

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b> 12/01/2024	
		N/A		<b>Consultation Expiry Date:</b> 18/12/2023	
<b>Officer</b>			<b>Application Number(s)</b>		
Ewan Campbell			2023/3083/P and 2023/3881/L		
<b>Application Address</b>			<b>Drawing Numbers</b>		
26A Ferncroft Avenue London NW3 7PH			Please 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>					
<ol style="list-style-type: none"> <li>Erection of a two storey rear extension with lower and upper terraces, new garden store and sliding doors, replacement of existing windows with triple glazed windows, new roof lights and PV panels, front and rear landscaping alterations, new bin and bike store</li> <li>Erection of a two storey rear extension with lower and upper terraces, new garden store and sliding doors, replacement of existing windows with triple glazed windows, new roof lights, front and rear landscaping alterations, new bin and bike store. Passive House retrofit of retained structure, demolition of internal walls, replacement of internal staircase and ground floor fireplace to be removed</li> </ol>					
<b>Recommendation(s):</b>		<b>Refuse Planning Permission and Listed Building Consent</b>			
<b>Application Type:</b>		<b>Full Planning Permission and Listed building Consent</b>			
<b>Conditions or Reasons for Refusal:</b>		<b>Refer to Draft Decision Notice</b>			
<b>Informatives:</b>					
<b>Consultations</b>					
		No. of responses	<b>01</b>	No. of objections	<b>01</b>
<b>Neighbour Consultation</b>		<p>A site notice was put up on 01/02/2019 and expired on the 25/02/2019. A press advert was put up on the 07/02/2019 and expired on 28/02/2019</p> <p>One comment were received from neighbours. Concerns include:</p> <ul style="list-style-type: none"> <li>- Little justification for this alteration</li> <li>- Only surviving example of 21 Georgian Houses built in this location</li> <li>- On English Heritage listed</li> <li>- Issues in relation to the CMP</li> </ul> <p><i>Officer comments: these issues will be discussed in the design and heritage section below.</i></p>			

<p><b>Bloomsbury CAAC</b></p>	<p>Bloomsbury CAAC objected to the proposal. Concerns include:</p> <ul style="list-style-type: none"> <li>- Additional storey will not maintain scale and proportion of the building</li> <li>- Design will have significant impact on Georgian character</li> <li>- Alter the hierarchy within the street and remove sense of openness</li> </ul> <p>Inappropriate development for listed building</p> <p><i>Officer Comments: these are materials planning considerations and will be discussed in the design and heritage section of the report.</i></p>
<p><b>Redington Frogna Neighbourhood Forum</b></p>	<p>The Redington Frogna Neighbourhood Forum have objected to the proposal. Concerns include:</p> <ul style="list-style-type: none"> <li>- Harm to the setting of listed building and character of Conservation area</li> <li>- CA character is based on garden suburbs and so green infrastructure is of fundamental importance and should be protected</li> <li>- Unacceptable loss of rear garden space</li> <li>- Building has already been extended three times</li> <li>- Modern design is at odds with Arts and Crafts style of original building.</li> </ul>

### Site Description

26A Ferncroft Avenue, alongside most buildings along Ferncroft Avenue was designed by renowned architect, designer, illustrator and author Charles Henry Bourne, and is one of 10 Grade II listed buildings on the street.

The Quennell and Hart houses along the road share a number of architectural features such as tiled hipped and gabled roofs with clay roof tiles and large overhanging eaves, tall chimney stacks and dormer windows.

Grade II listed building. First listed on 11th January 1999. "Detached house and attached former coach/motor house now converted to a dwelling. 1898, coach/motor house possibly later. By CHB Quennell; built by GW Hart. No.26: red brick with tile-hung 1st floor."

The immediate context is predominantly residential but the local town centres with many shops and amenities around Finchley Road and Frogna, Hampstead and Hampstead West can be reached on foot within 15 to 20 minutes.

Architecturally, buildings in the immediate vicinity are mainly large detached and semi-detached residential properties from the Victorian and Edwardian period. Most of them range from three to four storeys in height. The predominant material is red brick with elements of white render and ornamental features.

