

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	22/06/2020
		N/A		<b>Consultation Expiry Date:</b>	29/07/2020
<b>Officer</b>			<b>Application Number(s)</b>		
Kristina Smith			i) 2020/1828/P ii) 2020/2577/L		
<b>Application Address</b>			<b>Drawing Numbers</b>		
Land Adjacent to Jack Straws Castle North End Way London NW3 7ES			See decision notice		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal(s)</b>					
i) Erection of two three-storey (plus basement) dwellinghouses (Class C3) on rear part of car park set behind associated landscaping, refuse and cycle stores and reconfigured car parking					
ii) Erection of two three-storey (plus basement) dwellinghouses on rear part of car park as a side extension to Jack Straws Castle plus associated underpinning of adjacent basement					
<b>Recommendation(s):</b>		i) Refuse Planning Permission ii) Refuse Listed Building Consent			
<b>Application Type:</b>		i) Full Planning Permission ii) Listed building consent			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
<b>Consultations</b>						
Adjoining Occupiers:			No. of responses	<b>8</b>	No. of objections	<b>8</b>
Summary of consultation responses:	<p>Three site notices were displayed in the surrounding area on 12/06/2020 (expiry 06/07/2020). A press advert was published on 18/06/2020.</p> <p>Objections were received from 8 neighbouring occupants on the following grounds:</p> <ul style="list-style-type: none"> <li>• The Heath and its surrounding green space is vital for our ecosystem; urbanisation on its fringes should not be allowed</li> <li>• There is no need for new residential development in this area</li> <li>• Nothing has changed since last application</li> <li>• Limited parking for residents of Jack Straw's Castle</li> <li>• Houses sited on plots too small for them</li> <li>• Out of keeping with listed building</li> <li>• Obscures views of the Heath</li> <li>• Concerned in terms of climate and carbon impacts – cumulative impact of small developments is significant</li> <li>• Construction-related emissions must be acknowledged.</li> <li>• Loss of car parking spaces will impact on existing residents – car park to the rear of the site is not free or open 24/7</li> <li>• Front door is directly off car park and safety of occupants will be jeopardised</li> <li>• Scale of proposal will detrimentally impact on Jack Straw Castle residents</li> <li>• Design will be squeezed onto small plot sandwiched between two car parks</li> </ul> <p>The <u>City of London</u> object on the following grounds:</p> <ul style="list-style-type: none"> <li>• The impact of the proposed development on the setting of the Heath, including views to and from the Heath – insufficient evidence provided (ie. visualisations from view points);</li> <li>• The potential encroachment on MOL that would arise from the proposed development – no further information provided to justify;</li> <li>• The impact of the proposed development on the biodiversity of Hampstead Heath – ecological appraisal is outdated and should be updated given significance of site;</li> <li>• The impact of the development on trees located on the boundary of the Heath;</li> <li>• The impact on parking pressure arising from a reduction in parking space numbers at existing car park – City Corp does not support proposal to use Hampstead Heath Car Park as it's for visitors to Heath, not overspill residential;</li> <li>• The impact of the development beyond the application site boundary in terms of construction requirement;</li> <li>• Standard of residential accommodation – no private amenity space;</li> <li>• Refers to 2015 appeal decision concerning Athlone House- 'A key concern of both The Corporation of the City of London and Camden Borough Council is the threat to the Heath from development on its fringes that could erode its atmosphere and the</li> </ul>					

quality of its landscape setting'.

The London and Middlesex Archaeological Society (LAMAS) object on the following grounds:

- The proposed two new houses, by virtue of their bulk and unsympathetic design, would harm the setting of the adjoining listed buildings of Jack Straws Castle and Old Courthouse, contrary to Heritage policy of the London Borough of Camden.
- The development when seen from the heath would intrude unacceptably on the view of the listed buildings.

The Ancient Monument Society support the proposal:

- endorse what seems a consensus that the revised scheme for two houses on the above site, designed by Quinlan Terry, is now fit for approval.
- asymmetry between the two front elevations increases the informality of the newcomer(s), the better to allow Jack Straw's Castle to remain dominant and the better to echo the accretive composition of the Court House terrace on the other side.
- by being set back, the two houses leave the drama of the Northern return elevation unchallenged.
- powerful historical symmetry to the fact that the design of the new build will be carried out by Raymond Erith's former professional partner, successor and lifelong admirer, Quinlan Terry.

Greater London Archaeological Advisory Service (GLAAS) concludes the proposal is unlikely to have a significant effect on heritage assets of archaeological interest.

The Hampstead Neighbourhood Forum object on the following grounds:

- The development of these two new townhouses, by virtue of their bulk and proximity to Metropolitan Open Land, would be contrary to Hampstead Neighbourhood Plan (HNP) Policies NE1, DH1 and DH2.
- The proposed site for the development has been open space for the last seventy years, providing a visual and actual buffer between the Heath and Jack Straw's Castle. Encroaching upon this space would degrade the setting of both the listed property and Heath itself by filling in the 'gap' between built and unbuilt environment with a three-storey above ground development.
- The proposed new development would sit on the boundary between currently open space and the Heath, infringing on the openness of the Heath and disrupting a currently open view coming from the north.

The Heath and Hampstead Society object on the following grounds:

- the adverse impact of the proposed development on the Heath (Metropolitan Open Land) – contrary to policy A2, three storeys built right on the boundary will create cliff like edge and block views;
- the adverse impact on the bio-diversity of the Heath – the 1.2m removal of shrubbery in order to facilitate construction will seriously affect the local biodiversity;
- light pollution will impact on various wildlife;
- the adverse impact on Jack Straws Castle - north façade is very prominently seen by the public. Its character, appearance and setting would be ruined by the addition of an incongruous `wing` of new houses;
- the poor quality and design of the two proposed houses in a car parking and refuse disposal area – the revised design has not responded to earlier criticism; revised design is unsuccessful and has none of the qualities of the lower, more restrained and irregular houses to the south; there are many faults with standard of accommodation.

The Redington Froggnal Neighbourhood Forum object on the following grounds:

- Inappropriate development directly adjacent to / overlapping the Heath and Metropolitan Open Land.
- Size, height and bulk of the houses will be visible from the Heath. Development at such a sensitive site will create harm to the Heath's setting, its unspoiled rural quality and "sense of openness and isolation", as referred to in the Planning and Heritage Statement. Incorporation of balconies at first floor level will exacerbate losses and cause substantial overlooking of Heath.
- Development of housing here, abutting Jack Straw's Castle, will cause considerable harm to the setting of this important listed building and also to the setting of the Hampstead Conservation Area. The open setting of Jack Straw's Castle is a key positive contribution to the building's significance, as well as to the adjacent listed buildings.
- Light pollution will cause further serious loss of amenity to quiet enjoyment of the Heath and harm wildlife.
- The proposal to include a hawthorn hedge along the eastern border to screen car parking and an existing ivy wall onto the western façade of the building is commended.

