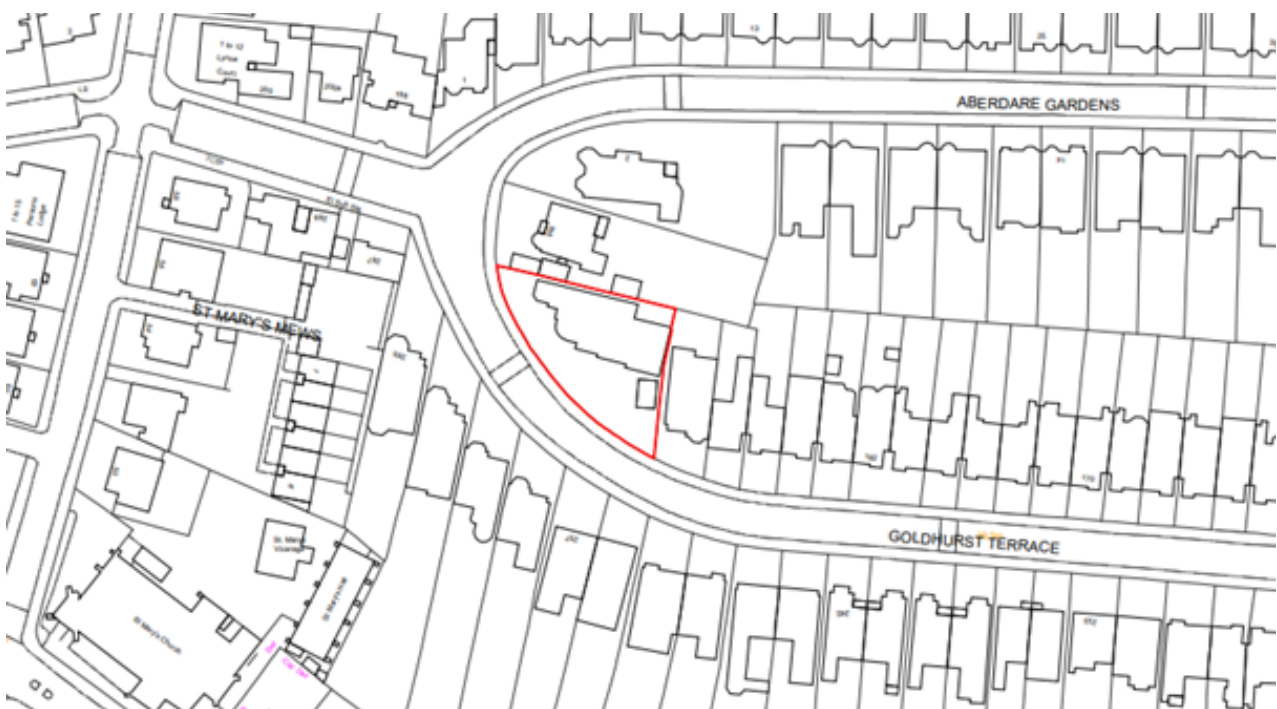
It is also within reasonable walking distance of a number of train stations including South Hampstead, West Hampstead, Kilburn High Road and Brondesbury (Overground), Swiss Cottage, Kilburn and Kilburn Park, Finchley Road and West Hampstead (Underground) and West Hampstead Thameslink and also local bus routes. The site is in an accessible location with a PTAL rating of 4 'Good' (on a scale that rises to 6b – 'Excellent').

The site occupies a prominent corner plot measuring approximately 0.2 acres located on the eastern side of Goldhurst Terrace at a point that meets Aberdare Gardens and Acol Road. Unlike the more traditional street character of the area and street as a whole, the property has an unusual setting positioned on the inside bend of a crescent and sits as a distinct detached property that differs from the more typical terraced and semi-detached properties to the east and across the wider area. Positioned slightly north-west of no.192 Goldhurst Terrace it sits back from the street with most of its garden area to the front as illustrated on the plan on page 4.

