Address:	9 Pilgrim's Lane Hampstead London NW3 1SJ		**1&2**
Application Number(s):	2020/2462/P	Officer: Ben Farrant	
Ward:	Hampstead Town		
Date Received:	04/06/2020		

Proposal (application for planning permission):
Erection of single storey rear extension; alteration to front boundary treatment.

Background Papers, Supporting Documents and Drawing Numbers:
(FZD_): 001, 100, 101A, 102, 103, 104A, 110, 111, 112, 120, 200D, 201K, 202I, 203G, 204G, 210K, 211G, 212D, 220B, 230B, Heritage Statement by Montagu Evans dated May 2020 & Design and Access Statement by BB Partnership Ltd dated May 2020.

RECOMMENDATION SUMMARY:

Grant planning permission subject to conditions

Application Number(s):	2020/2553/L

Proposal (application for Listed Building Consent):
Erection of single storey rear extension and relocation of kitchen from basement to ground floor extension; internal and external alterations including to flooring, fireplaces, modern ceiling partitions and roof.

Background Papers, Supporting Documents and Drawing Numbers:
(FZD_): 001, 100, 101A, 102, 103, 104A, 110, 111, 112, 120, 200D, 201K, 202I, 203G, 204G, 210K, 211G, 212D, 220B, 230B, Heritage Statement by Montagu Evans dated May 2020 & Design and Access Statement by BB Partnership Ltd dated May 2020.

RECOMMENDATION SUMMARY:

Grant listed building consent subject to conditions

Applicant:	**Agent:**
Mr & Mrs Booth 9 Pilgrim's Lane Hampstead London NW3 1SJ	BB Partnership Ltd. Studios 33-34 10 Hornsey Street London N7 8EL

OFFICERS' REPORT

Reasons for Referral to Committee:

- **The Director of Economy, Regeneration and Investment has referred the application for consideration after briefing Members.**

1 SITE

1.1 Number 9 Pilgrim's Lane (Cossey Cottage) is a Grade II Listed, two-storey stock brick property with lower ground floor (semi-basement). It was originally built in the late 18th Century as a service wing to the adjoining no.7 Pilgrim's Lane and refaced with a canted bay in the late 19th Century. The property has a long rear garden, behind which sits the Grade II listed Rosslyn Hill Chapel. Both the application site (no.9) and adjoining no.7 are Grade II listed buildings; nos.1 and 2A Pilgrim's Lane, and the Rosslyn Hill Chapel are the nearest other listed buildings.

1.2 The property sits within the Hampstead Conservation Area. This Conservation Area is of considerable quality and variety with a range of factors and attributes including its topography, the Heath and the range, excellence and mix of buildings, which come together to create its special character.

1.3 The site is located in the Hampstead Neighbourhood Plan Area.

Figure 01: The existing site

2 THE PROPOSAL

2.1 This application seeks planning permission and listed building consent for:

- Erection of a single storey rear extension with a length of 4m, width of 3.7m, and green roof it would be3m high. The roof would feature a sloped element, sloping downwards at a 45 degree angle to match the height of the boundary wall with no.7. This slope would be obscured in rear views of the extension by a false fascia. A glazed link would connect the main body of the extension to the rear elevation of the house, this would have a length of 0.5m, and would project 0.8m from the green roof at a width of 2.5m (finishing 1m away from the boundary with no.7). The extension would house a kitchen, and would be accessed by removing the bricks below the cill of an existing window on the rear elevation to form a doorway.
- Reinstatement of original opening at lower ground floor level and infilling of modern opening to reinstate historic floorplan.
- Alteration to the design of the non-original front boundary treatment of the property to form iron railings with finials and an entrance gate. Installation of an intercom panel to the side of the existing brick pillar.
- Repair and refurbish the existing windows, refurbishment of fireplaces, repair any damage due to damp, replacement of laminate floors with solid wood, and repair works to the leaking roof.

2.2 The following revision was received during the course of this application:

- Amendment to the detail of the front boundary treatment, including the relocation of a proposed intercom panel from the front of the brick pillar to the side, and changes to railing and finial details, as well as the removal of a proposed post box.

3 RELEVANT HISTORY

2019/1587/P - Erection of single storey rear extension and relocation of kitchen from basement to ground floor extension; Internal and external alterations including to flooring, fireplaces, modern ceiling partitions and roof - **Withdrawn 24/03/2020**

2019/6239/L - Erection of single storey rear extension and relocation of kitchen from basement to ground floor extension; Internal and external alterations including to flooring, fireplaces, modern ceiling partitions and roof - **Withdrawn 24/03/2020**

2019/1103/P - Internal and external alterations to include the erection of a single storey rear extension at ground floor level following removal of rear lightwell to lower ground floor - **Withdrawn 23/07/2019**

2019/1606/L - Internal and external alterations to include the erection of a single storey rear extension at ground floor level following removal of rear lightwell to lower ground floor - **Withdrawn 23/07/2019**

8670264 - Insertion of a new window in the rear elevation and insertion of new partitions on the basement and first floors as shown on drawing nos. 34/1 and 34/2 - **Granted 09/10/1986**

4 CONSULTATION SUMMARY

Statutory

4.1 None.

Local groups/stakeholders

4.2 Hampstead Neighbourhood Forum

"This proposal is a further revision to the previous proposals 2019/5817/P & 2019/6239/L (and 2019/1103/P & 2019/1606/L before those) to which the Hampstead Neighbourhood Forum objected as being contrary to the Hampstead Neighbourhood Plan (HNP) Policies DH1 and DH2, the Hampstead Conservation Area Statement and other national and local policies.

No.9 Pilgrim's Lane is the former service wing of no. 7 Pilgrim's Lane, also listed, and any proposals merit consideration within the context of both properties.

Whilst the proposed extension has now been reduced in depth it still projects above the boundary wall to the adjacent property, which mars the setting of the listed property next door, contrary to HNP DH2. This is compounded by a glass link to the original property that stands yet higher. The plans imply that non-permanent vegetation along the top of the boundary wall will provide a screen to the extension but this does not merit inclusion in the consideration of the scale of the development.

The extension would harm the designated heritage asset through its scale and design and by virtue of its location it unbalances the symmetry of the rear façade to which it does not follow. Policy H28 of the Hampstead Conservation Area Statement clearly states that "rear extension would not be acceptable where they would spoil a uniform rear elevation".

Local Plan Policy D2 states that Camden will resist proposals for extensions that would cause harm to the special architectural or historical importance of the building or the significance of its setting. This proposal does both. The proposed extension, by virtue of its size and design, would dominate the rear garden of no.9 and degrade the setting of no.7.

The proposed railings to the front of the property do not suit the character of the building particularly when considered within the context of the setting of no.7, no.9 and surrounding properties, contrary to HNP Policy DH1. Policy H10 of the Conservation Area Statement makes a specific reference to avoiding harmful development of this nature.

The proposal fails to demonstrate that some public good would offset the (less than substantial) harm that the extension would cause to the designated heritage asset and therefore conflicts with NPPF, paragraph 196."

Officer Response:

- *Noted. See Section 3 of this report which addresses the design and heritage impacts of the proposal.*

4.3 Councillor Higson (Conservative Councillor for Hampstead Town)

"Please accept my objection to planning application 2020/2462/P and 2553/L for 9 Pilgrim's Lane. This is the third application for this site, the first two of which have been withdrawn by the applicant following significant objections from neighbours. Whilst I appreciate that the applicant has reduced the scale of the proposal, given the heritage of both the site and the wider area it still does not meet the standards set out within the Hampstead Neighbourhood Plan, Hampstead Conservation Area Statement, or Camden Local Plan.

The following specific policies I do not believe are met by the proposal:

- DH2 of the Hampstead Neighbourhood Plan
- H26, H27, H28 and H29 of the Hampstead Conservation Area Statement
- D1(7.2) and D2 of the Camden Local Plan

Furthermore, I would like to urge (as always) that the Officers look as closely at this application as they always have previously; there is a risk – previously identified by Officers – that the applicant will continue to apply with minor amendments. I am aware of significant continued concerns from residents in the local area."

