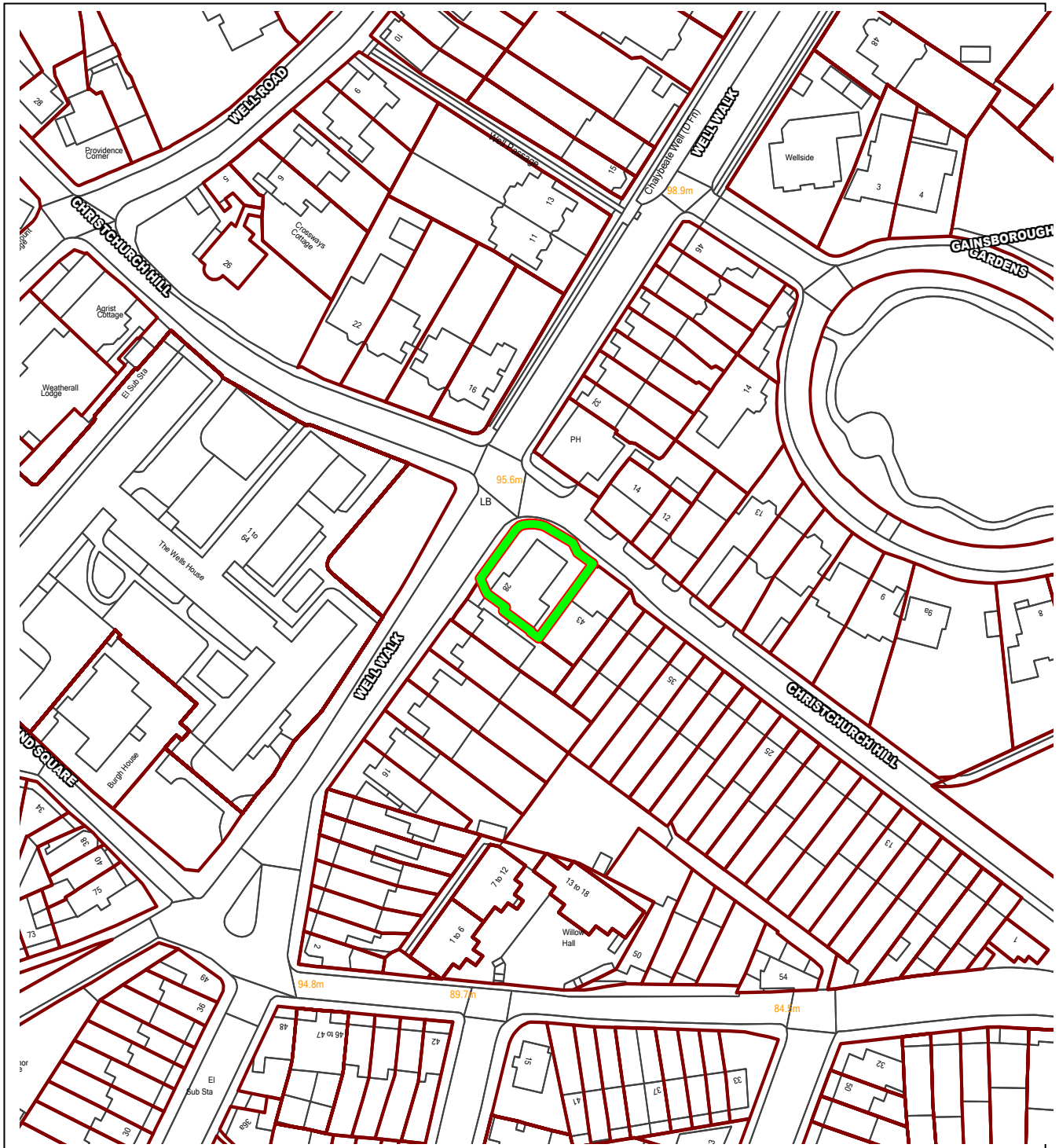


# 2023/3547/P - 28 Well Walk, NW3 1LD



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## Site Photos



Photo 1: Aerial view of site. Red line denotes flat roof to be extended





Photo 2: view from junction of Well Walk and Christchurch Hill showing. Red arrow denotes area of roof extension



Photo 3: view looking north down Well Walk. Red arrow denotes area of roof extension





Photo 4: Rear elevation of property from Christchurch Hill. Red arrow denotes location of extension. Would be set-back in this view.

