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Date: 17/02/2023

Our reference: 2022/4303/PRE

Contact: Miriam Baptist

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Dear Sir/Madam,

Town and Country Planning Act 1990 (as amended)

Re: 2 Old Court House, North End Way, London, NW3 7ER

Thank you for submitting a pre-application request. The below sets out the council's response to the pre-application scheme at the above site.

Proposed works: Proposed mansard roof extension with roof lantern, inset roof terrace to the rear and associated glass balustrade. Installation of 2 air conditioning units at the newly created third floor level.

Constraints

- Grade II Listed Building
- Hampstead Conservation Area
- Hampstead Neighbourhood Area
- Article 4 Basements (permitted development rights removed)
- Construction Management Plan (CMP) priority area
- Subterranean groundwater flow
- Surface water and flooding
- Slope stability
- Hydrological Constraints – Bagshot beds
- Archaeological Priority Area Tier III

Policy

National Planning Policy Framework (2021)

The London Plan (2021)

Camden Local Plan (2017)

A1 Managing the impact of development

D1 Design

D2 Heritage

Hampstead Neighbourhood Plan (September 2018)

DH1 Design

DH2 Conservation areas and listed buildings

Camden Planning Guidance

CPG Design (2021)

CPG Amenity (2021)

CPG Home Improvements (2021)

CPG Energy Efficiency and Adaptation (2021)

Hampstead Conservation Area Appraisal and Management Strategy (2001)

- CC1 Climate change mitigation
- CC2 Climate change adaptation measures

Planning History

No relevant history found.

Policy Context

- The application site is located within the Hampstead Conservation Area, wherein the Council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of that area, in accordance with Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).
- Policy D1 of the Local Plan seeks to secure high quality design which respects local context and character and which preserves or enhances the historic environment and heritage assets in accordance with Policy D2.
- Policy D2 seeks to preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings.

- The Hampstead Neighbourhood Plan was adopted in 2018 and carries equal weight to the Local Plan. The application site is identified within character area 4 'Outlying areas'. Policy DH1 (Design) and DH2 (Conservation Areas and Listed Buildings) are relevant, which require development proposals to respond to the history and distinctive character of Hampstead's different areas. Development must conform to conservation area appraisals and management strategies and must not harm an area's character or heritage assets.
- Grade II listing description: *Detached house, now converted to retirement home flatlets. Early C18 with late C18 and early C19 alterations and additions. Multi-coloured stock brick. Extensions with slated hipped roofs. Central bay of 3 storeys and cellar flanked by 2 storey later extensions. Windows 2:3:2, the centre 3 blind. Central doorway with Doric doorcase under glass and timber porch. Mostly gauged red brick flat arches to recessed sashes with exposed boxing. Southern extension has a ground floor canted bay window with ogee penthouse roof. INTERIOR: hall has distyle-in-antis timber Ionic screen and chimney-piece with Ionic three quarter columns, egg-and-dart cornice, and frieze panels with a cartouche flanked by foliage. Stair of column on vase balusters with fluted Composite capital newel. Understood to retain other features of interest. HISTORICAL NOTE: known variously as Heath View, Earlsmead and the Old Court House. This latter name coined as late as 1926 when the house was bought by Mr Campbell Hunter. The name referred to the fact that during the 1850s the house was occupied by the Dunnett Estate Office: Dunnett was the Manor Surveyor at that period, and a seemingly spurious connection with manorial courts (which were actually held at the original Jack Straw's Castle) was thus stressed.*

Assessment

The Proposal

Proposed mansard roof extension with roof lantern, inset roof terrace to the rear and associated glass balustrade. Installation of 2 air conditioning units at the newly created third floor level.

Heritage and Design

The building currently has a flat roof which is clearly legible from the street with the large chimney stacks rising above. Figure A, below, is an aerial photograph taken in 1938, and although not perfectly legible it is clear there is no mansard roof form, the chimneys are particularly prominent, rising high above the historic, low-rise roofslope.