The area is fairly green, with many trees lining the streets. Most buildings are set back from the pavement providing small gardens, storage and parking areas to the front and additional greened amenity to the rear. The topography defines the area as much as the architecture, with steep slopes along roads and level changes from front to rear gardens.

The application site is located within the Redington/Frogna CA. Redington/Frogna Conservation Area is located to the west of Hampstead and derives much of its character from the contours and slopes in the area causing numerous views and vistas. Whilst the development is generally characterised by large, red brick houses and mature vegetation, the scale, density and style of buildings does change within the area. However most sub-areas have a distinct and strong character.

## Relevant History

**8804261** - Minor external alterations to the coach house as shown on drawings No.CH6/A CH3/A **.(Grant Full or Outline Perm. with Condit. 18-01-1989)**

**PWX0202323 and LWX0202454** - The conversion and remodelling of the roofspace to form additional habitable accommodation for the existing dwellinghouse, including the erection of extensions at rear first floor level and roof level, with the removal of a chimney, and the addition of a dormer window and gabled roof to the rear. As shown on drawing no(s) 13785-001, 002A, 003, 004, 005, 006, 007, 008, 009, 010, 011A, 012A, 013, 014, 015, 016, 017, 018, 019, 020, 021 and five unnumbered sheets of photographs. **(Refuse planning and listed building consent 19/11/2002)**

## National Planning Policy Framework 2021

### The London Plan 2021

#### Camden Local Plan 2017

Policy A1 Managing the impact of development

Policy D1 Design

Policy D2 Heritage

Policy A3 Biodiversity

Policy CC1 Climate change mitigation

Policy CC2 Adapting to climate change

Policy CC3 Water and flooding

#### Camden Planning Guidance (CPG)

Amenity CPG (January)

Design CPG (January 2021)

Home Improvements CPG (January 2021)

Biodiversity CPG (March 2018)

Energy efficiency and adaption CPG (January 2021)

Trees CPG (March 2019)

#### Redington and Frognal Neighbourhood Plan (2021)

SD1 Refurbishment of existing building stock

SD2 Redington Frognal conservation area

SD3 Electrical vehicle charging points

SD4 Redington Frognal character

SD5 Dwellings: Extensions and garden development

SD6 Retention of architectural details in existing buildings

BGI1 Gardens and ecology

BGI2 Tree planting and preservation

Redington/Frognal Conservation Area Appraisal and Management Strategy 2022



## Assessment

### 1. PROPOSAL

- 1.1. The applicant seeks planning permission and listed building consent for the following:
- 1.1.1. Erection of a part single part two storey rear extension with upper terrace,
  - 1.1.2. New garden store and sliding doors,
  - 1.1.3. Replacement of existing windows with triple glazed windows,
  - 1.1.4. New roof lights and PV panels,
  - 1.1.5. Front and rear landscaping alterations,
  - 1.1.6. New bin and bike store and proposed air source heat pumps.
  - 1.1.7. Passive House retrofit of retained structure, demolition of internal walls, replacement of internal staircase and ground floor fireplace to be removed
- 1.2. Following the Council accepting amendments the scheme has had the following changes
- 1.2.1. Reduction in scale of first floor extension
  - 1.2.2. Removal of triple glazing
  - 1.2.3. Removal of solar panels
  - 1.2.4. Alterations to the roof form rationalised
  - 1.2.5. Internal plan form reconfigured to retain more historic fabric.

### 2. CONSIDERATIONS

- 2.1. The material considerations for this application are as follows:
- 2.1.1. Design and Heritage
  - 2.1.2. Amenity
  - 2.1.3. Trees and Landscaping

### 3. ASSESSMENT

#### Design and Heritage

- 3.1.1. Local Plan policies D1 (Design) and D2 (Heritage) are aimed at achieving the highest standard of design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area; and Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings.
- 3.1.2. The Design Camden Planning Guidance (CPG) states that the Council will consider the impact of proposals on the historic significance of the building, 'including its features such as the original and historic materials and architectural features'. It also states:

*'As set out in Historic England Advice Note 1 (second edition, 2018) the cumulative impact of incremental small-scale changes on a particular heritage asset may have as great an effect on its significance as a larger scale change. Where the significance of a heritage asset has been compromised in the past by unsympathetic development to the asset itself or its setting, the Council will consider whether additional change will further detract from, or can enhance, the significance of the asset in order to accord with the approach set out in the NPPF... The Council recognises that changes to individual buildings, as well as groups of buildings such as terraces, can cumulatively cause harm to the character of conservation*

*areas. We will therefore take cumulative impact into account when assessing a scheme's impact on conservation areas.'*

- 3.1.3. The Redington Frogal Neighbourhood plan also outlines the framework for future development in the area and provides a set of policies that are aimed at achieving high quality design which respects the character and architectural features of the area and also protects the verdant character and green infrastructure that is present within the designated area. Policies SD1, SD2, SD4, SD4, SD4, SD5, BG11 and BG12 are all considered in relation to this.
- 3.1.4. Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Listed Buildings Act") provide a statutory presumption in favour of the preservation of the character and appearance of Conservation Areas, and the preservation of Listed Buildings and their settings. Considerable importance and weight should be attached to their preservation. A proposal which would cause harm should only be permitted where there are strong countervailing planning considerations which are sufficiently powerful to outweigh the presumption including public benefit.
- 3.1.5. The duties imposed by the Listed Buildings Act are in addition to the duty imposed by section 38(6) of the Planning and Compulsory Purchase Act 2004, to determine the application in accordance with the development plan unless material considerations indicate otherwise.
- 3.1.6. The NPPF requires its own exercise to be undertaken as set out in chapter 16 - Conserving and enhancing the historic environment. Paragraph 190 requires local planning authorities to identify and assess the particular significance of any heritage assets that may be affected by a proposal. Paragraphs 199-202 require consideration as to the impact of a proposed development on the significance of a designated heritage asset, including an assessment and identification of any harm/the degree of harm. Paragraph 202 states:
- '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.'*
- 3.1.7. The application is a grade II listed and situated in the Redington Frogal Conservation Area. It comprises a semi-detached house in single-family dwelling use, dating from the early 19th century. It consists of two-storeys with a dual pitched roof, windows to the front with stall risers and a stairwell that connects to the bedroom. The property is asymmetric in character and remains a good example of arts and crafts architecture, especially in its appearance to the front. The building itself remains ancillary to no.26 in both scale and character and appears to be some sort of coach or motor house that related to the neighbouring property.
- 3.1.8. As per the planning historic a series of extensions were added to the rear elevation in the 1980's. Despite these modifications, which do negatively impact on the fabric and plan form, the building still retains significant historic and architectural interest and was then subsequently listed in 1999
- 3.1.9. The extension on the ground floor measures 4.7m and is almost full width of the host property. The extension contains a full sized terrace with balustrading as well on the first floor. The first floor rear extension also infills the other part of the rear elevation at first floor with a flat roof and roof light.
- 3.1.10. The ground floor extension projects further than the rear elevations of the two neighbouring properties and therefore fails to present as subordinate in its context. The extension's scale would overwhelm the rear elevation in terms of the overall character and architectural

integrity of the coach house. This building, as stated, is meant to be read as subservient in relation to the main house of no.26 and is important part of its character and significance as well as contributing to the setting of no.26 and its hierarchical nature. Proposing a large ground floor extension, with large roof terrace and first floor extension in the context of the existing development on site significantly contributes to the building's bulk to the rear and ensures that the building will compete with the neighbouring properties, especially with no.26 disrupts the setting of the listed building and adversely impacts the significance of the former coach house. Respecting the massing and scale of prevailing development is also specifically mentioned within SD4 and SD5 of the 2021 Redington and Frogna Neighbourhood Plan which this proposal fails to take into account.

