

# Flat D, 20 East Heath Road, London, NW3 1AJ

Full planning application - 2018/2170/P



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# Flat D, 20 East Heath Road, London, NW3 1AJ

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## Site Photographs:

1. Aerial photo #1 (Western side)



2. Aerial photo #2 (rear)



3. Aerial photo #3 (front)



4. *Front elevation and existing side dormer/terrace*



5. *View to Eastern roofslope from East Heath Road*



6. *View from existing roof terrace (looking West)*



*7.Rear elevation*



<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>04/07/2018</b>
		N/A / attached	<b>Consultation Expiry Date:</b>	<b>08/07/2018</b>
<b>Officer</b>			<b>Application Number(s)</b>	
John Diver			2018/2170/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
Flat D 20 East Heath Road London NW3 1AJ			See draft decision notice	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
		Nick Baxter (Senior Officer)		
<b>Proposal</b>				
Roof alterations to top floor flat (C3) including addition of new brick side gable and side dormer window, installation of no.4 rooflights and alterations to existing side dormer to reprovide terrace to the rear. Alterations to all elevations at 2nd and 3rd floor level including the replacement / installation of windows, French doors and railings.				
<b>Recommendation:</b>	<b>Grant conditional planning permission</b>			
<b>Application Type:</b>	<b>Full Planning Permission</b>			

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>			
<b>Informatives:</b>				
<b>Consultations</b>				
<b>Consultation summary:</b>	Site notices were erected near to the site on the 08/06/2018 (consultation expiry 29/06/2018). A press notice was also published in local press on the 14/06/2018 (consultation expiring 08/07/2018)			
<b>Adjoining Occupiers:</b>	No. of responses	<b>00</b>	No. of objections	<b>00</b>
<b>Summary of consultation responses:</b>	Following the public consultation process, no comments were received from residents.			
<b>Hampstead CAAC:</b>	<p>One letter of objection was received from the Hampstead Conservation Area Advisory Committee. The comments that they raised can be summarised as follows:</p> <ol style="list-style-type: none"> <li>1. Question number and size of rooflights proposed;</li> <li>2. Request for rooflights to be conservation style;</li> <li>3. Request for rooflights to be removed where possible/not necessary.</li> </ol> <p><u>Officers response:</u>  <i>(1-3) At the request of conservation officers revisions were secured which reduced the overall number of rooflights, as well as repositioned and reduced the size of the most prominent rooflights proposed, amongst other changes. Please see sections 2 and 4 of the main report for a full discussion of the amendments made to the scheme and an assessment of the impact to character and appearance. Since the receipt of revisions, no further comment has been received from the CAAC.</i></p>			

## Site Description

The application site relates to a 3 storey (plus lower ground floor and loft) detached former mansion house on the South side of East Heath Road, NW3. The property has been subject to subdivision as well as various alterations and as a result is host to four self-contained residential flats. This application relates to the top mezzanine apartment (Flat D). The application site is located within the Hampstead Conservation Area (sub area two) although the property is not statutorily listed and does not adjoin any listed property. The Hampstead Conservation Area Statement (adopted 2001) classifies the application property as making a positive contribution to the Conservation Area. East Heath Road is subject to fairly significant West to East downwards gradient, meaning that the junction with Squire's Mount to the East is at a lower level than the application site.

## Relevant History

The planning history relevant for this assessment can be summarised as follows:

### No.20 (Application Site)

**P9603244:** Certificate of lawfulness (existing) was granted on the 05/12/1996 for the *'Use of the upper ground floor as a self contained three bedroom flat'*

**8400627:** Planning permission was granted on the 23/07/1984 for the *'Construction of a new roof dormer and terrace to the side elevation'*

**D7/5/3/36970:** Planning permission was granted on the 21/11/1983 for the *'Formation of a new side entrance and window at ground floor level'*

**D7/5/3/33226R2:** Planning permission was granted on the 11/05/1982 for the *'External alterations to upper maisonette'*

**D7/5/3/955:** Planning permission was granted on the 16/05/1958 for the *'Erection of four prefabricated look-up garages at the rear of No. 20'*

