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Your Ref: APP/X5210/W/18/3213545
Our Ref: 2018/1723/P

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Emily Voss
The Planning Inspectorate
Zone 3G, Hawk Wing
Temple Quay House
2 The Square
Bristol, BS1 6PN

Dear Ms. Voss,

Town and Country Planning Acts 1990 (as amended)
Appeal by Leigh & Glennie Ltd.
Site at 12 Willoughby Road, London NW3 1SA

I write in connection with the above appeal against the refusal of planning permission (Ref: 2018/1723/P) for the ***Rear infill extension at 1st floor level with terrace above.***

1.0 Summary

- 1.1 The appeal site comprises a 3-storey terraced dwelling house with a mansard roof and is located on the east side of Willoughby Road which sits between Kemplay Road to the north and Rossllyn Hill to the south. The application proposal relates to an existing residential flat set over the 1st and 2nd floors. The appeal building is not listed and the site is located within the Hampstead Conservation Area and the Hampstead Neighbourhood Area, both covered by an Article 4 Direction. The appeal building and wider terrace are identified as making a positive contribution to the special character and appearance within the Hampstead Conservation Area
- 1.2 Planning permission was refused on 31 August 2018 for the erection of a rear infill extension at 1st floor level with terrace above. It was refused for the following reason:
 1. *The proposed extension and terrace, by reason of its height, bulk, form and detailed design, would cause harm to the original design and proportions of the host building, the architectural integrity of the wider terrace as a whole, and*

would fail to be read as a subordinate extension, causing harm to the character and appearance of the host building, wider terrace of buildings and the Hampstead Conservation Area, contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017, and policy DH1 of the Hampstead Neighbourhood Plan (passed referendum June 2018).

1.3 The Council's case is set out in detail in the attached Officer's Delegated Report (see Appendix B) and it will be relied on as the principal Statement of Case. The report details the application site and surroundings, the site history and an assessment of the proposal. A copy of the report was also sent with the questionnaire.

1.4 In addition to the information sent with the questionnaire, I would be pleased if the Inspector could also take into account the following information and comments before deciding the appeal.

2.0 Status of Policies and Guidance

2.1 In determining the abovementioned application, the London Borough of Camden has had regard to the relevant legislation, government guidance, statutory development plans and the particular circumstances of the case.

2.2 The London Borough of Camden Local Plan 2017 (the Local Plan) was formally adopted on the 3 July 2017 as the basis for planning decisions and future development in the borough. The relevant Local Plan policies as they relate to the reason for refusal are:

D1 - Design

D2 - Heritage

2.3 The Hampstead Neighbourhood Plan passed referendum June 2018 and forms part of the statutory 'development plan' for the area and is used alongside the Council's own adopted planning documents when making decisions on planning applications in the neighbourhood area. The relevant Neighbourhood Plan policies as they relate to the reason for refusal are:

Policy DH1 – Design

2.4 The Council also refers to supporting guidance documents. The Camden Planning Guidance (CPG) was adopted on 7 November 2011 for which CPG1 (Design) was revised in 2013, 2015 and 2018.

CPG1 – Design

- Section 2 - Design excellence
- Section 3 - Heritage

- Section 4 - Extensions, alterations and conservatories
- Section 5 - Roofs, terraces and balconies

3.0 Comments on the Appellant's Grounds of Appeal

3.1 The appellant's grounds of appeal are summarised as follows:

1. Eaves height – the appellant considers that the height of the proposed infill extension satisfies the requirements of the Camden Planning Guidance CPG1 as it would adjoin the existing altered closet wings that rise above the rear eaves line and the infill would be lower than the existing rear closet wing extension to no.12 that rises above the eaves.
2. Character and appearance of the terrace - The appellant argues that the Council have downplayed the relevance of the other extensions at the terrace (in particular at no.14) by saying they are alterations that have eroded the integrity of the building and do not accord with current planning policies. But at the same time, the Council considers the terrace is a group that has a similarity in design, age and composition. This demonstrates that the terrace can accept changes, yet not lose its fundamental character of a row of tall buildings, with strong vertical proportions, where rear extensions may lead to a change in the original appearance of the properties but have retained the general height, bulk, form and design of the buildings. The proposed infill changes are now part of the established character of this part of the Conservation Area, and would not harm the terrace.
3. Comparison of proposed infill extension with adjoining property at no.14 – the appellant states that the proposed infill extension would closely match that seen at no.14, and given that these changes are now part of the established character of this part of the Conservation Area, a similar infill extension as proposed would not harm the terrace.
4. Visual prominence – the appellant argues that the proposal would not be visible in the Conservation Area due to the private location at the back of the terrace, the minor nature of the works, their location next to similar developments, and as there is no visibility of the extension from public views. As such, the character and appearance of the Conservation Area would be preserved, and no harm would be caused to the significance of the terrace or Conservation Area as a heritage asset.

