

## **No. 42 Willow Road**

### **Secluded Clear glass cover to a sky well**

#### **Statement of Case for non-determination. Application 2022/4887/P**

The original planning statement is embodied in this statement of case, see Section 1.0, and the link to the entire application is provided below. This link contains all the source materials for this case including all the photos, images, drawings, comments, etc. A summary of the key points in the planning statement that would support approval of the application follows in 1.1. Then we focus on addressing just two objections to the proposal raised during the consulting period in 1.2. Lastly, we offer rationale as to why we believe this proposal will proceed to being rejected following a long delay in review and failure of the planning office to meet statutory time requirements for a final decision in 1.3.

<http://camdocs.camden.gov.uk/HPRMWebDrawer/PlanRec?q=recContainer:%222022/4887/P%22>

#### **1.0. Planning statement submitted to the council November 7 and registered December 7.**

##### **Background**

No. 42 Willow Road is a four-story building end-terrace property which has recently been converted to a single occupancy dwelling under planning consent. The property has also undergone considerable renovation and remedial work while maintaining architectural details.

The property is not listed but is located in the Hampstead Conservation Area. Willow Road runs east from the junction of Flask Well/Well Walk down to South End Road. The site is located at the upper end of Willow Road at the junction of Gayton Crescent.

## Proposal

We propose to create a highly secluded clear glass cover over a narrow sky well located below grade (basement level) at the front of the property. The cover will only be 1.6 M wide and 3.0 M in length and a detailed design drawing is provided in figure 1a. The glass will be clear on a thin black frame to match the existing materials used on a glass conservatory at the rear of the property, as seen in figure 2b. Small slit glass panels are included in the design which can open for ventilation. These types of materials incorporating clear glass are typically used with period Georgian/Victorian buildings because they do not compete with the architecture and are unobtrusive. By way of background, the dimensions of the glass cover are very limited relative to what one would expect given the much larger front entrance courtyards in the rest of the terrace. We believe as construction of the terrace progressed east to west the remaining space became limited to the end-terrace property and hence in place of an entrance court yard, 42 Willow Road only has a narrow sky well. As such there are no steps and this sky well only serves as access to a utility room also at basement level. The proposed glass cover will simply not be visible to the neighbourhood compared to the numerous and highly visible street front glass coverings in the immediate Hampstead Village area (to be addressed). This is because the proposed glass cover runs into the base of an end of terrace corner wall 2 M in height, see image 1. The other end of the glass cover meets the entrance to the utility room which is below grade and totally hidden by the elevated main entrance steps leading to the front door, see image 2. In the front facing the pavement visibility is obscured by 1.5 M tall railings which are covered in vegetation, see image 3. Of further note, the property is 62 feet tall from pavement to parapet thus dwarfing visibility of a narrow clear glass cover at its basement level footings from all higher elevations. Further there is no immediate building opposite the property negating potential visibility from this angle. In summary, the secluded clear glass cover will not be visible to the neighbourhood nor have any impact on the local residents.

To emphasize the important consideration that our proposed glass cover will be in keeping with the neighborhood we provide numerous examples of glass coverings in the front of buildings. In stark contrast to our proposed glass cover most, if not all other glass structures, are highly visible from all angles. We refer the reader to the many images, 4-11, found in the immediate vicinity. The examples provided

are located on the upper and middle part of Willow Road itself, Christchurch Hill, Gayton Road, Rudall Crescent and Kemplay Road. We stopped our search simply because examples of front glass structures were so numerous. In comparison, our proposed glass cover will simply not be visible and will be composed of architecturally tasteful materials already used on the property. Therefore, we believe our proposed clear glass cover is most discrete and totally in keeping with the diversity of the many front glass structures in the neighbourhood.

For clarification, a glass cover was briefly included in a previous application which was almost entirely focused on the rear glass conservatory extension but, no detailed drawings of the front cover design were provided. Consequently, an informed review could not proceed and we believe the planning office could not have known what we intended from the lack of detail as feedback came in that it would not be in keeping with the neighbourhood. This critical element was not even addressed at the time and it was considered best by the applicant to withdraw or omit this aspect of the application. Further, there might have also been a misunderstanding created on our part that this was some form of an extension, which it is not. In retrospect, this front glass cover was a bit of an afterthought to the main purpose of this application being the rear glass extension and the applicant really needed a new fully detailed standalone application as provided here. The current status is that nothing is attached to the boundary wall of the sky well nor the brickwork of the house and there will be no alterations to the existing brick work or wall of the sky well in this proposal. We did evaluate a partial construction of the metal frame to closely match the rear glass conservatory to judge appearance but this design was abandoned. As seen in figure 1a, a new design will mimic exactly the material specifications of the rear glass conservatory but fabrication will only start pending planning consent. We did question whether planning consent was indeed required given that the glass cover is not an extension of living space and we will continue to use the existing outside door to access the sky well and utility room. After all this is not an extension of any kind but a narrow glass cover between two existing external walls in close proximity. We are now acting on the assumption that planning consent is required before we start and we are presenting a completely new application with the appropriate design details and clarifications addressed, which were not previously provided.

