

Application ref: 2023/4724/P
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Date: 26 January 2024

Development Management
Regeneration and Planning
London Borough of Camden
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Method Studio Architecture Ltd
Hylands House Stables
London Road
Chelmsford
CM2 8WQ

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:

**37 Heath Hurst Road
London
NW3 2RU**

Proposal:

Erection of ground floor extensions to the side and rear and new loft extension with rear dormer.

Drawing Nos: 0316 050 (P1), 0316 100 (P1), 0316 101 (P1), 0316 110 (P3), 0316 111 (P3), 0316 112 (P3), 0316 200 (P1), 0316 201 (P1), 0316 210 (P2), 0316 211 (P3),
Design and Access Statement (18/01/2024)

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 0316 050 (P1), 0316 100 (P1), 0316 101 (P1), 0316 110 (P3), 0316 111 (P3), 0316 112 (P3), 0316 200 (P1), 0316 201 (P1), 0316 210 (P2), 0316 211 (P3), Design and Access Statement (18/01/2024)

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 Policies D1 and D2 of the London Borough of Camden Local Plan 2017 and Policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018 .

- 4 The flat roofs of the proposed ground floor side and rear extensions approved under 2023/4724/P shall not be used at any time as amenity space, and any access out onto this area shall be for maintenance purposes only.

Reason: To protect safeguard the amenities of the adjoining neighbours occupiers and the area in accordance with the requirements of Policies A1, and D1, and D2 of the London Borough of Camden Local Plan 2017 and Policy DH1 of the Hampstead Neighbourhood Plan 2018.

Informative(s):

- 1 Reasons for granting permission:

The proposal includes a single storey side/infill extension and single storey rear extension to the closet wing. The infill extension extends along the side of the closet wing and is set just behind the rear building line. The side extension also maintains the gap between the boundary with no.39 and the rear extension is only 2.6m in depth from the rear of the closet wing, meaning the overall scale and bulk of the extensions are acceptable and would be considered subordinate in terms of the main dwelling house. Overall, considering both extensions maintain a good level of subordination and retain the traditional form and layout of the building, they are acceptable and preserve the character and appearance of the conservation area.

The proposed rear dormer is appropriate in scale, appearing to match that permitted immediately adjacent at no.35 (ref. 2022/4325/P) in terms of location, form, dimensions, and fenestration pattern. Overall the addition is supported, as it is broadly in line with the Council's 'Home Improvements' CPG and preserves the character and appearance of the conservation area.

In terms of the materials, the use of brick to match existing is welcome and the use of zinc to the dormer in small areas is supported. The glazing at ground level, whilst considerable, does not appear excessive when considering both extensions together. A green roof was considered however, due to the extension's scale, it was not considered reasonable to include due to the

limited biodiversity benefits. An acceptable amount of amenity space is retained.

The development is considered to preserve the character and appearance of the 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.

In terms of amenity, the rear extension is single-storey and set behind the rear building line of the extension at no.35, meaning any impact would be very minimal. Both the side extension and rear extension are set away from the boundary of no.39. Therefore, any impact on outlook, enclosure, privacy, or daylight/sunlight is not considered significant. A condition is attached to ensure the flat roofs of the extensions are not used as terraces. The proposed dormer is not considered to produce any amenity impacts due to its scale and distance away from neighbouring properties and rear of properties on Hampstead Hill Gardens.

No objections have been received prior to making this decision, including from the Hampstead CAAC. Although the Hampstead Neighbourhood Forum did originally object, they have removed their objection due to revisions to the proposal to reduce the depth of the rear extension. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with Policies A1, D1, and D2 of the London Borough of Camden Local Plan 2017, as well as Policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2023.

- 2 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).
- 3 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.
- 4 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) 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 2023.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-householder-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

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the typed name and title.

Daniel Pope
Chief Planning Officer