

PLANNING HERITAGE DESIGN AND ACCESS STATEMENT

PROPOSAL: REAR EXTENSION AT FIRST FLOOR TO EXISTING FLAT.

ADDRESS: FLATS AT FIRST AND SECOND FLOOR 47 HAMPSTEAD HIGH STREET LONDON NW3 1QG

APPLICANT: ANTONINO PROPERTIES LTD

STATEMENT PREPARED BY: FRIXOS KYRIACOU MRTPI

DOCUMENTS ATTACHED:101A EXISTING AND PROPOSED GROUND FLOOR
PLAN: 02A EXISTING FIRST FLOOR:03 EXISTING TOP FLOOR:

102F PROPOSED FIRST FLOOR:103F PROPOSED TOP FLOOR:

104D EXISTING AND PROPOSED STAIRS-SECTION.

105 ELEVATIONS/SECTIONS 1 EXISTING AND PROPOSED

106 ELEVATIONS EXISTING AND PROPOSED

1.0 BACKGROUND AND THE PROPOSAL

- 1.1 The proposals have been subject to a detailed site visit and several design reviews with the clients design group. As the application site is situated in the Hampstead Conservation Area and adjoins a grade II listed building (45 AND 46 full listing details below) it was decided to seek pre-application advice on the proposals.
- 1.2 On the 19th April 2023 a site visit was conducted and followed up with the Council's pre-application advice letter on the 3rd May 2023. (Appendix 1) The advice in summary raised some concerns on the two storey extension on heritage and amenity grounds and recommended that a single storey would likely to be more acceptable, the conclusion id highlighted below:

It is considered the principle of two storey rear extension to be unacceptable however a single storey could be provided the materials are sympathetic and the impact on adjoining properties amenity be acceptable. A single storey would not impact the setting of the listed building, be unseen from views of the CA and keep a level of separation between the buildings. The impact on amenity would also be reduced. However a daylight/sunlight assessment demonstrating that both the rooms in 47a and the host property comply with BRE guidance needs to support any full application. Currently the extension would not be supported by the Council.

- 1.3 The proposal involves extending the existing building at rear to provide more space to the existing flat at first floor, it is not proposed to make any external changes to the second floor flat.

2.0 THE SITE AND SURROUNDINGS

- 2.1 The application site is situated on the northern side of Hampstead High Street, in close proximity to the junction with Heath Street. The property comprises a commercial ground floor with two flats above 2 x1 bedroom flats.
- 2.2 It is bounded to the north west by Hampstead Underground Station and to the north-east and the rear by a residential property noted down on the OS Plan as 47a or Kiels Cott's. There is a narrow access path running down the side of the property which serves the two flats. The adjoining property to the south east down the hill, is No.46 a Grade II listed building set back from Hampstead High Street, this building comprises a commercial ground floor with two floors above. (see photograph fig 1 below) The listed building is set back between the application site and another projecting terrace of buildings further down the High Street. It is listed with No.45 as group value.
- 2.3 The access and the rear of the site is quite constrained by the abutting buildings. Fig 2 is an aerial photograph which shows the juxtaposition of the adjoining properties in relation to the rear of the site. The adjoining listed building at 46 High Street, has a side wall and roofscape along the boundary, and the house to the rear (Kils Cott's) has a predominantly blank wall with a window in the eastern corner lighting the staircase. There are also some smaller windows on this elevation which appear to be bathroom areas.



Figure 1 Conservation Area Street Scene- showing the Underground Station, Application Site, and adjoining Listed Buildings. The extension will be at the rear of the property. There will be no public views of the development. Note the extensive fenestration to the front of the building.



Figure 2 Aerial showing gap at the rear of the site between the application site and adjoining buildings. Note the narrow access down the side of the property adjacent to the Tube Station and the site at rear constrained and surrounded by blank facades of the adjoining buildings.

3 PLANNING HISTORY

3.1 The application site and surrounding properties does not appear to have any relevant planning history to this application.