Regarding the practicality of covering the sky well with a glass cover we ask the planning office to give further consideration to the following. We wish to install a washer/dryer in the utility room and not to go out in the pouring rain to do laundry and, in general, being isolated from the outside elements including ice is of great benefit. Also, the glass cover will isolate a drain from collecting debris blowing into the sky well. During the last few heavy downpours, the sky well flooded and just missed the house but water did enter the utility room where we have the electrics. The drain will be kept in place with the existing downpipes from the roof but will be sealed to block odours. Run off from the proposed skylight will be diverted to an existing French drain. Next is a major concern for security since any burglar can drop into the sky well and be totally unseen. Pending the outcome of the planning office, bars above the sky well are a standard option for such space such as in shop fronts and one we sincerely hope not to use. Less of an issue but none the less a nuisance is when passers-by discard litter into the sky well especially in summer months.

In conclusion, we have presented a case that the proposed glass cover will certainly be in keeping with the neighbourhood and being highly secluded it will have no impact on local residents. We have provided many examples of front glass structures which are diverse and highly visible in the immediate vicinity. In comparison, the proposed glass cover totally lacks visibility and the design and choice of materials match those already incorporated into the property. The proposal is not offering any economic improvement to the building in terms of adding living space but, does offer great convenience for the household in accessing the utility space. Given the geometry of the utility room the existing outside side door in the sky well provides the only viable access. We greatly appreciate the support of the planning office and the conservation committee in considering this proposal as we have been truly committed to maintaining and enhancing the character of the Hampstead area.

## **1.1. Summary of key points supporting approval.**

1.1.1. Is the proposed glass cover in keeping with the Hampstead neighbourhood?

Response. Yes. Extensive photographic evidence shows examples of highly visible glass covers in the vicinity of 42 Willow Road (see link to full application). This

documentation unequivocally confirms we are in keeping with the visual appearance of the neighbourhood noting that the glass cover in the proposal is not visible in contrast to many of the highly visible examples.

1.1.2. Will the glass cover be a detriment to the architectural appearance of the corner of Willow Rd and Gayton Crescent?

Response. No. Again, photographic evidence provided (see link for images 1,2 and 3) clearly shows the glass cover simply cannot be seen by pedestrians or neighboring buildings. The appearance of the corner and the terrace are totally unaffected as can be seen. The glass cover goes into the base of the tall wall on the other side. Only the occupants of 42 Willow can see the glass cover. The planning statement also explains the below grade position of the sky well and the proposed low profile nature of the glass cover using the exact same materials as those used in the rear glass conservatory.

1.1.3 Will the proposal involve any alteration to the original construction?

Response. No. If one were to look down into the sky well from the front door of 42 Willow Road, one would see the original boundary walls unaltered, the original outside door, the original outdoor light. This would all be seen through a clear low profile glass cover. It is still unclear that this simple cover requires a permit since it does not require alteration to boundary walls or the house.

## **1.2. The two objections from the consulting period.**

1.2.1. Please refer to link for the letter from the Hampstead Forum.

“The applicant ignores the fact that none of the houses of the terrace, numbered 42-48, have any sort of covering over the basement well used to access the basement level”. Response. Not relevant and highly misleading. The planning statement clearly points out that 42 Willow Road being end of terrace has a unique narrow sky well as space limitations became apparent when construction reached the boundary constraints at its corner. This narrow sky well is very different to the rest of the terrace. This reference to 42-48, is totally misleading because it is clearly explained these are all major entrances to lower level

dwelling with staircases to front doors. Therefore, it was implicit in the planning statement that these large lower level entrances present a very different situation to a narrow skywell where there is no room for such a staircase. However, a photo is attached (see below on page 9) of yet another glass cover on Well Walk where one can see the terrace in question looking down towards Willow Road. The point here is that the head height of a glass cover to clear the staircases for the Willow Road terraces would be so high that the front windows in the upper level would be obscured. In conclusion, it is not that I ignored the absence of glass covers in the terrace as it was rather silly to consider plus, again, this was implicit in the statement.

Continuing per the Forum letter, "In fact, Camden specifically asked the owners to remove this element in the application for a rear extension, reference 2021/1641/P", entitled construction of rear lower ground floor glazed extension. In an email dated August 9, 2021 Matthew Dempsey wrote: "the glazed cover is not in keeping with the conservation area and that were you to remove this element from the rear extension proposal then he would be able to get approval for the rear extension....." Response. The planning statement for current application 2022/4887/P specifically refers to this previous application, ref 2021/1641/P, with its clear focus on the rear glass extension. It is a fact that reference to the front glass cover in this application was only given a small paragraph with no details on construction, design, materials, no evidence for being in keeping with the neighbourhood and no details on impact on the corner. To be fair, it was quite understandable for the planning office to request that this element be omitted based on no details provided. In follow up Matthew Dempsey suggested "further justification for the glazed cover should be provided but that it should be understood this may not necessarily be accepted". This was very appropriate and therefore, we presented a new stand-alone application, ref 2022/4887/P with full details of the glass cover design and materials so that the Council could now make an informed evaluation. It is very important to point out that the planning system must evaluate each application on its own merit with all the full details provided. However, the Hampstead Forum letter keeps referring back to this one paragraph that we voluntarily withdrew as a reason to influence a rejection. This is totally inappropriate, misleading and basically not relevant.

