

+Delegated Report		Analysis sheet		Expiry Date: 28/04/2023			
				Consultation Expiry Date: 23/04/2023			
Officer			Application Number(s)				
Enya Fogarty			2023/0918/P				
Application Address			Drawing Numbers				
Hampstead Hill Preparatory School Pond Street London Camden NW3 2PP			See decision				
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Retrospective application for the installation of wooden fence along the front and side elevations							
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Recommendation(s):		Refuse Planning Permission and warning of enforcement action					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	0	No. of responses	00	No. of objections	00
				No. electronic	0		
Summary consultation responses:		of Site Notices displayed 22/03/2023 Expired on 15/04/2023. The development was also advertised in the local press on the 30/03/2023 Expired on 23/04/2023. No correspondence was received from neighbouring properties					

Hampstead CAAC/Neighbourhood forum	No response
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Site Description

St Stephens Hall is located on the south side of the Pond Street, immediately east of St Stephens Church. The former Church Hall is in use as a preparatory school, the church remains in Ecclesiastical use. The church is a grade I listed and the school building is not listed, both are located within the Hampstead Conservation Area. This application relates to both the church and the school and the boundary that surrounds the application site.

Relevant History

Application Site

2006/2380/P & 2006/2382/L- *Part rebuilding and part repairing of the south-eastern boundary wall (including the removal of 1 x sycamore and 1 x lime tree) between the site of St Stephens Church and Church Hall and the Hampstead Green public footpath and the eastern boundary wall between the Church Hall and a seating area adjacent to the Royal Free Hospital. **Granted 01/08/2006***

2005/3294/P & 2005/3297/L- *Part rebuilding and part repairing of the south-east boundary wall between the site of St Stephens Church and Church Hall and the Hampstead Green public footpath, including infilling of the existing pedestrian opening. **Refused 12/10/2005***

Relevant policies

National planning Policy Framework 2021

The London Plan (2021)

Camden Planning Guidance 2017

- A1 Managing the impact of development
- D1 Design
- D2 Heritage

Hampstead Neighbourhood Plan (2018)

- DH1 Design
- DH2 Conservation areas and listed building

Camden Planning Guidance

- CPG1 Design (January 2021)
- CPG Amenity (January 2021)

Hampstead Conservation Area Statement 2001

Assessment

1.0 PROPOSAL

- 1.1 Retrospective planning permission is sought the erection of a wooden fence around the boundary of the application site. The wooden fence would be located on a brick low wall. Due to the sites topography the fence would be higher in certain locations.
- 1.2 The fence would measure between 1m to 1.4m in height
- 1.3 The fence on the brick wall would measure between 1.4m to 2.1m in height

2.0 ASSESSMENT

2.1 The material considerations for this application are summarised as follows:

- Design
- Amenity of neighbouring residential occupants

3.0 Design

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (Act) requires special regard to be paid to the desirability of preserving the building or its setting. In addition, Section 72(1) of the Act requires that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Local Plan Policies D1 (Design) is aimed at achieving the highest standard of design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area. Policy D2 (Heritage) requires that development within conservation areas preserves or, where possible, enhances the character or appearance of the area.

Policy DH1 of the Hampstead Neighbourhood Plan states that "Development proposals should demonstrate how they respect and enhance the character and local context of the relevant character area(s) by: a. Ensuring that design is sympathetic to established building lines and arrangements of front gardens, walls, railings or hedges." Policy DH2 of the Neighbourhood Plan seeks to ensure that proposals seek to protect and/or enhance buildings which make a positive contribution to the Conservation area.

The Hamstead Conservation area statement identify Hampstead boundary treatments as '*Alterations to the front boundaries between the pavement and properties can dramatically affect and harm the character of the Conservation Area. Brick walls and piers, railings and hedges are enormously important to the streetscape and there is a rich variety of detail and materials in the area*'

The appearance of the front boundary is considered to be out of character with the surrounding street scene and the conservation area. The typical front boundary in the area comprises a low level brick wall, privet hedges, low level pillars and planting. The introduction of a timber fence in this case is not considered appropriate or complementary to the setting of the streetscene. As a result, the solid timber fence as installed is a highly visible alteration and fails to respect the character and appearance of the host property, streetscene and the wider conservation area.

Additionally, due to the site's topography, the proposed fence would appear more prominent resulting in additional height, emphasising its bulk. Therefore, the proposed fence in terms of its scale, position and design and the choice of material would cause significant harm to the character, appearance and architectural integrity of the listed building and the wider conservation area.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s66 and s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013

The development would constitute less-than-substantial harm to the designated heritage asset, as per paragraph 196 of the NPPF. The development would also detract from the character and appearance of the Conservation Area. The benefits cited such as the need for security are not sufficient to outweigh the harm caused to the significance of the listed building. Alternative boundary treatments have not been explored which would be considered more appropriate such as iron railings and hedging.

As such, the overall visual intrusion of the mass, bulk and contemporary detailed design of the proposed fence in such a prominent siting would significantly detract from the setting of the Grade II listed host property and the character and appearance of the surrounding conservation area.

The proposal is contrary to policies D1 and D2 of the Camden Local Plan and policies DH1 and DH2 of the Hampstead Neighbourhood Plan.

4.0 Amenity of neighbouring residential occupants

Policy A1 seeks to ensure that the amenity of neighbouring properties is protected. It states that planning permission will not be granted for development that causes harm to the amenity of occupiers and neighbours in terms of loss of daylight, sunlight, outlook and privacy.

Due to the location, size and nature of the proposals they would not harm the neighbour's amenity in terms of the loss of natural light, outlook, light spill, added sense of enclosure or noise.

The proposed development is not considered to lead to a significant impact upon the amenities of any neighbouring resident. The development is thus considered to be in accordance with planning policies A1 and A4.

5.0 Recommendation:

Refuse Planning Permission

6.0 Reasons for Refusal

The wooden fence by reason of its scale, design and location on the building will be visually prominent and appear as an incongruous and inappropriate addition which would harm the special architectural and historic interest of host building, the listed building and the character and appearance of the Hampstead Conservation Area, contrary to policies D1 and D2 of the Camden Local Plan 2017 and policies DH1 and DH2 of Hampstead Neighbourhood Plan 2018.