

Site Location Plan – 133 Haverstock Hill (2023/5480/P & 2024/0055/L)



Photos and Drawings – 133 Haverstock Hill (2023/5480/P & 2024/0055/L)



1. Aerial view of 133 Haverstock Hill (application site furthest left in central terrace).



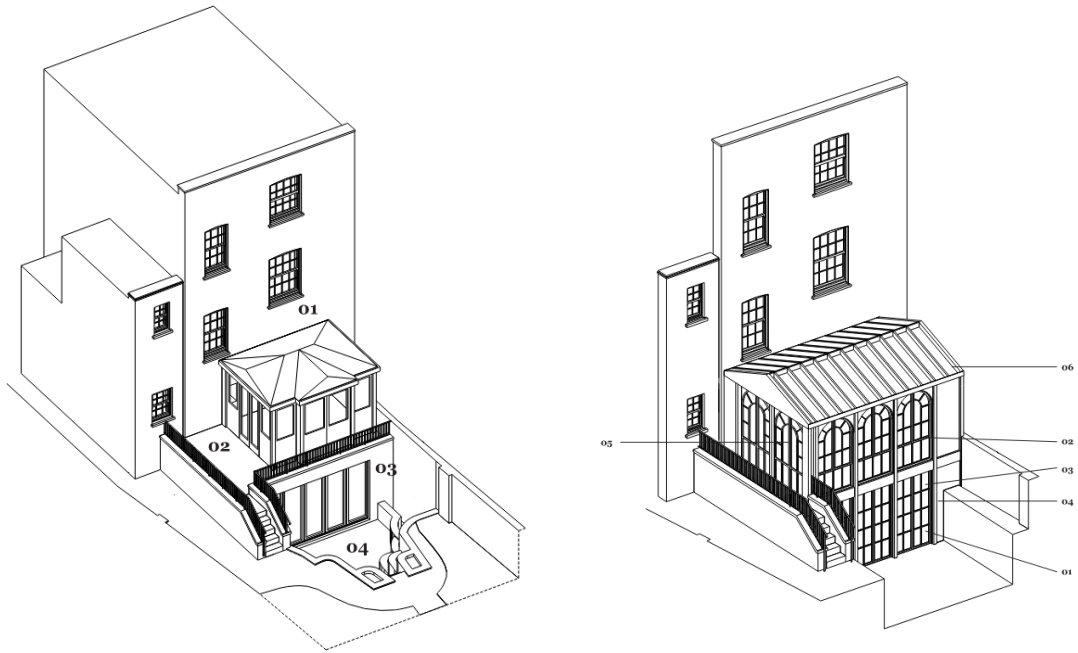
2. Existing front elevation, front boundary, and front garden area of site.



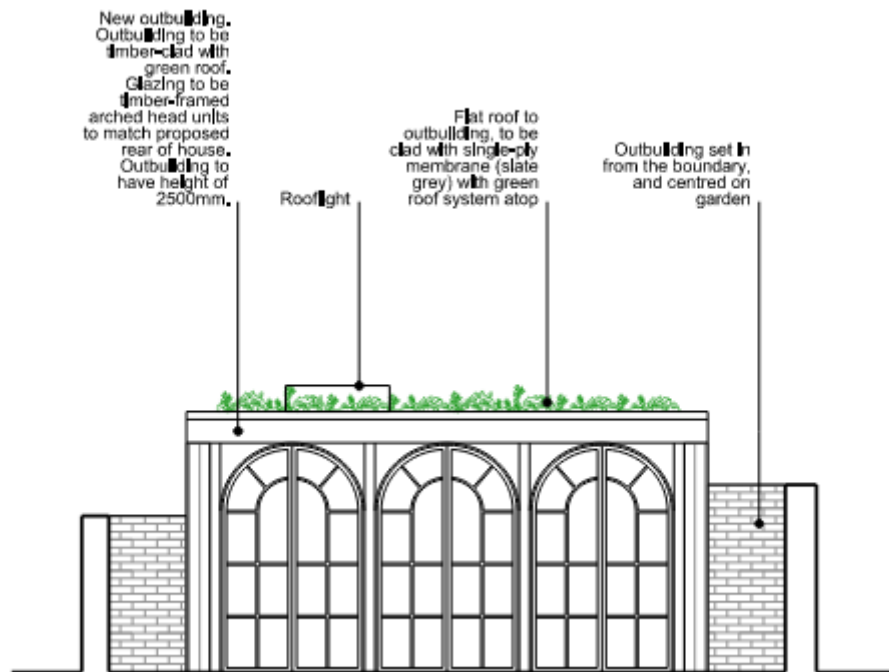
3. Existing rear elevation of site from rear garden.