4 RELEVANT PLANNING POLICY

4.1 For assessing applications for planning permission, the current Development Plan for the London Borough of Camden comprises:
Hampstead Conservation Area Statement

Camden Local Plan

Policy H1 Maximising Housing Supply
Policy A1 Managing the Impact of Development
Policy D1 Design
Policy D2 Heritage

London Plan (2021)

HC1 Heritage Conservation and Growth
GG2 Making the best use of land
GG4 Delivering New Homes Londoners need
D1 London's Form and Characteristics
D2 Delivering Good Design
D4 Housing Quality and Standards

D6 Optimising Housing Density
T5 Cycling
T6 Car Parking

4.2 Other Material Considerations

NPPF The revised National Planning Policy Framework was published in July 2021.

At the centre of the NPPF is a presumption in favour of sustainable development. At paragraph 11 it states: “For decision-making this means: C) approving development proposals that accord with an up-to-date development plan without delay;

Paragraph 120(c) states that planning decisions should “give substantial weight to the value of using suitable brownfield land within settlements for homes” and “promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained.”

Paragraph 111 states “development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe”.

Section 16 of the NPPF relates to ‘Conserving and enhancing the historic environment’

and states at paragraph 195 that:

“Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.”

Paragraph 197 goes on to state that:

“In determining planning applications, local planning authorities should take account of:

- a. the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b. the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c. the desirability of new development making a positive contribution to local character and distinctiveness.”

With regard to the impact of proposals on the significance of a heritage asset, paragraphs 199 and 200 are relevant and read as follows:
“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.”

“Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Paragraph 202 goes on to state:

“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.”

The NPPF also provides specific guidance in relation to development within Conservation Areas, stating at paragraph 206 that:

“Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably

With regards to non-designated heritage assets, paragraph 203 of NPPF states that:

“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing that directly or indirectly affect nondesignated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”

Overall, the NPPF confirms that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent it. Local Planning Authorities should approach development management decisions positively, looking for solutions rather than problems so that applications can be approved wherever it is practical to do so. Additionally, securing the optimum viable use of sites and achieving public benefits are also key material considerations for application proposals.

National Planning Practice Guidance

The PPG has a section on the subject of the Historic Environment, which confirms that the consideration of ‘significance’ in decision taking is important and states:

“Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals.”

In terms of assessment of substantial harm, the PPG confirms that whether a proposal causes substantial harm will be a judgement for the individual decision taker having regard to the individual circumstances and the policy set out within the NPPF.

It goes on to state:

“In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset’s significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.

London Housing SPG (2016) 6.9 The Mayor’s London Housing Strategy was formally adopted in August 2018. It sets out the Mayor’s vision for housing in the capital, alongside policies and proposals to achieve it. Policy 3.1 of the strategy seeks to increase the supply of land for new homes whereas Section A i sets the intention to “Strongly promote appropriate development of new homes on brownfield land...and through a presumption in favour of appropriate residential development on small sites

LISTING OF 45 AND 46 HAMPSTEAD HIGH STREET

TQ2685NW HAMPSTEAD HIGH STREET 798-1/26/753 (North side) 14/05/74 Nos.45 AND 46

GV II

Pair of terraced houses, possibly originally one house, with later shops built out over forecourt. Early C18, altered; late C19 shops. 3 storeys. No.45, 2 windows; No.46, 1 window. Brown brick with stucco front. Tiled roof. Projecting shops altered in C20: No.45 with grey granite half columns supporting fascia with dentil cornice and console bracket stops; No.46 with pilasters at angles supporting enriched console bracket stops to C20 fascia. Upper floors have slightly recessed sashes with exposed boxing; No.45 right hand windows early C19 tripartite sashes. Parapet. Rear facade has segmental-arched sash windows with flush frames and exposed boxing. INTERIOR: not inspected.

5 PLANNING CONSIDERATIONS

5.1 The main issues to be considered in this case are as follows:

- 1) Heritage Assessment Hampstead Conservation Area and Listed Buildings
- 2) Impact on Neighbouring Amenity
- 3) Quality of Accommodation

HERITAGE ASSESSMENT:

5.2 The site is a previously developed site comprising existing commercial use on the ground floor and flatted development comprising two flats above. The NPPF (2021) paragraph 11 states that “Plans and decisions should apply a presumption in favour of sustainable development”.

