

Delegated Report		Analysis sheet	Expiry Date:	12/12/2022
		N/A	Consultation Expiry Date:	15/01/2023
Officer			Application Number(s)	
Alex Kresovic			2022/4488/P	
Application Address			Drawing Numbers	
Flat 14 Cecil Court 2 Acol Road London NW6 3AP			<i>See draft decision notice</i>	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Erection of single storey roof extension with wraparound terrace at 6th floor level, and new front roof terraces and alterations to fenestration at 5th floor level, to enlarge existing 5th floor flat.				
Recommendation(s):	Refuse Planning Permission			
Application Type:	Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	1	No. of objections	1
Summary of consultation responses:	<p>Press Notice: published 22/12/2022, expired 15/01/2023. Site Notices: displayed 16/12/2022, expired 09/01/2023.</p> <p>One (1) objection was received from a property at 11 Compayne Gardens. The objection is summarised below:</p> <ul style="list-style-type: none">- In touring the South Hampstead Conservation Area I have been unable to locate a single building of seven storeys. The proposed extension at Cecil Court would set an unwelcome precedent should it be approved.- The property is located on a prominent corner site with long views from Acol Road, Priory Road and Goldhurst Terrace. The current small access hut on the roof is visible in the long view from as far north as the junction of Priory Road with Greencroft Gardens.- The proposed extension would be equally visible and massively more intrusive due to its bulk and finishes.			
Combined Residents Association of South Hampstead (C.R.A.S.H):	<p>An objection was received by the Combined Residents Association of South Hampstead (C.R.A.S.H). The objection is summarised below:</p> <ul style="list-style-type: none">- Cecil Court is a modern building with no architectural merit, the proposal does nothing to enhance the building's appearance. The requirement set out in the South Hampstead Conservation Area Appraisal & Management Strategy 2011 that roof extensions 'should not result in increased visual bulk to the roof ' (para 7.16 &12.19) is not met & para 13.36 which states that 'proposals which alter existing roof profiles will generally be resisted unless to replace unsightly later additions with less visually disruptive alterations' should apply. The contention in the application that visibility from the street & neighbouring buildings will be 'minimal' is not accepted. Nor is it accepted that the proposal respects /enhances the 'street aesthetic'. The building is already taller than others in the locality & the 6th floor additions will exaggerate the height & bulk of the building.- The 6th floor terrace will enable buildings & gardens on the north & west sides to be overlooked. The neighbouring flat appears to have access to the roof & this will obviously be overlooked & lose some privacy.- The proposed front terrace & alterations to fenestration at 5th floor level in no way match the existing appearance & will be very visible from Priory Road. The assertion that this will have minimal impact because 'spaces are already set back from the existing wall' is not agreed.- There appears to be little attempt to provide environmental benefits at 6th floor level. Mention is made of a 'Green Roof' of 10sq.m. & to place natural plants behind the glass balustrade & prepare for 'almost			

roof garden to maintain natural visual links to surroundings' , but no detail has been provided.

- In the conclusion to the Design & Access Statement it is said that the proposal meets the principle for extending upwards if premises are NOT within a Conservation Area as set out the 2020 planning order specified. However, this property IS within the Conservation Area.

Site Description

The building, Cecil Court, is located at the East end of Acol Road, its junction with Priory Road is a 5 storey building. The property is a sizeable block of flats dating from the postwar period, situated in the South Hampstead Conservation Area. Due to its size and scale, it is considered to be out-of-keeping with the character and appearance of the conservation area, however, is listed as a positive contributor within the South Hampstead Conservation Area Character Appraisal and Management Strategy 2011.



Relevant History

No relevant planning application history.

Relevant policies

National Planning Policy Framework (2023)

London Plan 2021

Camden Local Plan 2017

G1 Delivery and location of growth

A1 Managing the impact of development

A4 Noise and Vibration

D1 Design

D2 Heritage

T3 Transport Infrastructure

T4 Sustainable movement of goods and materials

DM1 Delivery and monitoring

CC4 Air quality

Camden Planning Guidance

CPG Home Improvements 2021

CPG Housing 2021

CPG Design 2021

CPG Amenity 2021

South Hampstead Conservation Area Character Appraisal and Management Strategy 2011

Draft Camden Local Plan (2024)

The council has published a new [Draft Camden Local Plan](#) (incorporating Site Allocations) for consultation (DCLP). The DCLP is a material consideration and can be taken into account in the determination of planning applications, but has limited weight at this stage. The weight that can be given to it will increase as it progresses towards adoption (anticipated 2026).