4. Existing rear elevation of site and neighbouring property from far end of rear garden.



5. Existing (left) and proposed (right) indication of rear extension works.



6. Proposed front elevation (facing rear of house) of outbuilding

Delegated Report (Members' Briefing)		Analysis sheet		Expiry Date:	i) 23/02/2024 ii) 29/03/2024
		N/A / attached		Consultation Expiry Date:	i) 20/03/2024 ii) 03/03/2024
Officer				Application Number(s)	
Sam FitzPatrick				i) 2023/5480/P ii) 2024/0055/L	
Application Address				Drawing Numbers	
133 Haverstock Hill London NW3 4RU				Please refer to decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
<p>i) Demolition of existing rear extension and erection of replacement extension at upper ground level. Replacement of shed with outbuilding to rear garden. Various external changes including fenestration alterations, works to front boundary, and landscaping. Installation of Air Source Heat Pumps to rear garden.</p> <p>ii) Demolition of existing rear extension and erection of replacement extension at upper ground level. Replacement of shed with outbuilding to rear garden. Internal alterations to all floors and various external changes including fenestration alterations, works to front boundary, and landscaping. Installation of ASHPs to rear garden.</p>					
Recommendation(s):		i) Grant conditional planning permission ii) Grant conditional listed building consent			
Application Type:		i) Householder Application ii) Listed Building Consent			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	04	No. of objections	04
Summary of consultation responses:	Site notices were displayed from 07/02/2024 to 02/03/2024 and a press notice was published on 08/02/2024 (expiring 03/03/2025).			
	Three objections were received from neighbouring members of the public, including from a direct neighbour and nearby residents on Eton College Road and Belsize Park Gardens. Their concerns can be summarised as follows: 1) <u>Design</u> <ul style="list-style-type: none">The proposed front gates would be metal panelled rather than traditional open wrought iron (as currently in situ), and it would be inappropriate to block views of the property through a solid barrier given the historic importance of the frontage. Similarly, the raising of the front boundary would be out of keeping with adjacent properties and would not be appropriate;It is not clear how the boundary wall would be constructed and whether it would be attached to the Georgian façade in a way that harms the heritage asset. 2) <u>Residential amenity</u> <ul style="list-style-type: none">The proposed air source heat pumps may result in disturbance to neighbours so measures such as changing the location, changing to a quieter alternative, and installing an enclosure should be enforced;The proposed rear extension would be larger than the existing in terms of depth and height, which may impact sunlight for the patio. Additionally, the plans appear to show that the extension would be constructed on the boundary/parapet wall of the neighbouring property, though the applicant has assured the objector that this is not the case. 3) <u>Trees and landscaping</u> <ul style="list-style-type: none">The trees to the front of the property should not be removed as they are very old, any proposal to remove trees should be resisted;The trees proposed for removal are environmental assets, provide amenity value, and hold a spiritual significance;The mature trees to the front should not be removed, particularly given they are native and well established, as this would result in significant loss of tree cover and habitat;It is not clear how the boundary wall would be constructed without felling trees or damaging their root network. 4) <u>Inaccuracies and procedural matters</u> <ul style="list-style-type: none">Any planning application should respect the land boundaries as per the Land Registry in order to avoid boundary encroachment;There are discrepancies in the tree documents relating to the siting of the holly trees to the front of the property and its immediately adjacent neighbour, so the location of the trees should be made clear as to whether they are on the boundary, either fully or partially. <u>Officer response:</u> 1) <i>For concerns relating to design and heritage, please see section 4 of this report;</i> 2) <i>For concerns relating to amenity, including noise disturbance and impacts</i>			

	<p><i>to daylight and sunlight, please see section 5 of this report;</i></p> <p>3) <i>For concerns relating to trees and biodiversity, please see section 6 of this report;</i></p> <p>4) <i>It should be noted that concerns relating to boundary disputes and party wall issues are not material planning considerations and are not considered when determining applications;</i></p> <p>5) <i>It should also be noted that, due to some confusion and apparent discrepancies in the submitted tree documents, revised plans and documents have been submitted, which are detailed in section 2 of this report.</i></p>
Belsize Conservation Area Advisory Committee	<p>The Belsize Conservation Area Advisory Committee (BCAAC) raised an objection to the proposal, with their concerns summarised as follows:</p> <ul style="list-style-type: none"> The proposed widening of the front boundary opening and increase to the height of the boundary walls would harm the conservation area and is unacceptable. <p><u>Officer response:</u></p> <p>1) <i>For concerns relating to design and heritage, please see section 4 of this report.</i></p>
Belsize Society	<p>The Belsize Society raised an objection to the proposal, with their concerns summarised as follows:</p> <ul style="list-style-type: none"> The boundary wall treatment would prevent views through to the house and the design of the replacement wall would be unacceptable, with the high brick walls and painted metal pedestrian and vehicular gates being inappropriate. <p><u>Officer response:</u></p> <p>1) <i>For concerns relating to design and heritage, please see section 4 of this report.</i></p>

Site Description

The application site is a four storey end-of-terrace dwellinghouse located on the southwest side of Haverstock Hill, directly opposite the junction with Upper Park Road. The building is Grade II listed and located within the Belsize Conservation Area, which it is recognised as contributing positively to the character and appearance of. The other two houses that are part of this terrace are also Grade II listed (nos. 131 and 129).

Relevant History

Application site

8803731 – Erection of rear extension at basement level with a conservatory over. **Planning permission granted 22/09/1988.**

8870538 – Demolition of part of the rear wall at basement in connection with the proposal for a basement extension and conservatory over. **Listed building consent granted 22/09/1988.**

G9/8/5/26310 & G9/8/5/HB1901 – The erection of a side extension at first floor level to provide a bathroom. **Planning permission and listed building consent 18/07/1978.**

Nearby sites

131 Haverstock Hill

2020/0684/P & 2020/1390/L – Formation of vehicle hardstanding to replace the existing gravel driveway, widening of existing vehicle access, installation of bi-folding gates and proposed access to roof of dwellinghouse with associated balustrade to create a roof terrace (Use Class C3). **Planning permission and listed building consent granted 05/11/2020.**

