

Delegated Report		Analysis sheet		Expiry Date:		i. 05/05/2023 ii.05/05/2023	
		N/A / attached		Consultation Expiry Date:		i.23/04/2023 ii.09/07/2023	
Officer				Application Number(s)			
Miriam Baptist				i. 2023/1036/P ii. 2023/2319/L			
Application Address				Drawing Numbers			
114 Flat 1st And 2nd Floor Heath Street London Camden NW3 1DR				See Decision Notices			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
i. 2023/1036/P - Replacement roof including roof extension at rear and replacement roof dormer, rooflight to rear and replacement windows throughout. ii. 2023/2319/L - Replacement roof including roof extension at rear and replacement roof dormer, rooflight to rear, replacement windows throughout, and internal renovation works including removal of chimney breast at first floor and raising of the ceiling height at second floor.							
Recommendation(s):		Refused					
Application Type:		i. Full Planning Permission ii. Listed Building Consent					

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:			No. of responses	00	No. of objections	00
Summary of consultation responses:	No consultation responses received.					
Historic England comments:	<p>Historic England have objected to the proposal recommending the application be withdrawn or refused. The summary of their position, as worded in their consultation response, is as follows:</p> <p>No. 114 Heath Street is one of a pair of early Georgian houses retaining characterful original elements, including a large chimneystack, a weatherboarded rear elevation, and a pitched roof which has been altered by a poorly-designed modern dormer window. The proposals are for a major engineering intervention entailing demolition of much of the chimneybreast and other intrusive works, which go beyond the remedial recommendations of the submitted structural analysis of the building's failings. Policy requires the avoidance of harm to the significance of listed buildings. The application should be withdrawn or entirely revised with the input of conservation-specialist engineers and designers to achieve the remedial work needed with minimal harm, and otherwise to propose only clearly and convincingly justified alterations.</p>					

Site Description

The property is a two-storey terraced building with habitable roof space on the eastern side of Heath Street. The building is in class E use on the ground floor, while the first floor and roof level is a 2-bed residential unit.

Both the front and rear of the application site are highly visible from the public realm. The residential unit is accessed from a publicly accessible passage under neighbouring No116 which leads to a courtyard, Stamford Close, to the rear and leads out to Hampstead Square. The rear façade of the host property can be seen in close range from Stamford Close courtyard to the rear, and in longer views from Hampstead Square outside the Grade II Listed Christ Church Hampstead.

114 Heath Street is a Grade II Listed building, one of a pair of listed early Georgian houses, within the Hampstead Conservation Area. There are many listed buildings in the immediate vicinity both to the front and to the rear, as seen in Figure A below.

The site was visited by the Planning Officer and Conservation Officer on 22/05/2023.



Figure A: Heritage map showing Listed buildings in blue and the host property highlighted with a red arrow.

Relevant History

N/A

Relevant policies

National Planning Policy Framework 2023

The London Plan 2021

Camden Local Plan 2017

A1 Managing the impact of development

D1 Design

D2 Heritage

Hampstead Neighbourhood Plan 2018-2033

DH1 Design

Camden Planning Guidance 2021

CPG Amenity

CPG Design

Hampstead Conservation Area Statement 2001

Assessment

1. Proposal

1.1. The proposal seeks planning permission for: a replacement roof including roof extension at rear and replacement roof dormer, a rooflight to rear, replacement windows throughout, and various internal renovation works including removal of chimney breast at first floor and raising of the ceiling height at second floor. There are some structural problems with the roof that need to be rectified, and the proposal also seeks to extend the property by altering the rear façade and roof form to reflect the form of the adjacent property, No 112.

2. Assessment

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

- Design and Conservation
- Amenity

2.2. Design and Conservation

2.2.1. The application site is within the Hampstead Conservation Area, wherein the Council has a statutory duty, under section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

2.2.2. Local Plan Policies are aimed at achieving the highest standard of design in all developments. Policy D1 'Design' 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' states that in order to maintain the character of Camden's conservation areas, the Council will not permit development within a conservation area that fails to preserve or enhance the character and appearance of that conservation area.