The appellant also asserts that there wouldn't be any harm to the Conservation Area as the Hampstead Conservation Statement only identifies the contribution paid by Willoughby Road to the front elevation of the terrace (and the general form of the building), with no discussions relating to private views at the back of the terrace.

5. Detailed design – the appellant states that the design approach addressed Council concerns raised at pre-application stage which had shown a new conservatory addition with new wide doors above and a dormer window in the roof. The proposed scheme involves a more sensitive and subordinate addition to the terrace. The detailed design of the infill and roof terrace would be appropriate to the property and other roof terraces in the area have metal railings. The fenestration also reflects the infills below and to the side. Although there is a variety in the design and form of individual extensions to the rear of the terrace there remains a degree of consistency in tall closet wings with set-back infill additions.

4.0 Response to ground of appeal 1 (Eaves height)

- 4.1 The appellant's assertion that the height of the proposed infill extension satisfies the requirements of the Camden Planning Guidance CPG1 is incorrect. The proposed rear infill extension would increase the height of an existing 2-storey infill extension by a further storey and would result in an extension higher than one full storey below the roof eaves. As such, it would not accord with Camden Planning Guidance 1 (CPG1) – Design (paragraph 4.13) which states that "*extensions that are higher than one full storey below roof eaves/parapet level, or that rise above the general height of neighbouring projections and nearby extensions, will be strongly discouraged.*"
- 4.2 Furthermore, the appellant's justification that the additional height is acceptable by virtue of it being lower than the existing closet wing at no.12 (or indeed any existing closet wing of similar height in the rear terrace) overlooks a principal objection by the Council to the scheme. Namely, that in spite of any historic infill extensions, the buildings forming the terrace at the rear can nevertheless still clearly be read as a group characterised amongst other things by tall closet wings with subordinate side infill extensions to each property (the majority being below roof eaves by at least one full storey). An important part of this relationship are the relative heights between closet wing and infill extension. This characteristic appearance would be lost at the host property and compromised within the wider rear terrace if the proposal were to be allowed.

5.0 Response to ground of appeal 2 (Character and appearance of the terrace)

- 5.1 Contrary to the appellant's view that the Council has downplayed the relevance of the other extensions within the terrace (such as no.14), the Council has identified these extensions in particular as being harmful additions within the context of the wider terrace (paragraphs 3.6-3.7 of the delegated report also refers to no.8 in this same regard).

5.2 These 2 exceptions at nos.8 and 14 have side infill extensions of 2/3 and 3 storeys respectively which were erected at some time before 1986. These were noted in the delegated report as significantly predating current policies and guidance, the adoption of the Hampstead Conservation Area Statement (adopted in 2001), as well as, the Hampstead Neighbourhood Plan (which passed referendum in June 2018). Both are isolated examples of infill extensions of comparable height to the proposed scheme, and are not considered to serve as suitable precedents for similar alterations by virtue of their inappropriate height, form, bulk and design. It is emphasised that the Council considers these examples to have eroded some of the traditional and architectural integrity, character and appearance of the rear terrace of houses.

5.3 It is accepted that existing infill extensions have taken place within the terrace and that these vary in height and design; however, importantly most infill extensions rise no higher than 2 storeys (nos. 2, 4, 6, 10 and 12). The Council considers this to be the established pattern within the rear terrace. Any further erosion by the introduction of the proposed infill extension rising to 3 storeys in height should therefore be resisted in order to protect the historic form and pattern that still remains when viewing the rear terrace as a whole. In this regard, the Hampstead Conservation Area Statement (guideline H27 and pages 57-58) reinforces this view when recognising that rear extensions can *“alter the balance and harmony of a property or of a group of properties by insensitive scale, design or inappropriate materials. A number of additions have harmed the character of the area and further inappropriate erosion will be resisted.”*

6.0 Response to ground of appeal 3 (Comparison of proposed infill extension with adjoining property at no.14)

6.1 Following on from the response to ground of appeal 2 above, the Council does not consider, as the appellant suggests, that the proposed infill would be part of the established character of this part of the Conservation Area. On the contrary, the infill extension at no.14 is considered to be an anomaly in so far as it is the only example of an infill extension which rises to the same height as the adjacent closet wing. In spite of this, the rear terrace can nevertheless still clearly be read as a group characterised amongst other things by tall closet wings with subordinate side infill extensions (no higher than 2 storeys) to each property. The Council considers this to be the established pattern within the rear terrace.