**CAAC/Local groups\*  
comments:**  
\*Please Specify

## Site Description

Jack Straws Castle is a well-known substantial building on a prominent hilltop position overlooking Heath and Whitestone Pond. It is designed in a castellated Gothic style, like a 18<sup>th</sup> C. coaching inn folly, built in 1962 to a Raymond Erith design. It was originally built as a large public house but since converted and extended following permission in 2002 to create a restaurant on the ground and basement floors and 10 residential units including 6 flats on upper floors, 3 houses in stable wing and 1 house in new 2 storey rear wing. The Class A3 use was later converted to a Class D1 gym and is now vacant.

The applications relate to the ancillary open carpark to its north side, which is level with the basement of the main block and contains 11 carspaces for the dwellings. The carpark is accessed from a small side road, Heath Brow, leading to the Corporation of London's Heath public carpark.

Jack Straws Castle itself is Grade II listed and is also flanked by the Grade II listed Old Court House to its south. Opposite is Heath House, its boundary wall and War Memorial, which are also listed buildings and structures. It is within Hampstead conservation area. The immediate area is further described as Sub-area 7 'Whitestone Pond' in the Hampstead Conservation Area Statement (CAS) on page 43. It refers to Jack Straws Castle as being 'a unique example of its period of a structural timber frame used in a public building'.

The site adjoins Hampstead Heath on its north and west sides by the Heath and the heath public carpark respectively, and thus the block and its ancillary carpark is prominent in long views, both from the north and south. The Heath is Public Open Space and Metropolitan Open Land, as well as the Heath House garden opposite.

The site also lies within the new Hampstead Neighbourhood Plan area, adopted in October 2018.

## Relevant History

### Whole site:

PWX0102190- pp/lbc granted 25.7.02- Extension/conversion to Class A3 use and 10 dwelling units plus car parking on open carpark.

### Carpark site only:

PWX0302151- Erection of roofed enclosure over carpark and two 2 storey houses with rooftop conservatories above. **pp/lbc refused 10.04.03**  
Appeal dismissed 03.12.03.

**2003/1396/P**- Erection of roofed enclosure over part of carpark and two 2 storey houses with pitched roofs. **pp/lbc refused 25.09.03**

*Reason - The combined proposal for houses and car park enclosure, by reason of its size, height, bulk, location and detailed design, and the infilling of an open space adjoining a listed building, would be harmful to the setting and appearance of the adjoining building, to local views in the streetscene and from the Heath, and to the character and appearance of this part of the conservation area.*

Appeal dismissed 3.12.03

**2004/0705/P**- Erection of 2 storey house with garden and parking at rear of carpark and new boundary treatments to carpark. **pp/lbc refused 14.5.04**

*Reason- The house and associated boundary walls, by reason of its size, height, bulk, location and detailed design, and the consequent partial enclosure of an open space adjoining a listed building, would be harmful to the setting and appearance of the adjoining building, to local views in the streetscene and from the Heath, and to the character and appearance of the conservation area.*

Appeal dismissed 21.12.04

**2017/2064/P and 2017/2211/L**- Erection of two x 4 bedroom 3 storey plus basement residential dwelling houses on rear part of carpark, and associated landscaping, refuse and cycle stores and reconfigured carparking on remainder of carpark – advice that **pp/lbc would have been refused**

#### **10.4.17**

*Reason - The proposed 2 new houses, by virtue of their overall bulk, symmetrical form and incongruous detailed design, would harm the setting of the adjoining listed buildings of Jack Straws Castle and Old Courthouse and the character and appearance of the surrounding conservation area and streetscene.*

Appeals against non-determination of applications lodged 06/08/2018, due for Informal hearing; withdrawn 05/07/2019.

**2017/2171/P**- Variation of condition 4 (construction in accordance with approved plans) of planning permission ref PWX0102190 dated 25th July 2002, namely to reduce size of carpark and provide only 7 carspaces.

*Application withdrawn in 2020 following withdrawal of related substantive scheme above.*

### **Relevant policies**

#### **National Planning Policy Framework 2019**

#### **London Plan 2016**

#### **New London Plan - Intend to Publish version 2019**

#### **Camden Local Plan 2017**

G1 Delivery and location of growth

H1 Maximising housing supply

H4 Maximising the supply of affordable housing

H6 Housing choice and mix

H7 Large and small homes

C6 Access for all

A1 Managing the impact of development

A2 Open space

A3 Biodiversity

A5 Basements

D1 Design

D2 Heritage

CC1 Climate change mitigation

CC2 Adapting to climate change

CC3 Water and flooding

CC4 Air quality

CC5 Waste

T1 Prioritising walking, cycling and public transport

T2 Parking and car-free development

T4 Sustainable movement of goods and materials

DM1 Delivery and monitoring

#### **Hampstead Neighbourhood Plan 2018**

DH1 Design

DH2 Conservation areas and listed buildings

BA1 Basement Impact Assessments

TT1 Traffic volumes and vehicle size

TT4 Cycle and car ownership

#### **Supplementary Guidance 2018-19**

CPG Access for all (2019)

CPG Amenity (2018)

CPG Basements (2018)

CPG Biodiversity (2018)

CPG Design (2019)

CPG Developer contributions (2019)

CPG Energy efficiency (2019)  
CPG Interim Housing (2019)  
CPG2 Housing (2016, amended 2019)  
CPG Transport (2019)  
CPG Trees (2019)  
CPG Water and flooding (2019)

## **Hampstead Conservation Area Statement 2001**

guidelines H21, 22, 23, 24

### **Assessment**

#### **1. Proposal**

- 1.1. The applicant seeks planning permission for the erection of two x three-storey (plus basement) dwellinghouses (Class C3) to the rear of the car park in addition to hard landscaping works.
- 1.2. Listed building consent is sought for the above works as a side extension to the Grade II\* listed host building, Jack Straws Castle, plus associated underpinning of the existing basement.
- 1.3. It is noted with concern that the submitted planning drawings do not show how the proposals would relate to Jack Straw's Castle, to which it would be attached. The two houses are depicted in complete isolation. Likewise, no visualisations have been submitted which show the proposal in context. As such, it is not possible to fully assess the impact of the proposal on the adjacent to the Grade II\* listed building, or the Heath.