Officer Response:

- *Policy DH2 of the Hampstead Neighbourhood Plan states that proposals must seek to protect and/or enhance buildings (or other elements) which make a positive contribution to the conservation area, and that regard must be had to the guidelines contained within the Conservation Area Statement. Given the siting, scale, design and material finish of the proposal, and subject to the attached conditions, it is considered that the proposal would protect the positive contribution of the listed building to the conservation area. See Section 3 of this report which addresses the design and heritage impacts of the proposal.*
- *Guidelines are contained under H26, H27, H28 and H29 of the Hampstead Conservation Area Statement which are set out in Section 3 of this report. It is considered that given the siting, scale, design and material finish of the proposal, and subject to the attached conditions, the boundary alterations would not harm the conservation area or setting of the listed building; the extension would be considered unobtrusive, nor would it spoil a uniform rear elevation of a group of buildings in compliance with these guidelines. See Section 3 of this report which addresses the design and heritage impacts of the proposal.*
- *The below assessment has also been made in compliance with policies D1 and D2 of the Camden Local Plan. See Section 3 of this report which addresses the design and heritage impacts of the proposal.*

4.4 Hampstead Conservation Area Advisory Committee (CAAC)

No response was received from the Hampstead CAAC.

Adjoining occupiers

Total number of responses received	15
Number in support	5
Number of objections	10

4.5 Site notices were displayed on 10/06/2020 (consultation end date 04/07/2020).

4.6 A press notices was displayed on 11/06/2020 (consultation end date 05/07/2020).

Representations summary

4.7 Third party letters of **support** were received from the occupiers of the following 4 addresses: 1 and 2 Pilgrim's Lane, 16 The Mount and 63 New End. A further letter of support was received with an unspecified address. Their comments are summarised below, though full comments can be viewed online:

1. The proposal to relocate the kitchen is vital for modern families to help improve the quality of accommodation particularly given the restricted head height and poor ventilation in the basement
2. The proposal is now very much subordinate to the host property
3. The use of timber fenestration and reclaimed matching brickwork is appropriate
4. The house has previously been altered and has evolved over time
5. The extension would sit comfortably within the large garden and could easily be reversed in the future if required
6. No. 7 has been independent of no.9 for the majority of its existence
7. The extension at the adjoining property (no.7) is very large, at three storeys and extending much deeper than the proposal
8. Other repair works are proposed to benefit the property
9. Proposed is a high quality design solution that enhances the original property without compromising its architectural or historical significance

Officer Response:

- *Noted.*

4.8 Third party letters of **objection** were received from the occupiers of the following 7 addresses: 4, 5A, 7, and 10 Pilgrim's Lane, 1A and 3 Kemplay Road, and 4 Prince Arthur Road. 3 further letters of objection were received from unspecified addresses. Comments are summarised below, though full comments can be found online.

1. There has been enough development in the area. This is an overdevelopment of the site
2. The surrounding area has been mostly unaltered for hundreds of years, the historic fabric should not be altered
3. The applicant wrongly asserts that the rear elevation plays a 'slight' role in the conservation area, attributing only 'limited significance' to it

4. The proposal fails to preserve or enhance the character and appearance of the conservation area – it causes significant harm to the heritage asset which is not outweighed by public benefit. It also causes harms to the setting of surrounding listed buildings
5. The glass link is not appropriate
6. The proposal is contrary to the historical character of both properties
7. The proposal is contrary to the NPPF, the Camden Local Plan, and the Hampstead Conservation Area Statement (H26-29) and the Hampstead Neighbourhood Plan
8. Alien scale and roofline
9. A public view from Rosslyn Hill Chapel to the rear is impacted
10. The version of history presented by Montagu Evans is at odds with i) the listing entry, ii) the council's own heritage reports acknowledging a historic connection with the Duke of Devonshire, and iii) the concrete, physical evidence of a doorway connecting the two conjoined properties
11. The height exceeds significantly above the boundary wall
12. Construction would negatively impact on the amenities of many surrounding neighbours (particularly given other works in the area) – particularly with elderly people shielding and parents home schooling their children
13. The glazed link would be highly lit given it's kitchen use casting light towards several windows at no.7 (including three bedrooms)
14. The application is substantively the same as the previous applications which were refused
15. This breaches a hundred-year-old covenant relating to the height of the boundary between the properties
16. The application lacks essential drawings showing the proposed hybrid roofline, without which the daylight/sunlight impacts cannot be assessed, nor can the application be properly scrutinised
17. Measurements of the foliage on the boundary are exaggerated and false; for this reason alone the application should be invalidated
18. The daylight sunlight report is not on the basis of the current floorplan at no.7. It states the dining room and kitchen are not habitable spaces; the report wrongly labels one room a dining room where it is in fact a kitchen with raised dining area (and therefore a habitable space)
19. A through assessment of the impact on the ground floor of no.7 cannot be made without drawings showing a transverse section through the proposed rear extension or the side elevation facing no.7
20. No decision can be made until the applicant can fully demonstrate that the proposal complies with BRE guidelines and the civil legal rights of light criteria

Officer Response:

- *Comments 1-10 reference the proposed siting, scale and design, as well as its impact on the host property, nearby listed buildings and surrounding conservation area. This is addressed in Section 3 of this report.*
- *Comments 11-13 reference the impact of the proposal on residential amenities. This is addressed in Section 4 of this report.*
- *Comment 14 – Similar applications were previously withdrawn by the applicant: they were not refused.*

- *Comment 15 – Covenants are a legal matter and are not a material consideration in the determination of this application, although the granting of planning consent would not override any legal requirements.*
- *Comment 16 – The plans and information submitted are considered to be sufficient for the determination of the application.*
- *Comment 17 – Whilst the foliage is shown on the plans, images have also been submitted by the applicant and third parties to give a fair representation of the site. Officers are satisfied that a fair assessment of the site can be made. Please see Section 4 of this report where this matter is addressed in full.*
- *Comment 18 – Noted. This is addressed in Section 4 of this report.*
- *Comment 19 – The plans and information submitted are considered to be sufficient for the determination of the application.*
- *Comment 20 – Whilst an assessment of the impact of the proposal on daylight/sunlight to neighbouring properties can be made (see Section 4 of this report), Right of Light is a legal matter which is separate from planning, though planning consent does not override any legal right to light. The light impact in planning terms has been assessed using BRE guidance, and officers consider there would be no demonstrable harm.*

5. POLICIES & GUIDANCE

5.1 **National Planning Policy Framework (2019)**

5.2 **London Plan (2016)**

5.3 **Intend to Publish London Plan (2019)**

5.4 **Camden Local Plan (2017)**

- A1 Managing the proposed impact of development
- A3 Biodiversity
- D1 Design
- D2 Heritage

5.5 **Camden Planning Guidance**

- CPG Altering and extending your home (2019)
- CPG Amenity (2018)

5.6 **Hampstead Neighbourhood Plan (2018)**

- DH1 Design
- DH2 Conservation areas and listed buildings

5.7 **Hampstead Conservation Area Statement (2001)**

5.8 **National Planning Policy Framework (2019)**

7. ASSESSMENT

7.1 The principal considerations material to the determination of this application are assessed in the following sections of this report:

8	**Design and Conservation**
9	**Impact on neighbouring amenity** • Daylight/sunlight and outlook • Noise and vibration • Light overspill • Privacy and overlooking
10	**Transport**
11	**Equality Act 2010**
12	**Conclusion**
13	**Recommendations**
14	**Legal comments**
15	**Conditions** • Planning application • Listed building consent
16	**Informatives**

8. Design and conservation

8.1 Local Plan policy D1 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; and b. preserves or enhances the historic environment and heritage assets in accordance with policy D2 (Heritage).

8.2 Local Plan policy D2 states that the Council will require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area. It states that the Council will resist development which causes harm to the special architectural and historic interest of listed buildings.

8.3 Hampstead Neighbourhood Plan policy DH1 states that development should respond and contribute positively to the distinctiveness and history of the character of the area. It states that design should be sympathetic to the rhythm and proportions of surrounding buildings and protect or enhance local views. Hampstead Neighbourhood Plan policy DH2 states that development proposals must seek to protect and/or enhance buildings (or other elements) which make a positive contribution to the conservation area, and that regard must be had to the guidelines contained within the Conservation Area Statement.

8.4 CPG Altering and extending your home states that rear extensions should be secondary to the building being extended, respect its original design, style, features, and proportions, and be built in sympathetic materials wherever possible.