### Permitted roof extensions / loft conversions to nearby properties:

No.22 East Heath Road (adjoining site) – **2013/4488/P:** (Flat 10) Planning permission was granted on the 25/11/2013 for the *'Erection of an additional storey to create first floor level with balcony, and associated installation of 3 rooflights to front and rear roof slopes, and 4 windows to the rear elevation and excavation to lower the existing floor level by a maximum 1000mm'*

No.18 East Heath Road – **2016/4997/P** - Planning permission was granted on the 29/11/2016 for the *'Various alterations to the roof and front gable including installation of 4 rooflights, creation of 4 new windows and installation of metal railing on the north and east elevations, reveal of a blocked window on the west elevation, replacement of ridge tiles and replacement of all third floor windows (Class C3).'*

No.4 East Heath Road – **2006/5471/P:** Planning permission was granted on the 24/01/2007 for the *'Replacement of a dormer window on the rear roofslope of the property with an inset roof terrace for the existing self-contained flat'*

No.54 East Heath Road – **27259:** Planning permission was granted on the 22/01/1979 for the *'Change of use to a self-contained, including loft conversion and the erection of four new dormers and a tank housing.'*

## Relevant policies

### National Planning Policy Framework (2018)

### The London Plan (2016)

### Camden Local Plan (2017)

- G1 Delivery and location of growth
- A1 Managing the impact of development
- A4 Noise and vibration
- D1 Design
- D2 Heritage
- T1 Prioritising walking, cycling and public transport

### Hampstead Neighbourhood Plan (2018)

- Policy DH1: Design
- Policy DH2: Conservation areas and listed buildings
- Policy TT1: Traffic volumes and vehicle size

### Camden Planning Guidance:

- CPG 1 – Design (2018)
- CPG7 - Transport (2011)
- CPG 6 – Amenity (2018)

### Hampstead conservation area statement (2001)

## Assessment

### 1. The proposal

1.1. Planning permission is sought for roof and elevational alterations to the top floor flat. While the flat already includes a mezzanine unit across the second and third floor levels the proposed works would allow for the internal stair to be relocated, rationalising the internal space, as well as the relocation of the existing terrace from the West facing side to the rear of the roof. The works would include the demolition and replacement of a 1980's side dormer as well as the installation of one further dormer window to the opposite roof slope as well as the replacement of the existing uPVC windows and doors with timber framed versions.

1.2. The proposed installations within roof slopes would have the following proposed dimensions:

- East dormer 1.4 x 3.1 x 3.1m (HxWxD); This dormer would feature a pitched front face and would be centred within the Eastern roof slope;
- West Dormer 2 x 4 x 2.4m (HxWxD). This dormer would include an inset terrace with an area of 4sqm and would be set behind the proposed gable and rear chimney;
- West Rooflight 1: 1.1 x 0.9m (HxW). This rooflight would be the light source to the new bedroom;
- West Rooflight 2: 0.6 x 0.7m (HxW). This rooflight would be the light source to the new bathroom;
- East Rooflight 1: 1.4 x 1.2m (HxW). This rooflight would provide light to the new landing and stair;
- East Rooflight 2: 0.9 x 0.8m (HxW). This rooflight would provide light to the 2<sup>nd</sup> floor bedroom.

### 2. Revisions

2.1. It should be noted that during the course of the assessment revisions to the proposed scheme were requested in order to appease concerns raised by officers. The changes made to the proposed scheme since submission can be summarised as follows:

- Omission of no.1 rooflight to front;
- West rooflight 1: Reduction in size (-0.4m from W/H) and repositioning to behind the front chimney;
- All proposed rooflights annotated to remain flush with roof slope;



- Omission of French doors and Juliet balcony to West elevation and replacement with window; and
- Addition of glazing bars to all replacement upper floor windows to sides and front in order to provide a more traditional appearance (informed by discussions of the original window typology for the building).