2.2.3. Hampstead Neighbourhood Plan 2018-2033 Policy DH1 'Design' highlights the character areas' *'distinctiveness and history'* as of importance and states that *'development proposals that fail to respect and enhance the character of the area and the way it functions will not be supported'*. Policy DH2 states that development should take opportunities to enhance the conservation areas by *'protecting and, where appropriate, restoring original architectural features, including walls, windows, doors, etc., that would make a positive contribution to the Conservation Areas.'* It also clarifies that *'harm to a designated or non-designated heritage asset would include development that through its height, mass, profile or quality, obstructs or degrades that asset or its setting.'*

2.2.4. The English Heritage Listing says: *'Nos.112 AND 114 - 2 terraced houses with later shops. Early/mid C18. Timber-framed; No.112, refurbished with C20 weatherboarding; No.114, stucco. No.112, slated roof with dormer; No.114, old tiled roof with dormer. 2 storeys and attics. 2 windows each. Both with C20 shopfronts. Flush framed sashes with exposed boxing, No.112, C20. Picturesque rear elevations of weatherboard and brick.'*

INTERIORS: not inspected. (Victoria County History: Baker TFT: Middlesex, Vol. IX, Paddington & Hampstead Parishes: Oxford: -1989: 23)'.

- 2.2.5. CPG Design states roof additions are likely to be unacceptable 'where there is likely to be an adverse effect on the skyline, *the appearance of the building or the surrounding street scene*; Buildings which have a roofline that is exposed to important London wide and local views from public spaces; Buildings whose roof construction or form are unsuitable for roof additions; *Buildings designed as a complete composition where its architectural style would be undermined by any addition at roof level*; The impact on adjoining properties both in terms of bulk and design and amenity of neighbours would be detrimental, e.g. due to a loss of light from the additional height; Buildings that are part of a group where differing heights add visual interest and *where a roof extension would detract from this variety of form* and where the scale and proportions of the building would be overwhelmed by an additional extension/storeys' (emphasis added).
- 2.2.6. 114 Heath Street's significance includes its architectural design and materials, its evidential value as an early C18th house, its group value with its early C18th neighbour, its townscape value inclusive of its picturesque rear elevation and roofline, its positive contribution to the character and appearance of the Hampstead Conservation Area. The list description notes that both Nos 114 and 112 have characterful rear elevations. Due to the C20th shopfronts on the street elevations the rear elevations of the buildings may be said to possess even more special architectural and historic interest than the front elevations. The rear elevations are publicly visible.
- 2.2.7. While a Heritage Statement has been submitted in respect of the application in the view of the Council and Historic England it does not give the level of detail needed to assess the impact of the proposals on significance. However, there are clear areas where the proposals would cause harm which can be assessed in the absence of this information. There are also areas where it can be reasonably assumed harm could be caused in the absence of evidence to the contrary.
- 2.2.8. Although it is accepted by both the Council and Historic England that there are structural issues that must be addressed, the scope of the proposal goes far beyond that of necessary structural remediation.
- 2.2.9. To the exterior, the roof would be rebuilt in its entirety with substantial changes to the roof form. To the rear the roof form would be remodelled to reflect that of the adjacent No 116. The existing roof the building and the external appearance thereof appears to be largely original to **the C17th**. There is no evidence to suggest that the rear of this property historically matched its neighbour and the list description explicitly states that the "picturesque" rear elevations are part of the significance of the site. The rear elevations are also publicly visible and make a strong positive contribution to the character and appearance of the Hampstead conservation area. The proposed roof extension further erodes the charm of the historic external of the building at a very publicly visible level and harms the integrity of the original attic plan-form.

than single glazing would not be acceptable in a listed building of this date and that these would need to be sympathetic in detail.