8.5 The application site is located within sub-area three (Willoughby Road/Downshire Hill) of the Hampstead Conservation Area, a conservation area

of considerable quality and variety with a range of factors and attributes including its topography, the Heath and the range, excellence and mix of buildings, which come together to create its special character. The Council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character and appearance of this area. The Hampstead Conservation Area Statement lists guidelines for future development. Guideline H10 notes the importance of garden areas and boundary treatments, and states that green spaces and boundary treatments should be preserved where possible. H26 states that rear extensions should be as unobtrusive as possible and should not adversely affect the character of the building or conservation area. It continues that such extensions should generally be no more than one storey in height. H27 notes that extensions should harmonise with the original character and form of the house and historic patterns of development. And H28 states that rear extensions will not be acceptable where they would spoil a uniform rear elevation of an unspoilt terrace or group of buildings.

8.6 The property was built as a service wing to serve what is now Sidney House (no. 7 Pilgrim's Lane) and the list description for Sidney House states that the property formerly had a matching wing to the south-west which was demolished when the house was remodelled in the early 19th Century. The significance of the property lies in its architectural character, interiors, and historical associations with a notable literary figure (occupied by Simon Wilkin, publisher of works by Sir Thomas Browne) and its group value with the adjoining building. It is noted that the building has been a separate residence for a significant period and this is immediately evident on 19th Century maps, however the significance of the building as an ancillary wing of the original building is important, particularly as the wing on the other side of the building has been demolished.

8.7 The rear of the dwellinghouse is typical of a service building of its period with simple proportions and detailing and stock brick construction. The property has evolved over time, with a distinct, late 19th Century bay added to the front of the building and the installation of new windows, including a window at first floor level to the rear. Sidney House at no. 7 Pilgrim's Lane has also undergone alterations, including more substantial Victorian rear additions modified in the 1990s, which are highly visible from the rear garden of Cossey Cottage, and a 1980s reconfiguration of the roof. The existing rear elevation of the application site appears roughly symmetrical, despite the ground floor windows being different widths. Whilst the rear has a pleasing composition, this does not preclude development, provided it serves to preserve the architectural and historic significance of the building, as described above, and retains the subordinate relationship of Cossey Cottage to Sidney House.

8.8 A number of changes have been made to the proposal since the previously withdrawn iterations (noted within the planning history section of this report refs: 2019/1587/P & 2019/6239/L, and 2019/1103/P & 2019/1606/L). Most significantly, the depth of the extension has been reduced from 5.2m to 4m and the fenestration has been altered to be in keeping with the host building. The extension now proposed is a part width, modest and contextual addition which is subordinate to the main house and retains the subordinate relationship of Cossey Cottage to Sidney House. Issues raised within the previously withdrawn

applications, relating to the loss of a horizontal sash window at basement level and the retention of the historic function of the rear room within the basement, have been addressed. The internal works minimise the loss of historic fabric and enable the legibility of the original floorplan to remain. In addition, at lower ground floor level, the works benefit the listed building by reinstating much of the original floor plan.

8.9 Concerns have been raised from third parties in relation to the scale of the extension forming an overdevelopment of the site, that the glazed link is inappropriate, and that the addition has an alien scale and roofline. Further comments were received from third parties that say that the rear elevation of the property plays a significant role in its contribution to the Conservation Area, and that harm is caused to the heritage assets (host listed building and surrounding Conservation Area) which are not outweighed by any demonstrable public benefits.

8.10 The proposed single storey rear extension (4m (L) x 3.6m (W)) is considered not to be overdevelopment of the site and is considered to be appropriate in terms of its overall scale and proportions. The glazed link ensures that the original rear wall and opening of the listed building remain legible and also serves to form a clear break between the historic house and the new extension. This glazed link element of the proposal is considered to be acceptable in design and conservation terms.

8.11 The proposed development would be finished in brickwork to match the host property and would benefit from a green roof (further details of the species types and maintenance plan to be received by condition 4 of the planning permission). The fenestration would be timber framed sliding sashes, aligned with the first floor and of an appropriate traditional style to match the host property.

8.12 The proposal was informed by a robust heritage analysis and is considered to respond to the distinctiveness and history of the conservation area and the host listed building. The extension represents a sensitive addition to the rear of the property, and internal works to the listed building reinstate much of the original floorplan. The rear extension would not be immediately visible from the public realm, views on the boundary from Rosslyn Hill Church to the rear of the site are limited due to the length of the rear garden. Whilst the Council must consider the impact on the Conservation Area generally (including private views), by nature of the siting, scale, design and material finish of the proposal, it is considered not to result in harm to either private nor public views within the Conservation Area. The proposal would serve to protect the positive contribution of this listed building to the Conservation Area, and the addition is considered to be sympathetic to the rhythm and proportions of the host and surrounding buildings. It would also not serve to impact on a uniform terrace of rear elevations as this does not sit within one.

8.13 Given the above, the proposal is considered not to result in harm to the listed building or the surrounding Conservation Area. As no harm is identified, the public benefits of the scheme do not require consideration in compliance with the

NPPF. Nonetheless, it is considered that limited benefits arise as a result of the improvements made elsewhere to the listed building.

8.14 Comparable buildings in the local area have been used to inform the redesign of the existing modified boundary treatment. The principle of railings is considered acceptable based on the justification provided, though notwithstanding the details shown on the plans, further information (detailed sections of design and material finish) shall be required by condition to ensure an appropriate replacement (condition 4 of the listed building consent).

8.15 No mature trees exist within the immediate vicinity that would be likely to be impacted as a result of the proposals.

8.16 Subject to conditions requiring further details regarding materials and detailed execution, the proposal is considered not to constitute harm to the host Grade II listing building, the setting of no.9, 7, or Rosslyn Hill Church (Grade II listed buildings), nor to the character and appearance of the surrounding Conservation Area. It is considered that the proposed rear extension and other alterations would preserve the special architectural and historic interest of the listed building, the setting of nearby listed buildings, and would preserve the character and appearance of the Conservation Area in compliance with Local Plan policies D1 and D2, and policies DH1 and DH2 of the Hampstead Neighbourhood Plan.

8.17 Special regard has been attached to the desirability of preserving the listed building, its setting and its features of special architectural or historic interest, under s.16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

8.18 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of 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.

9 Impact on neighbouring amenity

9.1 Policy A1 of the Camden Local Plan seeks to protect the quality of life of neighbouring occupiers. The factors to consider include: visual privacy and outlook; sunlight, daylight and overshadowing; artificial light levels; noise and vibration.

9.2 CPG Amenity states that ‘where appropriate’ daylight and sunlight assessments should be submitted demonstrating compliance with BRE guidance, and that levels of reported daylight and sunlight can be considered flexibly taking into account site-specific circumstances and context. It also states that artificial lighting should be considered at the design stage and should not affect the amenity of neighbours or wildlife.

9.3 Given the siting, scale, and design of the proposed extension and its proximity to neighbours, no. 7 Pilgrim’s Lane is the only property which is likely to be impacted by the development. No. 7 is located to the south of the application site and forms

residential accommodation at all levels including at ground floor and basement (see Figure 02 below).

Figure 02: Rear elevation of adjoining no.7, with boundary wall to no.9 to the left of the photograph. Photograph taken from ground level, with basement/lightwell below.

9.4 Concerns were received from third parties regarding the accuracy of the vegetation on the boundary wall shown on the plans: For the purposes of this assessment, the vegetation has been entirely discounted given that this can grow or be cut back.

Daylight/sunlight and outlook

9.5 Given that the extension is proposed due north of no.7 Pilgrim's Lane, it would not result in undue harm in terms of sunlight reaching the neighbour. As such, the assessment below focuses on daylight.

9.6 At basement level, the windows on the rear elevation of no. 7 and side of the outrigger serve a bedroom/study and a kitchen/diner respectively. The occupiers of no.7 clarified that window in fact forms a kitchen/diner which should be assessed as a habitable room.

