

Application No:	Consultees Name:	Received:	Comment:	Response:
2020/4635/P	Ransford Stewart	24/11/2020 15:46:32	OBJ	<p>We have been appointed by the owner of 3 Pilgrim's Lane and 40b Rosilyn Hill, Mr Ethan Sassower and Mrs Tracy Sassower, to register objections on their behalf to the proposals. Our clients are concerned that the proposals will impact adversely on the amenities of their property, do not properly respond to the architectural characteristics of the host property and will therefore have an adverse effect on the character and appearance of area and the Hampstead Conservation Area generally. We consider that their concerns are well founded and supported by the following Local Plan Policies:</p> <ul style="list-style-type: none"> • Policy A1 of the Camden Local Plan 2017 (Managing the impact of development) • Policy D1 of the Camden Local Plan 2017 (Design) • Policy D2 of the Camden Local Plan 2017 (Heritage) <p>These policies are given further expression in the Hampstead Neighbourhood Plan (2018-2033) in the following policies:</p> <ul style="list-style-type: none"> • Policy DH1 of (Design) • Policy DH2 (Conservation areas and listed buildings) <p>Planning permission should therefore be refused. The nature of my clients' concerns is set out in detail below under three main headings.</p> <p>Amenity impacts of the proposals for 3 Pilgrims Lane</p> <p>Number 3 Pilgrim's Lane is a five-storey end of terrace house that is Grade II* Listed and which shares a common side boundary with the application site. To the rear of the property there is a small courtyard garden. The rear garden is substantially hemmed in by the 5 storey built form of the former Lloyds Bank building fronting Rosilyn Hill and the residential flats above to the south and south west and to the north by a single storey rear projection of the bank building. As a result, the only light that reaches this area is from the north and east in the form of daylight. There is no direct sunlight by virtue of the orientation of the courtyard.</p> <p>The application proposal provides for the erection of a two-storey rear extension projecting approximately 4.00 metres from the line of the existing rear elevation of the property. Whilst the proposed ground floor level of the proposed extension is lower than that of my clients' courtyard garden, it would still extend above the height of the boundary wall for almost half the length of the courtyard; thereby significantly impeding the daylight levels currently enjoyed in the courtyard. Given that the courtyard receives no direct sunlight at all, it is considered that this will make the courtyard garden dark and unpleasant and significantly reduce its amenity value for the occupiers of number 3 Pilgrim's Lane. The proposal should therefore be refused pursuant to Policy A1 of the Local Plan.</p> <p>The proposed extension at first floor level similarly impedes daylight reaching the windows in the rear elevation at 3 Pilgrim Lane. Chapter 3 of the Amenity CPG sets out criteria for managing the sunlight and daylight impacts of development pursuant to policy A1 of the Local Plan and provides a simple 45° angle test threshold for rear extensions measured horizontally and vertically from the centre point of affected windows. Applying the test to the first-floor windows in the rear elevation of 3 Pilgrims Lane, whilst there would be no breach of the 45° angle test measured vertically, there would be a clear breach when measured horizontally. Given that these windows are virtually north facing and therefore rely on daylight rather than sunlight to achieve satisfactory lighting levels within the dwelling, any diminution in the available levels of daylight received is most likely to have a seriously adverse impact on the lighting levels within the dwelling and should therefore be refused.</p>

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Chapter 2 of the amenity CPG is concerned inter alia with managing impacts on outlook from windows and gardens arising from developments. How the application proposal envisages extending about 4.00 metres back from the existing rear elevation of the property, parallel to the common boundary with 3 Pilgrim's Lane, has already been described. The proposed two storey extension will therefore tower above the small courtyard garden dominating and constraining views out of the courtyard garden. A similar, albeit lesser, effect can be anticipated at first floor level from the rear facing windows of 3 Pilgrim's Lane. It is therefore considered that the proposed rearward extension at the application site will also have an adverse effect on the outlook from the rear of 3 Pilgrim's Lane and should therefore be refused for this reason too.