#### **2. Background**

- 2.1. The site has a lengthy planning history, the full detail of which is provided in the planning history section above. The most recent applications (ref. 2017/2064/P and 2017/2211/P) were intended to be refused on design and heritage grounds, has appeals not been lodged against non-determination; these 2 new applications propose a very similar scheme albeit with minor design changes to help reduce the formality and symmetry of the pair of houses. The main changes were amendments to the parapet line, roof form and fenestration to break up the symmetry. The overall massing - the height, depth and width of the two houses - and location remain the same.
- 2.2. Prior to the previous application, three successive applications for development on the car park site have been refused and subsequently dismissed on appeal, primarily on design and conservation grounds. The applications refs 2003/1396/P and 2004/0705/P concern proposals for materially different development in terms of scale and design. However, they were both refused on very similar grounds, essentially that the proposed size, height, bulk, location and detailed design, and the consequent partial enclosure of an open space adjoining a listed building, would be harmful to the setting and appearance of the adjoining building, to local views in the streetscene and from the Heath, and to the character and appearance of the conservation area. The refusals contained an informative advising that, 'the Council is of the opinion that no further development would be possible on this open carpark site' except for ancillary minor structures.
- 2.3. The most recent appeal decision (dated 21.12.04) related to a two storey dwelling house in a similar position at the rear of the car park to this application. The Inspector considered that the appealed scheme harmed the listed building and conservation area due to the site's visibility. However, the Inspector also indicated that he did not completely discount the possibility of any further development on the carpark, saying 'it would be wrong of me to suggest that no further development should take place in the carpark as I can never know what ideas an imaginative architect, perhaps one as skilled as Erith, might dream up.'
- 2.4. This was taken at face value by the applicant and encouraged further applications, including

the current one, for proposals of a greater scale than those previously dismissed. The current proposal shall be discussed in more detail in the 'design and heritage impact' section of the report.

## **ASSESSMENT**

2.5. The main issues of consideration are:

- Principle of development
- Design and heritage impact
- Open space impact
- Landscape and ecology
- Land use and residential standards
- Affordable housing
- Amenity
- Basement impact
- Sustainability
- Transport

### **3. Principle of development, design and heritage impact**

#### *Statutory provisions*

- 3.1. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Listed Buildings Act") are relevant.
- 3.2. Section 72(1) requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area when considering applications relating to land or buildings within that Area.
- 3.3. Section 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that local authorities shall have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.
- 3.4. The effect of these sections of the Act is that there is a statutory presumption in favour of the preservation of the character and appearance of Conservation Areas. Considerable importance and weight should be attached to their preservation. A proposal which would cause harm should only be permitted where there are strong countervailing planning considerations which are sufficiently powerful to outweigh the presumption. The NPPF provides guidance on the weight that should be accorded to harm to heritage assets and in what circumstances such harm might be justified. This section of the report assesses the harm to heritage assets from the proposal. The balance of the harm and the benefits from the proposed scheme is discussed in the conclusion.

#### *Policy context*

- 3.5. Camden Local Plan policy D1 on Design states that- *The Council will seek to secure high quality design in development. The Council will require that development:*
  - a. *respects local context and character;*
  - b. *preserves or enhances the historic environment and heritage assets in accordance with "Policy D2 Heritage"... etc.*
- 3.6. Para 7.2 of this policy is particularly relevant here as it says- *The Council will require all developments, including alterations and extensions to existing buildings, to be of the highest standard of design and will expect developments to 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.*

3.7. Local Plan policy D2 on Heritage states that *'the Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains...'*; later it says- *'The Council will not permit development that results in harm that is less than substantial to the significance of a designated heritage asset unless the public benefits of the proposal convincingly outweigh that harm.'*

3.8. Hampstead Neighbourhood Plan (NP) policy DH1 supports the above policy D1 and notably, in criteria 2, states- *Development proposals should demonstrate how they respect and enhance the character and local context of the relevant character area(s) by: ... c. Responding positively and sympathetically to the existing rhythm, proportion, height, scale, massing, materials and storey heights of surrounding buildings.*

3.9. Hampstead NP policy DH2 states that-

1. *Planning applications within a Conservation Area must have regard to the guidelines in the relevant Conservation Area Appraisal(s) and Management Strategies.*
2. *In reference to NPPF paragraphs 131 to 136, the Plan provides further guidance on the application of these policies.*

3.10. Hampstead Conservation Area Statement (CAS) guideline H21, although predating the current Local Plan, again supports the thrust of the Local Plan policies- *New development should be seen as an opportunity to enhance the Conservation Area and should respect the built form and historic context of the area, local views as well as existing features such as building lines, roof lines, elevational design, and where appropriate, architectural characteristics, detailing, profile, and materials of adjoining buildings.*

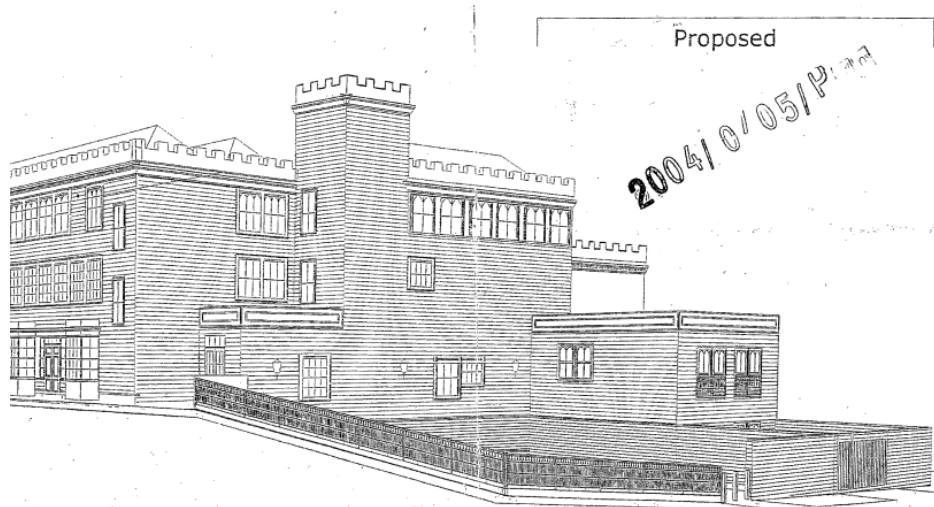
#### *Principle of development, bulk and design*

3.11. Whilst there is a difference in opinion in how the Inspector of the 2004 appeal decision intended his remark on the principle of a possibility of future development to be understood, it is nevertheless a material consideration. The Council had previously maintained that no development other than ancillary structures would be acceptable in this location; however, in light of the appeal decision, Officers are open to the prospect of something more which may include high-quality, sensitive residential accommodation with a heritage-led approach to the site. It is worth emphasising what the Inspector stated in that any proposals for the site would require exceptional skills by an imaginative architect.