6.2 Therefore, in so far as the proposed infill extension would closely match that as seen at no.14, it is considered likely to be an incongruous and harmful addition that should not be accommodated as part of the assumed established pattern suggested by the appellant.

7.0 Response to ground of appeal 4 (Visual prominence)

- 7.1 The Hampstead Conservation Area Statement (guidelines H26 and H34) states in this regard that “*rear extensions should be as unobtrusive as possible and should not adversely affect the character of the building or the Conservation Area*” and the introduction of terraces should not impact on long views in particular. Given the visual prominence of the extension and terrace from private views at the rear and some limited views from the public realm (including the Grade II listed, Rosslyn Hill chapel), as well as, the large size of the proposed windows, the Council consider the proposal to be visually obtrusive and harmful to the character and appearance of the host building, wider terrace and the Hampstead Conservation Area, contrary to the Hampstead Conservation Area Statement, Hampstead Neighbourhood Plan, Council policies and guidelines, and for these reasons to be unacceptable.

Furthermore, the Council disagrees with the appellant’s conclusion that there is no harm to the Conservation Area to the extent that this is based on the fact that the Hampstead Conservation Statement doesn’t refer specifically to private views at the back of the terrace. The importance of Conservation Areas is not just derived from the principle or front elevations which are visible from the public realm. Rear elevations visible from both public and private views also provide an important contribution to the character and appearance of the Conservation Area, especially under these circumstances where the host property is identified as making a positive contribution within the Hampstead Conservation Area (page 56 of the Audit Section of the Hampstead Conservation Area Statement).

8.0 Response to ground of appeal 5 (Detailed design)

- 8.1 Planning Guidance 1 (CPG1) – Design (paragraph 4.13 – extensions, alterations and conservatories) states that rear extensions should be subordinate to the building being extended, must respect and preserve the original design and proportions of the building, and respect and preserve the historic pattern and established townscape of the surrounding area. The position concerning the proposed infill extension with regard to its’ height in relation to the eaves line has been outlined in response to ground of appeal 1 above. In this regard the proposed infill extension would neither respect the original design and proportions of the host building, nor appear secondary or subordinate to the host building in terms of its proportions, bulk and form as required by Council guidance.
- 8.2 The proposed windows also appear excessively large and incongruous with the architectural character of the wider terrace, and as such, are not in keeping with the host property or wider terrace (beyond the poor example at no.14). The absence of full fenestration details, in particular showing the thickness of frames and the relationship of frame to reveal, also prevent further assessment of the detailed design. However, should the Inspector be minded to allow the appeal, a number of suggested conditions are included in Appendix A requiring the submission of further fenestration details and that all new external work be carried out in materials that

resemble, as closely as possible, in colour and texture those of the existing building.

- 8.3 With regard to the detailed design of the proposed roof terrace, Planning Guidance 1 (CPG1) – Design (paragraph 5.25 – Roofs, terraces and balconies) advises that terraces should form an integral element in the design of elevations, the key to whether a design is acceptable being the degree to which the terrace complements the elevation upon which it is to be located. As such, consideration should be given to the detailed design to reduce the impact on the existing elevation and to use setbacks to minimise the potential for overlooking.
- 8.4 With this in mind, the proposed roof terrace is not considered to complement the host building well in design terms by virtue of adding an impression of additional height to the proposed extension through the installation of 1.1m high metal railings and 1.8m high side privacy trellises. The railings in particular reinforce this adverse appearance through being positioned at the edge of the terrace rather than being set further back in accordance with Camden guidance.

9.0 Other considerations

Materials

- 9.1 The appellant confirmed that traditional materials were proposed and considers these materials to be appropriate.
- 9.2 The Council raised no objection to the proposed materials as these were considered to be appropriate to the character and appearance of the host building, wider terrace, and within the Hampstead Conservation Area.

