

Delegated Report	Analysis sheet		Expiry Date:	16/07/2024
	N/A		Consultation Expiry Date:	23/06/2024
Officer		Application Number(s)		
Gary Wong		2024/1850/P		
Application Address		Drawing Numbers		
18A Frogna! Gardens London NW3 6XA		See draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Conversion of garage to habitable space including front extension and replacement of garage door with windows and spandrel panels; Cladding (projecting) to garage front and surrounding underground floor front window; Roof extension; Side porch extension including addition of a rooflight and cladding material change; Replacement of existing windows with metal framed double-glazed units and installation of a new first floor side window; Installation of photovoltaic solar panels; Landscaping works to rear with associated alterations.				
Recommendation(s):	Refuse householder planning permission			
Application Type:	Householder Application			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	05	No. of objections	00
Summary of consultation responses:	<p>Site notices were posted on 29/05/2024 and expired on 22/06/2024. Press notices were issued on 30/05/2024 and expired on 23/06/2024.</p> <p>The following responses with supporting comments from neighbouring occupiers were received and summarised as follows:</p> <ul style="list-style-type: none">- The proposal would help improve the state of the house and the street after renovation.- The current proposal is a more modest reworking of the property in sympathy with its attached neighbouring property.- The environmental impact from the current proposal would be much less than the previous approved application 2020/5214/P which was for demolition of the existing 3-storey property and reconstruction of a 4-storey one.- The applicants have been considerate and engaged with the nearby neighbours in advance for consultation on the proposed scheme.- The limited extensions sought would help create a holistic appearance to the building and would not give rise to any loss of daylight or overlook any neighbours.- The alterations and extensions are limited in scale to the host building and the improvements will help better integrate the existing building with the rest of the conservation area. <p><u>Officer's response:</u></p> <p><i>These comments are duly acknowledged and taken into consideration when assessing this application.</i></p>			
Hampstead Conservation Area Advisory Committee	<i>Hampstead CAAC was consulted but no comment was received.</i>			
Hampstead Neighbourhood Forum	<i>Hampstead Neighbourhood Forum was consulted but no comment was received.</i>			

Site Description

The application site is located on the northern side of Frognal Gardens within the Hampstead Conservation Area (sub area 5) and is also within the Hampstead Neighbourhood Plan area. The surrounding area predominantly comprises large Victorian semi-detached and detached properties and is characterised in part by its green space and mature vegetation.

The application site contains a 1960s built semi-detached single family dwellinghouse, finished in brown brick with large aspects of glazing and a lower ground floor garage. The property is set back from the street by a driveway laid to brick pavements. The property is noted within the conservation area appraisal as having a neutral impact on the conservation area. The closest listed buildings are at nos.104-110 (even) Frognal to the north-west of the site, some 38m away.

Relevant History

Relevant planning records at the application site:

2024/1852/P – Erection of a single storey rear extension (Certificate of Lawfulness (Proposed)) – **Granted 12/06/2024**

2020/5214/P – Demolition of existing 3 storey dwellinghouse and replacement with 1 x 4 bed four storey single family dwellinghouse with basement excavation, landscaping and associated works (Use Class C3) - **Granted subject to a Section 106 Legal Agreement 01/10/2021**

2019/5348/P - Demolition of existing 3 storey dwellinghouse and replacement with 1 x 4 bed four storey single family dwellinghouse with basement excavation, landscaping and associated works (Use Class C3) - **Withdrawn 01/12/2020**

2019/2722/PRE - Demolition of existing building; erection of four storey (plus basement) single family dwellinghouse (Use Class C3) - **Pre-application advice issued 23/07/2019**

E6/12/3/12423 - The erection of two six room houses at No.18 Frognal Gardens, Hampstead – **Granted 29/05/1964**

Relevant policies

National Planning Policy Framework (2023)

London Plan (2021)

Camden Local Plan (2017)