3.12. The Council's previous refusals were based on the premise that it considered no further development of the carpark was possible here as it would harm the setting of this listed building where its northern elevation and lower ground carpark contributed to the impression of a castle and moat. It is understood from Lucy Archer, Raymond Erith's daughter, that Erith had no plans to build upon this site, that the Castle was designed as a unique freestanding entity with no side extensions planned for a later date, and that it was always the intention to provide the carpark as an open site to provide off-street parking and loading facilities as required by the Council at that time. Furthermore the Castle was designed to appear like a castle with the sheer battlemented wall on its north side rising sheer from the basement carpark, giving the

impression of having a moated edge. It is considered that any building over this carpark for further residential/commercial floorspace would amount to overdevelopment, and only small ancillary structures such as garages at basement level would likely to be acceptable'. Although the car park is of limited visual quality itself, it performs an important role as an open area of curtilage surrounding the main building which maintains the setting and prominence of the 'Castle', appearing as a single entity on the hilltop.

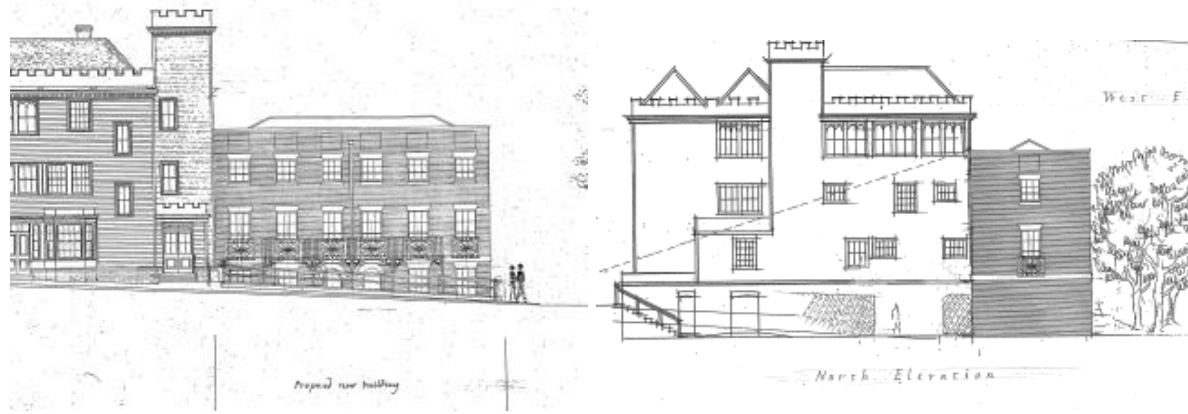
3.13. It is noted that the Inspector for both 2003 schemes for a large 2 storey house (see history above) considered that a new house would protrude into the openness of the surroundings and unduly intensify the amount and scale of the development in the curtilage of a listed building. In particular, he stated that the layout of the site with the carpark left undeveloped 'contributes significantly to openness of the surrounding area and ...setting of the listed building'. The 2004 scheme involved a smaller 2 storey house set back behind the open carpark (see perspective sketch below) and this was again deemed unacceptable by the Inspector, although in this case he suggested that some form of development could be possible here.



3.14. In comparison, the proposal for a taller and wider development, 3 storeys high across the whole carpark's back edge, is clearly larger than the previous 2004 scheme. This is demonstrated by the comparison extracts of front and side elevations of both the 2004 and 2017 schemes shown below. The drawings from the 2017 application are being used instead of the current application as the drawings do not show Jack Straw's Castle and therefore it is difficult to understand the impact. It is stressed, however, that the height, width and massing are the same and the only changes relate to detailed design at roof level and on the side elevation.



2004/0705/P



2017/2064/P

- 3.15. In light of these appeal decisions, the current proposal would have a far more substantial and consequently unacceptable impact in enclosing the open space of the carpark. Thus, it is argued that the currently proposed houses, and quite possibly any structure larger than a single storey structure, would continue to erode the distinctive quality of the carpark in its role as an open area of curtilage around the main castellated block.
- 3.16. It is acknowledged that there are subtle yet important differences between the past and more recent schemes. As demonstrated in the comparison images above, the 2004 appeal scheme projected beyond the junction between the rendered rear section of the building (later addition) and the main weather-boarded façade (original building); it was designed as an extension in matching pastiche design; and the carpark had a solid boundary around part of it. In contrast, the new scheme is set back further and respects the junction between both elements of the main building; it is conceived as a distinctive separate building with contrasting design idiom; and the carpark is left largely open as existing. These are considered to be positive moves in design terms; however, they are still far from sufficient to sway the balance.
- 3.17. A building in this setback location, away from the junction with the original building, could be supported in principle- however, not at this height and scale and not of this character and design. The proposed development would be three storeys in height and cover the full width of the car-park. By virtue of its context and scale, the building would be highly visible from the street and this part of the Hampstead conservation area, from the Heath car park at rear, and from Heath open space on north and east sides. The scale would harm the setting and appearance of the listed building as it would dominate views from the street and adjoining Heath.
- 3.18. It is acknowledged that any building in this location should also have a contrasting yet complementary form and design that does not compete with or dilute the significance and dominance of the main Jack Straws Castle building in its castellated Gothic style. However, the neo-Georgian style, replicating the character of the buildings on the other side of Jack Straw's Castle, is considered wholly inappropriate. The proposal would be of out character with the more informal and semi-rural character of the road and immediate area more generally, the entrance into the car park and beyond into the Heath. For the same reason, the design would be out of character with the setting of Jack Straws Castle as a vernacular 18thC styled coaching inn. The buildings appear as though they have been designed to address an urban street but instead are awkwardly set back behind a functioning car park in a semi-rural setting. The Georgian styling of the houses proposed does not respond to the setting of the isolated cluster of dwellings remote from urban development. For example the introduction of Regency-style ironwork to the front facades speaks of a style and era not generally found in the immediate area which is more rural and has a vernacular setting which speaks to an earlier time. The styling of the houses is also not considered to respond to its own immediate exposed context which is sandwiched between two carparks and highly visible from the public realm and heath on all 3 sides.
- 3.19. Officers remain unconvinced of the applicant's argument that a Georgian style is

appropriate in this semi-rural setting and that the examples given of other similar houses in London and elsewhere set a precedent here. The examples given appear to be mainly Georgian houses that have since been surrounded by later urban expansion or were designed as set pieces facing formal parkland. In this case, the setting and history of Whitestone Pond is different which has an informal grouping of houses organically developed over time and loosely arranged around a junction and surrounded by a natural heath landscape.

