

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		1. 20/05/2025 2. 20/05/2025	
		<b>N/A / attached</b>		<b>Consultation Expiry Date:</b>		1. 27/04/2025 2. 27/04/2025	
<b>Officer</b>				<b>Application Number(s)</b>			
Miriam Baptist				1. 2025/1297/P 2. 2025/1331/L			
<b>Application Address</b>				<b>Drawing Numbers</b>			
Flat 2 16 Lyndhurst Gardens London NW3 5NR				See Decision Notice			
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>				
<b>Proposal(s)</b>							
<ol style="list-style-type: none"> <li>1. Extension and alterations to existing side conservatory and ground floor terrace, including the installation of an external staircase with black metal railings and balustrade, replacement of conservatory windows and doors, installation of rooflights on side conservatory, and fenestration alterations to front/side elevation.</li> <li>2. Extension and alterations to existing side conservatory and ground floor terrace, including the installation of an external staircase with black metal railings and balustrade, replacement of conservatory windows and doors, and fenestration alterations to front/side elevation. Internal alterations including the reconfiguration of existing staircase at lower ground/ground floor levels, and insertion of new lintel to ground floor landing opening.</li> </ol>							
<b>Recommendation(s):</b>		<ol style="list-style-type: none"> <li>1. Refuse Planning Permission</li> <li>2. Refuse Listed Building Consent</li> </ol>					
<b>Application Type:</b>		<ol style="list-style-type: none"> <li>1. Full Planning Permission</li> <li>2. Listed Building Consent</li> </ol>					

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
<b>Consultations</b>						
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00
			No. electronic	00		
Summary of consultation responses:	<p>Site notices were displayed outside the property and outside properties to the rear of the site, 1-4 Village Close on Belsize Lane. (expiring 21/04/2025).</p> <p>The application was also advertised in the local press from the 03/04/2025 (expiring 27/04/2025).</p> <p>No objections or comments were received from adjoining occupiers.</p>					
Fitzjohns Netherhall CAAC comments:	<p>A consultation letter was sent to the Fitzjohns Netherhall CAAC but no response was received.</p>					

## Site Description

The application site is an upper and lower ground-floor maisonette situated within a grade II listed detached house dating from the 1880s, situated on the south-east side of Lyndhurst Gardens within the Fitzjohn's Netherhall Conservation Area. The property is of three storeys with gables and steeply-pitched roofs, built from red and buff brick in the Queen Anne Style.

The listing description is as follows:

*Formerly known as: Highcrofts LYNDHURST GARDENS. Detached house. c1886. By Harry B Measures. For William Willett and Son, builder-developers. Red and buff bricks, rubbed brick and terracotta dressings; tiled roofs with tall stacks. 3 storeys with attic in roof, L-shaped asymmetrical plan with projecting bay under gable to right. Timber sash windows, the upper sash to windows above the ground floor with small panes, under moulded keystones linked by string courses and divided by pilaster strips. Entrance in narrow centre of three-bay composition, with panelled door set under pedimented porch with small-paned top light. Pedimented gable with terracotta ball finials. INTERIOR not inspected. SUBSIDIARY FEATURES: dwarf garden wall in front with plinth, buttresses and polygonal piers topped by terracotta finials. The Willett houses in Lyndhurst Gardens form a compact and powerful group.*

## Relevant History

**2021/2824/P** - Extension and alterations to existing side conservatory and ground floor terrace, including the installation of an external staircase with black metal railings and balustrade, replacement of conservatory windows and doors, and alterations at front/side elevation to provide single glazed replacement and new windows and a door. – **Granted 17/07/2022**

**2021/3468/L** – External alterations in connection with extension and alterations to existing side conservatory and ground floor terrace, including the installation of an external staircase with black metal railings and balustrade, replacement of conservatory windows and doors, and alterations at front/side elevation to provide single glazed replacement and new windows and door. Internal alterations, including reconfiguration of existing staircase at ground/lower ground floor levels and lower ground floor layout, and insertion of new lintel to ground floor landing opening. – **Granted 17/07/2022**