Amenity

- 9.3 The appellant noted that the Council did not raise any objection to the proposed scheme on the basis of impact on residential amenity. There is currently a reasonable degree of mutual overlooking between roof terraces and windows at present, and the proposal will not lead to any material change in this regard, nor loss of light. There were no objections from neighbours to the proposed development. Thus, there would not be any conflict with Policy A1 of the Local Plan.
- 9.4 While the Council didn't raise any objection on residential amenity grounds, contrary to the appellant's statement, an objection was received raising concerns about the potential harm on neighbouring properties from overlooking. This objection was taken into consideration by the Council (see section 4 of the delegated report). However, the proposal wasn't considered to harm or result in any significant additional loss of amenity for neighbours in terms of overlooking, privacy,

outlook, sunlight and daylight. As such, the proposal accords with policy A1 and with Camden Planning Guidance.

Having regard to the needs of older people

- 9.5 The appellant provided some background to the proposals with regard to how this might improve the quality of the housing stock, allowing existing long-term residents to remain in their home and by allowing the upgrading of the apartment. The appellant referred to the National Planning Policy Framework (NPPF) which states that planning policies should have regard to the needs of older people.
- 9.6 While the Council supports the upgrading in living standards and well-being of Camden residents and older people through planning improvements, this must be weighed against other relevant planning considerations. In this instance, it is considered that the harm caused to the character and appearance of the Hampstead Conservation Area outweighs any benefit in terms of this improvement to living standards. The NPPF was taken into account in the preparation of local and neighbourhood plans, including the Hampstead Neighbourhood Plan, and was a material consideration in the decision to refuse the application proposal.

10.0 Conclusion

- 10.1 Based on the information set out above, and having taken account of all the additional evidence and arguments made, it is considered that the proposal remains unacceptable in that it would be contrary to policy D1 and D2 of the London Borough of Camden Local Plan 2017 and policy DH1 of the Hampstead Neighbourhood Plan (passed referendum June 2018).
- 10.2 The information submitted by the appellant in support of the appeal does not overcome or address the Council's concerns. The proposed development by reason of its location would harm the host building and the terrace of which it forms a part.
- 10.3 For these reasons the Inspector is respectfully requested to dismiss the appeal. However, should the Inspector be minded to allow the appeal, suggested conditions are included in Appendix A.

Yours sincerely,

Tony Young

Planning Technician - Planning Solutions Team
Supporting Communities Directorate
London Borough of Camden

Appendix A: recommended conditions should the appeal be allowed

Conditions

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: (026.P-)001, 101 to 108 (inclusive), 201-208 (inclusive), 501; Planning statement from Leigh & Glennie Ltd dated March 2018; Design & access statement from Andrew Fortune Architects dated 10 April 2018.

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

4) Detailed drawings of all windows including sections at 1:10 (showing jambs, head and cill) and elevations at 1:20, including details demonstrating opening methods, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun. The relevant part of the works shall then be carried out in accordance with the approved details.

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.

Appendix B: Officer's Delegated Report

[attached below]

Delegated Report		Analysis sheet		Expiry Date:		15/06/2018	
		N/A		Consultation Expiry Date:		14/06/2018	
Officer				Application Number(s)			
Tony Young				2018/1723/P			
Application Address				Drawing Numbers			
12 Willoughby Road London NW3 1SA				See decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Rear infill extension at 1st floor level with terrace above.							
Recommendation(s):		Refuse planning permission					
Application Type:		Full Planning Permission Application					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	0	No. of responses	00	No. of objections	00
				No. electronic	00		
Summary of consultation and responses:		<p>Site notice was displayed from 23/05/2018 to 13/06/2018</p> <p>Press notice was published on 24/05/2018 and expired 14/06/2018</p> <p>No responses</p>					
CAAC/Local groups comments:		<p>A response was received from Hampstead Conservation Area Advisory Committee objecting to the proposal on the following grounds:</p> <ul style="list-style-type: none"> • <i>The proposal is against policy (i.e. clause 5.4 of CPG1 - Design and its 2016 successor);</i> • <i>There must be serious issues of overlooking in raising an already risky 1st floor terrace to 2nd floor level, so close to neighbouring properties; and</i> • <i>We are not aware of any local precedents for this proposal but hope there are none and this one might set such if consented."</i> <p><u>Officer response:</u> please see sections 3-5 of report.</p>					

Site Description

The host property is a 3-storey terraced dwelling house with a mansard roof and is located on the east side of Willoughby Road which sits between Kemplay Road to the north and Rosslyn Hill to the south. This application relates to an existing residential flat set over the 1st and 2nd floors.