### 3. Assessment

3.1. The proposed development would not involve any changes of use or sub-division. The main issues to consider in this case are therefore as follows:

- Design and conservation;
- Impact on the amenity of adjoining occupiers; and
- Transport

### 4. Design and conservation

#### Local policy context

4.1. Policy D1 (Design) states that the Council will seek to secure high quality design in all cases. This policy states that in order to demonstrate high quality, developments should meet several criteria including: respecting local context and character; be sustainable and durable; comprise details and materials that are of high quality and complement the local character. It continues to state that the Council will resist development of poor design that fails to take the opportunities available for improving the character and quality of an area. Policy D2 (Heritage) states that with Conservation Areas the Council will require that developments preserves or, where possible, enhances the character or appearance of the area.

4.2. Further to the above, Policy DH2 (Conservation) of the Hampstead Neighbourhood Plan states that new development should take advantage of opportunities to enhance the Conservation Areas (CA) by protecting and, where appropriate, restoring original architectural features, including walls, windows, doors, etc., that would make a positive contribution to the CA.

4.3. With regard to roof alterations, Chapter 5 of CPG1 (Design) sets out the Council's expectations in terms of design. For roof dormers, CPG1 states that such extensions should be sensitive changes which maintain the overall structure of the existing roof form. It advises that dormer windows should meet a number of criteria including: being proportionately scaled and sited to sit within their roofslope, set away from all edges by a minimum of 0.5m; relate to the façade below and the surface area of the roofslope; should remain subordinate additions; and should utilise materials that complement the surrounding townscape. Similarly, with regard to the addition of rooflights, CPG1 states that roof lights should be proportioned to be significantly subordinate both in size and number and should be fitted flush with the roof surface.

4.4. The Hampstead conservation area statement (2001) describes East Heath road as "*the boundary between Hampstead and the Heath, marked by high brick garden walls and occasional groups of houses on the south side of the road*". Describing this section of the road, the statement notes that large red brick late Victorian villas (Nos.18-20) face the Heath, followed by Ladywell Court at No.22. This is the former 18<sup>th</sup> century Heathfield House now converted to flats, whose gardens once occupied the whole block. It is fronted by Nos.22a & b that were rebuilt in 1950, following bomb damage and much altered later.

#### Design appraisal

4.5. The application property is a large, red brick, late Victorian villa that sits within a short row of three similar properties (Nos.18-20) on the South side of the street facing the Heath. These properties all feature a high level of detailing, decorative roofs and are all considered to positively contribute to the CA. As aforementioned, the property has historically been altered in a number of ways including roof extensions to the Western slope, replacement fenestration throughout as well as the addition of a side entrance for access to the upper floor flats. This is also true of the other properties in the row which have been altered to include additional wings, side/front dormer windows, roof terraces and glazed sunrooms (see planning history/photos 1-3). Notwithstanding this, the property still broadly exhibits its original character and appearance.