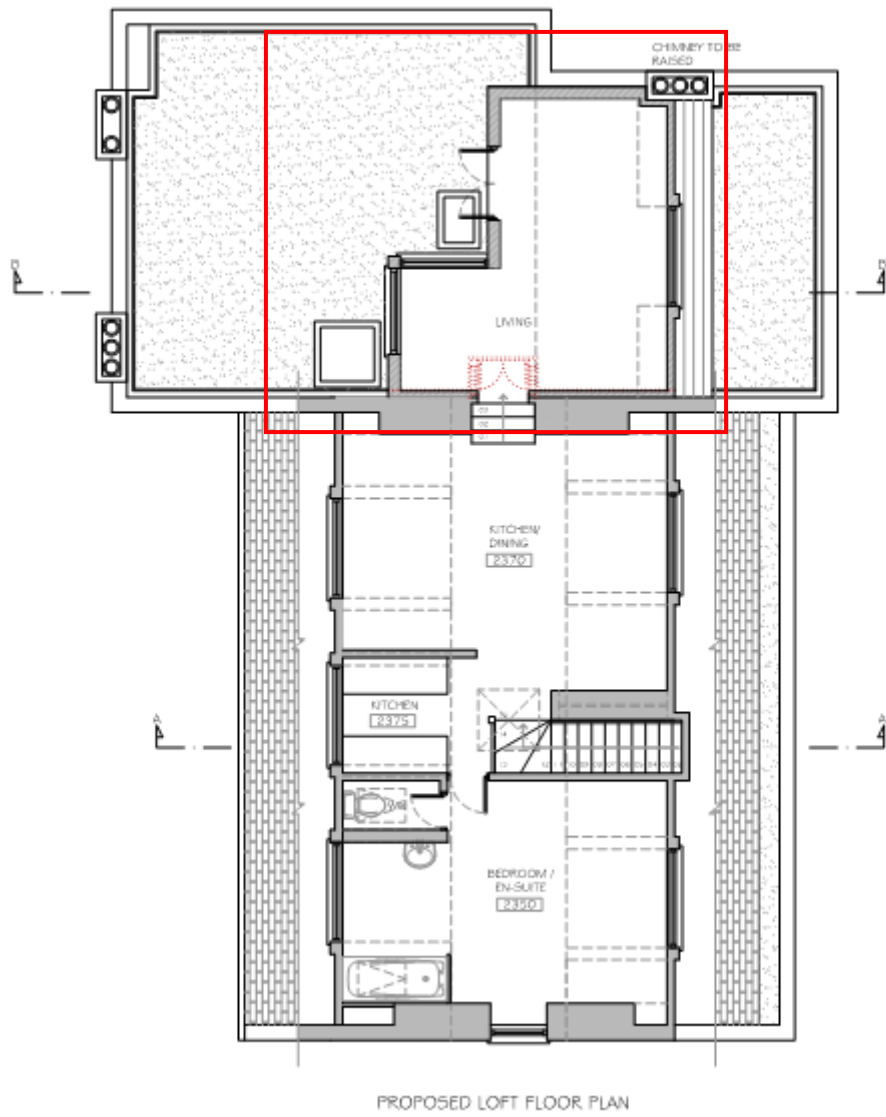


Image 1: Proposed loft floor plan with new extension (in red box).

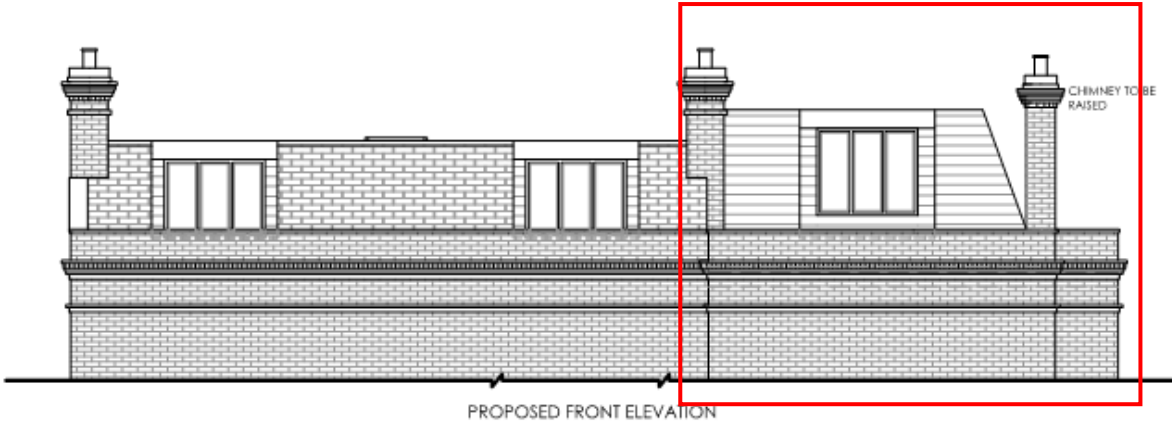


Image 2: Proposed rear elevation with new extension (in red box)