**2023/0554/P** - Extension and alterations to existing side conservatory and ground floor terrace, including the installation of an external staircase with black metal railings and balustrade, replacement of conservatory windows and doors, and alterations at front/side elevation to provide single glazed replacement and new windows and a door. – **Granted 26/06/2023**

**2023/1186/L** - External alterations in connection with extension and alterations to existing side conservatory and ground floor terrace, including the installation of an external staircase with black metal railings and balustrade, replacement of conservatory windows and doors, and alterations at front/side elevation to provide single glazed replacement and new windows and door. Internal alterations, including reconfiguration of existing staircase at ground/lower ground floor levels and lower ground floor layout, and insertion of new lintel to ground floor landing opening. – **Granted 26/06/2023**

## Relevant policies

**The National Planning Policy Framework 2024**

**The London Plan 2021**

**Camden Local Plan 2017**

- A1 Managing the impact of development
- D1 Design
- D2 Heritage

## Supplementary Guidance - Camden Planning Guidance

- Amenity (2021)
- Design (2021)

### Fitzjohns Netherhall Conservation Area Statement 2022

A [Submission Draft Camden Local Plan](#) (updated to take account of consultation responses) was reported to Cabinet on 2 April 2025 and the Council on 7 April 2025. The Council resolved to agree the Submission Draft Local Plan for publication and submission to the government for examination (following a further period of consultation). The Submission Draft is a significant material consideration in the determination of planning applications but still has limited weight at this stage.

## Assessment

### 1 Proposed Development

- 1.1 Planning permission and listed building consent are sought for the following: Extension and alterations to existing side conservatory and ground floor terrace, including the installation of an external staircase with black metal railings and balustrade, replacement of conservatory windows and doors, installation of rooflights on side conservatory, and alterations at front/side elevation to provide new and replacement windows and door.
- 1.2 It is noted that there is an extant permission/listed building consent for similar works which was granted on 26/06/2023 (refs 2023/0554/P and 2023/1186/L).

### 2 Assessment

- 2.1 The principal consideration in the determination of this application relates to:

- Design and heritage
- Neighbouring amenity

### 3 Design and Heritage

- 3.1 The application site is Grade II listed, as are the neighbouring buildings to the south Nos 4-14, and the application site lies within the Fitzjohns Netherhall Conservation Area. 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 special interest.
- 3.2 Policy D1 of the Local Plan seeks to secure high quality design which respects local context and character and which preserves or enhances the historic environment and heritage assets in accordance with Policy D2. Policy D2 seeks to preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings.
- 3.3 The Design Camden Planning Guidance (CPG) states that the Council will consider the impact of proposals on the historic significance of the building. In terms of smaller changes, it also notes:

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

*can cumulatively cause harm to the character of conservation areas. We will therefore take cumulative impact into account when assessing a scheme's impact on conservation areas.'*