The property is not listed and is located within the Hampstead Conservation Area and the Hampstead Neighbourhood Area, both covered by an Article 4 Direction. The building and wider terrace are identified as making a positive contribution to the special character and appearance within the conservation area (Hampstead Conservation Area Statement, pages 51-56, adopted October 2001).

Relevant History

Application Site:

9300611 - The erection of a rear conservatory at garden level. Planning permission granted 02/07/1993

17998 - Erection of rear addition, formation of roof terrace and extension of a dormer. Planning permission granted 14/03/1974

Neighbouring properties and wider terrace:

16 and 16A Willoughby Road

8400402 - Erection of a two storey single dwelling house at 16A Willoughby Road including minor amendments to the planning permission granted 16th May 1984 (Ref.8400401R1) for works of alteration and conversion at 16 Willoughby Road to form two self-contained maisonettes to allow access onto new roof terrace on the flat roof of no.16A Willoughby Road. Planning permission granted 09/07/1984

8401147 - Erection of a two storey single dwelling house at 16A Willoughby Road including minor amendments to the planning permission granted 16th May 1984 (Ref.8400401R1) for works of alteration and conversion at 16 Willoughby Road to form two self-contained maisonettes to allow access onto new roof terrace on the flat roof of no.16A Willoughby Road. Planning permission granted 01/08/1984

14 Willoughby Road

8600182 - Works of alteration and extension at ground and second floor levels including the erection of balconies at the rear. Planning permission granted 30/04/1986

10 Willoughby Road

9100227 - Alterations and extension at rear second floor level including erection of terrace at first floor level at rear. Planning permission granted 13/02/1992

8B Willoughby Road

2004/1355/P - The erection of first floor rear extension on an existing roof terrace to provide additional habitable accommodation for the first and second floor maisonette. Refused planning permission 23/06/2004

9100119 - Erection of brick parapet around rear roof terrace. Planning permission granted 06/05/1991

8501303 - Alterations to the roofspace to provide habitable accommodation with a double window at the rear. Planning permission granted 29/10/1985

6 Willoughby Road

CTP/E7/16/15/23294 - The change of use of the 1st and 2nd floors to two self-contained dwelling units, including the raising of the roof height of the existing 3 storey rear extension. Planning permission granted 11/11/1976

CTP/E7/16/15/33586 - Construction of new railings and screening to existing flat roof. Planning permission granted 09/06/1982

CTP/E7/16/15/20305 - Change of use of the first and second floors to provide 2 self-contained flats, including works of conversion and the erection of a 2nd floor rear extension. Refused planning permission 08/05/1975

4 Willoughby Road

2005/4307/P - The erection of a double storey height conservatory at the rear of single dwellinghouse. Planning permission granted 01/12/2005

9500705 - Creation of a roof terrace at rear second floor level by the replacement of an existing pitched roof with a flat roof and the installation of railings. Planning permission granted 21/09/1995

9560101 - Minor works of demolition in association with the creation of a roof terrace at rear second floor level. Conservation area consent granted 21/09/1995

2 Willoughby Road

2016/2224/P - Enlargement of existing two storey rear infill extension. Planning permission granted 22/06/2016

PWX0103860 - Various works of alterations including the formation of a roof terrace at rear second floor level and the replacement of an existing rear extension at lower and upper ground floor levels. Planning permission granted 27/11/2001

Relevant policies

National Planning Policy Framework 2018

The London Plan 2016

Camden Local Plan 2017

A1 - Managing the impact of development

D1 - Design

D2 - Heritage

Camden Planning Guidance

CPG1 (Design) March 2018 – chapters 2 (Design excellence), 3 (Heritage), 4 (Extensions, alterations and conservatories), and 5 (Roofs, terraces and balconies)

CPG6 (Amenity) March 2018 – chapters 6 (Daylight and sunlight) and 7 (Overlooking, privacy and outlook)

Hampstead Conservation Area Statement (adopted October 2001)

Guidelines H26, H27 and H34; pages 2, 51-59

Hampstead Neighbourhood Plan (passed referendum June 2018)

Policy DH1 (Design); paragraph 1.3

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

Assessment

1. Proposal

1.1 The application proposes a single storey rear infill extension (measuring approximately 2.7m high x 3m wide x 2.7m deep) which would contain new white painted, timber framed, triple sash

windows (together measuring approximately 2.7m high x 3m wide) with double-glazed panes and a roof surface made from a composite of timber frame with a insulation and durable waterproof membrane. New white painted, timber framed, double-glazed French doors (measuring approximately 2.6m high x 1.5m wide) would be positioned within the existing dormer formation. These would provide access to a new terrace area (measuring approximately 7.5sqm) which would have black painted 1.1m high metal railings at the rear and hardwood timber lattice screens or trellises on each side, set to a height of 1.8m above the new roof surface.