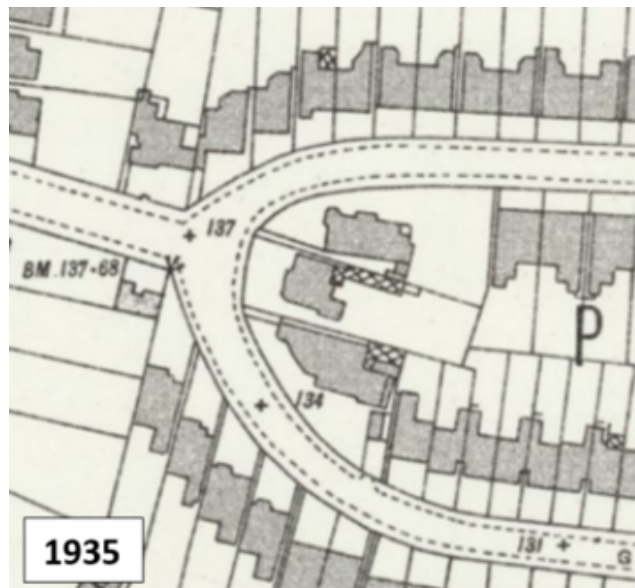
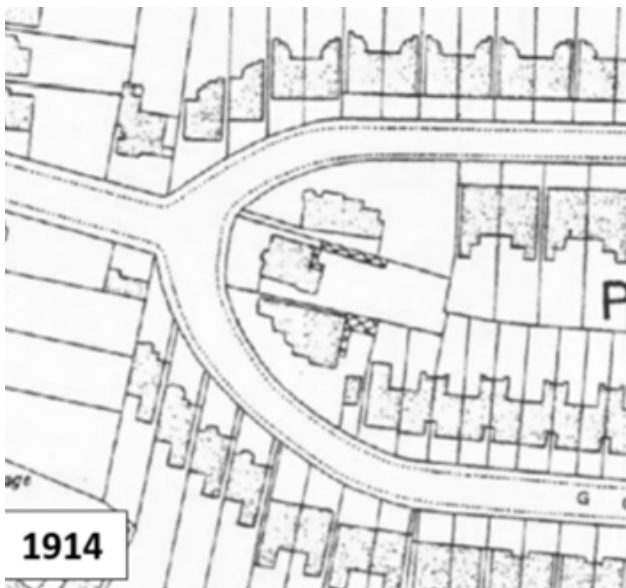


The property has an internal floor area of approximately 570sqm GIA (6,135sqft) spread across 3-storeys, with largely residential accommodation on the upper floors and mainly communal areas, staff facilities, office and storage areas on the ground floor. A detached single storey garage sits forward of the property.

194 Goldhurst Terrace is understood to have been originally built as a house in the late 19th century and comprises three main components: the original three-storey house with a single storey rear extension (though in effect a side extension when facing the property from the south) which retain much of their original external decorative features, the detached garage and a later large single storey extension.



The later extension was built sometime between 1915 and 1935, possibly as an artist's studio, adjoining the earlier extension and infilled most of the original rear garden area and appears to have undergone some more recent alterations. The front boundary of the site is bordered by mature trees that add character and greenery to the street and the conservation area and also act to shield views of the property and garden from the road.