Assessment

1. Detailed Description of Proposed Development

- 1.1. Planning Permission is sought for the erection of a single-storey roof extension with a wraparound terrace at 6th floor level, and new front roof terraces and alterations to fenestration at 5th floor level to enlarge the existing 5th-floor flat.
- 1.2. The proposed single-storey roof extension measures 7.1m by 10.6m and is 2.4 m high, while the wraparound terrace at 6th floor level would encompass an area of 12.95m by 15.08m and have a 1.2m high balustrade.

2. Design and Heritage

- 2.1. The Planning (Listed Buildings and Conservation Areas) Act 1990 (“the Listed Buildings Act”). Section 72(1) of the Act requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area when considering applications relating to land or buildings within that Area.
- 2.2. The South Hampstead Conservation Area Statement notes that *roof extensions and changes to roof profiles and detail as being one of the greatest issues currently within the Conservation Area*.
- 2.3. CPG Design (2021) lists circumstances where a roof alteration or addition is likely to be unacceptable as there is likely to be an adverse effect on the skyline, the appearance of the building or the surrounding street scene. The relevant circumstances are:
 - *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;*
- 2.4. CPG Home Improvements (2021) states that a successful roof extension would consider the overall roof form of the existing building, adjoining buildings, and impact in key views (when relevant) and be proportionate to the roof slope being extended.
- 2.5. The host building, a sizeable block of flats dating from the postwar period, is situated on a prominent corner plot in the South Hampstead Conservation Area. The size and scale of the

existing block is out-of-keeping with the character and appearance of the conservation area, whilst being listed as a positive contributor within the South Hampstead Conservation Area Character Appraisal and Management Strategy 2011.

- 2.6. The proposal is for a sizeable brick roof extension on the southern side of the building, with a roof terrace bound by a glass balustrade. The roof extension will sit adjacent to the lift overrun but will not adjoin it. The addition of accommodation at the roof level, forming an additional floor, will increase the height and bulk of the building, so it is further disproportionate in size when compared to surrounding buildings.
- 2.7. The site is positioned in a prominent location at the junction of Acol Road and Priory Road so that it can be seen from several directions in linear views within the conservation area; although the extension will be partially screened on Acol Road when the leaves are on the trees, this would not be the case throughout the year and there would be no screening from trees on Priory Road. As such, the extension would be visible in longer views, including the view of St Mary's Church spire along Priory Road, which is highlighted in the South Hampstead Conservation Area Character Appraisal and Management Strategy (2011) as being perhaps the most prominent view in the conservation area.
- 2.8. The extension would result in not only a taller and bulkier building but also a building with an unresolved roof profile with a heavy appearance derived from the brick finish, which will have no timber panelling (spandrels or fascia boards) articulating it (as found on the elevational treatment of the main building) and with a fenestration pattern only partially aligning with the windows of the main façade.
- 2.9. Therefore, the proposed roof extension would result in a bulky and overbearing development which upsets the proportions of the host building. The glass balustrades at a high level flush with the main facades are out of keeping with the conservation area's character and appearance, which is largely made up of sizeable 19th-century properties.
- 2.10. The proposed installation of glazed balustrades at the 5th and 6th-floor levels is considered to be incongruous, inappropriate, and visually intrusive, unbalancing the form and composition of the host building.
- 2.11. Two windows on the 5th-floor south elevation are proposed, which overlooks the street and raises no amenity concerns. However, the windows would not follow any existing pattern of window development and would be incongruous with the street-facing elevation.
- 2.12. The development causes less than substantial harm to the South Hampstead Conservation Area. In accordance with paragraph 202 of the NPPF, there are no demonstrable public benefits as the proposal is for an extension to a private residential dwelling to outweigh this less than substantial harm.
- 2.13. Considerable importance and weight have been attached to the desirability of preserving or enhancing the character or appearance of the conservation area under s. 72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.
- 2.14. The proposals are contrary to CPG guidance on roof extensions and guidance found in the South Hampstead CAA & MS. The proposals cause harm to the character and appearance of the South Hampstead CA. It is considered that the proposals would harm the character and appearance of the host building and the conservation area, contrary to policies D1 and D2 of the LB Camden Local Plan.