2015/1893/P & 2015/2292/L – Installation of external balustrading, new hatch on existing roof as fire escape and new internal staircase. **Planning permission and listed building consent granted 09/07/2015.**

9400475 – Erection of a single storey rear extension at basement level with roof terrace over together with alterations to rear elevation and front garden area. **Planning permission granted 29/09/1994.**

9470101 – Single storey rear extension with roof terrace over together with internal and external alterations. **Listed building consent granted 29/09/1994.**

129 Haverstock Hill

8401259 & 8470183 – Erection of a front garden wall. **Planning permission and listed building consent granted 03/10/1984.**

Relevant policies

National Planning Policy Framework (2024)

The London Plan (2021)

Camden Local Plan (2017)

- **A1** Managing the impact of development
- **A2** Open space
- **A3** Biodiversity
- **A4** Noise and vibration
- **D1** Design
- **D2** Heritage
- **CC1** Climate change mitigation
- **CC2** Adapting to climate change

Camden Planning Guidance

- CPG Amenity (Jan 2021)
- CPG Biodiversity (Mar 2018)
- CPG Design (Jan 2021)
- CPG Energy efficiency and adaptation (Jan 2021)
- CPG Home improvements (Jan 2021)
- CPG Trees (Mar 2019)

Belsize Conservation Area Statement (2003)

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).

1. The Proposal

- 1.1. Planning permission and listed building consent are sought for the following:
- Demolition of existing conservatory to the rear and erection of replacement extension at upper ground level;
 - Replacement of shed with outbuilding to rear garden;
 - Alteration to front boundary including installation of pedestrian gate and vehicular gate with increased height;
 - Landscaping works to front and rear gardens;
 - Installation of air source heat pumps to rear garden within acoustic enclosure;
 - Various minor external and internal alterations (such as replacement of non-original features, damp-proofing at lower ground, and replacement of windows).

2. Revisions

- 2.1. During the course of the application, several revisions were made to the submitted documents. These did not significantly change the proposal, but mostly added clarity to the front garden area of the site. Specifically, this involved clarifying the position of the trees relative to the proposed boundary between the host building and the adjacent neighbour no.131. Additionally, the proposed boundary between the two properties has been revised so that it would be constructed of timber fencing rather than brickwork, which would leave a gap between the fence end and the front elevation of the listed building to avoid harm to the historic fabric.
- 2.2. On the request of officers, the proposal was also amended to remove active cooling, which was previously proposed as part of the air source heat pump system.

3. Assessment

- 3.1. The principal considerations material to the determination of this application are as follows:
- Design and heritage
 - Amenity
 - Trees, landscaping, and biodiversity

4. Design and heritage

- 4.1. The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions are proposed. Policy D1 (Design) of the Local Plan requires development to be of the highest architectural and urban design quality which improves the function, appearance, and character of the area. The Council welcomes high quality contemporary design which responds to its context. Camden's Local Plan Document is supported by Supplementary Planning Guidance CPG (Design).
- 4.2. Local Plan Policy D2 (Heritage) 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. To comply with Policy D2, the Council will require that development involving a listed building will be resisted where the significance or special architectural and historic interest of the building would be harmed.
- 4.3. The application site is a Grade II listed building, and is part of a small terrace that includes two other Grade II listed buildings. The Council has a statutory duty to have special regard to the desirability of preserving a listed building, its setting, or any features of special architectural or historic interest which it possesses, in accordance with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The Council also must have special regard to any neighbouring listed buildings, their setting, and any features of special architectural or historic interest, in accordance with Section 66 of the same Act.
- 4.4. The application site is located within the Belsize Conservation Area; the Council has a statutory duty to have special regard to the desirability of preserving or enhancing the character

and appearance of the conservation area, in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 4.5. Camden's Local Plan is supported by guidance in CPG 'Design', which sets out Camden's expectations for development, stating that the Council will seek to ensure that development responds positively to the existing context and character of the building and its surroundings. In the case of listed buildings, proposals should seek to "*respond to the special historic and architectural constraints of the listed building, rather than significantly change them*".
- 4.6. The Belsize Conservation Area Statement provides guidance on new development within the conservation area, including specifically with regards to rear extensions and front boundaries. Of the former, the statement makes clear that extensions should be "*as unobtrusive as possible and should not adversely affect the character of the building or the conservation area... [they] should be in harmony with the original form and character of the house and the historic pattern of extensions within the terrace or group of buildings. The acceptability of larger extensions depends on the particular site and circumstances*". Of the latter, the statement sets out that "*proposals should respect the original style of boundary and these should generally be retained and reinstated where they have been lost*".
- 4.7. The application site is part of a designed composition of three houses dating from c.1820, all of which are Grade II listed. The application building's significance derives from its architectural design and materials, planform, evidential value as an early C19th house, and its townscape value, including its garden setting and contribution to the character and appearance of the conservation area. The Belsize Conservation Area is characterised largely by mid C19th Italianate villas, with this specific area of the conservation area (Primrose Gardens/Antrim Road) typified by its residential character and presence of mature trees.
- 4.8. It is proposed to demolish the existing conservatory to the rear and construct a replacement single storey extension, which would be increased in height, depth, and width. The extension would sit directly above and match the footprint of the existing lower ground extension, which would remain unchanged. The new extension would match the width of the main section of the host building (not including the side extension), and would be just less than half the depth of the main house. In terms of height, there would be a marginal increase of approximately 0.2m at the highest point. The new extension would be constructed of render with timber framed glazing and a glazed roof, similar to the existing conservatory. The extension would feature an arched window design to the rear elevation and elevation facing away from no.131.
- 4.9. The removal of the existing conservatory is not objected to, as the structure is a non-original addition constructed in the 20th century. The replacement extension is also acceptable in scale and massing, given that the small increase does not obscure the proportions of the host house by extending wider than the main section of the building and does not disrupt the planform by extending no further than half the depth of the main building. As such, the extension would still read as a subservient addition to the main dwelling. The materiality and extent of glazing is acceptable given the structure would be replacing a conservatory, and the glazing pattern would be appropriate in the context of the building and the surrounding area. There is no clear established pattern of development to the rear of this terrace of houses that the extension would be disrupting. Therefore, the scale, siting, and design of the rear extension would be acceptable.
- 4.10. Also to the rear, it is proposed to remove the existing non-original shed and erect an outbuilding at the far end of the garden. The outbuilding would measure approximately 5m by 7.8m, with a height of 2.5m; it would extend above the boundary wall by roughly 1m and would not cover the full width of the garden, leaving gaps either side. Due to the size of the garden, a more than reasonable amount of open space would be retained, and the full depth and width of the garden would still be able to be read and appreciated due to the gaps between the boundaries and the structure. The distance between the outbuilding and the host property, as well as the limited scale of the outbuilding, would ensure a subordinate relationship and provide sufficient distance so that it would not be harmful to the setting of the listed building. The outbuilding would feature a green roof to soften the visual impact, and its design mirrors that of the rear extension, with timber panelling and arched glazing patterns; further details of the outbuilding's facing materials would be secured by condition to ensure an acceptable impact on the setting of the listed building and the public and private views of the structure. With the suggested conditions, the outbuilding would therefore be appropriate in the context of the site and the wider conservation area.