9.7 Nonetheless, the light levels enjoyed by the rooms served by these windows at no.7 Pilgrim's Lane at present appear to be low by reason of its basement nature looking out north and west towards a small lightwell. The boundary wall and basement accommodation mean that the windows already are already obscured within the 25 degree line and 45 degree line tests. The proposal only protrudes above the wall by around 57cm and it slopes away from the boundary line in any event to further lessen the impact. The proposal has been sensitively designed to reduce any impacts on the occupiers of this property, including by reducing the overall height of the proposed extension and by sloping the roof away from the boundary wall for the full length of the wall (bar a false fascia at the rear). The main height of the extension projects above the boundary wall by 565mm, but this is sloped at a 45 degree angle down towards the boundary. Given the siting, scale and design of the proposal, coupled with the already limited light levels reaching the basement windows of no.7, it is considered that the proposal would not result in unacceptable impact in terms of daylight to the basement windows of no.7. Officers have sought additional VSC and NSL analysis from the applicant which has been received and confirms the above assessment that there will be no appreciable impact on light levels as a result of the development with the impact complying with BRE guidance.

9.8 At ground floor level of no.7 Pilgrim's, the windows most impacted by the development appear to facilitate a reception room (window to the rear of the main house) and kitchen (window in the side elevation of the extended outrigger).

9.9 Given that the window to the reception room faces westwards, coupled with the design and sloped roof of the extension previously discussed, and the existing boundary wall, the proposed addition is unlikely to significantly impact on light levels penetrating this room. This assessment is further confirmed by the fact that it passes the 45 degree line test in elevation, and only where it fails in both elevation and plan is it likely to have any significant detrimental impact. The ground floor kitchen is served by a set of French doors and three further windows and so is already well lit. Given the number of windows serving the room (including a large proportion not facing the proposed extension at no.9), coupled with the design and sloping roof of the proposed addition (previously referenced) it is considered that the proposal would not significantly impact light levels penetrating this room. Again, this assessment is further confirmed by the fact that the windows facing the proposed extension pass the 25 degree line test.

9.10 Due to the single storey nature of the proposals, the extension is considered not to unduly impact on the first floor or other remaining windows of no.7.

9.11 Given the above assessment, coupled with the siting, scale and design of the proposed extension, the proposal is considered not to result in undue harm to the outlook of neighbouring properties.

9.12 Given the above, the proposal would not result in undue harm to the residential amenities of neighbouring properties in terms of daylight/sunlight in compliance with policy A1 of the Camden Local Plan.

Noise and vibration

9.13 Given the proposal is for a modest kitchen extension to an existing single family dwellinghouse, it is considered not to result in unduly harmful levels of noise or vibration.

9.14 Amenity impacts arising from construction are discussed within Section 5 (transport) of this report.

Light overspill

9.15 Concerns were raised by neighbouring properties with regard to the level of light overspill that would arise from the glazed link element of the design. The glazed link would project 500mm from the rear wall of the property, with a width of 2.5m and height of 700mm. While it is acknowledged that there is the potential for some light overspill as a result of this element of the proposal, this would not constitute undue harm and this would not warrant a reason for refusal. Furthermore, the position of the glazed link envelopes an existing window which would have already been subject to light spill, albeit likely to a lower degree.

Privacy and overlooking

9.16 The single storey rear extension would have rear and side facing windows (facing away from no.7), and due to its nature finishing on the boundary, it would not have any windows facing towards no.7. By reason of its single storey nature, it is considered that the proposal would not result in levels of overlooking above those which already occur on site. The proposal is considered to be acceptable on this basis.

9.17 Given the above assessment, by reason of its siting, scale and design, the proposed addition would not result in undue harm to neighbouring amenities in compliance with policy A1 of the Camden Local Plan.

10 Transport

10.1 Given the scale of the proposed works, even considering construction works within the vicinity, it is considered that a Construction Management Plan (CMP) is not expedient in this instance. Whilst the construction would inevitably result in some impact on neighbours (in terms of noise and dust pollution), this would not constitute a reason for refusal of this application.

11 Equality Act 2010

11.1 Policy A1 expects proposals to protect the quality of life of occupiers and neighbours of development sites. The amenity of local residents needs to be balanced against other policies of the development plan.

11.2 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation.

The Duty requires due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations.

11.3 A third party objection noted that during the current Covid-19 pandemic, the construction works associated with the proposal would unduly impact on neighbours who may be shielding. Having due regard to the Public Sector Equality Duty, it is recognised that the approval of the current application could, if immediately implemented, have greater impact on the amenity of neighbours who may be elderly, disabled or pregnant, three protected characteristics, than would otherwise be the case.

11.4 With this in mind, it is considered that due to the nature of the proposal, being a single storey rear extension to an existing single family dwellinghouse (as well as restoration works and works to the front boundary wall), the level of noise and dust resulting from the proposed works would not warrant the incorporation of a construction management plan. Nor would the application warrant refusal on this basis, and this harm would not be outweighed by the equality impact.

12 Conclusion

12.1 The proposed development is in general accordance with policies A1, D1 & D2 of the London Borough of Camden Local Plan (2017), and DH1 and DH2 of the Hampstead Neighbourhood Plan (2017). Whilst officers believe the proposal preserves the significance of the Conservation Area, the host building, and the surrounding listed buildings, if members do identify some harm, they must give it considerable weight and importance. The scheme has limited public benefits but they would include:

- Expansion of existing family housing stock
- Heritage benefits of reinstating part of the floor plan
- Promotion of sustainability benefits through the green roof

13 RECOMMENDATIONS

13.1 Grant Planning Permission subject to conditions

13.2 Grant Listed Building Consent subject to conditions

14 LEGAL COMMENTS

14.1 Members are referred to the note from the Legal Division at the start of the Agenda.

15 CONDITIONS

15.1 Planning permission ref: 2020/2462/P

1	Three years from the date of this permission This development must be begun not later than three years from the date of this permission.

	Reason: In order to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).
2	Materials to match 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	Approved drawings The development hereby permitted shall be carried out in accordance with the following approved plans: (FZD_): 001, 100, 101A, 102, 103, 104A, 110, 111, 112, 120, 200D, 201K, 202I, 203G, 204G, 210K, 211G, 212D, 220B, 230B, Heritage Statement by Montagu Evans dated May 2020 & Design and Access Statemenet by BB Partnership Ltd dated May 2020. Reason: For the avoidance of doubt and in the interest of proper planning.
4	Green roof details Prior to commencement of the relevant part of development, full details in respect of the living roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. The details shall include i. a detailed scheme of maintenance ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used iii. full details of planting species and density The living roof shall be fully provided in accordance with the approved details prior to first occupation of the extension and thereafter retained and maintained in accordance with the approved scheme. Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, D1, D2 and A3 of the London Borough of Camden Local Plan 2017.

15.2 Listed Building Consent ref: 2020/2553/L

1	Three years from the date of this permission The works hereby permitted shall be begun not later than the end of three years from the date of this consent.

