

Delegated Report		Analysis sheet	Expiry Date:	21/06/2018
		N/A / attached	Consultation Expiry Date:	07/06/2018
Officer			Application Number	
Sofie Fieldsend			2018/1971/P	
Application Address			Drawing Numbers	
6 Oak Hill Park Mews London NW3 7LH			See decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal				
Installation of flue to side elevation				
Recommendation:	Refuse Planning Permission			
Application Type:	Householder Application			
Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	00	No. of objections	00
Summary of consultation responses:	<p>A site notice was displayed near the site from the 11/05/2018 (consultation expiry 01/06/2018).</p> <p>The development was also advertised in the local press from the 17/05/2018 (consultation expiry 07/06/2018).</p> <p>No responses were received.</p>			
Hampstead CAAC/ Hampstead Neighbourhood forum:	Hampstead CAAC and Hampstead Neighborhood forum were notified, no objections have been received.			

Site Description

The subject site is a three-storey end terrace. Oak Hill Park Mews was built in 1962 to a design by Michael Lyell Associates as part of a wider estate for Elsworthy Ltd on the site of some Victorian villas. No. 6 is the end of the terrace, with a garage. It has unusual slate cladding, and fenestration with architectural framing.

The terrace forms part of Oak Hill Park Mews, branching off Oak Hill Park, a collection of residential buildings within Hampstead Conservation Area.

The terrace (comprising no. 4-6 Oak Hill Park Mews) occupies a prominent position in the context of a small Mews development, and commands an elevated position overlooking the small area of open space to the front. The rear of the site is bounded by a substantial wall in excess of 7m in height. There are also long views of the building from Oak Hill Park and specifically through the grounds of no. 4. It was noted on the site visit that group of terrace properties to which the end terrace subject property adjoins currently has a significantly uniform appearance and consistent design across the front elevations in terms of their fenestration design and scale. This group of properties have also retained timber panel detailing along the ground floor level of the front elevations which further adds to their uniform appearance.

The property is subject to an Article 4 Directive (adopted 01 September 2010) which has acted to remove various permitted development rights including works for enlargements, improvements or other alteration to the principal or side elevations. This directive was adopted in order to prevent unregulated harmful works taking place and to ensure that historic / characteristic features are maintained and preserved.

Relevant History

No.6

2017/4687/P - Installation of flue to side elevation, and replacement of existing doors and windows to front, side and rear elevations of dwelling (Class C3) with double glazed, powder coated metal doors and windows. – **Refused 13/10/2017**

Reason for refusal:

The proposed replacement of doors and windows, by virtue of the loss of characteristic detailing, inappropriate design and resulting loss of uniformity to the group of dwellings, would be detrimental to the character and appearance of the host building, group of buildings and the surrounding Hampstead Conservation Area, contrary to policies D1 (Design) and Policy D2 (Heritage) of the Camden Local Plan 2017.

2017/3832/P - Replacement of existing doors and windows to front, side and rear elevations of dwelling (Class C3) with double glazed, powder coated metal doors and windows.- **Refused 12/10/2017**

Reason for refusal:

The proposed development by virtue of the loss of characteristic detailing, inappropriate design of replacement doors and windows and resulting loss of uniformity to the group of dwellings, would be detrimental to the character and appearance of the host building, group of buildings and the surrounding Hampstead Conservation Area, contrary to policies D1 (Design) and Policy D2 (Heritage) of the Camden Local Plan 2017.