Amenity impacts of the proposals for 40b Rosslyn Hill

No. 40b Rosslyn Hill is a residential flat with a private entrance at street level on Rosslyn Hill although the unit has no accommodation at that level. At first floor level, an exit through the kitchen at the rear leads to a flat roof above the single storey rear extent of the currently vacant bank building at the junction of Pilgrim's Lane and Rosslyn Hill. This flat roof area is laid out and used as amenity space for the occupiers of the flat at 40b Rosslyn Hill. The amenity space extends east to abut the common boundary with the rear-most portion of the rear garden at the application site. The adopted amenity CPG advises that, to ensure privacy a minimum distance of 18.0 metres should be provided between properties; the 18.0 metres should be measured between the two closest points on each building, including balconies. Currently, the closest distance between the corner of the balcony deck is about 8.47 metres. Whilst this is less than the prescribed distance, this is a historic situation that predates the adoption of the current standard privacy guideline distance. However, the first-floor rear extension in the application proposal would reduce this distance to just over 5.00 metres or about 28% of the prescribed minimum distance considered necessary to maintain privacy. Further, there would be a bedroom window in the rear elevation of the proposed extension giving views straight onto the amenity space deck serving 40b Rosslyn Hill. This impact would be worsened by the potential for the green roof areas above the proposed ground floor extensions to be used potentially for amenity purposes, unless regulated by planning conditions.

In all the circumstances it is clear that the application proposal would result in a significant diminution in the privacy conditions between the application property and 40b Rosslyn Hill, contrary to the adopted Amenity CPG and Policy A1 of the Camden Local Plan 2017 (Managing the impact of development). The application proposal should therefore be rejected for this reason.

Impacts on host property and Conservation Area

The application property forms the western half of a pair of two storey semi-detached houses apparently built in or around 1954, pursuant to the planning permission referenced TP/28340/C7432. Seemingly traditional, with highly symmetrical front facades and modest front facing led-clad dormer windows, they were thoroughly modern buildings when constructed. The ogee profile of the Finlock guttering that runs around the eaves line are a notable feature, echoed in the detailing of the shared chimney stack. The retained sliding sash windows indicating that the gutters are still performing well and have not experienced the failures often associated with their use in volume build housing of the same period. These houses were probably representative of a style of house being built all over the country at the time however, these are 20th Century properties in the historic setting of one of Camden's longest established Conservation Areas. Their comfortable assimilation into the area make them noteworthy, in our opinion.

It is perhaps regrettable that the simple symmetry of the front elevation has been disrupted by the two storey

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forward projecting extension along the western boundary of the application property. However, we would accept that its worst effects are somewhat mitigated by the window details, eaves feature, and soldier brick courses all designed to match corresponding features in the front façade of the original building. Without this extension, we consider that there would be a strong case for the pair of houses to be considered as a non-designated heritage asset, making a positive contribution to the Conservation Area.

The application proposal seeks to replace the projecting two storey element with a replacement structure that is taller and wider than the existing. It also lacks any of the detailing that allows the existing elevation to correspond with the design conventions of the existing property. Instead, the proposed replacement structure is designed to have a distinctly modern appearance with large window openings at ground and first floor level. Whilst it is acknowledged that a consistency of design has been employed in all the proposed extensions, on the front elevation, in particular, this means that they are most likely to appear as discordant features, significantly detracting from the character and appearance of the original building. In this respect, the proposals are considered to be contrary to the objectives of Policy D1 of the Camden Local Plan 2017 (Design).

We recognise that the application property does not appear in the list of properties that make a positive contribution to the character and appearance of the Conservation Area, nonetheless it is considered that the addition of these alien features in such close proximity to listed buildings, is most likely to have an adverse impact on the character and appearance of the Conservation Area, contrary to Policy D2 of the Camden Local Plan 2017 (Heritage).

We note that paragraph 4.7 of the application design, Access & Heritage Statement quotes extensively from the Conservation Area Statement (Hampstead), but fails to include the significant section relating to their immediate neighbour (at page 16 of the Statement): "The magnificent red brick Queen Anne style block comprising Lloyds Bank and the two adjacent houses (Nos.1 & 3 Pilgrim's Lane) were designed by Horace Field in 1896." They are Grade II* listed buildings. We consider that the proposed changes on the front elevation would have an adverse impact on the setting of these listed buildings.

In conclusion, we would submit that the proposed development would have an adverse impact on the living conditions of the occupiers of 40b Rosslyn Hill and 3 Pilgrim's Lane. Similarly, there would be an adverse effect on the character and appearance of the host property, the adjacent listed buildings and the Conservation Area generally, because of the proposed extensions. These adverse impacts would be contrary to the objectives of Policies A1, D1 and D2 of the Camden Local Plan and therefore planning permission should be refused.