3.20. Furthermore, the detailed design and proportions of the Georgian style accommodation appears contrived and historically inaccurate. By reason of being shoe-horned into a constrained site, the properties are only one room deep. In addition, the floor to ceiling heights of the principal floors are only 2.6m, which is commensurate with a new-build flatted development. These restricted proportions are not true to a Georgian townhouse and are an unfortunate consequence of site constraints, further suggesting this scale and character of development is inappropriate for the location.

3.21. The result is that the overall bulk, height and form of the new houses would detract from the significance of the Jack Straws Castle building, with its north façade appearing as a ‘cliff-like wall facing over the carpark’, and would ‘dilute the drama of this space’ (quoting from the last Inspector’s decision).

3.22. The applicant’s rationale behind the proposed houses here seems to be that they would reflect in height and depth the houses of the Old Courthouse terrace to the south and thus provide a balanced form of development on either side of the Jack Straws Castle, thus creating an appropriate setting to the prominence of the ‘Castle’. However officers consider that the proposed style and form is misconceived here and actually does not provide this balanced setting nor an appropriate response to the setting of Jack Straws Castle. The current Old Courthouse terrace is characterised by irregular facades, a modest and domestic scale, a varied roofline of both ridge and eaves heights, articulation of massing and a vernacular aesthetic. In contrast, the proposed new houses have a very precise and formal design, with Georgian-styled facades and an urban form, despite amendments to the last scheme’s design by introducing some informality with 2 different styles of roof and parapet treatment on both new houses. These factors combine to give a perception of greater bulk and inappropriate formality in this semi-rural setting. This impression is heightened by the fact that the site is highly visible and prominent on all 3 sides from the public realm, which defines its setting, more so than the Old Courthouse to the south which is set behind high boundary walls. Overall, these new houses do not reflect those on the south side by providing a balanced setting of small scale vernacular cottages attached to a higher castle wall.

3.23. It is thus considered that the very formal and urban arrangement of the proposed façades does not suit this setting of either the adjoining listed buildings or character and appearance of the conservation area.

3.24. In conclusion, the proposed overall bulk, form and design of the new houses is considered harmful to the setting of the adjoining listed buildings and character and appearance of the surrounding conservation area. It would not comply with policies D1 and D2 and Hampstead NP policies DH1 and DH2.

#### *Heritage impact*

3.25. An assessment and evaluation of the scheme needs to be carried out in accordance with the requirements and tests within chapter 16 of the NPPF 2019 (especially paras 192-202) regarding any impact and level of harm caused to the significance of designated heritage assets, ie. the adjoining listed building and the surrounding conservation area.

3.26. NPPF para 192 requires that those assessing applications take account of ‘the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.’ Para 193 states that, ‘When considering the

impact of a proposed development on the significance of a heritage asset, great weight should be given to the asset's conservation', and para 194 states that 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification'. Substantial harm to a grade II listed building of any grade should be exceptional. Where the harm to a designated heritage asset is less than substantial, para 196 advises that 'this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'

3.27. The significance of the listed Jack Straws Castle partly arises out of its semi-rural setting and its appearance as a large imposing castle-like building on the hilltop flanked by an open moat-like carpark on the north side and the low rise vernacular cottages of Old Courthouse to the south. The proposed houses would harm this significance by providing a bulky and inappropriately formal pair of Georgian-style town houses which upset the setting and prominence of the adjacent Castle, the setting of the neighbouring listed Courthouse and the semi-rural character of this part of the conservation area.

3.28. It is considered that the harm here to designated heritage assets is 'less than substantial'. This applies to the adjacent listed Jack Straws Castle, the listed Old Court House and Heath House nearby and the surrounding conservation area. On the basis that there is less than substantial harm, paragraph 196 of the NPPF is applicable here, as noted above. No public benefits have been identified by the applicants as relevant here. Despite the delivery of new housing being a Local Plan priority (see para 7.1 below), the provision of 2 new large houses in itself, as well as the additional payment required for offsite affordable housing provision, is not considered to be such an overriding factor to outweigh any harm caused to a designated heritage asset.

3.29. It is therefore concluded that there are no significant benefits to outweigh the 'less than substantial' harm caused by this form and design of housing development, in accordance with the balancing exercise as set out in the NPPF. Thus the scheme would result in harm to the character and setting of the adjacent listed building without adequate justification and would not comply with Local Plan policy D2 and Hampstead NP policy DH2.

#### *Listed building works*

3.30. As part of the scheme, mass concrete underpinning will be required below the adjacent retaining side wall foundation of the rear wing of the main building. This has been deemed acceptable to maintain stability of the listed building by Campbell Reith consultant engineers (see basement impact section below). The works will have no impact on historic fabric and, being totally subterranean, will not harm the setting and appearance of the listed building. It should be noted that the 2 storey rear wing above this retaining wall at lower ground level is not original to the listed building and was built following permission in 2002.

3.31. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, and of preserving the listed building, its setting and its features of special architectural or historic interest, under sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

#### **4. Open Space impact**

4.1. The site adjoins Public Open Space and Metropolitan Open Land (MOL). In response to the City's concerns (see consult section above), the applicants have confirmed that the site does not fall within MOL. It is acknowledged that the building would be highly visible from two public highways, the Heath carpark at rear, and Heath open space on north and east sides. Nevertheless, it is considered that the building in this significantly setback position would have limited impact on views from the boundaries, on account of the substantial screening by trees,

intervening hard surfaced carparks and backdrop created by the existing Jack Straws building. Thus it is considered that the scheme would not harm the open character and setting of the adjacent Heath open space and it will preserve the openness of this MOL.