Policy A1 Managing the impact of development

Policy A3 Biodiversity

Policy D1 Design

Policy D2 Heritage

Policy CC1 Climate change mitigation

Policy CC2 Adapting to climate change

Camden Supplementary Planning Guidance (2021)

CGP Design

CPG Home Improvements

CPG Amenity

CPG Energy efficiency and adaptation

CPG Trees

Hampstead Neighbourhood Plan (2018)

Policy DH1 Design

Policy DH2 Conservation areas and listed buildings

Policy NE2 Trees

Hampstead Conservation Area Statement (2001)

Draft Camden Local Plan

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. Proposal

1.1 The applicant seeks planning consent for the following:

- Roof extension which measures approximately 8.18m in maximum width, 9.23m in depth and 2.8m in height. A flat roof is proposed including a protruding rooflight and photovoltaic solar panels.
- Conversion of garage to habitable space including front extension which measures approximately 3.4m in width and 0.36m in depth, and replacement of garage door with new window and door.
- Front extension to an existing side porch which measures approximately 2.83m in width and 1.54m in depth. A new rooflight will replace the existing skylight within the flat roof of the porch. The porch extension would have zinc cladding to the front and brickwork to matching existing to the side.
- Elevational alterations including replacement windows with double glazing, a new side window opening at first floor level, and cladding of existing spandrel panels with zinc cladding.
- Landscaping works to rear with associated alterations.

2. Assessment

2.1 The main considerations as part of the proposal are:

- Design and Heritage
- Amenity
- Energy and Sustainability
- Trees and Landscaping

3. Design and Heritage

Policy Context

3.1 Policy D1 states that the Council will seek to secure high quality design in all cases. This policy states that in order to demonstrate high quality, developments should meet several criteria including: respecting local context and character; being sustainable and durable; and comprise details and materials that are of high quality and complement the local character. It continues to state that the Council will resist development of poor design that fails to take the opportunities available for improving the character and quality of an area.

3.2 Policy D2 states that the Council will preserve and enhance Camden's heritage assets and their settings and seek to manage development in a way that retains the distinctive character of conservation areas and their significance and will therefore only grant planning permission for development that preserves or enhances the special character or appearance of the area.

3.3 NPPF (2023) states at para 208 that, 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.

3.4 CPG Design contains the Council's guidance on roof extensions and the following parts are considered to be particularly relevant:

5.8 A roof alteration or addition is likely to be unacceptable in the following circumstances where there is likely to be an adverse effect on the skyline, the appearance of the building or the surrounding street scene:

- *There is an unbroken run of valley roofs;*
- *Complete terraces or groups of buildings have a roof line that is largely unimpaired by alterations or extensions, even when a proposal involves adding to the whole terrace or group as a coordinated design;...*
- *The building is designed as a complete composition where its architectural style would be undermined by any addition at roof level*

3.5 CPG Home Improvements states that a new roof level should be subordinate to the host building and include features informed by the host building and surrounding context. 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. For buildings in Conservation Areas, the Conservation Area Appraisals identify if certain terraces or groups of buildings are significant due to their unbroken roofline, which means they hold heritage value. If subsequent development since the Conservation Area Appraisal has been issued, has altered the unbroken roofline, weight shall be given to the existing extensions, in the assessment of a new roof extension.

3.6 The CPG also provides the following guidance for when considering proposals for roof extensions:

- The existing roof form and any previous extensions to it;
- The roof visibility and prominence in relation to gardens, streetscene and wider area, considering land topography;
- The pattern of development of neighbouring buildings to include historic extensions and new types of development;
- Other roof extensions present at the neighbouring buildings which obtained permission though planning application or permitted development.

3.7 Policy DH1 of the Hampstead Neighbour Plan states that development proposals should demonstrate how they respond and contribute positively to the distinctiveness and history of the character areas through their design and landscaping. Development proposals should demonstrate how they respect and enhance the character and local context of the relevant character areas. Development proposals that fail to respect and enhance the character of the area and the way it functions will not be supported. Policy DH2 mentions Planning applications within a Conservation Area must have regard to the guidelines in the relevant Conservation Area Appraisal(s) and Management Strategies and new development should take advantage of 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.