- 3.1.11. The use of brick for an extension is supported however the use of timber cladding, contemporary doors and window designs with the level and the large amount of metal balustrading mean that fenestration details also fail to preserve or enhance the character of the Conservation area and listed building. The amount of alteration and unsympathetic materials used means that the rear elevation would have very little discernible original character left and therefore there will be clear harm to the significance of no.26a and the siting of no.26. These principles are specifically mentioned within With these details the rear elevation is lost and the character of the building to the rear is adversely impacted upon.
- 3.1.12. It is acknowledged that the proposed reinstating the original proportions of the coach/motor-bay into an entrance hall is positive. However the scheme would only relocate the harmful cellular partitioning to the opposite side of the dwelling in the existing open front room. The fireplace would be subsumed within the new en-suits, which would be an illegible feature.
- 3.1.13. New door and window openings into the original masonry spine and external walls in primary rooms remain proposed on both levels, which would involve the demolition of surviving historic fabric and alter the historic plan form
- 3.1.14. Other works, such as the internal wall insulation, underfloor insulation, removal of the fireplace, and proposed fenestration of the GF front elevation joinery will also contribute to detrimentally altering the spatial character and proportions of rooms, and the loss of surviving fabric and traditional features and detail which is both not supported by the Council.
- 3.1.15. The incurred removal of the London Plane Tree and other mature planting due to the GF rear extension is contrary to the CAA guidance (points 6.1 a), b), c)) and will impact the verdant garden setting of the Listed building. The removal of this tree is also contrary to policy SD2 of the Redington Frogna Neighbourhood plan which specifically mentions the area's 'Green garden suburb character' and how development must preserve or enhance this through elements like retention of trees.
- 3.1.16. The provided assessments do not acknowledge or address these impacts and for these reasons, along with the harmful and excessive external works and removal of historic fabric and plan form the works diminish the relationship to the adjacent no. 26 (harming its setting and significance) and eroding this feature in the conservation area will harm the significance of the listed building, contrary to policies within the Neighbourhood plan and harm the significance of the conservation area.
- 3.1.17. Overall the Council has identified less than substantial harm in relation to the ground and first floor extension, insensitive internal works and loss of the mature London plane tree. Whilst there is appreciation that the front elevation will be partly enhanced through the proposed works and that the building would perform considerably better in terms of sustainability and energy efficiency, these aspects alone are not considered to provide enough public benefit to overcome the harm identified as these changes will ultimately mainly benefit the residents and not the public.

- 3.1.18. Special regard has been attached to the desirability of preserving the listed building, its setting and its features of special architectural or historic interest, under s.16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 3.1.19. 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.
- 3.1.20. Special regard has been attached to the desirability of preserving the listed building, its setting and its features of special architectural or historic interest, under s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 3.1.21. As such, the proposal fails to accord with policies D1 and D2 of the Camden Local Plan 2017, SD1, SD2, SD4, SD4, SD4, SD5, BGI1 and BGI of the Redington Froggnal Neighbourhood plan 2021, the London Plan 2021, or the NPPF 2023. From heritage and conservation perspective it is recommended that the application be refused.

### Amenity

- 3.2.1. Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. This includes privacy, outlook and implications on daylight and sunlight. This is supported by the CPG Amenity.
- 3.2.2. The application site is located between no. 28 and no.26 Ferncroft Avenue but the extension, considering its depth and height, is set sufficiently away from either neighbour to ensure that there will not be an adverse impact on outlook or enclosure. These aspects also mean that daylight/sunlight will not be impacted as a consequence of this proposal. A daylight/sunlight study was submitted in support of the application and confirmed that in terms of Vertical Sky Component (VSC), Daylight Distribution (DD) and Annual Probable Sunlight Hours (APSH) the difference is very minimal and in most cases there is no change.
- 3.2.3. The large balustrades measuring 1.9m surround the terrace meaning that overlooking and loss of privacy are mitigated and reduced. There are no side windows being that there are no new privacy issues from fenestration changes either.
- 3.2.4. Overall the proposal complies with A1 of the 2017 Camden Local Plan and Amenity CPG.