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>22/11/2023</b>
<b>(Members' Briefing)</b>		N/A	<b>Consultation Expiry Date:</b>	<b>05/11/2023</b>
<b>Officer</b>			<b>Application Number(s)</b>	
Kristina Smith			2023/3547/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
Flat 5, 28 Well Walk London NW3 1LD			Refer to Draft 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>				
Erection of roof extension on existing flat roof with reprovision of terrace to rear on southern part of building				
<b>Recommendation(s):</b>		Grant Conditional Planning Permission		
<b>Application Type:</b>		Full Planning Permission		



<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. of responses	<b>12</b>	No. of objections	<b>12</b>
<b>Summary of consultation responses:</b>	<p>A site notice was displayed near the site from 04/10/2023 (consultation expired on 28/10/2023)</p> <p>A press advert was published on 12/10/2023 (consultation expired on 05/11/2023.)</p> <p>12 responses were received from local residents on the following grounds:</p> <p><b>Design</b></p> <ol style="list-style-type: none"> <li>1. Proposes a much higher mansard roof level which would dominate roofline.</li> <li>2. Represents planning creep and is a material change compared to consented scheme.</li> <li>3. Rooftops and skyline should not be substantially altered in a conservation area, as this proposal represents.</li> <li>4. Proposals are contrary to design and conservation policies of London Plan, Camden Local Plan and planning guidance insofar they would represent harm to the conservation area. No public benefit identified and therefore fails to meet NPPF and policy D2 tests.</li> <li>5. Raising of parapet wall is out of keeping, unattractive and unnecessary.</li> <li>6. Raising of chimney is not justified.</li> <li>7. Extension is ugly and totally out of keeping.</li> </ol> <p><u>Officer response:</u></p> <p><i>Design and Heritage are material planning considerations and are discussed in section 3 of the report.</i></p> <p><b>Amenity</b></p> <ol style="list-style-type: none"> <li>1. Greater intrusion through heightened windows.</li> <li>2. Height of mansard would impact the light received by adjacent.</li> <li>3. rooflight, no assessment with regards to BRE guidance submitted.</li> <li>4. Proposal would result in light pollution.</li> <li>5. Noise pollution as a result of building closer to other properties.</li> </ol> <p><u>Officer response:</u></p> <p><i>Amenity is a material planning consideration and is discussed in section 4 of the report.</i></p> <p><b>Other</b></p>			

	<ul style="list-style-type: none"> <li>• Application was little publicised.</li> <li>• The submitted DAS fails to make a comprehensive assessment of the significance and character of the conservation area.</li> <li>• Concerns about the structural and drainage implications of the proposal on such an old building</li> <li>• The building is very old and may not be able to withstand additional load.</li> <li>• Parapet alteration could affect guttering and drainage.</li> </ul> <p><u>Officer response:</u></p> <ul style="list-style-type: none"> <li>• <i>The submission was deemed sufficiently detailed to validate and assess.</i></li> <li>• <i>The application was publicised through the display of a site notice and a press advert in line with the Council's Statement of Community Involvement</i></li> <li>• <i>Construction feasibility is not a planning consideration. An informative is added to highlight the works should comply with Building Regulations.</i></li> <li>• <i>The parapet alteration has been removed from the proposal.</i></li> </ul>
<p><b>Local Group comments:</b></p>	<p>Hampstead CAAC objected as follows:</p> <p>'Raised roof line unacceptable relative to neighbours. Glass balustrading is out of character with this kind of extension and also relative to the general roofscape. Chimney stacks should be better distinguished, not risking burial in the new mansard profile. Applicant states "Although planning policies for the area have been updated since the 2004 approval, they have not altered in such a way that would render the current proposal unacceptable." What has changed at least, since the original applications is the concept of harm to the CA, which this kind of change introduces, as being careless of neighbours' roof forms and relation to the terrace whole.'</p> <p><u>Officer Response:</u></p> <p><i>Design and heritage are material planning considerations and are discussed in section 3 of the report</i></p>

## Site Description

The application site refers to a three storey (plus mansard) double fronted Victorian building plus an additional flat roofed wing (part of the original build rather than later addition) that projects slightly forward of the main house. The flat roof is currently used as a roof terrace. It is situated at the junction of Well Walk and Christchurch Hill. The application relates to the projecting 'southern' part of the building only.

The property is not listed; however, is situated in the Hampstead Conservation Area and identified as a positive contributor in the Conservation Area statement.