Early 20th Century extension



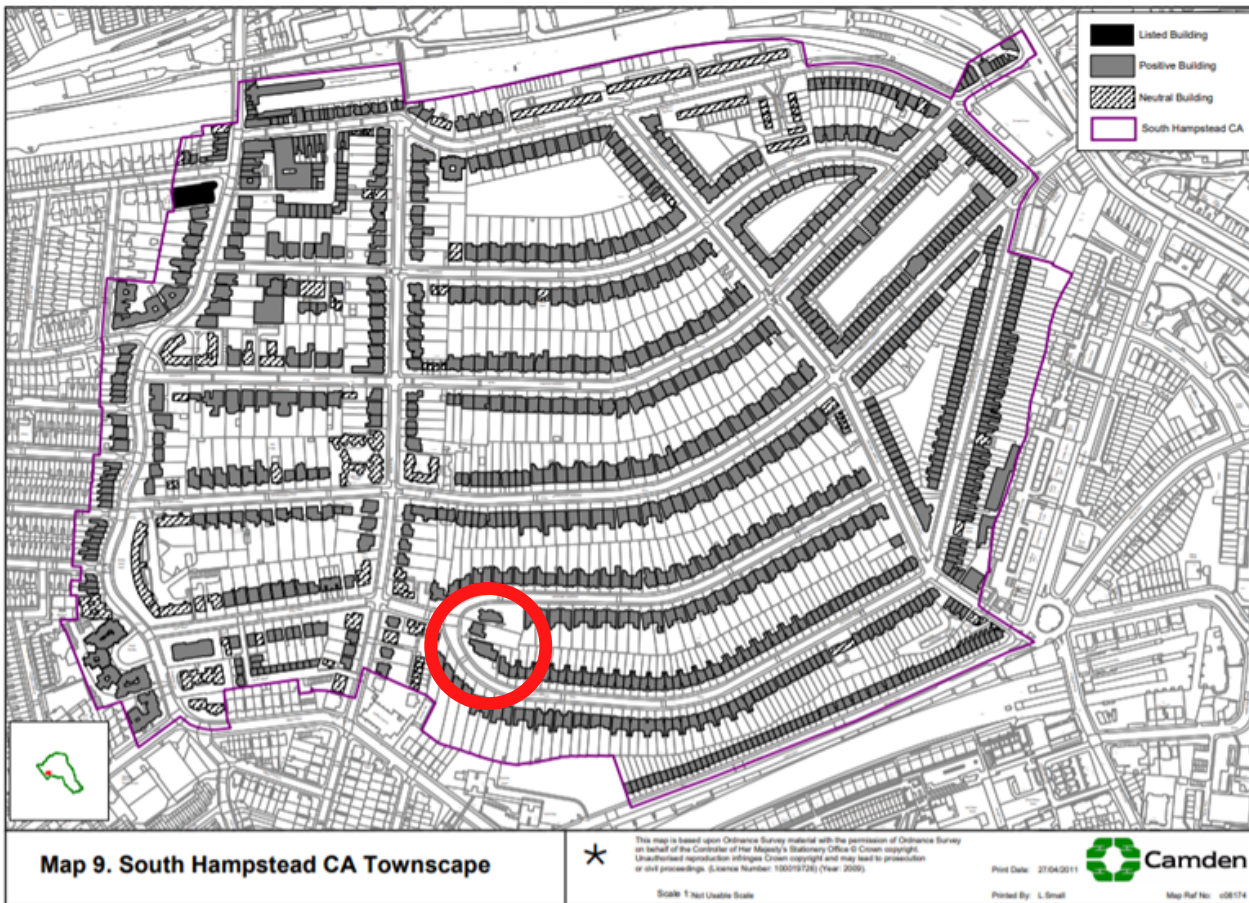
South facing elevation

The main pedestrian access to the site is from Goldhurst Terrace to the south-west of the building. The property's relatively large front garden acts as the primary amenity space with only a relatively small courtyard to the rear and the detached garage has a separate access further east along Goldhurst Terrace via a tarmac driveway.

The site is located within the South Hampstead (formerly Swiss Cottage) Conservation Area which was originally designated in 1988. The property itself is not identified specifically, however detached properties in this area of the conservation area are described:

"The western section of the conservation area as developed by Colonel Cotton is predominantly comprised of large two and three storey detached buildings; this time with that very typical mid-19th century mix of style – while broadly Gothic in form they often enlist fashionable Classical revival details."

The property is not listed, but is identified as providing a positive contribution to the conservation area. This is true of most of the buildings on Goldhurst Terrace and those immediately surrounding the site as identified on the plan below.



3. PLANNING POLICY CONTEXT & DEVELOPMENT OPTIONS

The details provided below considers the potential development opportunities of 194 Goldhurst Terrace against the key policy considerations and designations. Specifically:

- Establishing the use class of the property;
- Policy tests for a change to alternative uses;
- Preferred alternative uses; and
- The possibility of adding further extensions or alterations.

USE CLASS

Originally constructed around the turn of the 19th Century as a residential property, and understood to have been occupied as a single dwelling until at least the early 1970s, planning permission was granted in September 1979 to convert the property to five flats together with the construction of a four storey block of 8 flats. This permission was never implemented and as the area has since been designated a conservation area and due to design and likely impacts on neighbouring properties it is unlikely that proposals of a similar nature/scale would be considered acceptable today. Subsequently in 1981, planning permission was granted to change the use of the property to 8 flats. There are also no indications that this was implemented.

There is no relevant planning history for the property's last use for supported housing, but in 1989 planning permission was granted for part of the ground floor use to be used to provide space for a day centre project for people with learning disabilities. This is understood to have not operated for at least 10 years. The planning history for the site is provided within Appendix 1.