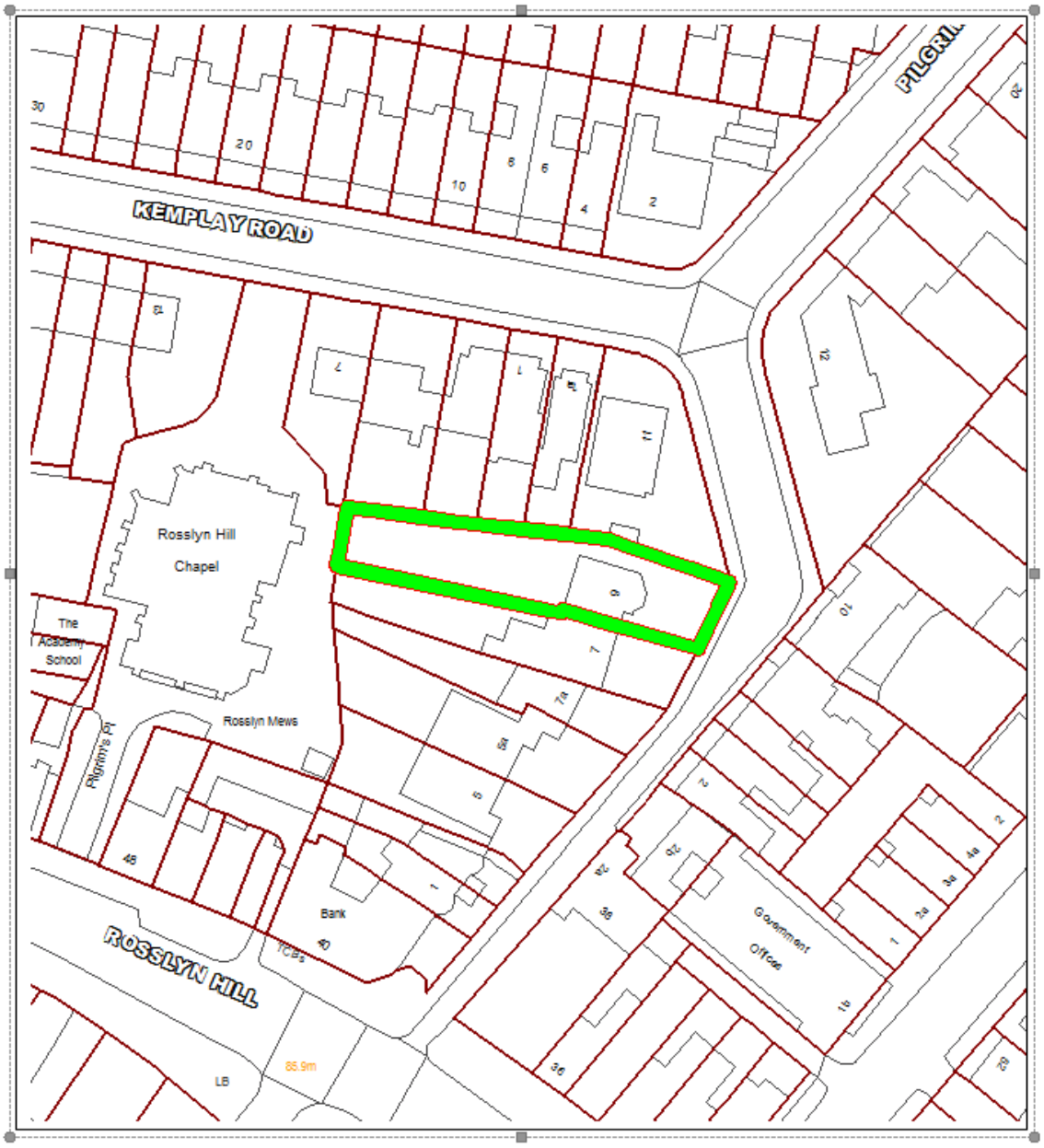
	Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2	Approved drawings The development hereby permitted shall be carried out in accordance with the following approved plans: (FZD_): 001, 100, 101A, 102, 103, 104A, 110, 111, 112, 120, 200D, 201K, 202I, 203G, 204G, 210K, 211G, 212D, 220B, 230B, Heritage Statement by Montagu Evans dated May 2020 & Design and Access Statement by BB Partnership Ltd dated May 2020. Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.
3	Materials to match All new work and work of making good shall be carried out to match the existing adjacent work as closely as possible in materials and detailed execution. Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.
4	Details of materials Notwithstanding the details shown of the development hereby approved, prior to the commencement of the relevant parts of the development, detailed drawings and/or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority: a) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills, external doors and gates. b) Manufacturer's specification details of all new brickwork and portland stone for pier caps (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site). New brickwork should match the main house in terms of colour, texture, bond and pointing finish. c) Full details of the proposed front boundary treatment, including details of the proposed railings at 1:20, 1:10 and 1:1 scale where appropriate. The railings should be cast iron, painted black, and individually sunk into the coping stone, the proposed gate should pivot from the ground in a traditional manner, and all fixings and ironmongery should be of a traditional appearance. The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

	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.

16 INFORMATIVES

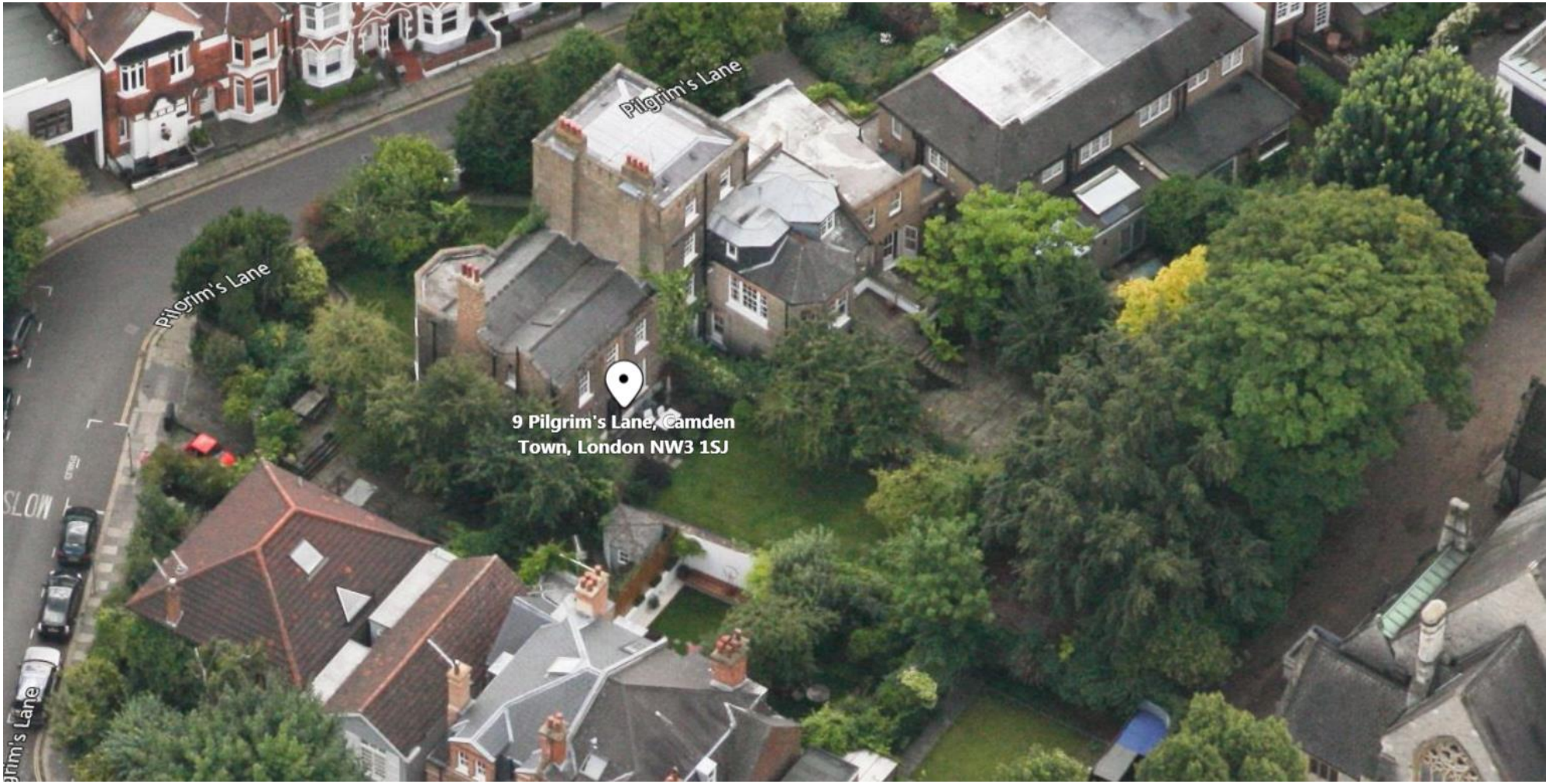
1	Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
2	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.
3	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.