2. Assessment

2.1 The principal considerations material to the determination of this application are:

- a) the design and impact of the proposal on the host building, wider locality, and the character and appearance of the Hampstead Conservation Area; and
- b) the impact of the proposal on neighbouring amenity.

3. Design and appearance

3.1 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 requires *“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.

3.2 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 (page 2) 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.”* The Hampstead Neighbourhood Plan (paragraph 1.3) states that *“development must respond to the history and distinctive character of Hampstead’s different areas. It must contribute positively through good architecture and landscaping.”*

3.3 Planning Guidance 1 (CPG1) – Design (paragraph 4.13 – extensions, alterations and conservatories) states that rear extensions should be subordinate to the building being extended, must respect and preserve the original design and proportions of the building, and respect and preserve the historic pattern and established townscape of the surrounding area. Further, that in most cases *“extensions that are higher than one full storey below roof eaves/parapet level, or that rise above the general height of neighbouring projections and nearby extensions, will be strongly discouraged.”* The proposed rear infill extension would increase the height of an existing 2-storey infill extension by a further storey and would result in an extension higher than one full storey below the roof eaves. This is considered to be an inappropriately high and harmful addition which would neither respect the original design and proportions of the host building, nor appear secondary or subordinate to the host building in

terms of its proportions, bulk and form as required by Council guidance.

- 3.4 Furthermore, the proposed extension would also be out of keeping with the character and appearance of the wider rear terrace by virtue of this additional height. While it is recognised that the wider rear terrace (nos. 2-16) has been altered over the years and several infill extensions have taken place in the past that vary to some degree in design terms, the historic form and pattern of the rear terrace is still clearly apparent. In spite of these extensions, the buildings forming the terrace at the rear can nevertheless still clearly be read as a group given their similar design, age and composition, characterised amongst other things by tall closet wings with subordinate side infill extensions to each property - the infill extensions vary in height and design, but importantly mostly rise no higher than 2 storeys (see 'Relevant History' section above in relation to nos. 2, 4, 6, and 10).
- 3.5 The 2 exceptions being at nos.8 and 14 which have side infill extensions of 2/3 and 3 storeys respectively which were erected at some time before 1986 (though the exact dates are uncertain based on planning records - see 'Relevant History' section above). However, these permissions significantly predate current policies and guidance, the adoption of the Hampstead Conservation Area Statement (adopted in 2001), as well as the Hampstead Neighbourhood Plan (which passed referendum in June 2018 and carries full weight in planning decisions prior to its formal adoption later this year), and would unlikely receive planning permission currently particularly because of their height, form, bulk and design.
- 3.6 Both are also isolated examples of infill extensions of comparable height to that proposed in this current application and for this reason are not considered to serve as precedents for the current proposals nor for any further erosion of the traditional and architectural integrity of the host building, nor the character and appearance of this terrace of houses, whose historic form and pattern clearly remains. In this regard, the Hampstead Conservation Area Statement (guideline H27 and pages 57-58) recognises that rear extensions can "*alter the balance and harmony of a property or of a group of properties by insensitive scale, design or inappropriate materials. A number of additions have harmed the character of the area and further inappropriate erosion will be resisted.*"
- 3.7 The applicant has referenced one of these existing side infill extensions (at no.14) as being similar to the current proposals. While the comparable height and design of both might result to some degree in the subject proposal being relatively less visually dominant and add a degree of symmetry to the proposal by virtue of their similarity, it is considered to have an opposite, less favourable impact when compared with the majority of other properties within the rear terrace (especially nos.2, 4, 6 and 10) which have significantly lower infill extensions. While each application must be assessed according to its own individual merit and it is acknowledged that well designed, similar proposals recently granted can serve to some degree as precedent for future change, given that the height of the existing extension at no.14 does not accord with Council guidance and for the reasons stated above, this example is considered to be a poor one, and as such, an inappropriate and unfavourable precedent for similar change. This is especially the case for a building that is recognised as making a positive contribution to the special character and appearance within the Hampstead Conservation Area.
- 3.8 The proposed windows also appear excessively large and out of keeping with the architectural character of the wider terrace. The Hampstead Conservation Area Statement (guidelines H26 and H34) state in this regard that "*rear extensions should be as unobtrusive as possible and should not adversely affect the character of the building or the Conservation Area*" and the introduction of terraces should not impact on long views in particular. Given the visual prominence of the extension and terrace from private views at the rear and some limited views from the public realm (including the Grade II listed, Rosslyn Hill chapel), including the size of the proposed windows, the proposal is considered to be visually obtrusive and harmful to the character and appearance of the host building, wider terrace and the Hampstead Conservation Area, contrary to the Hampstead Conservation Area Statement, Hampstead Neighbourhood