- 4.11. To the front garden, it is proposed to carry out a number of works, including the erection of a fence between the front gardens of no.133 and no.131, the replacement of the existing front boundary wall and gates, and the removal and replacement of a number of trees. Full details relating to trees and landscaping are covered in section 6 of this report.
- 4.12. The fence between the two front gardens would be set back from the façade of the main house, with no means of fixing to the front elevation. It would also be set below the existing piers of the front boundary and would be constructed of timber (compared to the brickwork of the front boundary), establishing it as a subservient element to the front boundary. Given its lightweight structure and separation from the historic fabric of the main building, this fence would be an acceptable addition, that would also have limited visibility from the public realm due to the presence of surrounding trees. Further details relating to the design of the fence would be secured by condition to ensure that its appearance would not harm the special character of the listed building.
- 4.13. It is also proposed to replace the front boundary; in terms of materiality, the replacement front boundary would be like-for-like, with the brickwork of the piers and walls to match the existing. Where new piers are proposed, these would match the height and design of the existing piers. The proposal also involves the raising of the boundary wall to the front by approximately 1.1m. Whilst this would limit views towards the front of the property, there is already very limited visibility due to the presence of shrubs and planting. The raised portion of wall would also match the design and materiality of the existing boundary, so the alteration would appear in character with the host property and the wider conservation area; in accordance with the relevant conservation area statement, the style of the boundary has not been changed by the increase in height. In addition to this, the listing for the host property and the adjacent listed buildings does not reference the front garden or front boundary, and there is no apparent symmetry in the front boundaries of this group that the increase in height would disrupt. A condition would be attached to ensure that the brickwork of the replacement front boundary and all associated alteration works would match the existing so that the works would preserve the character and appearance of the conservation area and the significance of the listed building.
- 4.14. It is also proposed to replace the existing non-original metal gate with two timber gates – one for pedestrian access and one for vehicular access. The principle of replacing the gate and providing an additional pedestrian access gate is not objected to, nor is the use of timber, which would be considered an appropriate material for the application site. However, the design of the gates, together with the increase in height from 1.35m to 1.75m, would result in an appearance that is defensive and heavy. The replacement gates would effectively prevent any views through to the host property, which would be typical of houses of this type and is observed frequently elsewhere in the conservation area. As such, although the principle and materiality of the gates would be acceptable, the detailed design should be more appropriately designed to preserve the character and appearance of the conservation area. It is considered that this can be achieved by condition, so further details are secured which would make clear that, irrespective of the approved drawings, details of the pedestrian and vehicular gates should be provided that would ensure a more lightweight and appropriate addition to the front boundary.
- 4.15. Although trees to the front garden are proposed to be removed, it is also proposed to plant replacements of the same number, with two new trees to the front boundary and one closer to the front elevation of the house. These would provide suitable canopy cover and contribute to the character and appearance of the conservation area, and so are acceptable.
- 4.16. Other minor landscaping alterations include the reconfiguration of the patio area to the rear, the installation of a metal grille to the front lightwell, and the installation of two air source heat pumps and enclosures to the rear garden alongside the boundary wall. These alterations would all have very limited visual impact and would not materially or significantly impact the character or appearance of the conservation area or the significance of the listed building. Full landscaping details and details of the air source heat pump enclosures would be secured by condition.
- 4.17. It is also proposed to replace windows throughout the house. It has been confirmed that, where extant windows are already modern and double glazed, replacements will be Histoglass mono laminate, and where windows have historic frames and glass, these will be repaired with resealed (and replacement cills installed where necessary). All window replacements will match the existing in terms of appearance, opening mechanism, and materiality. The proposed window

replacements would be acceptable.