2020/2462/P & 2020/2553/L – 9 Pilgrim's Lane, Hampstead, NW3 1SJ



Site location plan

Aerial photograph

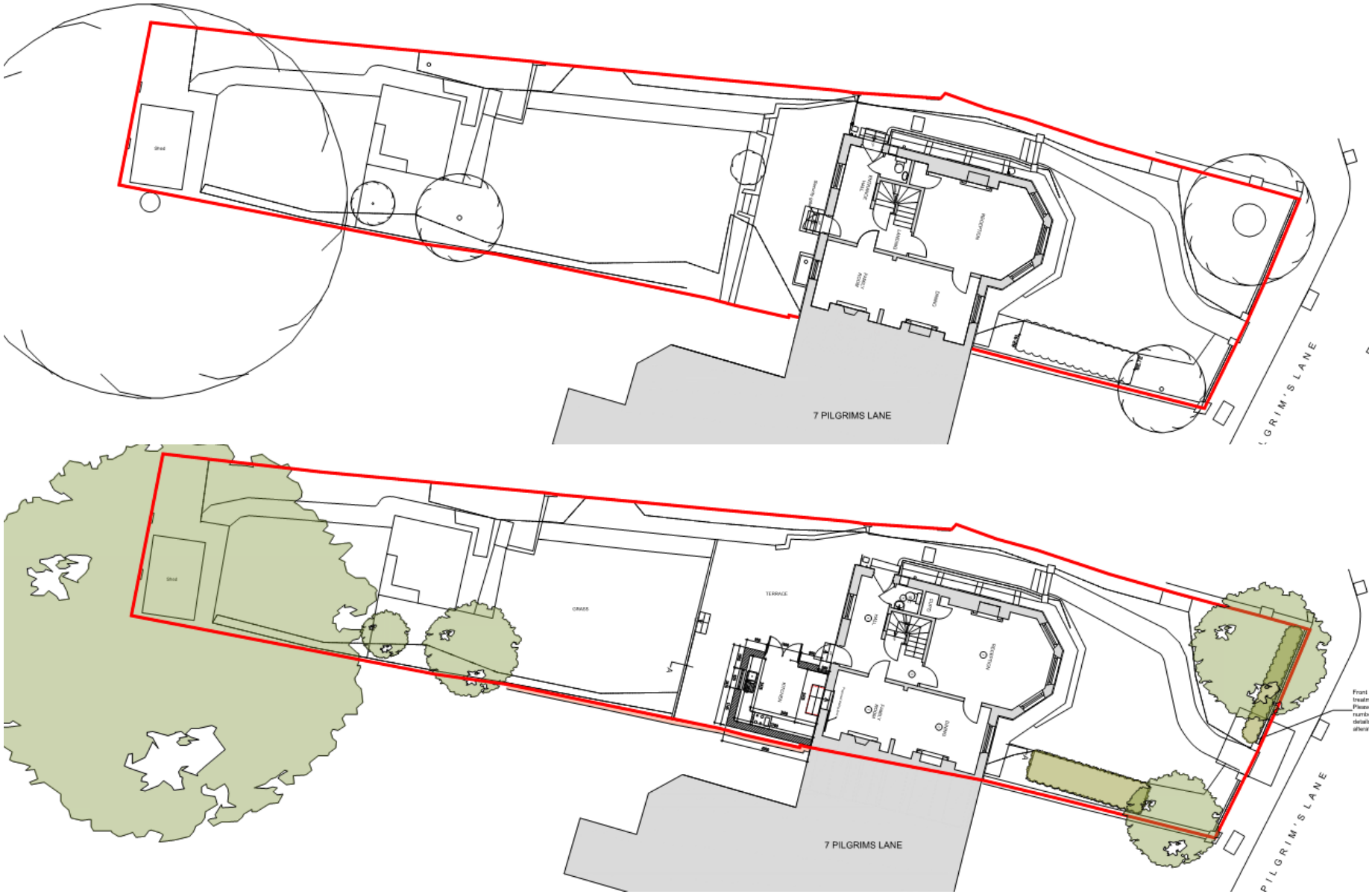


Aerial photograph

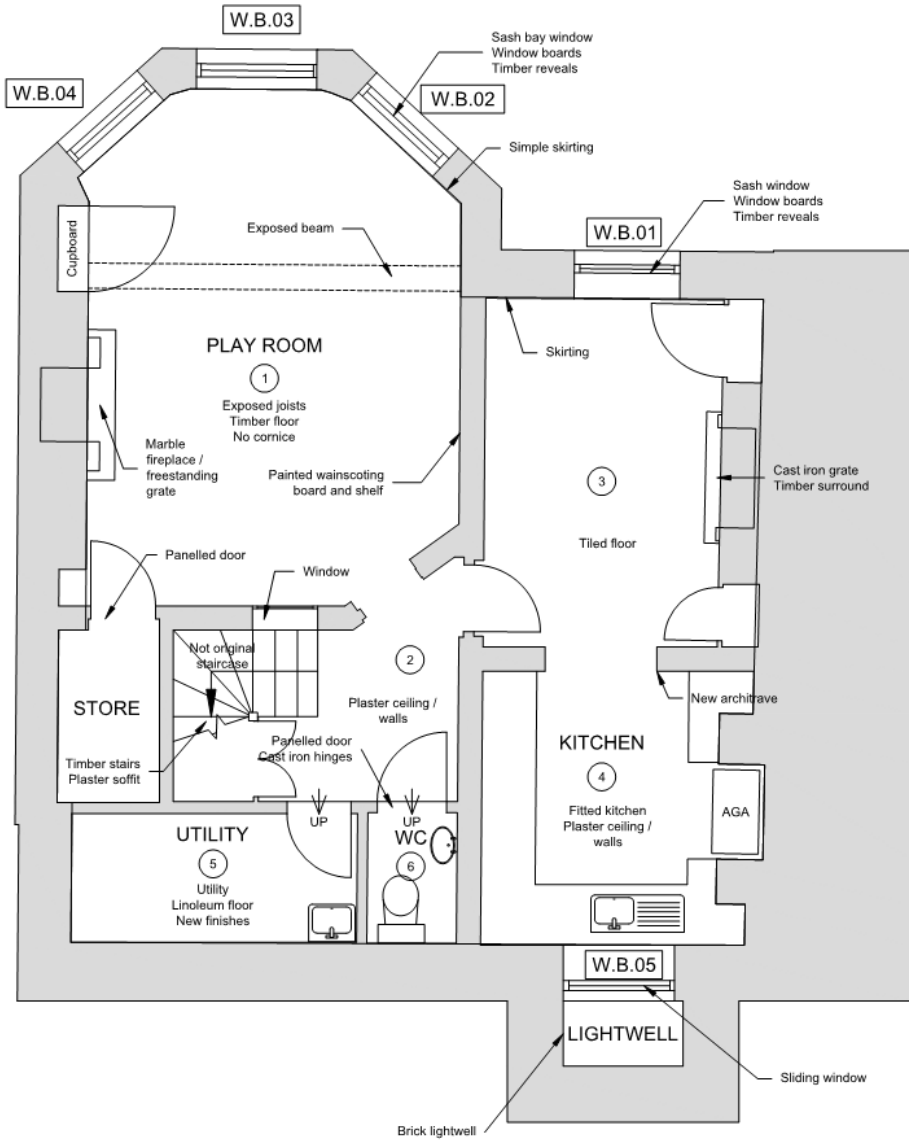
- Beige background is the Hampstead Conservation Area
- Highlighted buildings are listed buildings
- Purple represents locally listed lampposts

