

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>15/08/2017</b>
		N/A	<b>Consultation Expiry Date:</b>	<b>10/08/2017</b>
<b>Officer</b>			<b>Application Number(s)</b>	
Tony Young			2017/3535/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
Flat 4 25 Pilgrim's Lane LONDON NW3 1SX			Refer to draft 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>				
Replacement of low wrought iron railings at top of bay windows on Pilgrim's Lane and Carlingford Road elevations with new higher wrought iron railings for safety & maintenance purposes.				
<b>Recommendation(s):</b>	Refuse planning permission			
<b>Application Type(s):</b>	Full Planning Permission			

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>0</b>	No. of responses	<b>01</b>	No. of objections	<b>01</b>
			No. Electronic	<b>01</b>		
<b>Summary of consultation responses from local residents</b>	<p>Site notice was displayed from 19/07/2017 to 09/08/2017</p> <p>Press notice was published on 20/07/2017 and expired 10/08/2017</p> <p><u>James Copley (Freeholder) objected to the proposals as follows:</u></p> <ol style="list-style-type: none"> <li><i>“The lessee has made no attempt to consult with me or my sister or provide us with any details for comment or consideration.”</i> Also, not notified about the application proposals prior to the lessee’s submission as stated within the planning application.</li> <li>Object to appearance which is out of keeping with the appearance of the building. New railings would be prominent.</li> <li>Prefer to see railings more reflective of Victorian architecture.</li> </ol>					
<b>CAAC/Local groups comments</b>	<p><u>The Hampstead Conservation Area Advisory Committee objected to the proposals as follows:</u></p> <ol style="list-style-type: none"> <li><i>“Object to the proposed new railings as out of character with the house and the CA. We felt that a standard balustrade with range of verticals only would be better, also safer, non-climb.”</i></li> <li><i>“The existing railings are strange but may be original (?) and we query the origin of the existing French doors.”</i></li> </ol>					

## Site Description

The application site is a late Victorian 3-storey building located on the north-western side of Pilgrim’s Lane, and on the corner of Pilgrim’s Lane and Carlingford Road. The property is sub-divided into flats. This application relates to Flat 4.

Given the sites’ prominent location on the corner of Pilgrim’s Lane and Carlingford Road, the building is highly visible at the front from both long and short public views.

Although not listed, the host property is located within the Hampstead Estate Conservation Area and has been identified as making a positive contribution within the conservation area (Hampstead Conservation Area Statement (adopted October 2001).

## Relevant History

9300062 - The installation of railings on part of flat roof in connection with construction of roof terrace. Planning permission refused 04/03/1993 on grounds that roof terrace and railings would have an adverse effect on the appearance of the building and the visual amenity of the area, by reason of its detailed design and prominence within the street scene, and it would therefore neither preserve nor enhance the character and appearance of the Hampstead Conservation Area.

9005073 - Roof extension at rear to provide two bedrooms and a bathroom. Planning permission granted 25/07/1990

32058 - Change of use involving works of conversion and alterations to elevations to form a self-contained flat and self-contained maisonette on the ground and first floors. Planning permission granted 28/05/1981

## Relevant policies

### National Planning Policy Framework 2012

### The London Plan March 2016

### Camden Local Plan 2017

A1 - Managing the impact of development

D1 - Design

D2 - Heritage

### Camden Planning Guidance

CPG1 (Design) 2015 – chapters 2 (Design excellence), 3 (Heritage), and 4 (Extensions, alterations and conservatories)

CPG6 (Amenity) 2013 - chapter 7 (Overlooking, privacy and outlook)

### Hampstead Conservation Area Statement (adopted October 2001)

Pages 2, 51-53, 57, 58, and 61.

### Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013

## Assessment

### Proposal

1. The application proposes the replacement of low wrought iron railings on the top of a bay window fronting Carlingford Road and 2 cantilevered bay windows fronting Pilgrim's Lane with new higher wrought iron railings. The railings would measure 1.1m in height and provide a safe means of access to the tops of each bay window for the purpose of maintaining plants and plant pots stored there.

### Assessment

2. The principal considerations material to the determination of this application are:
  - a) the design and impact of the proposal on the character and appearance of the Hampstead Conservation Area; and
  - b) impact of the proposal on neighbouring amenity.

### Design and appearance

3. Local Plan Policy D1 (Design) establishes that careful consideration of the characteristics of a site, features of local distinctiveness and the wider context is needed in order to achieve high quality development in Camden which integrates into its surroundings. It advises that "*all developments, including alterations and extensions to existing buildings, to be of the highest standard of design*", and expects all development to specifically consider:
  - character, setting, context and the form and scale of neighbouring buildings;
  - the character and proportions of the existing building, where alterations and extensions are proposed;