3.8 The Hampstead Conservation Area Statement includes guidelines which provide the framework for development proposals and should be read in conjunction with the descriptions in the Character and Appearance Section of the Statement. Guideline H31 states that some alterations at roof level have had a harmful impact on the Conservation Area. Because of the varied design of roofs in the Conservation Area, it will be necessary to assess proposals on an individual basis with regard to the design of the building, the nature of the roof type, the adjoining properties and the streetscape. Roof extensions are unlikely to be acceptable where:

- It would be detrimental to the form and character of the existing building;
- The property forms part of a group or terrace which remains largely, but not necessarily completely, unimpaired;
- The property forms part of a symmetrical composition, the balance of which would be upset;
- The roof is prominent, particularly in long views;
- The building is higher than many of its surrounding neighbours. Any further roof extensions are therefore likely to be unacceptably prominent.

Site Context

3.9 The site is located in sub area 5 (Frognaal) of the Hampstead Conservation Area. It is characterised by large late 19th Century and 20th Century houses set in spacious large and well-treed gardens. Most are red brick, the earlier ones generally Arts and Crafts in style with picturesque red tiled roofs and chimneys. Many have decorative moulded brickwork or areas of tile hanging. Hampstead also has a tradition of avant-garde architecture established in the 1870s, which continued through the 20th century.

3.10 The existing building adjoins number 18b and these were built in the 1960s. They are three storey flat-roofed brown brick properties with deep red panels. Whilst their material palette is inconspicuous, their design form is anomalous, and they are described in the conservation area as having a neutral impact on the conservation area.

Roof Extension

3.11 It is acknowledged that a previous application 2020/5214/P for “*Demolition of existing 3 storey dwellinghouse and replacement with 1 x 4 bed four storey single family dwellinghouse with basement excavation, landscaping and associated works*” was granted planning permission in Planning Committee. Seemingly the resulting height from the previous permission would be similar to the current proposal with the roof extension.

3.12 However, in the context of impact assessment it would not be suitable to compare between the two proposals in terms of a reconstruction of a completely new building and an additional storey on an existing building and the effects on the surrounding area. It should be emphasised that the impact assessment on the current application would consist of the resulting impact from the proposed roof extension to the existing three-storey building itself and to the conservation area.

3.13 The proposed additional height and bulk of the extension is considered insubordinate to the existing dwelling, harmful to the symmetry of the pair of semi-detached houses, as well as the surrounding area along Frognaal Gardens where roof extensions of this scale are absent. The use of zinc cladding, which is a contemporary material, at roof level would be alien to the surrounding area where the common roof materials would be slate and hung tiles.

- 3.14 The roof extension would further imbalance the composition on this side of Frognal Gardens as well as harm the surrounding views due to the host building's location at the highest point of Frognal Gardens.
- 3.15 The Hampstead Conservation Area Statement illustrates that not all developments have been successful in contributing to the character of the conservation area. Some are neutral or bland in their appearance. Where development have not positively contributed to the character and appearance of the conservation area, it usually involves use of inappropriate materials; inappropriate bulk, massing and/or height; inappropriate signage; impact upon views; possible impact upon soil stability; respectful to historic context; traffic generation; and impact upon the Heath and views.
- 3.16 The host building is identified to have neutral in impact whilst nos.1, 2-16 (even) Frognal Gardens are positive contributors to Hampstead Conservation Area. The rectilinear design of the host building with its adjoining neighbour is already in contrast to the surrounding historic context when compared to the surrounding positive contributors on the eastern side of the street. Further extension at roof level would be considered to exacerbate the erosion of the attributes of the character and appearance of this area, especially when some insensitive roof extensions detracting from the character of the area at Nos.12 and 14 Frognal Gardens have already been identified in the conservation area statement. As such, development that would fail to preserve or enhance the character and appearance of the conservation area.
- 3.17 When harm is identified from new development, NPPF requires its own exercise to be undertaken to balance the harm with any public benefits as a result of the proposed development. Given the proposal relates to a private property, there are limited public benefits arising from this submission; however, they are not sufficient enough to balance against the identified harm.
- 3.18 The proposed roof extension, by reason of its principle, height and bulk, would appear over dominant at roof level and cause harm to the Hampstead Conservation Area, contrary to Policies D1 and D2 of the Camden Local Plan 2017 and Policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018.