The painting shown below in Figure B shows a low-pitched roof inside the parapet wall. This traditional roof arrangement would have been designed to assist rainwater egress from the roof and not to provide additional accommodation within the roof space. The property is not considered to have had roof-level accommodation in the past, nor be of an architectural style that is appropriate for a mansard roof structure. Given the history of the listed building, as never having roof level accommodation, it is considered unacceptable in principle on this Grade II Listed building.

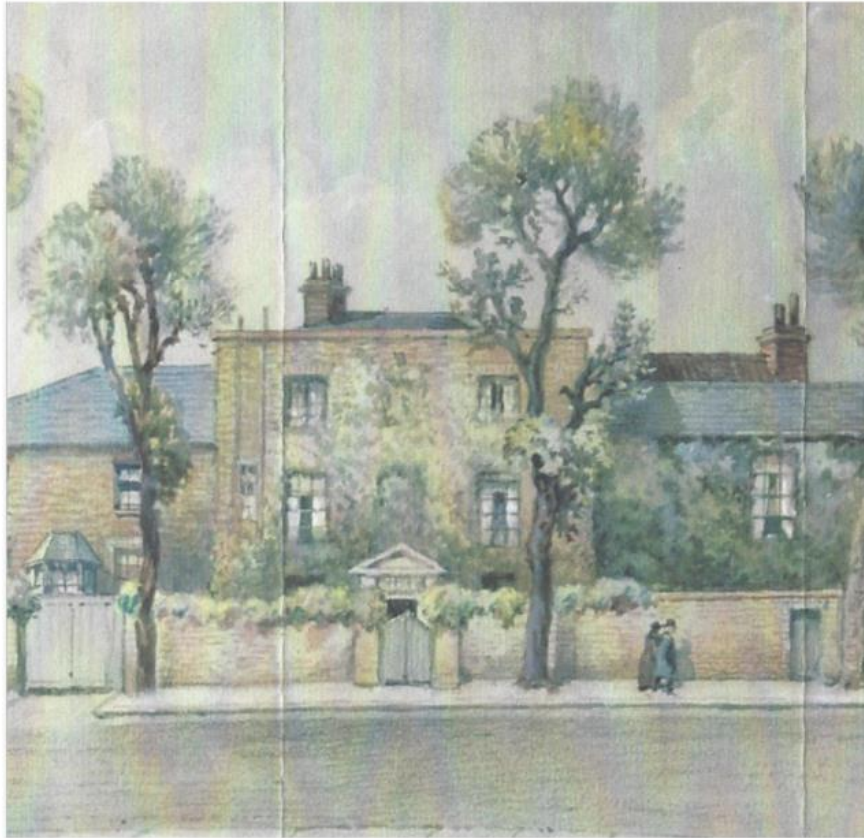
At present the original roof form has been lost and a flat roof with decking and railing around the perimeter has been erected, albeit these are unauthorised works without consent. This is regrettable, but it does not justify further alteration, or an additional storey to the building which would be far more conspicuous. The proposed development is not considered to enhance or better reveal the significance of the host building which is a designated heritage asset to be preserved and protected.

The inset terrace to the rear is not a traditional feature and does not enhance or better reveal the significance of the host building. Similarly, the large glazed opening and glass balustrade is completely at odds with the character and appearance of the host building and is considered to cause unacceptable harm to special historic significance of the listed building and the setting of the wider conservation area, and would not be supported if submitted as a formal planning application. .



Figure A (above): Photograph of the site in 1938 – (source: Britain from Above ([Britain From Above](#)))

Historic evidence shows the building originally had a slated roof.



Circa 1933

Figure B (above): An artist's impression of the site as provided by the applicant – (source: unspecified)

The proposed mansard level is considered too high, and is not considered in proportion with the height of lower storeys of the building. A mansard roof extension would lessen the presence of the chimney breasts which are, and have historically been, particularly prominent on the roofline.