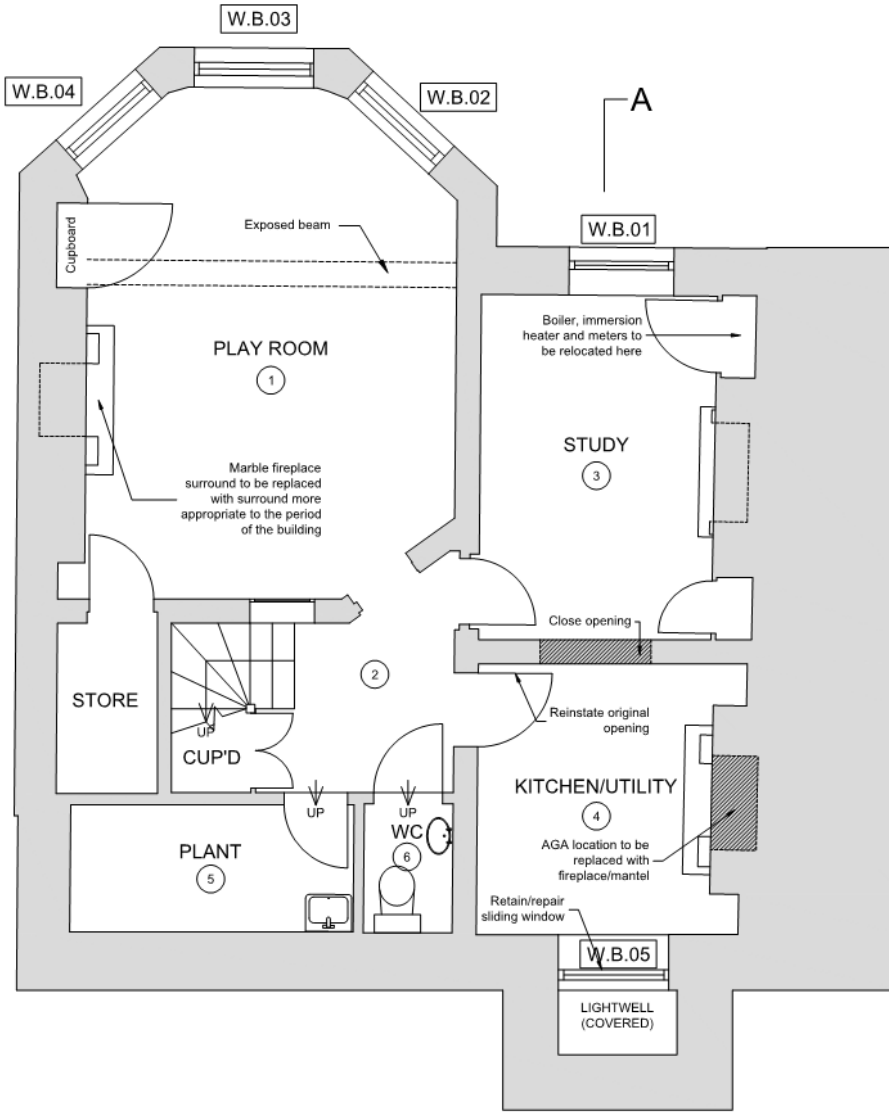
Heritage map

Site photographs – No.7 rear elevation with boundary wall to no.9 (application site)