### *Roof alterations*

- 4.6. The roof alterations proposed would include the construction of a new gable as well as the replacement of the existing side dormer window to the Western side, the installation of one new dormer window to the Eastern side slope as well as the installation of a total of no.4 rooflights. All existing chimneys would be retained. As outlined in section 2, following an initial review revisions were sought to the scheme to address concerns regarding the more prominent areas of the visible roof. Due to the aforementioned downwards gradient along East Heath Street, combined with the road's curve and the surrounding built form, the main area of roof which is visible from public areas are the front gable, the rear half of the Western slope as well as glimpses of the front half of the Eastern side slope (please see photos 4&5).
- 4.7. To the Western roofslope, the addition of a new gable would allow for the existing 1980's dormer window, unattractive raised flank elevation and terrace to be removed and re-positioned so that it would be fully obscured from public views by the new roof form. This is considered to be a minor heritage benefit. Although it would introduce a non-original feature, the proposed gable would reflect the original gable to the Western side, while remaining set down from the main ridgeline, asymmetric (to the overall roof form) but appropriately centred between the two original chimney stacks. It is therefore considered that this addition would remain sympathetic to the original design and character of the house. It would also allow for the existing, poor quality side dormer (see photos 1, 3 and 4) to be demolished and replaced out of view. While this replacement dormer would be of atypical form and include a terrace, these element would be well concealed by the existing chimneys and proposed gable and so would not interrupt how the roofline is read. To the Eastern roofslope, a new dormer window would be installed to provide head height for the new stair and light to the master bedroom. This dormer would be clad in hanging tiles to match the main roof and would be pitched to minimise its bulk. This dormer would be sited centrally within this roofslope, set away from all roof edges by at least 0.5m. The design of this dormer window would remain in accord with the requirements of CPG1 (Design). While officers are generally supportive of these alterations, their success will depend on the final detailing and as such officers recommend securing a number of elements via condition. These would include a sample of the brick work (to demonstrate a good match with brick, bond and mortar) roof tiles as well drawings of decorative brick detailing. These conditions have been requested by conservation officers who are now otherwise satisfied with the revised proposal.
- 4.8. Further to the above a total of four rooflights are proposed to the side roof slopes. The location, size and design of each has been reviewed and in places revised to avoid any significant visual impacts. While plans have been annotated to confirm that these would remain flush with the roof slopes, a condition is also recommended that these should also be of conservation style (i.e. to include central bars). Of the four rooflights proposed, the two within the Eastern slope as well as the smaller rooflight to the third floor WC are positioned such that they would be either fully or at least substantially concealed from public views. These are not considered to disrupt the roof of the property or result in harm to character. A fourth rooflight is proposed adjacent to the chimney to the Western side slope to the front gable. Due to the increased prominence of this slope, the size of this rooflight was reduced and its position altered so that it is concealed from view behind the front chimney. Although some glimpses would still be afforded of this roof lights, these would be oblique only and due to the improved siting and reduced size officers do not object to this provision. Given that natural light is required for the internal bedroom, this would be the most appropriate solution.
- 4.9. Officers are satisfied that these roof additions/alterations would not act to harmfully disrupt the existing roof form either individually or cumulatively and would preserve the character of the dwelling. The works would facilitate the removal of an existing side dormer and terrace of poor quality and its replacement in a much more visually appropriate manner. In turn it is also considered that, subject to the conditions recommended, these changes would not result in harm to the special character of the conservation area.

### *Elevational alterations*

- 4.10. Further works are also proposed to the top floor elevations of the building including the replacement of all existing uPVC/aluminium double glazed windows and doors with timber framed, double glazed windows and doors as well as the replacement of the existing metal rail to the front terrace.
- 4.11. At present, the existing uPVC/aluminium double glazed windows and doors at 3rd floor level

significantly detract from the character of the property. Their replacement with more sympathetically designed, timber-framed alternatives would therefore be welcomed. The design of this replacement fenestration has been the subject of discussion with conservation officers, whereby a glazing pattern believed to be a close match to the original / characteristic style was agreed for the front and both side elevations. These works are accepted by officers and considered to represent a minor heritage benefit. Where a new window is proposed (i.e. second floor to East elevation) its design, size and position would remain in line with the existing hierarchy of this elevation and would not disrupt the building's character. The replacement of the existing metal railing with a traditional metal railing painted in black is not objectionable.

- 4.12. In line with policy DH2 of the Hampstead Neighbourhood Plan, there is a requirement for the retention or even replacement of architectural features of character/interest within the CA, particularly for positive contributors. To the existing gables, the original red brickwork and vent detailing are retained and are highly characteristic. It is also proposed for such detailing to adjoin the newly formed gable. Whilst officers welcome these details, in order to ensure that they are appropriately constructed a condition to secure full details is recommended.
- 4.13. Overall the proposed works are not considered to result in harm to the character and appearance of the host building, group of villas or streetscene. The works are considered to preserve the special character of the conservation area. The works would not affect the setting of any listed building. It is considered that the works would remain in accordance with policies D1, D2 (Local Plan), DH1 and DH2 (Neighbourhood Plan). Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