The primary use of the property as supported residential accommodation could therefore potentially fall within two use classes:

- C3 (Dwellinghouses); and
- C2 (Residential Institutions)

Use class C3(b), is defined as:

"Use as a dwellinghouse by (b) not more than six residents living together as a single household where care is provided for residents"

Use class C2 is defined as:

"Use for the provision of residential accommodation and care to people in need of care (other than a use within class C3 (dwelling houses))."

Use as a hospital or nursing home.

Use as a residential school, college or training centre."

If sufficient evidence exists to show that the historic occupancy of the property did not exceed six residents living as a household and receiving care, then a case could be made that the property falls within class C3 (b) and therefore could be used for any of the other uses defined within class C3 (Dwellinghouses) without the need for planning permission.

However, it is noted that paragraph 2.3 of the report dated 18th October 2018 (Appendix 2), considering the property proposals for 194 Goldhurst Terrace in relation to the refurbishment of the Mayford Centre at Oakley Square for re-accommodating residents, stated that there were:

“seven units for people with learning disabilities and autism. Currently there are six tenants and a long-term void. There will shortly be a second void, which will be difficult to fill.”

If the historic occupancy exceeded six residents it is considered that the property would more likely fall within class C2. As such, it could be adapted and reoccupied as a care home or other similar uses as defined within class C2 without the need for planning permission.^[1] Planning permission would be required for a change of use to convert to class C3 (Dwellinghouse) use, whether in the form of a single family dwelling house or further subdivided into flats, or for any other non-C2 use.

With regard to the ground floor space previously used for a day centre project, on review of the floor plans and through on-site inspection, no distinct separation of uses is discernible, and sitting alongside other communal spaces, staff rooms and facilities it appears to have been ancillary to the main use as supported living accommodation (whether within class C3 or C2).

POLICY TESTS FOR A CHANGE OF USE

Until 2021, the property was operated as a residential care home which, if occupied by 6 or more residents, would typically fall within class C2 (Residential Institutions).

Local Plan policy H8 (Housing for older people, homeless people and vulnerable people) is relevant to such accommodation. It supports development that adapts or replaces existing provision with better forms of housing and resists development that involves the net loss of housing floorspace that meets particular needs and the Local Planning Authority (LPA) will need to be satisfied that development involving the loss of this form of accommodation is justified. A change of use application would therefore need to be evidenced and assessed against the policy and criteria as set out within policy H8 (in particular points (f) to (j)):

- (f). the existing housing is shown to be surplus to needs within the borough; or
- (g). it can be demonstrated that the existing homes are incapable of meeting contemporary standards for the support and/ or care of the intended occupiers; or
- (h). adequate replacement accommodation will be provided that satisfies criteria (a) to (e) above; or

[1] Although an unlikely scenario for this property and location, there are also permitted development rights to change a C2 use to a state funded school under Class T of Schedule 2 of the GPDO 2015 (as amended). However this is subject to a determination process, where likely transport and amenity issues could determine that prior approval would be required.

(i). the loss of floorspace is necessary to enable the development of housing for the same intended occupiers that satisfies criteria (a) to (e) and is better able to foster independent living and meet any changes in their support and care needs; or

(j). the development will otherwise enable the provision of an alternative form of housing or support that better meets the objectives of the policy and the Local Plan.

In the Council Cabinet Report dated 2 September 2021 (Appendix 4), it was agreed to dispose of 194 Goldhurst Terrace, as it was considered surplus to requirements and that residents had moved to newly created supported housing at Mayford, Oakley Square. Residents moved into the replacement accommodation in July 2021 (meeting criteria h) and the care home was closed as it was not fit for purpose (also meeting criteria g) and as a result became surplus to requirements (also meeting criteria f). Given Council decisions to declare the property surplus in view of the supported housing being re-provided elsewhere, there appears to be sufficient evidence that proposals for acceptable alternative use could meet the criteria of policy H8 above.

PREFERRED ALTERNATIVE USE

Housing

Policy H1 (Maximising housing supply) regards self-contained housing as the priority land use of the Local Plan. Further to this, the policy states that developments will be expected to deliver the maximum amount of housing on sites where they are underused or vacant.