## **5. Landscape and ecology**

- 5.1. The landscaping and boundary treatment of this carpark is the same as that for the previous scheme which had been revised and enhanced to address officer comments as well as those by Historic England. The open fence boundary treatment is retained around the entire site. A hawthorn hedge and low shrub planting beds are introduced along the 2 edges to help soften existing car parking; 2 green screens are provided to mask the new bin and bike stores from public views. The carpark tarmac surface will be replaced by permeable block paving and a dedicated pedestrian zone for access to the houses and bin/bike stores will be delineated by different coloured paviers. Overall these measures will significantly enhance the current poor visual appearance and biodiversity of the carpark, the setting of the adjoining listed building, and the safety of future residents of the houses here.
- 5.2. The proposed development only involves the removal of 2 dead small cherry trees and some minor pruning of trees on the neighbouring City carpark, which is considered acceptable. The submitted tree protection report shows that trees will be adequately protected from damage throughout development in line with BS5837:2012.
- 5.3. An ecology statement has been submitted as before, which had been refined to address the Council's ecology officer's comments, as the site adjoins Hampstead Heath, a Site of Nature Conservation Importance (SNCI). Access will be required along the rear strip of land adjoining the carpark to enable construction. As this area contains trees, ivy and vegetation at the rear, a construction methodology is proposed with raised scaffolding which will avoid touching the trees and ivy on the City side. Although some ivy will be lost on the carpark site, a new trellis system will be erected on the new west façade of the houses to encourage existing ivy to grow upwards and provide compensatory ivy growth.
- 5.4. A bat survey had been undertaken for the previous application to an acceptable standard and mitigation and enhancements are proposed, although roosting bats are likely to be absent on the Jack Straws building and the carpark itself has limited value for bats. Bat and bird boxes are now proposed; details of these would be required for approval by condition on any permission. A green roof is proposed for the cycle storage shed- again details of this green roof would be required for approval by condition on any permission. These measures will enhance the biodiversity of the site. An informative should be added to any permission to advise that site clearance and demolition should be undertaken outside the bird nesting season (Feb-August inclusive).

## **6. Land use and residential standards**

- 6.1. The provision of new residential units here is welcome in principle and accords with Local Plan priority within policy H1 to maximise housing supply.
- 6.2. The two houses are 3 storey (plus basement) 4 bedroom 6 person units which comply with national housing space standards, London Plan standards, and Camden's own guidance. The layout of the houses remain the same as the previous application, whereby their internal and external design had been amended to ensure compliance with national standards for new build dwellings in Part M4 (2) of the Building Regulations. Notably the balcony structure has been introduced to provide canopies over the entrance doors. A condition would need to be imposed on any permission to ensure compliance with Part M4 (2). The provision of two 4-bedroom family sized units is 'medium priority' according to the Local Plan policy DP5 Dwelling Size Priorities Table. Although no 'high priority' 2 bedroom units are provided, given the constraints of the site and heritage designations, it is considered that this is acceptable in this context.

## *Amenity*

- 6.3. The houses will be double aspect and will receive adequate daylight, sunlight, outlook and privacy. In particular the basement rooms meet minimum daylight standards for kitchens using the Average Daylight Factor (ADF) criteria as recommended by the BRE.
- 6.4. Very little private amenity space is provided, apart from a narrow basement lightwell and 1st floor entrance balcony at front, which is not ideal for these large family sized houses. The function of these spaces was to provide daylight and entrance door cover and do not provide adequate effective amenity space. However, given the constraints of the site and heritage designations, as well as the need to retain car parking at front which precludes any greater external amenity space, it is considered that this is acceptable in this context. It should be noted that in addition there is ample public open space available for future residents to enjoy on the Heath immediately at the rear.

## *Refuse*

- 6.5. Adequate refuse storage is provided in compliance with CPG standards on site by means of 2 timber-clad bin stores in the front corner of the carpark. This area will also accommodate the existing paladin bins that will need to be relocated from the rear edge where the houses are due to be located.

## *Contaminated land*

- 6.6. The site lies on potentially contaminated land and there is the possibility of high levels of lead and asbestos found in made ground. The Council's Environmental Health (Contaminated Land) Officer is concerned that the submitted Ground Investigation Report refers to only 2 samples of soil taken for analysis from the made ground and that further sampling is required to provide suitable coverage of the site. Therefore, a standard condition is recommended on any permission to ensure an appropriate programme of ground investigation for the presence of soil and groundwater contamination and landfill gas, details of which should be submitted to the Council for approval.

## **7. Affordable housing**

- 7.1. Policy H4 on maximising affordable housing states that 'The Council will aim to maximise the supply of affordable housing and exceed a borough wide strategic target of 5,300 additional affordable homes from 2016/17 - 2030/31, and aim for an appropriate mix of affordable housing types to meet the needs of households unable to access market housing. We will expect a contribution to affordable housing from all developments that provide one or more additional homes and involve a total addition to residential floorspace of 100sqm GIA or more'.
- 7.2. In this case, the additional floorspace by 2 new houses is 280sqm GIA (361sqm GEA) which will trigger this requirement. For schemes of fewer than 10 additional units, the Council will expect a contribution calculated based on a sliding target as a percentage of floor area starting at 2% for one home (measured as 100sqm GIA of C3 floorspace) and increasing by 2% for each 100sqm of additional GIA added to capacity. The expected provision will then be the calculated percentage of the overall uplift (GEA) of residential floorspace. In this case, the site has a capacity of 3 units at 100sqm (280sqm GIA rounded up to 300sqm). Using the sliding scale formula and multiplier used in CPGs on Housing (6% of 361sqm GEA x £2650 per sqm), this means that £58,300 is required as payment-in-lieu for affordable housing. This should be secured by a S106 clause on any permission here.

## **8. Amenity of neighbours**

- 8.1. It is considered that there will be no serious impact on the amenity of adjoining neighbouring



properties. The new houses will sit behind a ground floor toilet window and a 1<sup>st</sup> floor secondary bedroom window on the north facade of Jack Straws Castle itself and will not harmfully obstruct their light or outlook. The houses will however obstruct a small ground floor window on the north facade of the later rear wing which contains a 2 bedroom house. According to the approved plans, this serves an integral kitchen within a large lounge which has large windows facing west over the heath. No daylight report has been submitted to quantitatively assess the impact of the development on this room. Nevertheless it is considered that on balance the loss of this small secondary window is unlikely to seriously harm the daylight and outlook to this room. It should be noted that this house, along with all other flats within this building, is owned by the applicant; also that all previous decisions for 2 storey buildings on the carpark here did not refer to harm to neighbour amenity in their reasons for refusal and thus the principle of blocking up this window was accepted.