- 4.18. Internally, it is proposed to introduce damp-proofing to the lower ground floor, as well as make changes to the partitions at this level to link the existing rooms. Given that the lower ground level has already been heavily altered in terms of finishes and planform, there would be no objection to the damp-proofing works, nor the alterations to partitions. Historic features such as the chimney breast would be retained, and the timber and glazed infill partition would be acceptable and appropriate for the host dwelling. Elsewhere in the building, the internal works would be acceptable, including the installation of false ceilings to accommodate heating ductwork, the addition of architraves, skirting, and cornicing, the installation of a jib door at first floor, and the retention and concealment of fireplaces. These would all retain historic fabric and appropriate in terms of planform, so are acceptable.
- 4.19. The proposal would preserve the character and appearance of the conservation area overall. It would also preserve the special architectural or historic interest of the listed building(s). The Council has had special regard to the desirability of preserving the character and appearance of the Conservation Area, and the listed building, its setting, and its features of special architectural or historic interest.
- 4.20. In summary, the proposal would not harm the character or appearance of the conservation area, nor the significance of the listed building or the significance of adjacent listed buildings. All works have been reviewed by the Council's Conservation Officer, who has confirmed that they would be acceptable, subject to the recommended conditions. As such, the proposal is considered to comply with policies D1 and D2 of the London Borough of Camden Local Plan.

5. Amenity

- 5.1. Policy A1 (Managing the impact of development) 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, light availability, and noise. Policy A4 (Noise and vibration) seeks to ensure that noise and vibration is controlled and managed, specifically by not granting permission for development that is likely to generate unacceptable noise impacts. The Council's guidance contained within 'CPG Amenity' provides specific guidance with regards to these aspects.
- 5.2. The proposed rear extension would be larger than the existing conservatory structure, including in terms of height and depth. As such, there would be a slight increase in massing, which may result in impacts on daylight and sunlight availability to the neighbouring house. However, there are a number of contextual factors that are important to recognise; the rear extension would feature a large amount of glazing, including to the roof of the structure, which would be a more lightweight structure that would be less likely to have significant overshadowing impacts. Additionally, although there is an increase in depth and height, this would have a limited impact on immediately adjacent windows. Using the 45 degree test for daylight and sunlight impacts, there is only one neighbouring window that would fall within 45 degrees when measured in plan (the set of French doors to the rear elevation of no.131). It should also be noted that these doors already fall within 45 degrees of the existing conservatory in plan. When measured in elevation, the centre of the doors is directly on the 45 degree line. Given this, and given that the existing extension is not dissimilar in its relationship with this door, it is not considered that the rear extension would be likely to have a significant impact on the daylight and sunlight availability of the neighbouring property. Additionally, the orientation of the rear extension to the northwest of the neighbouring property makes it more likely that there would be a limited impact in this area of amenity impact.
- 5.3. None of the proposed works would introduce new opportunities for overlooking into habitable rooms or harm the privacy of neighbouring residents. The works would also not be substantial enough to cause harm to neighbouring outlook.
- 5.4. The potential level of activity associated with the outbuilding as a separate and secondary structure to the main dwelling is considered to be acceptable. In order to protect the amenity of residents, a condition would secure its use as ancillary to the main dwelling.
- 5.5. The proposal does involve the installation of air source heat pumps to the rear garden, to provide heating for the main house. The applicant had originally proposed that this would include

active cooling for the house, however this has been removed from the proposal following Officer comments. A condition would prevent the plant equipment from being used for active cooling purposes. The applicant has also submitted a noise impact assessment given the noise generating potential of the plant, which has been reviewed by the Council's Environmental Health Officer. They have confirmed that the proposal is acceptable in its impact with regards to noise, vibration, and disturbance, subject to conditions that would limit the noise levels resulting from the plant and the use of anti-vibration measures. The air source heat pump would also be located within an acoustic enclosure, the submission of details of which would be secured by a pre-commencement condition. It is considered that these conditions would ensure that the amenity of neighbouring residents is protected in terms of noise and vibration.

- 5.6. Overall, the proposal would result in any harmful impact to amenity and as such would comply with policies A1 and A4 of the London Borough of Camden Local Plan.

6. Trees, landscaping, and biodiversity

- 6.1. The Council will aim to preserve existing tree and canopy coverage while increasing and improving tree coverage where possible and appropriate. Policy A2 (Open space) aims to protect and enhance open spaces and green infrastructure, including non-designated spaces with nature conservation, townscape, and amenity value, including gardens. Policy A3 (Biodiversity) looks to protect and enhance sites of nature conservation and biodiversity by assessing developments against their ability to realise biodiversity benefits, protect existing trees where possible, and provide replacement planting where necessary. These policies are supported by CPG 'Trees' and CPG 'Biodiversity'.

- 6.2. The proposal involves the loss of three trees (an oak, a holly, and a cherry) and two shrubs. Two of the trees are located to the front garden and one is located to the rear garden. All of the three trees and two shrubs to be removed are category C (low quality), as defined by BS5837. The oak is a young tree, and the holly and cherry trees are both semi-mature. It is proposed to mitigate the loss in planting with a robust replacement planting scheme, providing three replacement trees; these are proposed to all be located in the front garden, where they would provide the greatest contribution to the conservation area and in amenity terms. Full details of the replacement planting, along with details of hard and soft landscaping, would be secured by condition.