- 3.4 Generally, the current application comprises similar proposals to the works approved under the extant permission. As with the extant permission, proposed works include an extension of the existing side extension, reconfigured roof above, fenestration changes and a new external rear staircase to access the garden with black metal railings and balustrade.
- 3.5 In the extant permission, the existing side extension was intentionally set back by 40cm from the rear bay window to give the bay breathing space and in alignment with the plane of the infill element on the other side of the bay. In this current application the extension would only be set back by 10cm, and therefore would erode the prominence of the bay, subsuming it into the rear façade, and losing alignment with the infill element on the other side. This is not considered acceptable and as such, the Council do not support the extension of the existing side extension any further than previously approved as it erodes the subserviency of the side extension to the main house, causing harm to the special historic and architectural interest and setting of the listed building and the character and appearance of the conservation area.
- 3.6 Whilst there is no objection to the remodelling and re-fenestration of the rear elevation of the existing side extension or the raising of the angle of its pitched roof, the insertion of four sash-style windows in the front elevation of the side wing is opposed. Currently this is a solid brick wall giving a subordinacy to this later addition as read against the more elaborate principal front façade which is of a greater scale. Compared to the main building, the four proposed windows are of a much smaller scale and express much lower floor-to-ceiling heights than in the main house. As such, they will have a jarring effect, drawing undue attention to the side wing. It is noted that in the previously granted applications there was one Queen Anne style window at ground level on the front façade which would be visible from the street, and a window and door at lower ground floor which would not be highly visible. The currently proposed windows are not subservient and cause harm to the special historic and architectural interest and setting of the listed building and the character and appearance of the conservation area.
- 3.7 The ground floor window on the side elevation of the main house, serving a WC, as granted under extant permission/listed building consent granted on 26/06/2023 (refs 2023/0554/P and 2023/1186/L), remains acceptable.
- 3.8 The Council does not raise any objection in relation to the proposed internal alterations, including the reconfiguration of the staircase, as the interior has been much altered following the reconfiguration of the upper- and lower-ground floors at the time of the conversion of the house into flats (there are two duplex flats on these levels, which divide up the original plan form). There are also few surviving historic features as the interiors were embellished with neo-Georgian decorative features sometime in the later 20th century. Likewise, the staircase linking the two floors is non-original, dating from the time of the conversion. There is no objection to the installation of two smaller skylights which would be positioned where the larger skylight was previously approved on the pitched roof of the side extension.
- 3.9 Overall, the proposal is not supported due to the harm caused to the listed building and to the character and appearance of the conservation area. The unacceptable elements, as aforementioned, are the fenestration on the front elevation of the side extension, and the extra projection to the rear beyond that of the infill on the other side of the bay.
- 3.10 Local Plan Policy D2, consistent with section 16 (Conserving and enhancing the historic environment) of the NPPF, seeks to preserve and enhance heritage assets, states that the Council will not permit development that results in harm that is 'less than substantial' to the significance of a designated heritage asset, unless the public benefits of the proposal convincingly outweigh that harm.

3.11 Given the assessment outlined above, it is considered that the proposals would result in 'less than substantial' harm to the character and appearance of the Grade II Listed building, and the Fitzjohns Netherhall Conservation Area. The proposed scheme would not provide any significant public benefit. Thus the harm caused as a result of the development outweighs this lack of public benefit, so that the proposal is considered to be contrary to Section 16 of the NPPF which seeks to preserve heritage assets.

## **4 Amenity**

4.1 Policy A1 of the Local Plan seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and would not harm the amenity of neighbouring residents. This includes privacy, outlook, noise, daylight and sunlight.

4.2 There are no amenity concerns as a result of this proposal given the minor nature of the alterations to an existing side conservatory and terrace. The rooflights on the side extension would look upwards rather than directly into any neighbouring windows and the new ground floor window would serve a WC and therefore is not expected to present any material privacy or overlooking impacts to the adjacent No14.

4.3 As such, the proposed development is not considered to cause harm to the amenity of neighbouring residents in terms of loss of outlook, daylight or privacy and is considered to be in accordance with Local Plan Policy A1.

## **5 Conclusion**

5.1 The proposed works are considered to be harmful to the architectural and historic character of the Grade II Listed building and to the character and appearance of the Fitzjohns Netherhall Conservation Area. The development would thus have a negative impact on the character and appearance of the host property, and the wider conservation area and is contrary to policies D1 and D2 of Camden's Local Plan 2017.

## **6 Recommendation**

6.1 Recommendation:

- Refuse Planning Permission:

The proposed side extension alterations and front windows, by reason of their size and detailed design, would have a detrimental impact on the special historic and architectural interest of the Grade II Listed building and the character and appearance of the Fitzjohns Netherhall Conservation Area contrary to Policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- Refuse Listed Building Consent:

The proposed side extension alterations and front windows, by reason of their size and detailed design, would have a detrimental impact on the special historic and architectural interest of the Grade II Listed building and the character and appearance of the Fitzjohns Netherhall Conservation Area contrary to Policies D1 and D2 of the London Borough of Camden Local Plan 2017.