## **9. Basement impact**

- 9.1. Policy A5 on Basements and associated CPG guidance requires all new basements to be assessed to ensure they maintain the structural stability of the building and any neighbouring properties, avoid adversely affecting drainage and run-off or causing other damage to the water environment, and avoid cumulative impacts on structural stability or the water environment in the local area. This is supported by policy BA1 of the Hampstead NP which requires BIAs to be submitted.
- 9.2. Under the previous application ref. 2017/2064/P, a Basement Impact Assessment (BIA) was submitted and reviewed by the Council auditors, Campbell Reith. Given that the proposed extent of excavation and the proposed approach remain identical, the methodologies and findings of the previously submitted BIA and the corresponding audit report is applicable to this application.
- 9.3. The BIA shows that the ground conditions comprise Made Ground over the Bagshot Formation. Groundwater was not encountered during drilling, indicating any groundwater is more than 6m below ground level. However the BIA recommends that groundwater monitoring should be continued to confirm groundwater conditions. Ground movement analysis (GMA) and building damage assessment calculations indicate Category 0 damage (Negligible) to neighbours. Considering the immediately adjacent listed building, the auditors recommend that structural monitoring should be undertaken during the works to ensure damage to neighbours is maintained within the limits predicted. The current site is fully hard surfaced thus there will be no increase in the impermeable site area. An outline surface water drainage/SUDS strategy has been provided. The site is not located within a Local Flood Risk Zone and is at very low risk of flooding. The audit concludes that there should be no impact to the wider hydrological and hydrogeological environment and that the criteria of CPG Basements have been met, subject to a recommendation to undertake structural monitoring during the works.
- 9.4. The basement complies with the size and locational criteria f-m of policy A5- it is single storey only, approx. 3.5m deep and solely under the footprint of the new houses. The front lightwell is very small and only projects forwards by 1.1m, less than 25% of the house's depth, and does not involve loss of any garden space or trees. The basement lightwell, on account of its size and setback position, will be almost invisible and will have no impact on the appearance of the new building, adjoining listed building and conservation area.
- 9.5. It is concluded that the basement excavation is acceptable as it will not harm groundwater flows, surface water flows or stability of the adjoining listed building. It will also comply with the more detailed local requirements for BIAs in Hampstead NP policy BA1.
- 9.6. The site lies within an Archaeology Priority area of Hampstead Heath. Historic England (GLAAS) have advised that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest and thus no further assessment or conditions are necessary.



## 10. Sustainability

- 10.1. In line with policies CC1 and CC2, the Council will require development to incorporate sustainable design and construction measures.
- 10.2. An Energy & Sustainability Statement has been submitted and further revised to address officer comments. All minor applications for new dwellings should demonstrate that they meet sustainable design principles and are also required to meet a target of 19% reduction in carbon emissions below Part L of the Building Regulations, of which 20% is achieved by on-site renewable technologies. The revised energy statement shows that the scheme achieves an almost 21% overall reduction in CO<sub>2</sub> and 20.6% by renewables which meet and exceed these targets. The roofplan indicates that there will be some PV panel provision on the rear west-facing roofslope of the property with the parapet, although it is not clear if this will meet the targets of the above energy statement as the latter was based on 20 PVs on a rear roofslope whereas the revised roof design now shows a smaller area of roofslope available for such panels. Nevertheless they will be hidden behind the parapet and so would be barely visible in long views from the heath. They will not be overshadowed by nearby trees. More details on their design and layout would need to be secured by condition.
- 10.3. The sustainability measures and anticipated targets outlined in the submitted statement are considered acceptable by the Council's sustainability officer and should be secured by appropriate conditions on any permission.
- 10.4. No green roof is proposed on the building; it is accepted that green roofs will be difficult to achieve on the traditional pitched roofs, so is not objectionable in this instance.
- 10.5. All new build dwellings should achieve a maximum internal water use of 110 litres per person per day (this includes 5 litres for external water use), which if approved would be secured by condition. Permeable paving on the carpark surface and Sustainable Urban Drainage systems are proposed which are welcomed and should also be secured by condition.

## 11. Transport

### *Parking*

- 11.1. The carpark currently accommodates 11 car parking spaces plus paladin refuse stores, all available to tenants of the flats within the main building. The applicant owns both the main block and the carpark. The proposal will result in a reduction of on-site car parking spaces from 11 to 7.
- 11.2. The site is located in the North End Controlled Parking Zone (CA-V) which operates between 1100 and 1300 hours on Monday to Friday. In addition, the site has a PTAL rating of 3 which means it is moderately accessible by public transport.
- 11.3. Policy T2 requires all new residential developments in the borough to be car-free. Parking is only considered for new residential developments where it can be demonstrated that the parking to be provided is essential to the use or operation of the development (e.g. disabled parking). It should be noted that Policy T2 is wide ranging and is not merely about addressing parking stress or traffic congestion. It is more specifically aimed at improving health and wellbeing, encouraging and promoting active lifestyles, encouraging and promoting trips by sustainable modes of transport (walking, cycling and public transport), and addressing problems associated with poor air quality in the borough. Thus car-free housing is required in the borough, regardless of any parking stress that may or may not locally exist. Accordingly, it is recommended that the 2 new houses here should be 'car-free' to be secured by S106 legal agreement. The applicant is willing to enter in such an agreement.

- 11.4. The scheme would entail the loss of 4 existing and well-used parking spaces onsite which would result in displacement of parking. However it is noted that policy T2 (in point c) states that the Council will support the redevelopment of existing car parks for alternative uses.
- 11.5. The Transport Statement (TS) which has been submitted in support of this application looks at where the displaced parking could be accommodated. It is noted that the TS has not been updated since it was first submitted in 2017 in support of the previous application for this site. The TS includes a summary of the results of parking surveys of the site's carpark and the public carpark (operated by the City of London) to the rear of the site undertaken in (presumably) late 2016. Whilst the public carpark would at first appear to have plenty of spare capacity, it should be borne in mind that the survey was conducted in November/December when visitor levels to the Heath would be at their lowest. The survey of the site's carpark indicates that it is almost fully occupied overnight. Whilst the TS suggests that the public carpark could be used by the displaced vehicles, it fails to acknowledge that the carpark charges hourly rates for short stay parking and is only open between 7am and 8.30pm and that overnight parking is prohibited. It is thus not a suitable alternative for displaced vehicles. Whilst there are no on-street parking bays in the immediate vicinity of the site, Council records suggest that the wider North End CPZ (CA-V) does not appear to be highly stressed, with a ratio of permits to parking spaces of 0.6 (ie. 60 permits issued per 100 parking spaces).
- 11.6. It is also noted that Condition 12 of the 2002 planning permission states that the on-site car park should be retained for use by the residents of Jack Straws Castle in perpetuity. There has been no new application submitted to vary or remove this condition as an accompaniment to this scheme.
- 11.7. Whilst not ideal, it is considered on balance that the loss of carspaces on this site is acceptable and will not significantly impact on onstreet parking facilities, given the context and on the basis that the proposed additional units are made completely car-free by a S106 without access to CPZ permits or onsite parking, so that there is no additional parking pressure created by new residents as opposed to 'displaced' existing residents who already have rights to CPZ permits. The revised car park design, showing 7 carspaces and adequate manoeuvring space, is acceptable in transport terms.