## **5. Residential Amenity**

- 5.1. Policy A1 (Managing the impact of development) confirms that the Council will not grant permission for development that would result in harm to the quality of life for surrounding occupiers and neighbours. For a development of this kind, the main considerations outlined by this policy would be impacts in terms of privacy, outlook and natural light.
- 5.2. Considering the siting of the proposed roof alterations relative to neighbouring properties, it is not considered that the works proposed would result in any loss of outlook or natural light to any neighbouring resident. Considering the position of the existing Western terrace, it is also not considered that the works to replace this terrace (4sqm) would cause any loss of privacy. In fact due to the partial concealment behind the rear stack, this re-provision would likely act to reduce views towards no.22 from existing. The proposed terrace would remain approximately 22m from the closest opposing property (22d) and at a much higher level. The newly formed dormer window to the Eastern side slope would face towards the neighbouring property, however all of the primary habitable room windows to this property are on the front or rear elevations. This element is consequently not considered to result in any harmful loss of privacy to the adjacent site. As the works would not result in any increase to the number of units, officers do not consider that the works would result in any issues of noise or disturbances. Discussion of construction impacts will be discussed below.

## **6. Transport**

- 6.1. The proposed development would not include any changes of use or subdivision and would include additional habitable space to one residential unit only. As such there would be no resulting increase to the number of motor vehicle journeys to the site post-completion. Under this application there would be no requirement for the existing unit to relinquish rights for parking permits or to provide onsite cycle parking.
- 6.2. The site has a generous area of driveway to the side and rear which could be utilised for site access and the storage of materials during construction. The application was reviewed by the Council's Transport officers who confirm that given the limited scope of operational works proposed and space for construction and turning, a construction management plan would not be required to mitigate off-site construction matters in this instance. The applicants will be reminded of their requirements under separate legislation to complete works without causing undue noise or disruption via informative. The proposed works would not

result in any transport related concern

## **7. Recommendation**

### 7.1. Grant conditional Planning Permission

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 13<sup>th</sup> August 2018, 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](http://www.camden.gov.uk) and search for 'Members Briefing'.***

Application ref: 2018/2170/P  
Contact: John Diver  
Tel: 020 7974 6368  
Date: 6 August 2018

**Development Management**  
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Guard Tillman Pollock Architects  
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W1T 5ET

# DRAFT

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Full Planning Permission Granted

Address:

**Flat D**  
**20 East Heath Road**  
**London**  
**NW3 1AJ**

# DECISION

Proposal: Roof alterations to top floor flat (C3) including addition of new brick side gable and side dormer window, installation of no.4 rooflights and alterations to existing side dormer to reprovided terrace to the rear. Alterations to all elevations at 2nd and 3rd floor level including the replacement / installation of windows, French doors and railings.

Drawing Nos: (Prefix: 4282.01) LP01, 01, 02, 03, 05, 06, 08, 09, 10, 11. (Prefix: 4282.03) 01, 02B, 03B, 05B, 06, 08B, 09A, 10A, 11B. Design and access statement (dated 09/05/18)

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

Conditions and Reasons:

- 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 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 policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: (Prefix: 4282.01) LP01, 01, 02, 03, 05, 06, 08, 09, 10, 11. (Prefix: 4282.03) 01, 02B, 03B, 05B, 06, 08B, 09A, 10A, 11B. Design and access statement (dated 09/05/18).

Reason: For the avoidance of doubt and in the interest of proper planning.

- 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) Typical details including sections at 1:10 of all windows (including jambs, head and cill), and external doors;

b) Typical elevations at 1:10 of the brick enrichment detailing around windows, gable slots and along gable entablature;

c) Sample panel of the facing brickwork to the proposed Western gable, demonstrating the proposed brick choice, colour, texture, face-bond and pointing for facing brick shall be provided on site;

d) Manufacturer's specification details of proposed roof tiles and samples of those materials (to be provided on site);

e) Manufacturer's specification details of the facing material to the replacement side dormer to the Western roofslope (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site); and

f) Manufacturer's specification details of the 'conservation style' proposed rooflights.

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 policy D1 and D2 of the London Borough of Camden Local Plan 2017 and policies DH1 and DH2 of the Hampstead Neighbourhood Plan (2018).

Informatives:

- 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 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 are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

**DRAFT**

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

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

Yours faithfully

David Joyce  
Director of Regeneration and Planning

**DECISION**