- 6.3. The applicant has also provided a tree protection plan to demonstrate how the retained trees would be protected. Although the works demonstrate an acceptable level of tree protection, they do not include an auditable schedule of site monitoring and supervision to be undertaken by the project arboriculturalist, however it is considered that this could be secured by condition.

- 6.4. These measures, along with all arboricultural documents, have been reviewed by the Council's Trees and Landscaping Officer, who has confirmed that the scheme would be acceptable, subject to conditions requiring further details of landscaping, tree protection, and compliance with the approved documents. Additionally, a condition would secure further details of the green roof for the outbuilding.

- 6.5. Overall, it is considered that the proposed works would be acceptable in terms of their impact on trees and biodiversity, and would therefore comply with policies A2 and A3 of the London Borough of Camden Local Plan 2017.

- 6.6. It is noted that the Biodiversity Net Gain (BNG) requirement came into effect for major applications on 12th February 2024, and for small sites on 2nd April 2024. However, there are a number of statutory exemptions and transitional arrangements which mean that the BNG condition does not always apply. These are summarised by way of an informative attached to this decision.

- 6.7. This application was submitted prior to the 2nd April 2024, and so is exempt from BNG. The applicant is reminded of this by way of an informative attached to this decision.

7. Conclusion

- 7.1. In conclusion, the proposed works would preserve the character, setting, and the special architectural and historic interest of the listed host building and the setting of the neighbouring listed building, as well as the character and appearance of the Belsize Conservation Area. The works would also not significantly impact the amenity of neighbouring residents and would be

acceptable in terms of impact on trees and biodiversity. As such, the proposal is considered to comply with the requirements of Policies A1, A2, A3, A4, D1, and D2 of the London Borough of Camden Local Plan 2017.

8. Recommendation

- 8.1. Grant conditional planning permission.
- 8.2. Grant conditional listed building consent.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 10th March 2025, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Application ref: 2023/5480/P
Contact: Sam Fitzpatrick
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Date: 11 February 2025

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Firstplan
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DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:

133 Haverstock Hill
London
NW3 4RU

Proposal:

Demolition of existing rear extension and erection of replacement extension at upper ground level. Replacement of shed with outbuilding to rear garden. Various external changes including fenestration alterations, works to front boundary, and landscaping. Installation of Air Source Heat Pumps to rear garden.

Drawing Nos:

Existing: 312_01_01 (Site Plan); 312_01_02 (Garden Plan); 312_01_09 (LGF Plan); 312_01_10 (GF Plan); 312_01_11 (1F Plan); 312_01_12 (2F Plan); 312_01_13 (Roof Plan); 312_01_20 (Section AA); 312_01_21 (Section BB); 312_01_30 (Street Elevation); 312_01_31 (Front and Rear Elevations); 312_01_32 (North Elevation); 312_01_33 (South Elevation); 312_01_65 (Front Boundary Details).

Proposed: Location Plan; 312_31_01 Rev I (Site Plan); 312_31_02 Rev I (Garden Plan - Ground); 312_31_03 Rev G (Garden Plan - Roof); 312_31_04 Rev A (Driveway Plan); 312_31_09 Rev D (LGF Plan); 312_31_10 Rev G (GF Plan); 312_31_11 Rev G (1F Plan); 312_31_12 Rev G (2F Plan); 312_31_13 Rev G (Roof Plan); 312_31_20 Rev D (Section AA); 312_31_21 Rev A (Section BB); 312_31_30 Rev F (Street Elevation); 312_31_31 Rev E (Front and Rear Elevations); 312_31_32 Rev E (North Elevation); 312_31_33 Rev E (South Elevation); 312_31_34 Rev E (Outbuilding Elevations); 312_31_60 Rev B (LGF Elevations 01); 312_31_61 Rev B (LGF Elevations 02); 312_31_62 Rev B (GF bi-fold doors); 312_31_63 Rev B (1F jib door); 312_31_64 Rev B (2F fireplaces); 312_31_65 Rev B (Front Boundary Details); 312_31_70 Rev A (Cornicing, Skirting, Architraves); 312_31_72 Rev C (Windows); 312_31_73 Rev E (Mechanical Heating).

Documents: Cover Letter (prepared by Firstplan, dated 28/12/2023); Design and Access Statement (prepared by Flower Michelin, dated 16/02/2024); Planning and Heritage Statement (prepared by Firstplan, dated December 2023); Noise Impact Assessment (prepared by ParkerJones Acoustics, dated 15/02/2024); Arboricultural Survey - Impact Assessment & Method Statement Report Rev C (prepared by Marcus Foster, dated February 2025); Damp Works Plan.

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:

Location Plan; 312_01_01; 312_01_02; 312_01_09; 312_01_10; 312_01_11; 312_01_12; 312_01_13; 312_01_20; 312_01_21; 312_01_30; 312_01_31; 312_01_32; 312_01_33; 312_01_65; 312_31_01 Rev I; 312_31_02 Rev I; 312_31_03 Rev G; 312_31_04 Rev A; 312_31_09 Rev D; 312_31_10 Rev G; 312_31_11 Rev G; 312_31_12 Rev G; 312_31_13 Rev G; 312_31_20 Rev D; 312_31_21 Rev A; 312_31_30 Rev F; 312_31_31 Rev E; 312_31_32 Rev E; 312_31_33 Rev E; 312_31_34 Rev E; 312_31_60 Rev B; 312_31_61 Rev B; 312_31_62 Rev B; 312_31_63 Rev B; 312_31_64 Rev B; 312_31_65 Rev B; 312_31_70 Rev A; 312_31_72 Rev C; 312_31_73 Rev E; Noise Impact Assessment (prepared by ParkerJones Acoustics, dated 15/02/2024); Arboricultural Survey - Impact Assessment & Method Statement Report Rev C (prepared by Marcus Foster, dated February 2025); Damp Works Plan.