### *Cycles*

- 11.8. Policy T1 requires cycle parking facilities to be provided in accordance with the London Plan. In this case, a minimum of 2 covered, secure and fully enclosed cycle parking spaces per dwelling would be required to meet the policy requirement. A cycle store in the form of double bike lockers will be provided next to the new binstores in the front corner of the carpark and a dedicated paved route will allow safe pedestrian access from the new houses. It will provide covered, secure and fully enclosed cycle storage facilities for 4 bicycles (2 per locker) and complies with Hampstead NP policy TT4 on cycles. The provision and retention of these cycle storage facilities would ordinarily be secured by condition.

### *Highway matters*

- 11.9. Policy A1 on Amenity states in para 6.12 that 'Disturbance from development can occur during the construction phase. Measures required to reduce the impact of demolition, excavation and construction works must be outlined in a Construction Management Plan.' It is considered that in this case a Construction Management Plan (CMP) would be required, in the light of the location and constraints of this site whereby it adjoins a busy highway and roundabout as well as 2 carparks that need to continue functioning during the construction process. It is important to ensure that construction traffic does not cause significant traffic congestion and does not obstruct access to the 2 adjacent carparks nor obstruct the pedestrian and cycling route along Heath Brow. In addition the CMP will need to address any temporary arrangements needed to reprovide existing tenants' car spaces if the current

carpark is required to be wholly used as a construction site. Paragraph 6.13 of Policy A1 also suggests that CMPs should be secured where sites are adjacent to listed buildings.

11.10. The Council would therefore want to secure a CMP and a CMP implementation support contribution of £3,136 for these reasons, even although the development would be quite modest in scale. Both would be secured by S106. The provision of a CMP will also comply with Hampstead NP policy TT1 on traffic volumes.

11.11. A CMP bond of £15,000 would also be required in case the contractor fails to abide by the CMP and the Council has to take action to remediate issues. The fee would be fully refundable on completion of the works should there be no breach.

11.12. Policy A1 also states in para 6.11 that Highway works connected to development proposals will be undertaken by the Council at the developer's expense. A highways contribution is required to pay for repairing any damage to the public highways of both Heath Brow and North End Way following construction. A cost estimate of £20,799 has been received from the Council's highway engineers. All these items need to be secured by a S106.

## **12. Community Infrastructure Levy (CIL)**

12.1. If granted, the scheme would be liable to Community Infrastructure Levies for both Mayor of London and London Borough of Camden. The Mayor's CIL will apply to all development which adds one or more dwellings or more than 100sqm of floorspace at a rate of £50 per sqm. The Council's CIL will equally apply to all new dwellings at a rate of £500 per sqm in the Hampstead/Highgate area.

## **13. Conclusion**

13.1. The proposed development has undergone minor detailed design changes since the previously refused scheme under ref. 2017/2064/P but these do not overcome the fundamental reasons for refusal in terms of perceived bulk and incongruous detailed design. In light of the previously dismissed appeal schemes, the proposal is also being refused on height and massing grounds.

13.2. The height, bulk and massing unacceptably impact the openness that the existing car park provides to the north elevation of the Grade II\* listed Jack Straw's Castle. In the absence of any townscape views, it is not possible to appreciate the impact of the proposal on the openness of the Heath, an area of Metropolitan Open Land. The design of the proposed houses, with a very formal urban Georgian style adjoining this listed building and the heath, is inappropriate and misconceived. The proposal would thus harm the setting of the listed building and its massing and composition; it would also harm the character and appearance of the conservation area and character and setting of the Heath.

13.3. The scheme remains otherwise the same as the previous one in all other respects and is considered acceptable in terms of residential standards, amenity, landscape and ecology, impact on open space, sustainability, basement impact, transport and carparking. The associated foundation underpinning required for the adjoining listed building is acceptable in itself.

13.4. A S106 Legal Agreement would be required to secure certain matters to ensure the scheme does not cause any harmful impact on highways, parking and affordable housing provision. If planning permission were to be granted, a S106 will need to cover the following Heads of Terms: affordable housing payment-in-lieu, car-free housing, highway repairs contribution, Construction Management Plan, CMP implementation support contribution and CMP bond. However since the application is being refused, these matters will form 4 separate reasons for refusal.

## **14. Recommendations**

### Refuse planning permission-

1. The proposed two houses, by virtue of their overall bulk, massing, height and incongruous detailed design, would harm the setting of the adjoining listed buildings of Jack Straws Castle and Old Courthouse and the character and appearance of the surrounding conservation area and streetscene, contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017 and policies DH1 (Design) and DH2 (Conservation areas and listed buildings) of the Hampstead Neighbourhood Plan 2018.
2. The proposed development, in the absence of a legal agreement securing contributions to affordable housing provision, would fail to ensure the provision of the required amount of affordable housing for the scheme, contrary to policies H4 (Maximising the supply of affordable housing) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.
3. The proposed development, in the absence of a legal agreement securing car-free housing, would be likely to contribute unacceptably to parking stress and congestion in the surrounding area and fail to promote more sustainable and efficient forms of transport and active lifestyles, contrary to policies T2 (Parking and car-free development) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.
4. The proposed development, in the absence of a legal agreement securing necessary highway works, would fail to secure adequate provision for and safety of pedestrians, cyclists and vehicles, contrary to policies A1 (Managing the impact of development), T1 (Prioritising walking, cycling and public transport) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.
5. The proposed development, in the absence of a legal agreement securing a Construction Management Plan (CMP) and associated contributions to support the implementation of the CMP, would be likely to give rise to conflicts with other road users and be detrimental to the amenities of the area generally, contrary to policies A1 (Managing the impact of development), T4 (Sustainable movement of goods and materials) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.

### Refuse listed building consent-

1. The proposed two houses, by virtue of their overall bulk, massing, height and incongruous detailed design, would harm the setting of the adjoining listed buildings of Jack Straws Castle and Old Courthouse, contrary to policy D2 (Heritage) of the London Borough of Camden Local Plan 2017 and policy DH2 (Conservation areas and listed buildings) of the Hampstead Neighbourhood Plan 2018.