- 2.2.14. To the interior, various changes are proposed, including replacement of internal staircase, doors, cornices and other elements of interior joinery. As noted by the Conservation Officer at the site visit, significant quantities of this fabric is likely to date from the eighteenth century.
- 2.2.15. The Structural Report notes no concerns about the condition of the large corner chimneybreast on the party wall, yet this stack is to be entirely demolished at first-floor level, to be replaced with structural steels. This destruction of a principal and characterful element of the traditional building, integral to its original structural design, would be profoundly harmful, and no justification is provided. Removal of the large chimney breast represents erosion of the historic plan-form and loss of historic fabric at first floor.
- 2.2.16. The plan-form of the second floor would also be altered by the creation of a bathroom extension and the alteration of the dormer to the rear room. While the existing dormer is not historic or sympathetic, the impact of enlarging the opening upon the roof structure is very unclear because no analysis of the age or design of the roof timbers has been provided. Aside from this, creating a larger opening in the rear room ceiling would not better reveal or enhance significance unless it can be demonstrated that there was an historic window of the scale and location proposed. The replacement extension appears particularly dominant.
- 2.2.17. The application would seek to improve the insulation of the property. Internal insulation behind the historic panelling is likely to be acceptable providing there is a void and therefore it doesn't change the thickness of the walls.
- 2.2.18. The ceiling height of the second floor would be increased from around 2m to around 2.4m. The existing ceiling height (and possibly parts of the fabric) appears to be historic and is part of the evidential significance of the building in respect of possibly fabric and certainly hierarchy and proportions.
- 2.2.19. The application proposes the introduction of a large number of structural steels as the building is said to be suffering from structural issues. It seems a reasonable assumption that resolving the structural issues is not contingent on rebuilding the roof in a different form or altering the plan-form at second floor. Indeed, some of the alterations appear to significantly affect the historic structural integrity of the building by increasing the mass at roof-level, and rather than consolidating the historic structure, the proposals demolish and replace the entirety of the roof. The date of the existing roof timbers and covering is not known.
- 2.2.20. Historic England note that the Structural Report is clear that failures are located at second-floor ceiling level and above, and result chiefly from the inadequate design of a dormer structure that has been inserted within the roof, put under stress by the subsequent occupation of this floor. It is also clear that water ingress is chiefly the result of one area of defective flashing. There is an evident need for considerable remedial structural work at roof level; however there is no intrinsic justification for alteration of the upper storey and roof form.
- 2.2.21. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.
- 2.2.22. Local Plan policy D2, consistent with Section 16 (Conserving and enhancing the historic environment) of the NPPF 2019 which seeks to preserve and enhance heritage

assets, states that the Council will not permit the loss of or substantial harm to a designated heritage asset, including conservation areas, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. The Council will not permit development that results in harm that is 'less than substantial' to the significance of a designated heritage asset unless the public benefits of the proposal convincingly outweigh that harm.

2.2.23. The proposal for listed building consent has been assessed under the Planning (Listed Buildings and Conservation Areas) Act 1990. It has been assessed under the statutory duty for decision makers to pay special regard to the desirability of preserving the special architectural and historic interest of listed buildings and their settings. This is interpreted in the National Planning Policy Framework (NPPF) (2021), which recognises heritage assets as an irreplaceable resource the protection of which is integral to its presumption in favour of sustainable development. The NPPF requires local planning authorities to give great weight to a designated heritage asset's conservation wherever proposals may cause harm to its significance. Where harm is proposed it must be clearly and convincingly justified, and ultimately outweighed by the delivery of public benefits (paragraphs 199-202). Conflict between proposals and conservation of heritage assets' significance should be avoided or minimised (paragraph 195).

2.2.24. The London Plan (2021) and Camden's Local Plan (2017) support these policies for preserving listed buildings from harm. Camden's Policy D2 on heritage notes at part j. that the Council will "resist proposals for a change of use or alterations and extensions to a listed building where this would cause harm to the special architectural and historic interest of the building", which will need to be convincingly outweighed by public benefits in order to be acceptable.

2.2.25. In general, the application documents do not describe the significance of the building with level of detail nearly adequate to understand the potential impact of the proposals on its significance, as required by paragraph 194 of the NPPF. While some structural arguments have been made in respect of the works it is not clear why replacement of the entire roof is needed to resolve any structural issues.

2.2.26. Given the assessment outlined above, it is considered that the proposals would result in 'less than substantial' harm to the character and appearance of the Conservation Area. The proposed scheme would not provide any public benefit. Thus the harm caused as a result of the development outweighs the public benefit (none), and so that the proposal is considered to be contrary to Section 16 of the NPPF which seeks to preserve heritage assets. The application is recommended for refusal on this basis.

2.3. Amenity

2.3.1. 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.

2.3.2. Due to the nature of the development proposed it would not harm the neighbour's amenity in terms of the loss of natural light, light spill or loss of privacy. The enlarged dormer would have a similar outlook to the existing dormer and would not pose any risk to nearby windows of neighbouring properties. The two rooflights proposed would be facing upwards rather than across towards any neighbouring properties and therefore are not considered to have any negative impact in terms of overlooking.

2.3.3. 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 policy A1.

2.4. Recommendation

2.4.1. Refuse Planning Permission

2.4.2. Refuse Listed Building Consent