4 Amenity

- 4.1 Policy A1 of the Local Plan seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of neighbouring residents. This includes privacy, outlook, noise and impact on daylight and sunlight. Camden's Local Plan Document is supported by CPG6 (Amenity).
- 4.2 Paragraph 7.17 of the Local Plan 2017 states "*The way an area is designed and managed can have a significant impact on people's quality of life, health and wellbeing and planning has a key role in promoting good physical and mental health by creating spaces and buildings which allow and encourage healthy lifestyles*". The applicant is seeking the erection of a single-storey roof extension with a wraparound terrace at the 6th-floor level, new front roof terraces and alterations to fenestration at the 5th-floor level.
- 4.3 The application building is located within a residential setting, and the proposal would not impact the neighbouring properties in regard to sunlight/daylight, sense of enclosure, and noise nuisance. The distance and orientation of the terrace in relation to neighbouring windows would mean that there would not be harmful overlooking.

5 Transport

- 5.1 The Council's requirements for Construction Management Plans (CMP) includes specific guidance and requirements for development within the Central London Area, in order to mitigate the harmful impacts of the interaction of high levels of construction and construction traffic with established business/residential travel patterns. The Council would expect construction vehicle movements to and from the site to be scheduled to avoid peak periods to minimise the impacts of construction on the transport network and due to the location of cycle and pedestrian routes adjacent to the site. A CMP would therefore be required as part of any planning permission. The Council's CMP pro-forma, which is required to be used as the template for CMPs, also includes measures to ensure that nuisance from dust, noise and other activities are minimised.
- 5.2 In the event that the development was acceptable, the CMP would be secured by a head of term to the s106 legal agreement. The CMP would need to take account of the potential cumulative impacts on the local highway network arising from other developments which are ongoing or planned in the locality. Once a contractor is retained engagement would be required on the draft CMP with residents/businesses, Members and officers.
- 5.3 A CMP Implementation Support Contribution will be required in order to fund the specific technical inputs and sign off that are required to ensure that the obligation is complied with, and the planning objectives achieved. The support contribution is therefore £4,194 and would be secured by s106 legal agreement.
- 5.4 Construction activity can cause disruption to daily activities, however a well-run site that responds to the concerns of residents can greatly improve the situation. While most sites deal quickly and robustly with complaints from residents and reinforce the requirements of the CMP with site operatives, there can be situations where this does not occur and officers in the Council are required to take action. Due to the scale of the development, duration of works and sensitive location of the site, a bond of £8,000, in accordance with the Council's published note on Construction Impact Bonds, would be secured as a head of term in a s106 legal agreement. The bond would be fully refundable on completion of works, with a charge only being taken where contractors fail to take reasonable actions to remediate issues upon notice by the

Council.

6 Planning Obligations

6.1 If the proposal were otherwise considered to be acceptable it would be the subject of a Section 106 legal agreement to ensure adequate mitigation. Below is a summary of the heads of terms that would be sought for a successful scheme:

- Construction Management Plan (CMP)
- CMP Implementation Support Contribution of £4,194 and the Impact Bond of £8,000

7 Recommendation

7.1 Refuse Planning Permission for the following reasons:

1. The proposed roof extension by reason of its inappropriate bulk, scale, massing and detailed design would cause harm to the architectural composition of the host building and the character and appearance of the South Hampstead Conservation Area contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017.
2. The proposed development, in the absence of a legal agreement securing a Construction Management Plan and associated Implementation Support Contribution of £4,194 and the Impact Bond of £8,000, would fail to safeguard local amenity and the highway safety which would likely to be detrimental to the amenities of the area generally, contrary to policies A1 (Managing the impact of development), T3 (Transport Infrastructure), T4 (Sustainable movement of goods and materials), DM1 (Delivery and monitoring), A4 (Noise and Vibration) and CC4 (Air quality) of the Camden Local Plan 2017.