Policy H8 states:

“Where the Council is satisfied that a development involving the loss of housing for older people, homeless people or vulnerable people is justified, we will expect it to create an equivalent amount of floorspace for an alternative form of supported housing, or for permanent self-contained housing for people with support needs or for general needs (in Use Class C3), including an appropriate amount of affordable housing, having regard to Policy H4.”

Paragraph 3.233 further states that

Where supported housing is no longer suitable or needed for a particular group, and there are no suitable options to meet alternative needs for supported housing in the borough, we will expect the site to be developed for self-contained general needs housing.

On the assumption that the test of the adequate replacement of supported housing can be satisfied (see above), then policy would support a change of use and conversion of the property for self-contained C3 residential purposes. Depending on what is proposed this could trigger an affordable housing requirement in line with policy H4 (Maximising the supply of affordable housing).

Policy would support appropriately designed proposals which would optimise the opportunities to create new self-contained homes. In view of the size of the property and potential for extension and remodelling, if future proposals involve conversion of the property, then policy H7 (Large and small homes) seeks an appropriate mix of unit sizes and sets out the dwelling size priorities which highlights a high priority for 2 and 3-bedroom market units and social affordable rent units.

Alongside policy H8, which would seek self-contained housing if the loss of supported housing is justified, policy H3 (Protecting existing homes) states that any development which involves a net loss of residential floorspace will be resisted. Therefore other forms of non self-contained housing (e.g. large HMOs) and non-residential uses, including hotels, tourist hostels and other forms of short-stay visitor accommodation, are unlikely to be acceptable.

Affordable Housing

Local Plan policy H4 sets out the Council's approach to securing affordable housing. The policy expects a contribution towards affordable housing from all developments that provide one or more additional homes and involves a total addition to residential floorspace of 100sqm GIA or more.

This specifies that targets should be applied to the additional housing floorspace proposed, not to existing housing floorspace or replacement floorspace. They would also be applied to additional residential floorspace created by converting or redeveloping existing non-residential floorspace.

Policy H8 (Housing for older people, homeless people and vulnerable people) confirms that when considering redevelopment for self-contained general needs housing, the Council will have regard to the criteria set out in policy H4 and any need to generate funding for replacement housing for older people, homeless people or vulnerable people elsewhere. If replacement supported housing is provided, the proportion of affordable housing provided across both sites can be considered. The reports (see Appendices 2-4) relating to both Goldhurst Terrace and the Oakley Square site identify the linkage between the re-accommodation of residents from Goldhurst Terrace to new purpose designed replacement provision by the Council and it might be argued that this be used to offset an affordable housing contribution if triggered.

If the potential for an affordable housing contribution still arises, the affordable housing targets are based on an assessment of development capacity whereby 100sqm (GIA) of additional residential floorspace is generally considered to create capacity for one additional home.

The sliding scale begins at 2% for schemes involving additional floorspace of 100sqm GIA and creating at least one additional home. It increases by 2% for every further 100sqm GIA added. Should development have the capacity for under 10 additional dwellings (likely to be the case here) then a payment in-lieu (PIL) will be accepted.

As an example, if a proposal creates one or more additional homes and involves converting 100 sqm of non-residential floorspace and an extension of 100 sqm then the affordable housing contribution would be based on an uplift of new residential floorspace of 200 sqm. This would result in a requirement for 4% affordable housing.

In line with the Housing Camden Planning Guidance document adopted in January 2021 a PIL of affordable housing required by policy H4 is £5,000 per sqm GIA.

Therefore, applying the affordable housing requirement of 4% to this illustrative increase in residential floorspace, a potential PIL would be:

$$200 \text{ sqm} \times 4\% \times \text{£}5,000 = \text{£}40,000$$

A PIL would be secured via a Section 106 agreement if planning permission were to be approved. Should a proposal increase the level of residential floorspace further then the affordable housing contribution would adjust accordingly in line with policy H4.

ALTERATIONS & EXTENSIONS

The property is within the South Hampstead conservation area and is considered a positive contributor as identified by the character appraisal and management strategy and proposals involving external alterations and new extensions would need to preserve or enhance the character and appearance of the area. Proposals involving total or substantial demolition of the property would be resisted by the LPA. An Article 4 Direction also operates across the conservation area ([Article 4 Directions Heritage and conservation - Camden Council](#)) which means a number of external works that normally may not require planning permission will do so. Similarly an Article 4 operating across the whole borough means any proposals involving basement excavation will also require planning permission.