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.

- 4 Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:
- a) Details of the external plant enclosure for the air source heat pumps (including colour and materials);
 - b) Manufacturer's specification details of all facing materials for the outbuilding (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

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.

- 5 Notwithstanding any indication given on the approved plans, before the relevant part of the work is begun, full details of the following shall be submitted to and approved in writing by the local planning authority:
- a) Details including plan, coloured elevations, and sections at 1:10 of the proposed timber garden fence to the front garden, between properties no.133 and no.131;
 - b) Details including plan, coloured elevations, and sections at 1:20 of the proposed front boundary gates, to ensure a lightweight and visually permeable addition to the building and surrounding area.

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area, and to ensure views into the site and a legible frontage are maintained, in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 6 The raised boundary wall and new piers facing Haverstock Hill to the front of the property hereby permitted (as shown on drawing '312_31_30') shall be constructed of brickwork to match the existing boundary wall, with existing bricks to be retained and reused wherever possible.

Reason: To safeguard the appearance of the building and the character of the area in accordance with policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 7 Prior to the commencement of any external works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the local planning authority in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction" and shall include a full auditable schedule of site monitoring and supervision to be undertaken by the project arboriculturalist. All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the London Borough of Camden Local Plan 2017.

- 8 Prior to the commencement of any external works on site, full details of hard and soft landscaping and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing. Such details shall include details of any proposed earthworks including grading, mounding and other changes in ground levels, as well as details of at least three replacement trees. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policies A2, A3, D1, and D2 of the London Borough of Camden Local Plan 2017.

- 9 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development or any phase of the development, whichever is the sooner. Any trees or areas of planting (including trees existing at the outset of the development other than those indicated to be removed) which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies A2, A3, D1, and D2 of the London Borough of Camden Local Plan 2017.

- 10 Before the relevant part of the work is begun, full details in respect of the living roof of the outbuilding in the area indicated on the approved roof plan (ref. 312_31_03 Rev G) shall be submitted to and approved by the local planning authority. The details shall include:

- a) a detailed scheme of maintenance;
- b) sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used;

c) full details of planting species and density.

The living roof shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies A3, D1, D2, CC1, and CC2 of the London Borough of Camden Local Plan 2017.

- 11 The outbuilding hereby approved shall not be occupied at any time other than for purposes incidental to the residential use of the dwelling known as 133 Haverstock Hill.

Reason: To protect amenity of adjoining occupiers and also ensure the outbuilding hereby permitted does not become a self-contained dwelling, separate and apart from the original dwellinghouse in accordance with policies H1, H6, A1, and A4 of the London Borough of Camden Local Plan 2017.

- 12 Prior to first use of the air source heat pump hereby approved, the active cooling function shall be disabled on the factory setting and the air source heat pump shall be used for the purposes of heating only.

Reason: To ensure the proposal is energy efficient and sustainable in accordance with policies CC1 and CC2 of the London Borough of Camden Local Plan 2017.

- 13 The external noise level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the typical existing background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with machinery operating at maximum capacity and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from mechanical installations/ equipment in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 14 Prior to use, machinery, plant or equipment at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 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).
- 2 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.
- 3 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.

- 4 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 5 You are advised that any works of alterations or upgrading not included on the approved drawings (such as changes to ducting for the ASHPs) or those which are required to satisfy Building Regulations or Fire Certification may require a further application for listed building consent.
- 6 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 ("1990 Act") is that planning permission granted in England is subject to the condition ("the biodiversity gain condition") that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The local planning authority (LPA) that would approve any Biodiversity Gain Plan (BGP) (if required) is London Borough of Camden.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are summarised below.

Based on the information available, this will not require the approval of a BGP before development is begun because it is not major development and was submitted before 2 April 2024.

Summary of statutory exemptions for biodiversity gain condition:

1. The planning application was made before 12 February 2024.
2. The planning permission is retrospective.
3. The planning permission was granted under section 73 of the Town and Country Planning Act 1990 and the original (parent) planning permission was made or granted before 12 February 2024.
4. The permission is exempt because:
 - It is not "major development" and the application was made or granted before 2 April 2024, or planning permission is granted under section 73 and the original (parent) permission was made or granted before 2 April 2024.
 - It is below the de minimis threshold (because it does not impact an onsite priority habitat AND impacts less than 25 square metres of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat).
 - The application is a Householder Application.
 - It is for development of a "Biodiversity Gain Site".
 - It is Self and Custom Build Development (for no more than 9 dwellings on a site no larger than 0.5 hectares and consists exclusively of dwellings which are Self-Build or Custom Housebuilding).
 - It forms part of, or is ancillary to, the high-speed railway transport network (High Speed 2).

7 Irreplaceable habitat:

If the onsite habitat includes Irreplaceable Habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements. In addition to information about minimising adverse impacts on the habitat, the BGP must include information on compensation for any impact on the biodiversity of the irreplaceable habitat. The LPA can only approve a BGP if satisfied that the impact on the irreplaceable habitat is minimised and appropriate arrangements have been made for compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73(2D) of the Town and Country Planning Act 1990:

If planning permission is granted under section 73, and a BGP was approved in relation to the previous planning permission ("the earlier BGP"), the earlier BGP may be regarded as approved for the purpose of discharging the biodiversity gain condition on this permission. It will be regarded as approved if the conditions attached (and so the permission granted) do not affect the post-development value of the onsite habitat, or any arrangements made to compensate irreplaceable habitat, as specified in the earlier BGP.