Plan, Council policies and guidelines, and would therefore be unacceptable.

- 3.9 Planning Guidance 1 (CPG1) – Design (paragraph 5.25 – Roofs, terraces and balconies) advises that terraces should form an integral element in the design of elevations, the key to whether a design is acceptable being the degree to which the terrace complements the elevation upon which it is to be located. As such, consideration should be given to the detailed design to reduce the impact on the existing elevation and to use setbacks to minimise the potential for overlooking.
- 3.10 The proposed terrace is not considered to complement the host building well in design terms by virtue of adding an impression of additional height to the proposed extension through the installation of 1.1m high metal railings and 1.8m high side privacy trellises. The railings in particular reinforce this adverse appearance through being positioned at the edge of the terrace rather than being set further back in accordance with Camden guidance.
- 3.11 In terms of materials, Local Plan Policy D1 (Design) states that “*Alterations and extensions should be carried out in materials that match the original or neighbouring buildings.*” The proposed materials are considered to be appropriate to the age and character of the host building, wider terrace, and Hampstead Conservation Area.
- 3.12 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.

4. Amenity

- 4.1 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.
- 4.2 An objection was received raising concerns about the potential harm on neighbouring properties from overlooking.
- 4.3 Views from both the proposed windows and terrace above would not result in any overlooking of habitable rooms of adjacent or neighbouring properties at the rear as the outlook is mainly in the direction of rear garden space. Furthermore, given that a terrace already exists albeit at a storey below that which is proposed and that the proposed extension would not project further forward, the additional height of the proposed development and higher terrace is considered unlikely to result in any significant additional loss of amenity for neighbours in terms of privacy, overlooking, outlook, sunlight and daylight. This is especially the case given that there is already a well established pattern of terraces at varying heights which have over time become part of the recognisable character of the rear terrace.
- 4.4 As such, the proposal accords with policy A1 and with Camden Planning Guidance.

5. Other matters

- 5.1 The proposals also include the installation of white painted double-glazed Slimlite panes annotated on the drawings as being ‘*triple framed triple sash windows to match original windows in terms of glazing patterns and proportions.*’ In the absence of any further details, in particular showing the thickness of frames and the relationship of frame to reveal, it’s not possible to assess whether the proposed windows would be appropriate.
- 5.2 In this regard, should a decision be made to grant planning permission, a condition should be attached requiring approval in writing by the Council of window details, including a section at

scale 1:20 through the proposed windows showing the relationship of frame to reveal, in order to ensure that the proposals preserve or, where possible, enhance the character and appearance of the Hampstead Conservation Area in accordance with policies and Camden Planning Guidance.

- 5.3 It is also noted that the applicant has stated in paragraph 7 of the supporting statement that the host property is not identified in the Audit section of the Hampstead Conservation Area Statement. To clarify, the property is recognised within the Audit as making a positive contribution to the special character and appearance within the Hampstead Conservation Area (pages 51-56) and consideration of this has been given throughout this assessment and report.

6. Recommendation

- 6.1 The proposed extension and terrace, by reason of its height, bulk, form and detailed design, would cause harm to the original design and proportions of the host building, the architectural integrity of the wider terrace as a whole, and would fail to be read as a subordinate extension, causing harm to the character and appearance of the host building, wider terrace of buildings and the Hampstead Conservation Area, contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017, and policy DH1 of the Hampstead Neighbourhood Plan (passed referendum June 2018).

6.2 Refuse Planning Permission