- the prevailing pattern, density and scale of surrounding development;
  - the impact on existing rhythms, symmetries and uniformities in the townscape;
  - the composition of elevations;
  - the suitability of the proposed design to its intended use;
  - inclusive design and accessibility;
  - its contribution to public realm and its impact on views and vistas; and
  - the wider historic environment and buildings, spaces and features of local historic value.
4. Local Plan Policy D2 (Heritage) also states that the Council will only permit development within conservation areas that “*preserves or, where possible, enhances the character or appearance of the area.*” The Hampstead Conservation Area Statement adopted in 2001 supports this when stating that its designation as a conservation area provides the basis for policies designed to “*preserve or enhance the special interest of such an area.*”
  5. The existing low railings that crown the bay windows are characteristic of the style of railing traditionally associated with a Victorian building of this type and provide a typically decorative rather than functional feature. The proposed 1.1m high railings would introduce an uncommon feature at the front of the property on both Pilgrim’s Lane and Carlingford Road elevations by virtue of their inappropriate height, and as a consequence, create a conspicuous and prominent visual element uncharacteristic of the host building. The fact that the proposed alteration would be made to all 3 crowns of front facing bay windows would only serve to emphasise the harmful impact more distinctly.
  6. It is noted that decorative railings exist across the top of 2 front bay windows at the adjoining property (no. 27). However, these railings would appear to have been in place for many years and may even be original. They would also appear to be lower than the 1.1m height recommended under Building Regulations for an exterior balcony or terrace rail. As such, it would be unlikely that the railings would be permitted under current policies and guidance.
  7. Furthermore, the host building itself is positioned in a prominent location on the corner of Pilgrim’s Lane and Carlingford Road, and in this regard, the proposed alterations would be particularly noticeable and widely visible from both short and long public views.
  8. As such, it is considered that the external appearance and character of the building would be adversely altered by the proposals to the detriment of the building itself, wider street scene, and would fail to preserve or enhance the character and appearance of the Hampstead Conservation Area, especially to a building identified within the Hampstead Conservation Area Statement (adopted October 2001) as making a positive contribution to the area.
  9. Objections were received from the freeholder of the property and the Hampstead Conservation Area Advisory Committee with regard to the detailed design of the railings in so far as they are not considered to be in keeping with the character and appearance of this Victorian building. Camden Planning Guidance (CPG1 – Design) asserts that “*Alterations should always take into account the character and design of the property and its surroundings.*” The Council shares the view expressed by the objectors; however, it also accepts that a more appropriate design might be achieved through the submission of revisions. In this regard, should a decision be made to grant planning permission, a condition should be attached to any permission requiring approval in writing by the Council of the detailed design for the railings.
  10. Whilst the proposed wrought iron material and black colour of the railings are considered to be appropriate and acceptable the overall design, size and location, are considered to be inappropriate and would harm the character and appearance of the Hampstead Conservation Area, contrary to the Hampstead Conservation Area Statement, Council policies and guidelines, and would therefore be unacceptable.
  11. 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 Area) Act 1990 as amended by the Enterprise and Regulatory Reform Act

(ERR) 2013.

### **Amenity**

12. Local Plan 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 and by only granting permission to development that would not harm the amenity of communities, occupiers and neighbouring residents. This is supported by CPG6 (Amenity) that requires the potential impact on the amenity of neighbouring properties to be fully considered.
13. It is not considered that the proposed development would result in any significant loss of amenity for neighbours in terms of privacy, overlooking or sense of enclosure, and as such, the proposals accord with policy A1 and with Camden Planning Guidance.

### **Other issues**

14. An objection was received from the freeholder of the property on the grounds that he was not properly notified about the proposals in accordance with planning regulations. A planning application form was received by the Council with what appears to be the correct ownership certificate completed (Certificate B) and which included details of the freeholder. The applicant has asserted that suitable notification was given prior to the application being submitted. Should a decision be made in favour of granting planning permission, further information would need to be obtained prior to the issuing of any decision notice to ensure that all owner(s) of the property were notified correctly about the application proposals.
15. When the applicant was informed that the Council were minded to refuse the application and that it was unlikely that any revisions could be made to the proposals in order to make them acceptable, the applicant nevertheless requested a short extension of time in which to put forward some alternative suggestions in the form of 'idea sketches'. The Council agreed to this and on this basis some sketched alternatives were submitted in the hope that one or more of these might provide a possibility for a formal submission of revisions. The sketched alternatives did not overcome any of the Council's concerns raised in regard to the original proposals and therefore the application has been determined on the basis of the original application submission. The applicant has requested further separate advice concerning the placement of plant boxes on the top of the crowns of each bay window (without the addition of railings) which the Council will be happy to provide.
16. The applicant has stated that there is a current health & safety risk at the property with regard to access to the crowns of each bay window which the proposals would help to prevent. However, the case officer when visiting the site noted that there are existing Juliet balcony guard rails in place on each bay window at the property (not shown on the submitted existing drawings) which help to minimise any immediate risk.
17. The Council does not hold any record of planning permission being granted for the alteration of sash windows on all bays to French doors in so far as this would be required. The applicant has acknowledged that these alterations are unfortunate and are not to the benefit of the appearance of the building within the conservation area or the building as a whole. This will be investigated as a separate matter by the Council's Enforcement Site Inspector.

### **Recommendation**

18. The proposed railings, by reason of their design, size and location, would introduce an incongruous and widely visible addition which fails to respect the historic and architectural integrity of the host building, and would be harmful to the character and appearance of the Hampstead Conservation Area, contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017.

19. **Refuse full planning permission**

