

Application ref: 2024/0685/PRE
Contact: Ewan Campbell
Tel: 020 7974
Email: Ewan.Campbell@camden.gov.uk
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Development Management
Regeneration and Planning
London Borough of Camden
old address

Phone: 020 7974 4444

planning@camden.gov.uk

www.planning@camden.gov.uk

Michael Doyle
Doyle Design LLP
86-90 Paul Street
London
EC2A 4NE

Dear Sir/Madam

Pre-application Minor Development Pre-application Advice Issued

Address:

72 Heath Street
London
NW3 1DN

Proposal: Demolition of existing conservatory and erection of a new conservatory with a single pitched roof and a single storey rear extension with green roof and roof light. New external courtyard and internal alterations.

Site constraints

- Article 4 Basements
- Grade II Listed Building
- Hampstead Conservation Area
- Hampstead Neighbourhood Plan
- Hydrological Constraint – Bagshot bed
- Local Plan Centre – Hampstead
- Local Plan Frontage
- Slope stability
- Surface water flow and flooding
- Subterranean groundwater flow

Relevant planning history

PWX0002819 and LWX0002818 - Installation of a mobile telecommunications antenna on the front elevation at first floor level and the installation of an internally mounted microcell with associated ancillary equipment, As shown on drawing numbers; 7433/01. **Refuse Planning Permission 07-11-2000**

PW9802931 and LW9802932- Erection of a full width conservatory extension with terrace at rear ground floor level in connection with the creation of a self-contained residential unit on the upper floors and retention of Class A1 (retail) unit at Basement and ground floor levels, As shown on drawing number; 98007/02, 05, 11 partly superseded by 17 and 15A. **Grant Full Planning Permission (conds) 08-02-2000**

PW9902588 and LW9902588 - Additions and alterations including single storey conservatory extension at the rear in conjunction with change of use to single dwelling house, As shown on drawing numbers; letter dated 26th July 1999, 98007/02, /5 (existing), 98007/13, /14A, /16 (proposed) and photographs. **Refuse Listed Building Consent 26-10-1999**

E6/11/27/18109 - Retention of a single storey extension at the rear of 72, Heath Street, N.W.3, being used as a habitable room. **refusal 29-03-1974 and Dismissed 17-09-1975**

Relevant policies and guidance

National Planning Policy Framework 2023

The London Plan 2021

Camden Local Plan 2017

Policy D1 Design

Policy D2 Heritage

Policy A1 Managing the impact of development

Hampstead Neighbourhood Plan (2018)

Policy DH1: Design

Policy DH2: Conservation areas and listed building

Camden Planning Guidance

CPG Design

CPG Amenity

Hampstead Conservation Area Statement

Site and surroundings

The Property is in brick with square-headed brick lintels to the front inset with timber sashes ('two over two'). The shopfront has been altered with a wide area of glazing but retains a fascia above, a corbel bracket to the left. The property along with 70, 74 and 76 are Grade II listed. The listing is set out below:

4 irregular terraced houses with later shops. Nos 70 & 72: c1740-60, originally one house. Painted brick. C20 tiled mansard roof with dormers. 2 storeys and attics. No.70, 4 windows; No.72, 2 windows. C20 shopfronts, No.70 in Regency style. Gauged brick flat arches to recessed sashes; No.72, late C20. Parapets. No.74: early C18 with early/mid C19 refronting. Red stock brick. Old tiled roof with dormer. 2 storeys and attic. 2 windows. C20 shopfront but retaining earlier fascia brackets. Architraved 2-pane sashes. Parapet.

No.76: early/mid C18, refronted early C19. Painted brick. Pantiled roof. 3 storeys. C20 shopfront. Gauged brick flat arches to recessed sashes; 2nd floor in shallow round-arched recess. Parapet. INTERIORS: Nos. 74 and 76 retain some timber-framing and open truss roofs. They give an indication of the vernacular style of the pre-C19 village of Hampstead and form a strong group

The Property has a hipped 'Gambrel' roof - where each side has a shallower slope above. The roof is set behind a brick parapet with stone coping to the front and rear.

There are small lead-covered dormer windows to the front and rear with painted timber casement windows.

To the rear is a modern upvc conservatory at raised ground floor level above a backyard area.

The backyard is surrounded on three sides by the rear outbuildings of the surrounding commercial uses. A garage to the north, the garden of the 'Goucho' club in use as pub garden and the kitchens of the Pizza Restaurant to the south. There is a considerable amount of ventilation extractors and other plant to the sides and roofs of the surrounding outbuildings.

The Application Property lies on the east side of Heath Street within a row of low-rise buildings between Kingswell Centre and to the north by the Baptist Church.