Other Elements

- 3.19 The proposed garage conversion with front extension and the side porch extension are considered modest in scale and subordinate to the host building. The rooflight within the flat roof of the side porch would be concealed by the parapet and therefore would have limited visual impact.
- 3.20 Elevational alterations including window replacement and cladding of existing spandrel panels with zinc cladding would upgrade the existing deteriorated windows frames and spandrel panels and would enhance the visual quality of the external appearance of the host building. The proposed landscaping works with associated alterations would be limited to the rear and therefore have limited visual impact to street scene and the wider conservation area.
- 3.21 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Hampstead 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.

4. Amenity

- 4.1 Policy A1 seeks to protect the quality of life of occupiers and neighbouring ones by only granting permission for development that would not harm their amenity. The main factors which are considered the impact the amenity of neighbouring residents include overlooking, loss of outlook and sense of enclosure, implications on daylight/sunlight, light pollution and noise.
- 4.2 The proposed roof extension, due to its nature, design and position, would not result in harm to the neighbouring amenity in terms of loss of light or outlook. Whilst it would include large glazing to the front and rear, they are not considered to cause any undue increase in overlooking above and over what already exists from the existing front and rear first floor windows. Therefore, it is not considered to cause any unacceptable amenity impact in terms of loss of privacy.
- 4.3 Given the nature and scale of the other elements of the proposal including garage conversion with front extension, side porch extension, elevational alterations and relandscaping at rear are considered acceptable and would not result in unacceptable impact on amenity in terms loss of light, outlook and privacy.

5. Energy and Sustainability

- 5.1 Policy CC1 of the Camden Local Plan (2017) requires all developments to minimise the effects of climate change and encourage all developments to meet the highest feasible environmental standards that are financially viable during construction and occupation. Policy CC2 requires development to be resilient to climate change and all development should adopt appropriate climate change adaptation measures.
- 5.2 Installation of PV solar panels are proposed within the flat roof of the roof extension. Development in response to climate change mitigation, adaptation and energy efficiency is welcome and in line with Policies CC1 and CC2 of the Camden Local Plan 2017 and Camden's Energy Efficiency and Adaptation CPG 2021.

6. Trees and Landscaping

- 6.1 Policy A3 seeks to protect and secure additional trees and vegetation and resists the loss of trees and vegetation of significant amenity, historic, cultural or ecological value.
- 6.2 The proposal would involve the removal of two trees (T7 and T8) and propose to remove another one (T9) due to its poor condition. The application is accompanied with an Arboricultural Report and it has been reviewed by the Council's Tree and Landscape Officer. All three trees are either low or poor quality and not considered to significantly contribute to the character and appearance of the Hampstead Conservation Area. The loss of amenity and canopy cover could be mitigated against through replacement planting which could be secured via condition should the application is recommended for approval.
- 6.3 The most significant trees on site and immediately off site are proposed to be protected and retained. The tree protection details are considered sufficient to demonstrate that the retained trees will be adequately protected throughout development in accordance with BS5837:2012. As such, the proposal is considered acceptable in terms of impact on trees.

7. Recommendation

7.1 Refuse Householder planning permission.

The proposed roof extension, due to its principle, height and bulk, would appear as an incongruous addition to the host dwelling and result in harm to the character and appearance of the Hampstead Conservation Area. Thus, the proposed roof extension would be contrary to Policies D1 and D2 of the London Borough of Camden Local Plan 2017, Policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018, London Plan 2021, and National Planning Policy Framework 2023.