Phased development:

In the case of phased development, the BGP will be required to be submitted to and approved by the LPA before development can begin (the overall plan), and before each phase of development can begin (phase plans). The modifications in respect of the biodiversity gain condition in phased development are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with the National Planning Policy Framework. The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the website for submitting applications and offers a pre-application advice service.

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

Chief Planning Officer

DECISION

Application ref: 2024/0055/L
Contact: Sam Fitzpatrick
Tel: 020 7974 1343
Email: sam.fitzpatrick@camden.gov.uk
Date: 11 February 2025

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk

Firstplan
Broadwall House 21
Broadwall
SE1 9PL
United Kingdom

DRAFT

Dear Sir/Madam

DECISION

Planning (Listed Building and Conservation Areas) Act 1990

Listed Building Consent Granted

Address:
133 Haverstock Hill
London
NW3 4RU

DECISION

Proposal:

Demolition of existing rear extension and erection of replacement extension at upper ground level. Replacement of shed with outbuilding to rear garden. Internal alterations to all floors and various external changes including fenestration alterations, works to front boundary, and landscaping. Installation of ASHPs to rear garden.

Drawing Nos:

Existing: 312_01_01 (Site Plan); 312_01_02 (Garden Plan); 312_01_09 (LGF Plan); 312_01_10 (GF Plan); 312_01_11 (1F Plan); 312_01_12 (2F Plan); 312_01_13 (Roof Plan); 312_01_20 (Section AA); 312_01_21 (Section BB); 312_01_30 (Street Elevation); 312_01_31 (Front and Rear Elevations); 312_01_32 (North Elevation); 312_01_33 (South Elevation); 312_01_65 (Front Boundary Details).

Proposed: Location Plan; 312_31_01 Rev I (Site Plan); 312_31_02 Rev I (Garden Plan – Ground); 312_31_03 Rev G (Garden Plan – Roof); 312_31_04 Rev A (Driveway Plan); 312_31_09 Rev D (LGF Plan); 312_31_10 Rev G (GF Plan); 312_31_11 Rev G (1F Plan); 312_31_12 Rev G (2F Plan); 312_31_13 Rev G (Roof Plan); 312_31_20 Rev D (Section AA); 312_31_21 Rev A (Section BB); 312_31_30 Rev F (Street Elevation); 312_31_31 Rev E (Front and Rear Elevations); 312_31_32 Rev E (North Elevation); 312_31_33 Rev E (South Elevation); 312_31_34 Rev E (Outbuilding Elevations); 312_31_60 Rev B (LGF Elevations 01); 312_31_61 Rev B (LGF Elevations 02); 312_31_62 Rev B (GF bi-fold doors); 312_31_63 Rev B (1F jib door); 312_31_64 Rev B (2F fireplaces); 312_31_65 Rev B (Front Boundary Details); 312_31_70 Rev A (Cornicing, Skirting, Architraves); 312_31_72 Rev C (Windows); 312_31_73 Rev E (Mechanical Heating).

Documents: Cover Letter (prepared by Firstplan, dated 28/12/2023); Design and Access Statement (prepared by Flower Michelin, dated 16/02/2024); Planning and Heritage Statement (prepared by Firstplan, dated December 2023); Noise Impact Assessment (prepared by ParkerJones Acoustics, dated 15/02/2024); Arboricultural Survey – Impact Assessment & Method Statement Report Rev C (prepared by Marcus Foster, dated February 2025); Damp Works Plan.

The Council has considered your application and decided to grant subject to the following condition(s):

Conditions And Reasons:

- 1 The works hereby permitted shall be begun not later than the end of three years from the date of this consent.

Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan; 312_01_01; 312_01_02; 312_01_09; 312_01_10; 312_01_11; 312_01_12; 312_01_13; 312_01_20; 312_01_21; 312_01_30; 312_01_31; 312_01_32; 312_01_33; 312_01_65; 312_31_01 Rev I; 312_31_02 Rev I; 312_31_03 Rev G; 312_31_04 Rev A; 312_31_09 Rev D; 312_31_10 Rev G; 312_31_11 Rev G; 312_31_12 Rev G; 312_31_13 Rev G; 312_31_20 Rev D; 312_31_21 Rev A; 312_31_30 Rev F; 312_31_31 Rev E; 312_31_32 Rev E; 312_31_33 Rev E; 312_31_34 Rev E; 312_31_60 Rev B; 312_31_61 Rev B; 312_31_62 Rev B; 312_31_63 Rev B; 312_31_64 Rev B; 312_31_65 Rev B; 312_31_70 Rev A; 312_31_72 Rev C; 312_31_73 Rev E; Damp Works Plan.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the London Borough of Camden Local Plan 2017.

- 3 All new work and work of making good shall be carried out to match the existing adjacent work as closely as possible in materials and detailed execution.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 You are advised that any works of alterations or upgrading not included on the approved drawings (such as changes to ducting for the ASHPs) or those which are required to satisfy Building Regulations or Fire Certification may require a further application for listed building consent.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with the National Planning Policy Framework. The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the website for submitting applications and offers a pre-application advice service.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Chief Planning Officer

DECISION