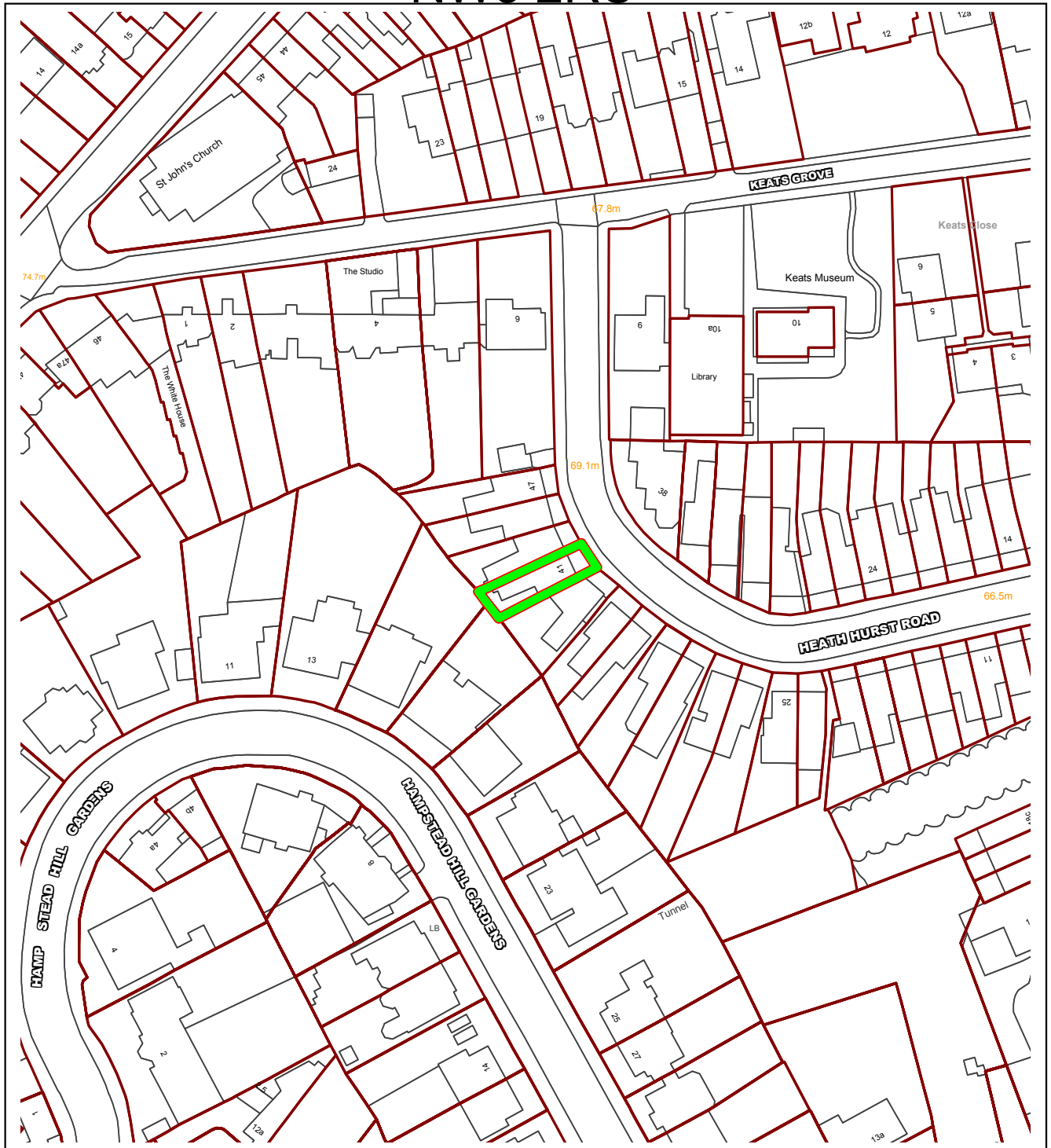


2019/3559/P - 41 Heath Hurst Road, **NW3 2RU**



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Site Photographs - 2019/3559/P - 41 Heath Hurst Road, NW3 2RU



Photo 1: Side/rear elevation



Photo 2: Rear of existing outrigger



Photo 3: Pre-existing landscaping



Photo 4: Stairs to be repaved



Photo 5: Front boundary wall to be rebuilt

Delegated Report (Members Briefing)		Analysis sheet	Expiry Date:	08/10/2019
		N/A	Consultation Expiry Date:	15/09/2019
Officer			Application Number(s)	
Sofie Fieldsend			2019/3559/P	
Application Address			Drawing Numbers	
41 Heath Hurst Road London NW3 2RU			See draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Replacement rear/side doors at ground floor and replacement side boundary wall. Replacement front boundary wall and steps. Front/rear landscaping alterations				
Recommendation(s):		Grant conditional planning permission		
Application Types:		Householder Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	0	No. of objections	0
Summary of consultation responses:	<p>Site notice consultation: 16/08/2019 until 09/09/2019 Press notice consultation: 22/08/2019 until 15/09/2019</p> <p>No objections/comments were received during this statutory consultation period.</p>			
Hampstead Conservation Area Advisory Committee (CAAC)	<p>The Hampstead CAAC objected on the following grounds:</p> <ol style="list-style-type: none"> 1) Proposed roof level terrace threatens overlooking to neighbours; in view of the house orientation, the existing main ground level terrace is a sun trap and that and the adjacent rearward terrace should be regarded as adequate; 2) The proposed rear porch would therefore seem to be unnecessary; 3) We note the drawing note referring to rear timber walls and ceramic tiles as cladding – this proposal should be clarified in relation to the building’s character and the “timber wall” identified if not associated with the doors; 4) Bin stores for wheelie bins should not have roofs therefore reduce height. 5) No indication of rear landscaping but we think some planting and/or real grass should be attempted or retained if existing. <p><u>Officer response:</u></p> <ol style="list-style-type: none"> 1) <i>The roof terrace has been removed</i> 2) <i>The ‘porch’ has been removed</i> 3) <i>An additional drawing has been provided for clarification, this shows the pre-existing garden and what will be replaced and retained in the rear garden.</i> 4) <i>The bin store has been removed</i> 5) <i>The existing rear garden is paved and astro-turfed, it would be unreasonable to stipulate a soft landscaping requirement as part of the proposal.</i> 			