HISTORIC ENVIRONMENT

5.3 As discussed above advice was taken from the planning authority on the merits in heritage terms of a two storey development, the council concluded on heritage ground the following “There is concern that the two storey nature of the extension would impact on the existing rear yard between 47 and 47a and encroach on the space between them. The Conservation area statement specifically notes that The infilling of yards and rear spaces between buildings will generally be unacceptable. As such a two storey extension is considered unacceptable in design and heritage terms. However an extension only on the first floor could be acceptable as it would maintain a level of separation”.

The application site is situated in the Hampstead Conservation Area and the site is within the SUB AREA ONE Heath Street and Hampstead High Street, it is also situated in close proximity to SUB AREA TWO Christ Church and Well Walk. The Figure 3 below shows the site and adjacent listed buildings. In this case, in terms of listed buildings assessment it is considered that only 45 and 46 Hampstead High Street listed for Group Value are of material consideration to this application. There is a listed building adjacent to the site (45 and 46) however this application building is not listed but is listed as providing a positive contribution to the Conservation Area.

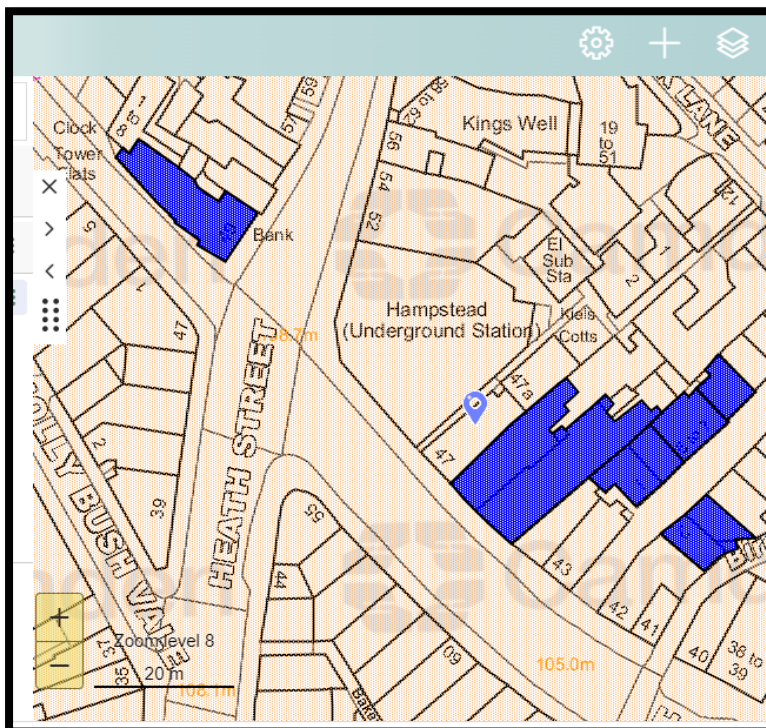


Figure 3 listed buildings shown in blue also note the building to the rear annotated as 47a/Kiels Cotts the layout of this building is shown in figure 6.

5.4 As the development proposals are located to the rear of the site, and would essentially involve extending the application site building by 1.5m towards the building at the rear. It is clear that the important points identified in the listing of the adjacent listed buildings would not be affected by the proposals. The only impact would be to the side elevation of the rear part of the listed building. This does not have any public views and is discretely hidden between the application site and adjoining buildings. Access to the side entrance of the application site is restricted by a security gate. The figure below shows the rear elevation to be extended and the side wall of the listed building against which the extended building would sit.

As this elevation is extremely discrete, and in effect enclosed by existing buildings the partial enclosure of this part of the listed building at first floor level would have no effect on the overall quality of the listed buildings and therefore no harm would be caused and would be a neutral impact on the listed building. The listed building has two tiled roofs one fronting the High Street and the side of that roof is enclosed by the application site, in effect this proposal would have a similar effect but on a much lesser scale due to its discrete non-public view point.