The conservation area has a variety and complexity that charts the history of domestic architecture from the late 18th century to the present day. Late 18th century terraces contrast with contemporary housing estates; tiny cottages, large mansion blocks and Victorian villas, all exist together in Dartmouth Park. Larger detached houses with gardens are concentrated in the heart of the estate and closer developments with smaller houses and terraces are further south and north clearly shown on the OS. map of 1894. The conservation area is a mainly residential area, but integral to its character are the interspersed uses scattered throughout it

ASSESSMENT

The principal planning considerations are the following:

- Design and Heritage Issues
- Neighbouring Amenity

1. DESIGN AND HERITAGE ISSUES

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. Hampstead Neighbourhood Plan (2018) policies DH1 and DH2 need to be considered as part of the design process.

The design and access statement provides five different development options for the site including, refurbishing the existing accommodation, rebuild on the existing footprint, an additional storey, basement development and additional storey and the rear extension currently proposed. Upon conducting the site visit, it was explained that these were different options previously explored before settling on the final one which informs the current pre-app design.

As stated above, the building forms part of an irregular terrace of four terrace houses dating from c1740-60. Its overall form remains largely intact, although there have been alterations including a later shopfront. They are of special interest as small scale houses, of a vernacular style of the pre 19th Century Hampstead and for their group value.

The existing conservatory at the rear was approved in 1998 and should have been constructed from painted timber. From the photos the existing conservatory appears to be constructed from timber, and not UPVC. It is lightweight in appearance and appears as a subservient structure to the existing building. In assessing the proposals in 1998, the impact on the listed building was assessed and it was found to preserve the building's special interest.

Whilst there would be no objection to the loss of the existing conservatory and its replacement with a similar scale structure, it does not follow that any replacement would be an enhancement. Even if the existing conservatory is constructed from UPVC, it is not the approved material, and would not be lawful on a listed building.

Whilst the existing conservatory may be a lawful use as residential, that is the choice of the occupant to live there. Within the proposals, it is not clear as to whether you are upgrading the existing unit? It appears that you are proposing to build a new unit. Further information on the lawful arrangement should be submitted in support of any future application. It is also important to mention that, contrary to the comments in the supporting information, just because this arrangement has existed for 10 years this would still be an unlawful arrangement considering the building is listed and enforcement rule does not apply in this instance. If this approach is accepted, then it may encourage unauthorised works.

The existing building is small in scale, being two storeys in height and topped with a mansard. The original footprint of the ground floor is approximately 34sqm and the proposed extension covers a similar area and almost the entirety of the rear space. It would be dominant, and not subservient in scale to the host building. In fact the main listed building, in terms of the ground floor residential use would read as subservient to the extension and be smaller in GIA. This would significantly alter the relationship between the main dwelling house and development in the rear garden area and the hierarchy which currently exists. It is considered that this would cause harm to the special character of the listed building but would also contribute to overdevelopment of the site as the whole rear garden would essentially become enclosed. Concern is also raised regarding the loss of the window opening from the rear elevation at ground floor level.

Whilst neighbouring large scale extensions exist, these have not been granted recently and are therefore not precedents. Upon the site visit the case was made that these are also unsightly and cause harm to the listed building and the proposal is more sensitively designed. These harmful historic additions should not justify new development of similar scale simply because of their existence.

It is appreciated that a number of benefits have put forward, including providing an up-to-standard unit, improved conservatory and ecology, these are small changes which would not outweigh the far greater harm of the scale of the extension. Moreover whilst the extension would include a green roof, it would build over almost all of the rear garden and so it is hard to see how this would improve ecology/biodiversity on site. With the new conservatory, the existing conservatory (as approved) is not considered to harm the listed building this would not provide any benefit. With the unit itself, providing a unit which matches the national space standards does provide some benefit, however this is small and does not overcome the heritage concerns. Also these works are only required because the internal arrangement seems unlawful in the first place.

The harm identified relates to the impact on the special interest of the listed building. In terms of the conservation area, given the neighbouring extensions and limited visibility of the proposals it would be hard to argue harm to the conservation area.

2. NEIGHBOURING AMENITY

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.

The replacement conservatory will replace the existing extension meaning any impact on amenity from this would be small. The garden is set down lower and therefore the ground floor extension in the garden would not cause any significant impact in relation to outlook, enclosure, daylight/sunlight or privacy.

3. CONCLUSION

It is considered the replacement of the conservatory could be acceptable however the extension in the garden is not acceptable and causes harm to the setting and special character of the listed building. The impact on neighbouring amenity appears acceptable. More information on what to provide for a full submission is located below:

<https://www.camden.gov.uk/documents/20142/2247044/Local+area+requirements+for+planning+applications+July+2018.pdf/aae40604-02b3-9cec-a7d0-799b86ba1d00>

This document represents the Council's initial view of your proposals based on the information available to us at this stage. It should not be interpreted as formal confirmation that your application will be acceptable, nor can it be held to prejudice formal determination of any planning application we receive from you on this proposal.

If you have any queries about the above letter or the attached document, please do not hesitate to contact Ewan Campbell

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