To add to the further erroneous nature of this letter we reference quote “providing dry access to an external laundry room is not sufficient justification to counter the damage to the terrace”. Response. I think to refer to “damage to the terrace” is extreme for a clear glass cover and again the statement was not read given the fact that that the highly secluded front sky well presents a security risk. Please note we only have one utility room which is well beyond just being laundry room and it is inappropriate to inform the planning office where we should put a laundry area. A utility room is the normal location.

Finally, I save the first part of the letter to last. “The proposal is contrary to the DH1, DH2 guidelines of the Hampstead Neighborhood planning”.

DH1: Ensuring that design is sympathetic to establish building lines and arrangements of front gardens, walls, railings and hedges. In response, how can the reader draw this conclusion that the proposal is contradictory to this guideline. We have renovated front railings, repointed walls, installed hedges in the original front flower bed.

DH2: New development should enhance conservation areas by restoring original architectural features including walls, windows, doors. All efforts have been totally devoted to this goal.

I do not understand the relevance of the reference in the letter to the property being rented unless it is to set some kind of tone. I am a doctor of biochemistry, I am not a developer “bad guy” and the house is being made ready when we retire. The glass cover offers no economic motivations. We are not adding living space, it is not heated. My wife and I would simply like to access the utility room removed from the snow and outside elements, last but not least, the benefits of added security in what is a hidden area is very important.

In summary, I do not consider this letter actually constitutes a valid objection because the comments are just not relevant and past references to different applications should not be manipulated to support a rejection. Further, the attached photos are not relevant as they do not represent our new design described in current application 2022/4887/P. The metal frame in the image was barely positioned and promptly removed at the request of the planning office as we did not want to engage in any contention regarding the need for a permit. We fully complied with the request and the sky well as it appears now is untouched

and waiting review. Why this history was raised to cast ink on the new application is not relevant to the planning office charged with the task of evaluating an application based on its own merits and not past history. The letter urges the council to reject the application and this misleading influence over the planning office is the reason for this appeal.

#### 1.2.2 Refer to link for response from Mr. David Stone.

The first paragraph refers to history of past applications, not dissimilar to the Hampstead Forum content, and is not irrelevant but requires an update for the record. Per Mr. Stone “Primarily, the owner should not be granted any further permission until the unapproved building work on the side wall (on Gayton Crescent) has been remedied.” Mr. Stone is referring to wall alteration for an arched entrance to the rear garden. For the record, the Council has indeed, granted permission, 2022/3729/P and the matter remedied.

Second paragraph, “Vegetation in the front garden is not guaranteed, and indeed the owner could remove the vegetation making the development very visible indeed”.

Response. Hypothetically true but, what would be the rationale to remove a beautiful hedge installed in the front flower bed and one that we prune to maintain shape and density. It looks very nice up against the renovated railings.

Third paragraph, “The examples of other fill ins demonstrate, in the ugliness, why this one should not be approved”. Response: I have to agree that some of the examples are ugly, but some are very nice in front of Victorian buildings especially those using modern materials. Our glass cover will use the same materials as used in the rear conservatory being clear glass with very thin black powder coated frames as seen in the design drawings provided (see 2022/4887/P). These exact materials are approved for use with Georgian buildings in conservation areas. The Hampstead Forum had every opportunity to read this. What is important is that the proposal for the secluded glass cover follows the DH1 And DH2 guidelines for conservation areas and will be very tasteful.

I have totally restored the building to its former glory involving cleaning of brickwork to reveal original colors, repointing, correcting past subsidence etc. I have beautified that corner and reversed a depressed looking building into its

former glory with all original architectural features restored. It would be contradictory to all this effort for me to install a simple glass cover that would be nothing else but discreet and tasteful.

### **1.3 Rationale for filing a non-determination case.**

Principally, the letter from the Hampstead Forum is extremely misleading and is crafted with the sole intent to influence the planning office into a rejection. Counter to this we believe that the strength of the planning statement and all the perfectly valid rationale for acceptance of a simple glass cover has created a dichotomy. The planning office has not met the statutory timelines for a final decision and the purpose of this appeal is to prevent the wrong decisions being made based on misleading information.

I can only go back to images 1, 2 and 3 because I fail to understand how a low profile glass cover could possibly impact the corner as it sits behind a tall solid brick wall. I can only assume that the planning statement is not being carefully read against all the photographic evidence. I can only see some fixation for the Hampstead Forum to want to reject this proposal with no valid basis.

We thank you for considering this case.



As referenced in 1.2.1 on page 6