

Development Management  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 8ND

Our Ref: HP0117

Date: 21<sup>st</sup> November 2019

Dear Sir/Madam

**No. 17 Well Road, Hampstead, Camden  
Applications for planning permission for works or extension to a dwelling and listed building consent**

We act on behalf of Mr George O'Dowd.

We submit for your consideration a householder application for both planning permission and listed building consent for the development/works as set out on the application form.

The application includes the following:

- Completed application forms;
- Design and Access Statement;
- Heritage Statement;
- Acoustic Report and,
- Drawings/Plans.

***i) Introduction***

The justification for the proposals and general design rationale must be considered in relation to two important factors. First, the reason for the submission of the application is to make changes to the property in light of the issuing of a Certificate of Lawfulness of Proposed Use or Development (CLOPUD) by the Council in September 2019.

The Certificate confirmed that the amalgamation of nos. 17 and 18 into a single dwelling would be lawful within the meaning of Section 192 of the Town and Country Planning Act 1990, as amended. The development and works proposed will allow for nos. 17 and 18 Well Road to be used effectively as a single dwelling. Noting the content of the Certificate, the issue of the principle of the amalgamation is therefore not a matter for consideration within the context of this application.

Second, the neighboring property no.18 Well Road has been the subject of a recent application by the applicant for planning permission and listed building consent (Council Refs: 2018/0631/P and 2018/1003/L) for various internal and external alterations to the

property. Additional minor changes are now proposed and therefore an application for listed building consent is submitted at the same time as the application for no. 17 Well Road. The proposals for no. 17 therefore need to be considered and assessed in the context of the approvals recently given at no. 18 Well Road and the additional application now submitted.

Details of the proposals affecting the property are set out in detail in the Design and Access Statement prepared for the application. It sets out the context for the proposals by describing the property which is a Grade II listed building. It is also situated within a Conservation Area. It then explains how the proposed changes (and repairs) will improve the quality and function of the building.

A full description of the proposals is provided on the application form and cross reference is made to the Heritage Statement which accompanies the application. The Statement firstly, examines the significance of the heritage assets, secondly, it provides a detailed assessment of how the proposals impact on the listed buildings and conservation area and, thirdly, it provides a conclusion taking into account the analysis undertaken. Throughout the document reference is made to relevant development plan and national planning policy.

## **ii) Planning Justification**

The primary consideration in determining what type and form of development may be accommodated on the site is the Development Plan and the policies contained within it. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that the '*development plan*' is the principle consideration in determining planning applications and states that '*...determination must be made in accordance with the plan unless material considerations indicate otherwise.*' This is reiterated in the NPPF where it states that planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise (paras. 2 and 47).

The Development Plan, at present, comprises the London Plan incorporating changes, March 2016, the Camden Local Plan adopted in June 2017 and Hampstead Neighbourhood Plan adopted in October 2018. The Development Plan is also supported by supplementary planning guidance/documents. In support of the London Plan, the Mayor has published supplementary planning guidance in respect of a number of matters. The Council has also published supplementary documents/guidance. The most relevant, in the context of these applications is the document CPG 1, 'Design', published in July 2015 and updated in July 2018.

No. 17 is not covered by any environmental designation within the Development Plan. However, as stated above, it is within the Hampstead Conservation Area and the Council published a Conservation Area Statement for this part of the Borough in October 2002.

There are a number of key policies in the Development Plan relating to design. The London Plan, Policy 3.5, Quality and Design Strategic states that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment taking account of strategic policies in the Plan to protect and enhance London's residential environment and attractiveness as a place to live. Policy 7.4, Local Character states that development should have regard to the form, function and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It goes on to identify a series of criteria that schemes should adhere to noting that a 'high quality design response' is required. Criteria e) requires proposals to be informed by "historic environments". Policy 7.6, Architecture requires proposals, in the decision taking process, to be, amongst other things, of the highest architectural quality. Other design related criteria should be addressed. Policy 7.8, Heritage Assets and Archaeology sets out how planning decisions should be taken in respect of proposals that impact upon heritage assets.

In respect of the Camden Local Plan, Policies D1, Design and D2, Heritage are relevant as are policies DH1, Design and DH2, Conservation Areas and Listed Buildings of the Neighbourhood Plan. Policy D1 of the Local Plan cross references to D2 at criteria b) where it states "*The Council will seek to secure high quality design in development. The Council will require that development: ....*

b) *preserves or enhances the historic environment and heritage assets in accordance with "Policy D2 Heritage";*

The Heritage Statement accompanying the application is relevant in the context of understanding whether the proposals sit comfortably with the relevant policies of the Development Plan in respect of the impact of the proposals on designated heritage assets. In respect of no. 17 Well Road, the Statement is of importance as it examines, in detail, the impact of the proposals on the appearance and use of the Listed Building and this part of the Conservation Area. At Section 9, 'Conclusions' it states:

*"These proposals preserve and enhance the appearance and use of the Listed Building and this part of the Conservation Area ..."*

And,

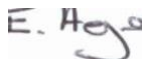
*"The impact on the designated heritage assets would be minimal and will not harm their special interest. In the case of impact that is 'less than substantial', NPPF 134 directs that this is weighed against the public benefits of the proposal. Those benefits include enhancing the fabric, character, appearance, use and viability of the heritage asset."*

Therefore, in terms of impact upon designated heritage assets the application is considered acceptable.

Further, in terms of meeting the design criteria of Policy D1 the proposals are considered appropriate noting the design approach that has been taken. In terms of other issues such as impact on local residents, the proposals will not have an adverse effect on the amenities of residents of adjoining properties. This observation is made taking into account the fact that the alterations to no. 17 include an Air Conditioning External Unit. The Acoustic Report prepared by specialist consultant confirms that through a suitable means of construction the presence and operation of the unit will not have an adverse impact upon the amenity of local residents. The design of the unit is, in our view, acceptable.

Therefore, we consider that the proposals are acceptable in all respects and that they should be approved. The planning application fee for the application is submitted under separate cover. If you have any queries regarding the content of the application, please do not hesitate to contact Ed Heynes at Heynes Planning Ltd.

Yours faithfully



**Director  
Heynes Planning Ltd**

For and on behalf of Heynes Planning Ltd

Enc. Application and accompanying documentation

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