Site Description

The site is a three-storey semi-detached dwellinghouse located on the Southern side of Heath Hurst Road. The building is not listed but is noted as being a positive contributor within the surrounding Hampstead Conservation Area and sits within the Hampstead Neighbourhood Plan Area.

Relevant History

None relevant

Relevant policies

National Planning Policy Framework 2019

London Plan 2017

Camden Local Plan 2017

Policy A1 Managing the impact of development

Policy D1 Design

Policy D2 Heritage

Camden Planning Guidance

CPG Amenity (2018)

CPG Design (2019)

CPG Altering and extending your home (2019)

Hampstead Conservation Area Statement (2001)

Hampstead Neighbourhood Plan (2018)

Policy DH1 Design

Policy DH2 Conservation areas and listed buildings

Assessment

1. Proposal

1.1. The scheme involves the following elements:

- Replacement rear/side doors at ground floor and replacement side boundary wall.
- Replacement front boundary wall and steps.

2. Revisions

2.1. During the course of this application the application was revised to:

- Removal of the 'porch' extension at second floor

- Removal of roof terrace
- Removal of front bin store

3. Assessment

Design and heritage

- 3.1. Local Plan policy D1 seeks to achieve high quality design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area. Through Local Plan policy D2, the Council will seek to preserve and, where appropriate, enhance Camden's conservation areas.
- 3.2. CPG 'Altering and extended your home' recommends that proposals should be secondary to the building being extended, be built from materials that are sympathetic to the existing building wherever possible, respect and preserve the original design and proportions of the building including any existing architectural features, respect and preserve the historic pattern and established townscape of the surrounding area, retain the open character of existing natural landscaping and garden amenity and allow for the retention of wildlife corridors.
- 3.3. Policy DH1 of the Hampstead Neighbourhood Plan Development advises that proposals should demonstrate how they respect and enhance the character and local context by responding positively and sympathetically to the existing rhythm, proportion, height, scale, massing, materials and storey heights of surrounding buildings
- 3.4. At ground floor the existing rear WC and raised terrace would be demolished. The rear and side fenestration would be replaced with a set of sliding/folding metal wrap around doors on the rear outrigger, one new small side window serving a bathroom and replacement patio doors on the rear elevation. The use of metal for the fenestration is not considered to cause harm to the character and appearance of the host property or wider terrace, given its low level siting and lack of visibility from the public realm.
- 3.5. The existing brick boundary wall between No.39 and the site will be rebuilt. It is noted that the existing rear garden is hard landscaped and the proposal would involve minor alterations to the existing with new paving and landscaping. The rear garden is enclosed and these alterations would not be visible from the street.
- 3.6. The existing front boundary wall would be rebuilt like for like. The front steps would be repaved in York stone. York Stone would not appear out of character within the Hampstead conservation area and would be acceptable. It is noted that there is no existing mature planting within the front garden and it is currently laid in loose gravel, it is considered that the paving would enhance the front garden.
- 3.7. Overall the proposals would not result in unacceptable harm to the building's appearance or character, nor that of the surrounding conservation area, in accordance with policies D1 and D2 of the Camden Local Plan and Policies DH1 and DH2 of the Hampstead Neighbourhood Plan.
- 3.8. Special regard has been attached to the desirability of preserving or enhancing 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.

Neighbour amenity

- 3.9. Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. This includes privacy, outlook, daylight and sunlight.
- 3.10. CPG Amenity states that the Council will expect development to be designed to protect the privacy of the occupants of both new and existing dwellings to a reasonable degree and the extent of overlooking will be assessed on a case-by-case basis.
- 3.11. Given the scale, siting and detailed design of the proposal it is not considered to have an adverse impact on the amenity of the neighbouring properties in terms of loss of light, privacy, overlooking or a sense of enclosure.

4. Recommendation

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 18th November 2019, 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 and search for 'Members Briefing'.

Application ref: 2019/3559/P
Contact: Sofie Fieldsend
Tel: 020 7974 4607
Date: 12 November 2019

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

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Alan Campbell Chartered Architect
Cliff Bridge Studio
Cliff Bridge Terrace
Scarborough
YO11 2HA

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:

**41 Heath Hurst Road
London
NW3 2RU**

Proposal: Replacement rear/side doors at ground floor and replacement side boundary wall. Replacement front boundary wall and steps. Front/rear landscaping alterations.

Drawing Nos: 1598/10; 1598/11; 1598/12; 1598/13; 1598/14; 1598/15A; 1598/16A; 1598/17A; 1598/18A; 1598/19A; 1598/20A and 1598/21A.

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

Condition(s) and Reason(s):

- 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 policies 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:

1598/10; 1598/11; 1598/12; 1598/13; 1598/14; 1598/15A; 1598/16A; 1598/17A; 1598/18A; 1598/19A; 1598/20A and 1598/21A.

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

Informative(s):

- 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.
- 3 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.

- 4 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 5 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

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 2019.

You can find advice about your rights of appeal at:
<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Regeneration and Planning