However, these do not restrict the opportunities for refurbishment, remodelling and extending what is a sufficiently large property in an appropriately sensitive and well-designed manner. Proposals should be guided by the NPPF objectives for the highest quality design and policy D1 of the Local Plan and associated guidance on design and home improvements.

It is possible that a first floor extension to the older single storey extension, which complements the host building and prevailing character and context of the surroundings, both in terms of design and use of materials, may be acceptable to the LPA. An indicative area of c. 60 sqm is highlighted in red below. This indicates it should be suitably subservient to the main part of the property and setback to minimise risks of overshadowing and overlooking, particularly to the property to the north (no.196).

Subject to an assessment of the heritage value of the garage and later single storey extension, and first of all exploring the options for adaptation and remodelling (potentially integrating the existing garage), demolition and replacement with a new single storey or potentially two storey extension could be acceptable (an indicative zone of c.80 sqm is highlighted in blue). This could be used to help reinstate a more secluded and larger private rear amenity space for alternative residential use.



Again, an extension would need to be suitably scaled and subservient, but could be used to extend and reflect the multi-faceted character of the property with its distinctive series of bays and roof forms as it turns the corner. However, anything sitting substantially forward of the main property's southern elevation would eat into the deepest and most usable area of the current amenity space. There are also a number of windows on the west elevation of the adjacent property (192 Goldhurst Terrace, which is understood to contain three flats) and the scale and siting would also need to consider and minimise the potential impacts on daylight/sunlight and overlooking. The proximity of trees in the front garden and adjoining rear gardens may also act to limit options.



Other requirements

There will be a number of other policies and guidelines that will be relevant and need to be considered in producing acceptable proposals (see [Supplementary planning documents - Camden Council](#)). These include, but are not limited to:

- Residential amenity of existing and new residents, including privacy, minimising overlooking, loss of daylight/sunlight
- Meeting National Space Standards for new homes and providing suitable amenity space
- Meeting wheelchair and lifetime home accessibility standards
- Basements- the size will be limited in line with policy and proposals will require a Basement Impact Assessment(BIA)
- Sustainability and climate change – the scope for adaptation and retrofitting needs to be fully explored before any demolition is considered and meeting the highest energy and water efficiency design standards
- Transport and utilities – including “car free” requirements for new uses/homes and adequate cycle parking and adequate and suitably located waste/recycling storage
- Planning Obligations (S106) and Community Infrastructure Levy (CIL) - the nature and level of these will depend on proposed uses and changes in floor areas

4. CONCLUSIONS

Use Class

The primary use of the property as supported residential accommodation could potentially fall within two use classes (C3 (b) or C2) subject to clarification of the historic occupancy of the site.

If the existing use is established as C2, there is the potential for change of use to self-contained residential use, subject to satisfying the Local Planning Authority that the replacement of the previous C2 use is acceptable. The Council's recent decisions suggest that sufficient evidence exists to justify the loss of special needs housing and support other appropriate residential use in line with policy H8.

Uses outside classes C2 or C3 are unlikely to be acceptable

The Local Planning Authority would support appropriately designed proposals which optimise the opportunities to create new self-contained homes and secure the appropriate mix of housing in line with policies H1, H6 and H7.

An affordable housing contribution could be required in line with policy H4 depending on the nature/scale of proposals.

Alterations & Extensions

There is the potential for a first floor extension that is suitably subservient to the main part of the property and setback to minimise risks of overshadowing and overlooking, particularly to the property to the north.

After fully exploring adaptation/remodelling options and satisfactory heritage justifications, demolition and replacement of the later extension with a single storey or potentially two storey extension (potentially integrating the detached garage) to create additional residential floorspace and better private amenity space may be acceptable, subject to the quality of design and minimising potential amenity impacts.




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APPENDICES

APPENDIX 1

PLANNING HISTORY FOR 194 GOLDHURST TERRACE

28516 – Change of use of existing building to five self-contained flats, including works of conversion and erection of a new four storey block of eight flats. – Granted 26 September 1979.

33105 – Change of use and works of conversion to provide 8 self-contained flats. – Granted 15 December 1981.

8905015 – Change of use of part of ground floor to provide facilities for use as a day project for people with learning disabilities as shown on one unnumbered drawing. – Granted 25 May 1989.