The site is covered by the Hampstead Neighbourhood Plan.

## Relevant History

### Application Site:

**2022/3884/P** - Erection of roof extension on existing flat roof with re-provision of terrace to rear on southern part of building. **Granted 24/01/2023**

**2020/1590/P** - Creation of dormer window in front roof slope, replacement of uPVC windows with timber windows in existing front dormer, replacement of uPVC window with timber window in existing rear dormer and installation of two small roof lights in rear roof slope. **Granted 11/06/2020**

**2013/2263/P** - Alterations at roof level including installation of metal balustrade, timber decking, timber screen around water tank and replacement of existing uPVC door with timber framed door to dwellinghouse (C3). **Granted 18/06/2013**

**2011/4283/P** - Erection of a roof extension, new rear parapet and associated rear roof terrace at third floor level of existing flat (Class C3). **Granted 07/11/2011**

**PWX0302291** - Renewal of planning permission (Ref: PW9802124/R1) granted 27th July 1998 for erection of a roof extension and creation of roof terrace on the south eastern side, and erection of new parapet on rear elevation. **Granted 29/01/2004**

**PW9802124R1** - Erection of a roof extension and creation of a roof terrace on the southeastern side, and erection of a new parapet on the rear elevation – **Granted 27/07/1998**

**9400909** - Erection of extension at roof level and creation of a roof terrace. **Refused 10/02/1995** on design and amenity (overlooking) grounds. **Appeal dismissed**

## Relevant policies

### National Planning Policy Framework (2023)

### The London Plan (2021)

### Camden Local Plan (2017)

A1 - Managing the impact of development

A4 – Noise and Vibration

D1 - Design

D2 – Heritage

### Hampstead Neighbourhood Plan (2018)

DH1 - Design

DH2 - Conservation area and listed buildings

### Camden Planning Guidance

CPG Home improvements (2021)

CPG Amenity (2021)

CPG Design (2021)

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

## Assessment

### 1. Proposal

1.1. Planning permission is sought for the following works:

- Roof extension with front dormer window and glazed doors to rear accessing reinstated roof terrace. Extension would provide an additional 16m<sup>2</sup> of residential accommodation and measure 2.5m high, 5m wide and 5.3m deep (at deepest point).

1.2. Revisions: During the course of the application, the following revisions have been made to the proposals following officer negotiation:

- Side elevation of roof extension is sloping instead of sheer to mitigate visual impact from street level and impact on chimney;
- Alterations to rear parapet wall have been removed from proposal entirely;
- Confirmation via annotation on drawings that the roof extension will be slate clad.

1.3. It is worth noting that the proposed development is similar to proposals consented under previous applications in 1998, 2004, 2011 and most recently in 2022 under application ref. 2022/3884/P (approved via Members' Briefing route, please see planning history section). The key difference is that the height has increased by 0.4m to achieve an improved internal floor to ceiling height (2.1m). The side elevation is now sloping instead of sheer which helps to mitigate the visual impact of the height as seen from street level.

### 2. Assessment

2.1. The planning considerations material to the determination of this application are as follows:

- Design and Heritage
- Amenity

### 3. Design and Heritage

3.1. Policies D1 and D2 of the Camden Local Plan and policies DH1 and DH2 of the Hampstead Neighbourhood Plan are relevant in assessing design and heritage considerations. To summaries, policy requires extensions to respond positively and sympathetically to existing rhythms, proportions, height, scale, massing and materials of surrounding buildings and when in conservation areas must have regard to the relevant Conservation Area Appraisal and Management strategies. In this case, the Hampstead Conservation Area Appraisal and Management Strategy warns that roof extensions are unlikely to be acceptable where it would be detrimental to the form and character of the existing building, it would be introduced in a group or terrace which remains largely unimpaired, the property forms part of a symmetrical composition, the balance of which would be upset, the roof is prominent, particularly in long views, and where the building is higher than many of its surrounding neighbours.

3.2. The proposal would provide a roof extension over part of the existing flat roof on the southern part of the building occupying part of the area that is currently used as a terrace. Its form would be a traditional mansard style to the front where the roof would be most visible with a more contemporary style glazed rear elevation which would be hidden from view due to the significant set-back from the rear parapet. The extension would have a subordinate scale and correspond



with the existing mansard extension on the northern part of the same building in terms of its front slope profile and set-back (from the front parapet) as well as traditional use of materials.