2011/3453/P - Installation of two glazed doors with timber sliding shutters to ground floor side elevation of existing dwelling house (Class C3). - **Granted 22/08/2011**

No.5-6 Oak Hill Park Mews

2018/1498/P- Replacement of single glazed doors and windows on front/side/rear elevations to No.5 and 6

with aluminum double glazing – **Pending decision**

No.4-6 Oak Hill Park Mews

2007/1885/P - Erection of single storey roof extension to provide additional living accommodation and roof terraces to the existing terrace of three dwellinghouses -**Refused 03/07/2007**

Reason for refusal:

The proposed roof extension, by reason of the resulting additional height and bulk to this building, would fail to respect the setting and scale of neighbouring buildings, and would harm the character and appearance of the Hampstead Conservation Area

Relevant policies

National Planning Policy Framework 2012

London Plan 2016

Camden Local Plan 2017

Policy A1 Managing the impact of development

Policy D1 Design

Policy D2 Heritage

Policy CC4 Air Quality

Supplementary Planning Policies

CPG1: Design (Updated March 2018) Chapters:

1 - Introduction

2 - Design excellence

3 - Heritage

4 - Extensions, alterations and conservatories

CPG6: Amenity (2011)

Hampstead Conservation Area Statement (2001)

Hampstead Conservation Area Design Guide (2010)

Emerging Hampstead Neighbourhood Plan (2018)

- Policy DH1: Design

- Policy DH2: Conservation Areas and Listed Buildings

The emerging plan is considered to hold substantial weight following its examination and acceptance of all the Examiner's recommended modifications to the plan on the 26th of March 2018. The Council will be holding a referendum for the Hampstead Neighbourhood Plan on 21st June 2018 to determine if the plan will be formally adopted.

Assessment

1. Proposal

1.1. The proposal is for the installation of a flue to side elevation which will project 0.6m above the roof level.

2. Assessment

2.1. The main consideration for the purposes of this application are:

2.1.1. the impact of the proposed alterations to the character and appearance of the host building, group of buildings, street scene and wider conservation area; and

2.1.2. Impacts upon the residential amenity of neighbouring residents

Impact on design and heritage

2.2. The Council's design policies are aimed at achieving the highest standard of design in all developments. Policy D1 requires extensions to consider the character, setting, context and the form and scale of neighbouring buildings; the quality of materials to be used; and the character and proportions of the existing building. Policy D2 additionally states that the Council will only permit development within conservation areas that preserves or enhances the character and appearance of the area.

2.3. Paragraph 11.12 of CPG1 (Design) states that 'Special consideration should be given to the installation of plant, machinery and ducting on listed buildings and in conservation areas. Fewer external solutions are likely to be appropriate in these locations. Installations must be in keeping with the design and materials of the building.

2.4. DH1 of the emerging Hampstead Neighbourhood plan states that development proposals that fail to respect and enhance the character of the area and the way it functions will not be supported. Policy DH2 states that new development should take advantage of opportunities to enhance the Conservation Areas.

2.5. CA Policy H21 states: "New development should be seen as an opportunity to enhance the Conservation Area and should respect the built form and historic context of the area, local views as well as existing features such as...materials of adjoining buildings."

2.6. As aforementioned the application site is a mid-century, terrace constructed as part of a single development involving the construction of the entire mews. The host property is typical of many of the mid-twentieth-century modernist houses within the Hampstead Conservation, its massing, composition and materiality play with and explicitly reference the traditional forms and features of the more historic local architecture. In this instance modestly but with an attractive result.

2.7. Although the host building is not listed or specifically highlighted as making a positive contribution to the character of the conservation area in the 2002 statement but neither did it identify the property as detracting from the Conservation Area. In the 16 years since, the quality and value of mid-twentieth-century modernist residential architecture in Hampstead has been reappraised and are now more widely valued, an example would be the designation at Grade-II of the near adjacent Branch Hill Estate in 2010. It is considered that Oak Hill Park Mews does make a positive contribution to the character and appearance of the Conservation Area as part of this modern heritage through the architectural qualities described in this report. Therefore the building and group of buildings are nevertheless considered to be of architectural merit. This is by virtue of the surviving architectural integrity of the group; particularly due to its elevational composition, its detailing and the uniformity derived from the original fenestrations and cladding retained across its front, side and rear elevations. In 2010 an article 4 direction was placed on No.4-6 Oak Hill Park Mews. The Direction ensures that historic features are preserved and, where possible, repaired rather than replaced. This reinforces the architectural merit of the terrace.