### Trees and landscaping

- 3.2.5. Policy A3 aims to protect and enhance sites of nature conservation and biodiversity. The Council will do this through protect and designate conservation sites, assess developments against the ability to improve biodiversity and its impact upon and secure management plans where appropriate. This policy also includes the protect of trees and the Council will seek to resist the loss of trees and vegetation of significant amenity, historic, ecological or cultural value but also promote incorporating trees within any proposal. There is also an expectation, where developments are near trees, the relevant documents should be provided. Policies SD1, SD2, BGI1 and BGI2 from the Redington Froggnal Neighbourhood Plan also protects against the loss of trees in this area.
- 3.2.6. The application requires the removal of one plane which is given category B in the arboricultural report as well as two cherry laurel and one spindle.



- 3.2.7. The large London tree is distinct and large located in the rear garden of the site. The tree in question is visible from the public realm and provides visual amenity and makes a positive contribution to the character and appearance of the conservation area. Despite historical reduction works impacting on the form of the tree it is still considered to be a reasonably attractive tree. It is considered to be worthy of being brought under the protection of a TPO if this were necessary and expedient.
- 3.2.8. As is mentioned in Arboricultural Report, plane trees in the street and gardens are mentioned in the conservation area appraisal as being characteristic of the area as well as contributing to the 'garden suburb character' identified in the Neighbourhood plan. This tree and the two in front of the property are a fine example of this and complement each other within the street scene.
- 3.2.9. The application has statements within the arboricultural report and a report from an engineer that state the opinion that it is likely that the tree is the cause of damage occurring at the property and that it is a threat to the grade 2 listed building. The tree is growing in very close proximity to what appears to be an extension to the property. However it would appear that no investigation has been undertaken to demonstrate that the tree is the cause of the damage and that alternative engineering solutions are unfeasible. Where a tree that is worthy of being brought under the protection of a TPO the Council would require evidence that the tree is the cause of the damage.
- 3.2.10. BGI1 and BGI2 is clear that retaining trees should be incorporated into any development and the retention of high value trees, such as this one, is important in enhancing ecological, wildlife and amenity values.
- 3.2.11. In the case of the plane it is considered that its removal would be detrimental to the character and appearance of the conservation area and in the absence of further evidence to justify its removal it is recommended that the application be refused.
- 3.2.12. The remaining three trees listed for removal are not considered to be particularly noteworthy and would not be considered a constraint on development.
- 3.2.13. Therefore the proposal fails to comply with policy A3 of the 2017 Camden Local Plan and Policy 18 of SD1, SD2, BGI1 and BGI2 of the Redington Froggnal Neighbourhood Plan 2021

#### **4. RECOMMENDATION**

##### **4.1. Refuse Planning Permission for the following reasons:**

- 4.1.1. The proposed ground floor and first floor rear extension, by reason of their scale, material and design would be detrimental to the character and appearance of the host building, streetscene and surrounding area. This would harm the significance of the host listed building, the adjacent Grade II listed building at no.26 Ferncroft Avenue due to the impact on its setting, and the significance of the Redington/Froggnal Conservation Area. The proposal is therefore contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017 and SD1, SD2, SD4, SD5 and SD6 of the Redington Froggnal Neighbourhood Plan 2021.
- 4.1.2. The proposed removal of the large, mature London Plane Tree in the rear garden, in the absence of adequate information demonstrating that the tree is causing significant structural issues to the host property, would be contrary to policy A3 (Biodiversity) of the London Borough of Camden Local Plan 2017. The removal of the tree also harms the significance of the Redington/Froggnal Conservation Area and is therefore contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan

2017 and SD1, SD2, BGI1 and BGI2 of the Redington Frognal Neighbourhood Plan (2021).

4.2. Refuse Listed Building Consent for the following reasons:

4.2.1. The proposed ground floor and first floor rear extension, by reason of their scale, material and design would be detrimental to the character and appearance of the host building, streetscene and surrounding area. Insufficient evidence has also been provided to demonstrate the removal of the existing historic fabric and plan form would not cause harm to the special character of the listed building. Therefore there would be harm to the significance of the listed building and to the conservation area, contrary to policy D2 (Heritage) of the London Borough of Camden Local Plan 2017 and SD1, SD4, SD5 and SD6 of the Redington and Frognal Neighbourhood Plan 2021.