The property is situated on North End Way by the Hampstead War Memorial roundabout; the Conservation Area Appraisal describes it as one of the buildings that '*form a distinguished group around the war memorial at the junction of Spaniards Road and North End Way*'. The road is particularly wide here and the site is highly visible from the public realm directly in front of it and from the approaches from Spaniards Road, Whitestone Walk and public realm around Whitestone Pond. The top of the building is also visible from the rear from public pathway/land associated with Hampstead Heath, and depending on foliage cover, in long views from West Heath Road. Not only would the non-original mansard be visible from these locations, but from many of them, the modern, inset roof terrace with substantial glazing would also be highly visible. Given the openness of the site and high visibility from a range of locations, from close to long views, a mansard roof extension would be highly visible from within the conservation area, as would the rear terrace and roof lantern on top.

Overall, there is no evidence that the host building had a mansard roof in the past and therefore it is considered an inappropriate addition to the host property which is a Grade II Listed building. The proposal is not considered to preserve the building's special architectural and historic interest as it seeks to introduce a highly visible, non-original feature.

In terms of the proposed air-conditioning units on the new third floor, detail has not been provided, but they appear to be located externally in an alcove cut out of the mansard form on the east elevation. The alcove is likely to be visible and have a negative effect on the listed building and views from the conservation area by presenting an inconsistency in the roof form. The applicant would need to provide more detail generally so impact can be properly assessed, and also sufficient evidence to demonstrate that their installation would not harm the historic fabric of the listed building.

Energy and Sustainability

Because the proposal includes active cooling, as per policy CC2 and the Energy Efficiency and Adaption CPG, schemes are required to demonstrate that other adequate measures have been considered and modelled before active cooling. In accordance with policy CC2 of the Local Plan, the Council discourages active cooling. Using active cooling systems increases energy consumption and carbon emissions contrary to the aims and objectives of policy CC1. As a result, air-conditioning units are only permitted where thermal modelling demonstrates that there is a clear need for it after all preferred measures are incorporated in line with the London Plan cooling hierarchy. In addition, passive measures should be considered first. If active cooling is unavoidable, applicants need to identify the cooling requirement and provide details of the efficiency of the system.

It is noted that the application includes the addition of glazing to the rear in association with the rear inset roof terrace, this is likely to exacerbate any current overheating or temperature fluctuation experienced within the property, and therefore increase the need for cooling.

Neighbouring Amenity

The proposed mansard roof extension is not considered likely to cause any material harm to neighbouring properties in terms of loss of daylight, sunlight or outlook, however the installation of air-conditioning units may.

A noise assessment should be submitted with any application for air-conditioning. Appropriate noise guidelines should be followed within the report such as Noise Policy Statement for England, National Planning Policy Framework (NPPF), Planning Practice Guidance on Noise, Camden's Local Plan criteria and BS 4142:2014.

Conclusion

Overall, the proposed mansard roof extension is considered unacceptable in principle and its size, scale and design would represent an unsympathetic addition that would cause unacceptable harm to the historic character and significance of this Grade II Listed building. The proposal would also be highly visible from the surrounding public realm and therefore

detrimental to the character and setting of the Hampstead conservation area and would not be supported if submitted as a formal planning application.

The installation of air-conditioning units is strongly discouraged by the council, in terms of energy and sustainability, and in terms of impact on the Listed Building. If pursued the applicant would need to submit an Overheating Report to justify the need for active cooling by reducing and mitigating the impact of dwelling overheating through the application of the cooling hierarchy. In addition to this, detailed drawings showing the location and design of the proposed AC units and associated acoustic enclosures would need to be submitted to demonstrate that the new units and associated acoustic enclosures would not harm the special architectural and historic significance of the host building and neighbouring Grade II listed buildings nor the character and appearance of the Hampstead Conservation Area.

The proposal's impact on neighbouring amenity cannot be fully assessed without a Noise Report.

Please note that historic extensions (not assessed against current policies) and developments constructed without planning permission (either unlawfully or through permitted development) do not set a precedent for an acceptable form of development at the subject site.

This document represents an initial informal view of your proposals based on the information available to us at this stage and would not be binding upon the Council, nor prejudice any future planning application decisions made by the council.

You can apply for planning permission and listed building consent through the [Planning Portal](#) website.

Thank you for using Camden's pre-application advice service.

Yours sincerely,

Miriam Baptist
Planning Officer
Planning Solutions Team