- 2.8. The previous application planning ref. 2017/4687/P was refused solely on the grounds of the unacceptable fenestration alterations and it is acknowledged that the previous officer believed that although the flue would be located in a prominent location, on balance it was considered to be a modest addition with suitable materials that it would not result in detrimental harm to the character of the host property or the surrounding Conservation Area. It is noted that in this instance a Conservation Officer was not consulted on the flue element of the proposal.
- 2.9. However they did acknowledge that the proposal would cause some harm to the host property and the wider conservation area. After consultation with the Council's Conservation Officers, the proposed flue is considered to be a conspicuous, incongruous and unsightly addition. The flue would extend almost the full-height of the flank wall and would be prominently visible from shared open space to the front and it would compromise appreciation of the architectural character of the mews terrace. Unlike a traditional chimney, the main length of the proposed flue would not be concealed, but it would sit prominently on the building, which is otherwise characterised by the clean and regular lines of its roof walls. Its materiality would contrast with the fine brick, slate and glazing which compose the elevations.
- 2.10. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a conservation area when considering applications relating to land or buildings within that area. The effect is that there is a statutory presumption in favour of the preservation of the character and appearance of Conservation Areas and considerable importance and weight should be attached to their preservation. A proposal which would cause harm should only be permitted where there are strong countervailing planning considerations which are sufficiently powerful to outweigh the presumption. Section 12 of the NPPF provides guidance on the weight that harm might be justified. It is considered that the installation of the flue which extends the entire height of the side elevation in this prominent location would cause harm to the appearance of the host building and justifies a reason for refusal. This is supported by CPG1 which outlines that ducting within conservation areas is unlikely to be appropriate. The applicant has stated that they are unable to move the flue internally due to space restrictions. The proposal would harm the architectural character of the host property, its surroundings in the Oak Hill Park Estate and the Conservation Area in terms of its unsightly appearance. It would neither conserve nor enhance the character and appearance of the Hampstead Conservation Area. There is no evidence of public benefit that would outweigh the harm and therefore the proposals are refused.
- 2.11. The proposal is contrary to policies D1 (Design) and Policy D2 (Heritage) of the Camden Local Plan 2017 and policies DH1 and DH2 of the emerging Hampstead Neighbourhood Plan (2018).

Impact on amenity

- 2.12. Local Plan Policy A1 and Camden CPG1 Design seeks to ensure that the amenity of neighbours is protected including visual privacy, outlook, sunlight, daylight and overshadowing.
- 2.13. The proposal given its siting is not considered to cause harm the amenity of adjoining occupiers.

Air Quality

- 2.14. Policy CC4 seeks to ensure that the impact of development on air quality is mitigated and ensure that exposure to poor air quality is reduced in the borough.
- 2.15. Biomass burning (including wood burning stoves) is strongly discouraged in Camden and other urban areas because of the contribution to NOx, PM2.5 and PM10, all of which are detrimental to health and in particular to children, the elderly and those with pre-existing respiratory or cardiovascular health concerns. Camden is an Air Quality Management Area because of high concentrations of pollutants.
- 2.16. The entire borough of Camden is designated as a Smoke Control Area, under the powers of the Clean Air Act (1993). In Smoke Control Areas wood (including wood chips, pellets and logs)

can only be burnt in approved appliances ('exempt appliances').

2.17. The applicant has not provided any details regarding the proposed wood burning stove to determine if it is considered to be an exempt appliance and they have not stated if the stove has a back boiler attached. The applicant has declined to provide this information when requested by officers. In absence of information about the development's likely impact on local air quality and any mitigating measures that would be applied, the Council is unable to determine if the development will have a detrimental impact on local air quality, therefore the proposal is considered contrary to Policy CC4 (Air Quality) of the Camden Local Plan 2017.

Recommendation: Refuse Planning Permission