3.3. The height of the proposed extension has increased since the previous consent (ref. 2022/3884/P) in order to achieve a better internal floor to ceiling height. At 2.1m, the headroom is far from excessive – as context, the minimum floor to ceiling height for new dwellings is 2.3m. Several objections from the local community point to the height increase which would appear discordant with the existing roof extension. Owing to the substantial set back of the proposed extension, and the location of surrounding vantage points, it would never be seen in such a way that allows one to compare the heights of the existing roof extension and the proposed as a set piece. They would clearly read as separate roof extensions, clearly demarcated by the party wall with chimney stacks that would also help to conceal the height difference. The photo below shows the point in the street the extension would be most visible and comparable to its neighbour.



3.4. The extension would comprise a single dormer window to the front and glazed doors to the rear. The set-backs to the front and rear as well as the slope to the side elevation would mitigate against its visibility from street level. The roof extension would be read in limited views from Well Walk and in fleeting views as one descends Christchurch Hill. The visibility of the extension in both cases is not considered to be harmful and would preserve the character and appearance of the host building as well as that of the conservation area.

3.5. All proposed work would be completed in traditional matching materials to the host property including brickwork to the rear parapet, slate roof tiles and timber sliding sash windows. The detailed design would be sensitive to the property and conservation area. 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.

3.6. Overall, the proposed roof extension is considered to be a relatively discrete addition and in accordance with policies D1 and D2 of the Camden Local Plan and policies DH1 and DH2 of the Hampstead Neighbourhood Plan and supporting guidance and as such would avoid harm to the character and appearance of the Hampstead Conservation Area. The Council's Conservation officer has reviewed the plans and considers the scheme would preserve the character and appearance of the conservation area.

## 4. Amenity

- 4.1. Policies A1 of the Camden Local Plan and DH1 of the Hampstead Neighbourhood Plan seek to ensure that development does not cause adverse amenity impacts upon neighbours, in terms of loss of light, outlook, overlooking. Policy A4 of the Camden Local Plan seeks ensure that development doesn't generate unacceptable noise or vibration impacts.
- 4.2. Owing to the relationship with neighbouring windows, the orientation of the property and the fact the extension is being constructed on top of the roof within the existing parapet walls, the increased massing would not bring about a material impact to daylight / sunlight or outlook to windows of surrounding occupiers. There are two rooflights on the existing flat roof that provide light to the flat below. The extension would be constructed adjacent to these but would be situated to the north/northwest therefore limiting the impact. Furthermore, it is understood that the rooflights serve a hallway area which is considered a less sensitive use relative to a habitable room.
- 4.3. The glazed doors to the new terrace would be well set back behind the reinstated terrace and so would not allow overlooking from within the extension or lead to undue light pollution.
- 4.4. The roof terrace on the part of the building that is being extended is a long-standing feature of the property. Whilst there is no planning permission located for the entirety of the roof to be used as a terrace, it has been in situ for over 4 years as confirmed by neighbours' comments and as such has become lawful. It is noted that part of the roof has been permitted to be used as a terrace under multiple permissions since 1998 (see 'planning history' section) As such, there will be no impact on neighbouring amenity in terms of overlooking or noise.
- 4.5. Given the scale of the development, the construction work is not considered sufficient to require a Construction Management Plan.

## 5. Recommendation

### 5.1. Grant Conditional Planning Permission

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 20<sup>th</sup> November, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.***

Application ref: 2023/3547/P  
Contact: Kristina Smith  
Tel: 020 7974 4986  
Email: [Kristina.Smith@camden.gov.uk](mailto:Kristina.Smith@camden.gov.uk)  
Date: 14 November 2023

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE

Phone: 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk](http://www.camden.gov.uk)

DOMENECH DESIGNS LTD  
69 Wades Hill  
London  
N21 1AU  
United Kingdom

# DRAFT

Dear Sir/Madam

**DECISION**

Town and Country Planning Act 1990 (as amended)

## **Full Planning Permission Granted**

Address:

**Flat 5**  
**28 Well Walk**  
**London**  
**NW3 1LD**

# DECISION

Proposal:

Erection of roof extension on existing flat roof with reversion of terrace to rear on southern part of building

Drawing Nos: 1 (B); 2 (B); 3 (B); 4 (B); 5 (B); 6 (B); 7 (B); 8 (B); 9 (B); 10 (B); 11 (B)

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: 1 (B); 2 (B); 3 (B); 4 (B); 5 (B); 6 (B); 7 (B); 8 (B); 9 (B);

10 (B); 11 (B)

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017 and policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 2 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at [www.camden.gov.uk](http://www.camden.gov.uk)) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

You can find advice about your rights of appeal at:



<https://www.gov.uk/appeal-planning-decision>.

If you submit an appeal against this decision you are now eligible to use the new *submission form* (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully

Chief Planning Officer

**DRAFT**

**DECISION**