In relation to the Conservation Area which includes the listed buildings the impact is again considered neutral due to the discrete non –public view of the application site at rear. While part of the brick work would be concealed by the extension, there is currently no tangible benefits to this elevation to the Conservation Area. There are many narrow paths and walks through the conservation area however this access is restricted and indeed to view this elevation from the access path is again restricted by the proximity of the buildings together.

The extension would bring the application site closer to the building directly to the rear, however this is not considered to result in any demonstrable harm to the, buildings themselves or conservation area or the adjoining listed building.



Figure 4 Existing rear of the application site and looking from the application site to the property to the rear, showing the window to that property. In addition the brickwork of No,46 the adjoining listed building..

Impact on the Amenity of Adjoining Properties.

During the site inspection it was noted the only impact on adjoining properties on amenity grounds that would need to be assessed would be the house directly to the rear of the application site the elevation of the adjoining property is predominantly blank apart for one window in the eastern corner. The figure below shows in the photograph the relevant window. Also attached are the approved plans of a recent application, it would appear from the drawing the window lights the stairwell. It is not considered the extension would result in a loss of light entering from this window and taking into account it lights the rear stairwell albeit open plan- this relationship is considered acceptable.

A sunlight and daylight test has been submitted with the application which underlines the position that the extension would have an acceptable relationship with the adjoining property.



Figure 5 Aerial showing site and surrounding area and adjoining buildings.

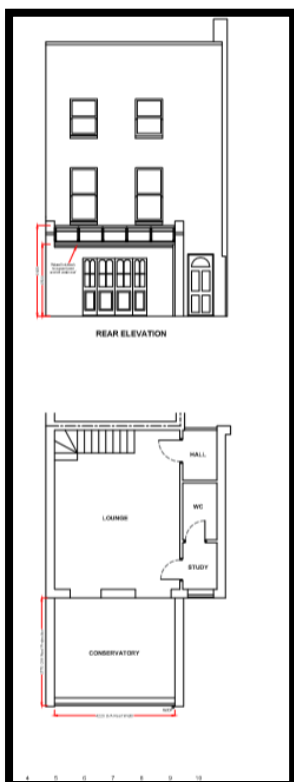


Figure 6 Plans of the property to the rear of the application site. The staircase is where the window facing the application site is sited, as can be seen this window would bring light to the staircase area.

Quality of Accommodation

5.8 Policy D6 (Table 3.1) of the London Plan (2021) stipulates the minimum space standards for new development. The proposed unit would be expected to meet and where possible exceed these minimum standards. The proposal is required to ensure that a high standard of accommodation is provided in terms of habitable rooms receiving adequate ventilation, privacy and sunlight as well as the provision of sufficient storage and circulation space within the units.

5.9 In this case the accommodation is:

Flat 1 this is an existing one bedroom flat at first floor. The extension allows the creation of a second bedroom to the rear of the site. Otherwise the layout is as existing and the flat is dual facing, albeit the bedrooms outlook are restricted as existing. The lounge and kitchen look out onto the High Street. The existing floor area of this one bedroom flat is 54m² and this will increase to 61m². Taking into account the constraints of the site it is considered the overall quality of the accommodation would be acceptable, in particular the views across the High Street enjoyed by the main living areas and together with compliant room standards. The flats also have good security with a secure door to the High Street.

Flat 2 would undergo some minor internal layout changes..

The flats would be provide an acceptable level of accommodation, improving on the existing flat layout and providing for additional space for future residents.

Parking and Accessibility.

5.10 The scheme is in an excellent accessible location next to Hampstead Tube Station.

6.0 CONCLUSIONS:

6.1 The proposals would have an acceptable relationship with the surrounding properties and preserve the character and appearance of the Conservation Area in this location. The impact on the adjoining listed building would be neutral. In addition the quality of the accommodation would be acceptable. The impact on the adjoining properties would also be acceptable.

The Council is requested to approve the planning application.