

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>03/01/2023</b>
		N/A / attached	<b>Consultation Expiry Date:</b>	<b>08/01/2023</b>
<b>Officer</b>			<b>Application Number(s)</b>	
Matthew Dempsey			2022/4887/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
42 Willow Road London NW3 1TS			Please refer to Decision Notice	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
Installation of glazed cover to front light-well.				
<b>Recommendation(s):</b>		Non-Determination: would have refused		
<b>Application Type:</b>		Householder Application		

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>00</b>	No. of responses	<b>01</b>	No. of objections	<b>01</b>
<b>Summary of consultation responses:</b>	<p>A site Notice was displayed 09/12/2022 which expired 02/01/2023. A press notice was published 15/12/2022 which expired 08/01/2023.</p> <p>One local resident responded to the consultation and <b>objects</b> to the proposals on the following grounds:</p> <ul style="list-style-type: none"> <li>• Succession of planning applications altering appearance of highly visible property within the conservation area.</li> <li>• Works carried out without permission.</li> <li>• Visibility of the proposed development.</li> <li>• Ugliness of glazed fill-ins.</li> <li>• Proposals would not be in-keeping with the host Victorian building or conservation area or terrace of similar properties.</li> </ul>					
<b>Hampstead CAAC</b>	The Hampstead Conservation Area Advisory Committee were consulted on the proposals, but did not provide any comment.					
<b>Hampstead Neighbourhood Forum</b>	<p>The Hampstead Neighbourhood Forum were consulted on the proposals and <b>object</b> on the following grounds:</p> <ul style="list-style-type: none"> <li>• Proposals would be contrary to policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018.</li> <li>• Houses along this terrace do not have any coverings to front light-well, the proposals would not be in-keeping.</li> <li>• The proposed works were removed from a previous application in order to make that scheme acceptable, ref: 2021/1641/P.</li> <li>• Lack of sufficient justification for the proposals.</li> </ul>					

## Site Description

The host building is a four storey end of terrace single family dwellinghouse. The property benefits from a small front and larger rear garden. The flank wall to the property borders the public highway along Gayton Crescent, giving the property prominence within the street scene.

To the front and adjacent to the main entrance, the property has a front light-well, illuminating the lower ground floor, which is visible from the front boundary.

The property is not listed, but it is located within the Hampstead Conservation Area and also within the Hampstead Neighbourhood Plan area.

## Relevant History

**2020/4745/P** - Change of use from 2 x units (upper floor maisonette and basement flat) to single dwelling house. **Granted 02/03/2021.**

**2021/1641/P** - Construction of rear lower ground floor glazed extension. **Granted 11/08/2021.**

- *To note, this approved application was revised during the assessment to remove a glazed front light-well cover from the scope of development.*
- *Acceptability of the scheme was dependant on this revision.*

**2022/3729/P** - Alteration to existing side boundary wall by addition of masonry arched timber gate. **Granted 13/06/2023.**

## Relevant policies

### London Plan (2021)

#### Camden Local Plan (2017)

A1 Managing the impact of development

D1 Design

D2 Heritage

### Hampstead Neighbourhood Plan (2018)

DH1 Design

DH2 Conservation and listed buildings

### Camden Planning Guidance

Amenity (2021)

Design (2021)

Home Improvements (2021)

### Hampstead Conservation Area Appraisal and Management Strategy (2001)

## **Assessment**

### **1.0 Proposal:**

1.1 Planning permission is sought for the installation of a glazed roof to the front light-well creating additional internal space.

1.2 The proposed roof cover would be constructed of black powder coated metal frame with lead flashing with transparent glazing.

1.3 The proposed space would be accessible by the existing doorways, one to the front elevation and one beneath the main entrance steps.

### **2.0 Assessment:**

2.1 The main issues for consideration area:

- Design and heritage.
- Impact on the neighbouring amenity.

### **3.0 Background**

3.1 As noted in the planning history section above, the approved scheme reference 2021/1641/P was revised during the assessment phase to remove alteration to the front lightwell from the scope of development. The proposed light-well alteration removed from scope was identical to the scheme being proposed here.

3.2 At the time of the previous application, the applicant was advised that the alteration to the front light-well would be unacceptable, and its inclusion in the proposed development would have meant that application would have been recommended for refusal.

3.3 Upon receipt of this stand-alone application for the works to the front light-well, the applicant was again advised these works would be unacceptable and it was anticipated that the scheme would be withdrawn. However no such withdrawal request have been received, therefore the assessment to follow has been undertaken.

### **4.0 Design and heritage:**

4.1 The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations within policy D1 are relevant to the application: development should consider the character, setting, context and the form and scale of neighbouring buildings, and the quality of materials to be used. Policy D2 states that within conservation areas, the Council will only grant permission for development that preserves or enhances its established character and appearance.

4.2 In relation to front gardens, CPG 'Altering and extending your home' states that development in front gardens/ front extensions are usually highly visible and can change the character of a building and the street.

4.3 The proposed glazed roof would span the entire front light-well and would be approximately 3.1m in width and 1.6m in depth. The roof would have a single slope to enable rainwater run-off into the front planted bed behind the boundary railings.

4.4 The terrace of properties in which the host building sits, all benefit from open front light-wells within small front gardens. The proposals to install a glazed covering is considered to significantly alter the appearance of the host building and character of the terrace within the conservation area.

4.5 It is considered that the proposal would cause harm to the character and appearance of the host

property and wider conservation area. As a corner property, the host building is particularly prominent and the proposed works would be harmful to its character and appearance. The loss of the front light-well would diminish the contribution that the terrace brings to the wider conservation area and as such is not considered acceptable.

4.6 Paragraph 199 of the National Planning Policy Framework (NPPF) guides that: “*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance*”. For the reasons outlined above, the proposed development is considered to result in “less than substantial harm” to the character and appearance of the conservation area.

4.7 Paragraph 202 of the NPPF guides 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*”. In this case, there are no public benefits associated with the proposed development (i.e. the development would only benefit the private home owner). As such, there is no justification for the proposed works and the application would have been recommended for refusal on this basis.

4.8 It is noted that the applicants were made aware of the above position of the Council when a previous application was varied to make it acceptable (see planning history above). The proposed works here relate to the front of the house only. However, the proposed lightwell cover was removed from a previous application, as noted by the Hampstead neighbourhood Forum objection, as Council Officers had previously indicated that the proposed alterations to the light-well now forming this stand-alone scheme would not be acceptable.

4.9 Overall the proposed glazed cover to the front light-well is considered to result in a harmful visual impact to the host property and the character of the front garden setting as a result of its design and positioning and impact on the neighbouring terrace and wider conservation area. The works would fail to preserve the character and appearance of the conservation area. The development is consequently considered contrary to policies D1 and D2 of the Local Plan, and policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018.

## **5.0 Impact on neighbouring amenity:**

5.1 Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting permission for development that would not harm their amenity. The main factors which are considered to impact the amenity of the neighbouring residents are privacy, outlook, daylight, sunlight and noise.

5.2 The proposed glazed cover to the front light-well is not considered to create any new views into living spaces of any adjoining occupier or other nearby resident. Given the proposed glazing, it is considered possibly that artificial light would be visible at the front of the property, however it is not considered that this would bring about any significant light pollution.

5.3 Whilst the proposed development would appear visually incongruous, it is not considered that the proposed development would have a negative impact on neighbouring residential amenity.

## **6.0 Recommendation:**

6.1 Refuse planning permission.