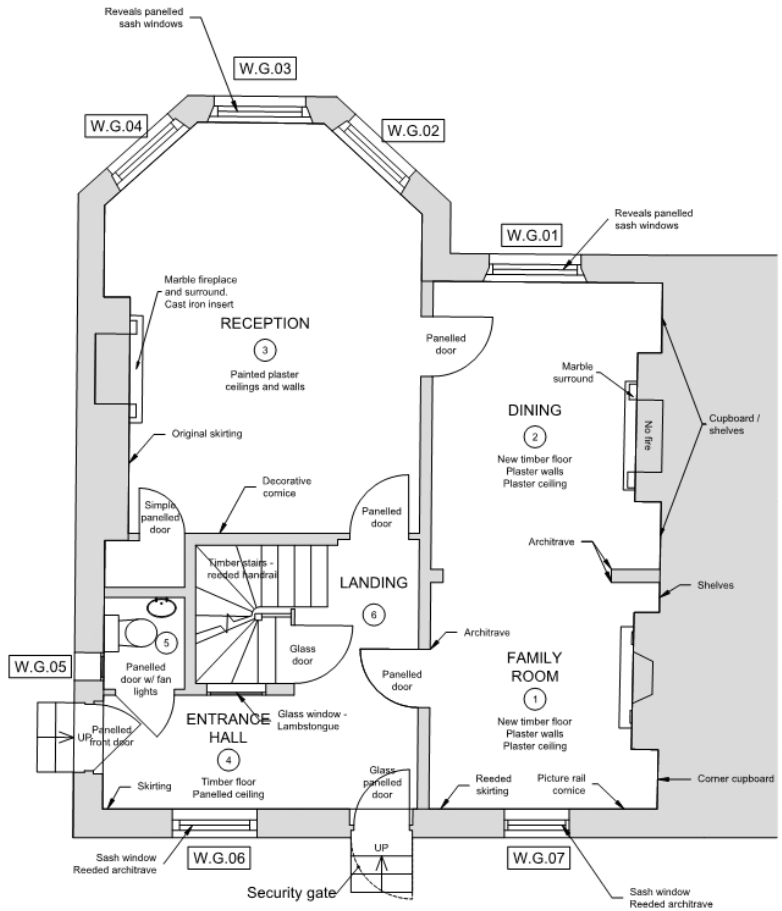


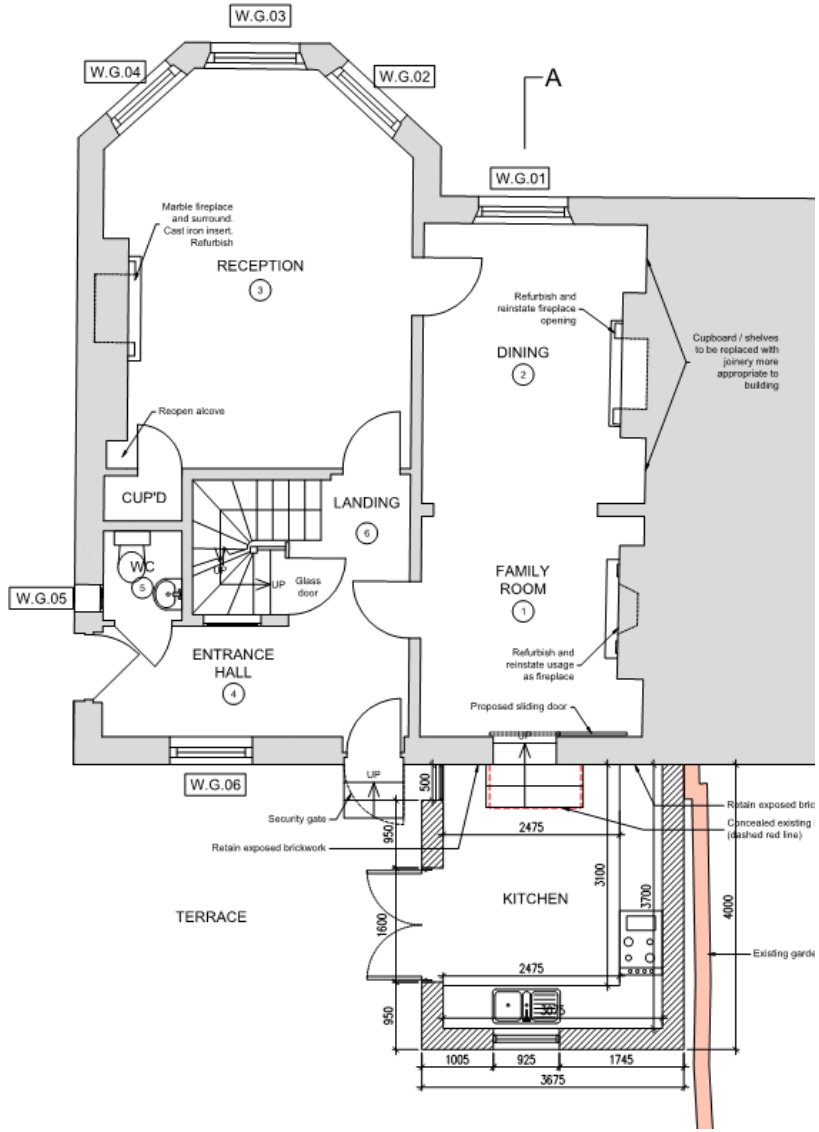
Existing and proposed site plan

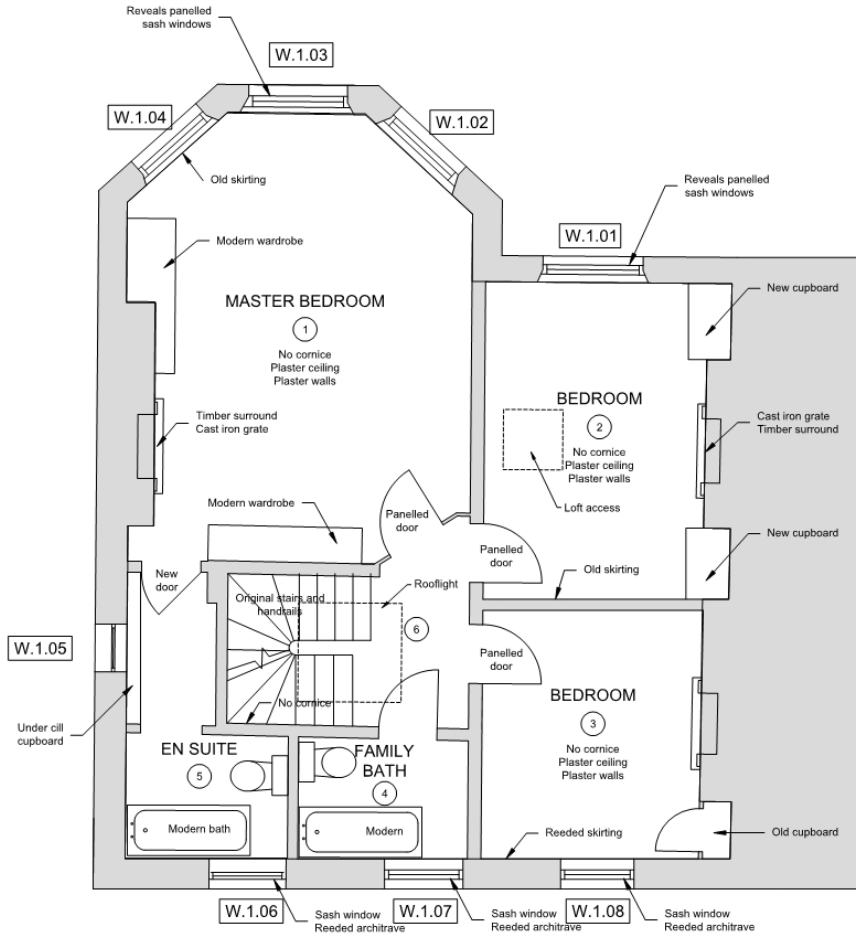


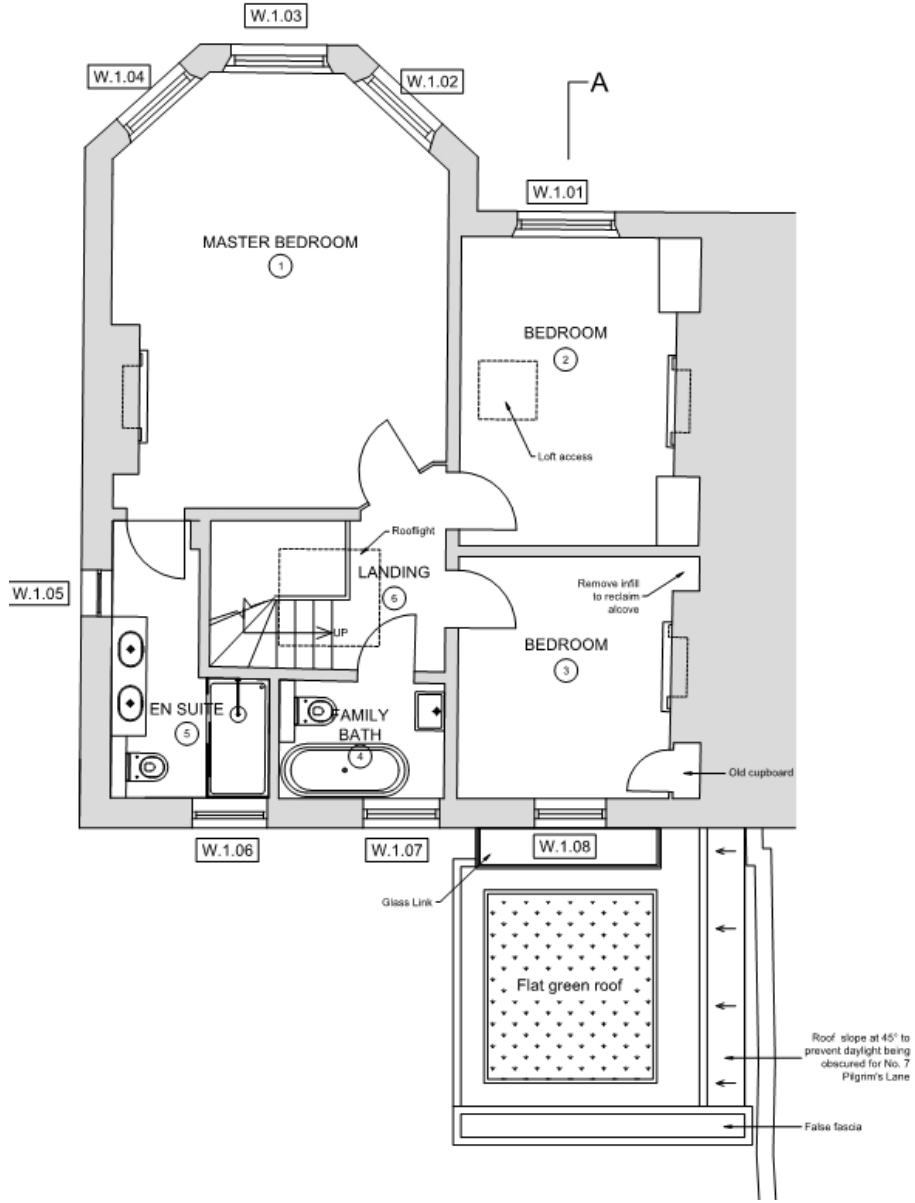


Existing and proposed basement

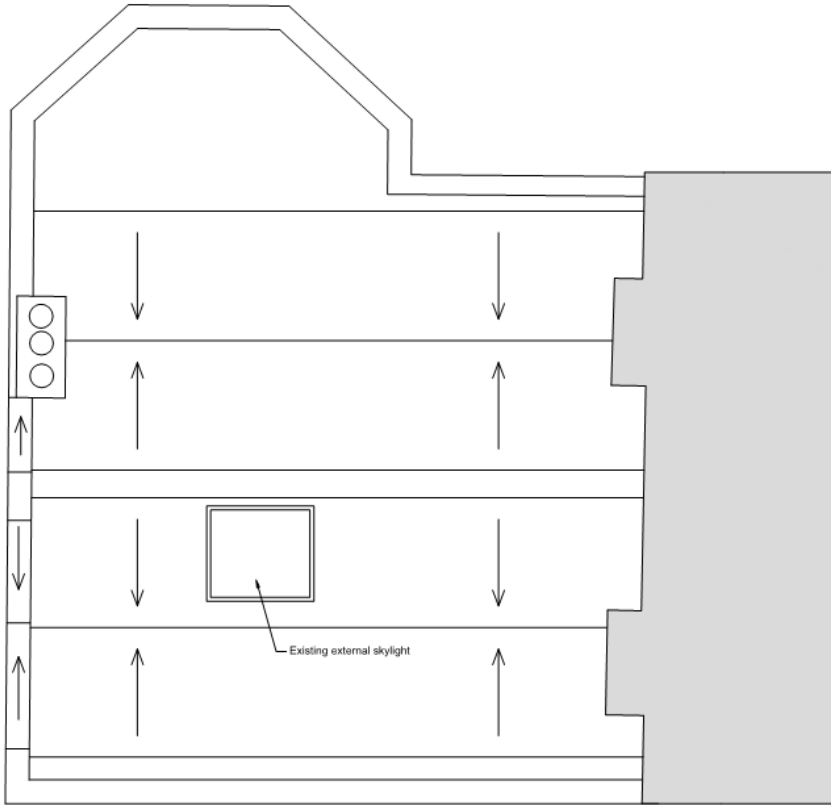

Reveals panelled sash windows
W.G.03
W.G.04
W.G.02
W.G.01
Reveals panelled sash windows
Marble fireplace and surround. Cast iron insert
RECEPTION
3
Painted plaster ceilings and walls
Panelled door
Marble surround
DINING
2
New timber floor
Plaster walls
Plaster ceiling
No fire
Cupboard / shelves
Original skirting
Decorative cornice
Simple panelled door
Panelled door
Timber stairs - reeded handrail
LANDING
6
Architrave
Shelves
W.G.05
5
Panelled door w/ fan lights
Glass door
Architrave
Panelled door
FAMILY ROOM
1
New timber floor
Plaster walls
Plaster ceiling
UP
Panelled front door
ENTRANCE HALL
4
Glass window - Lambstongue
Skirting
Timber floor
Panelled ceiling
Glass panelled door
Reeded skirting
Picture rail cornice
Corner cupboard
Sash window
Reeded architrave
W.G.06
UP
W.G.07
Security gate
Sash window
Reeded architrave

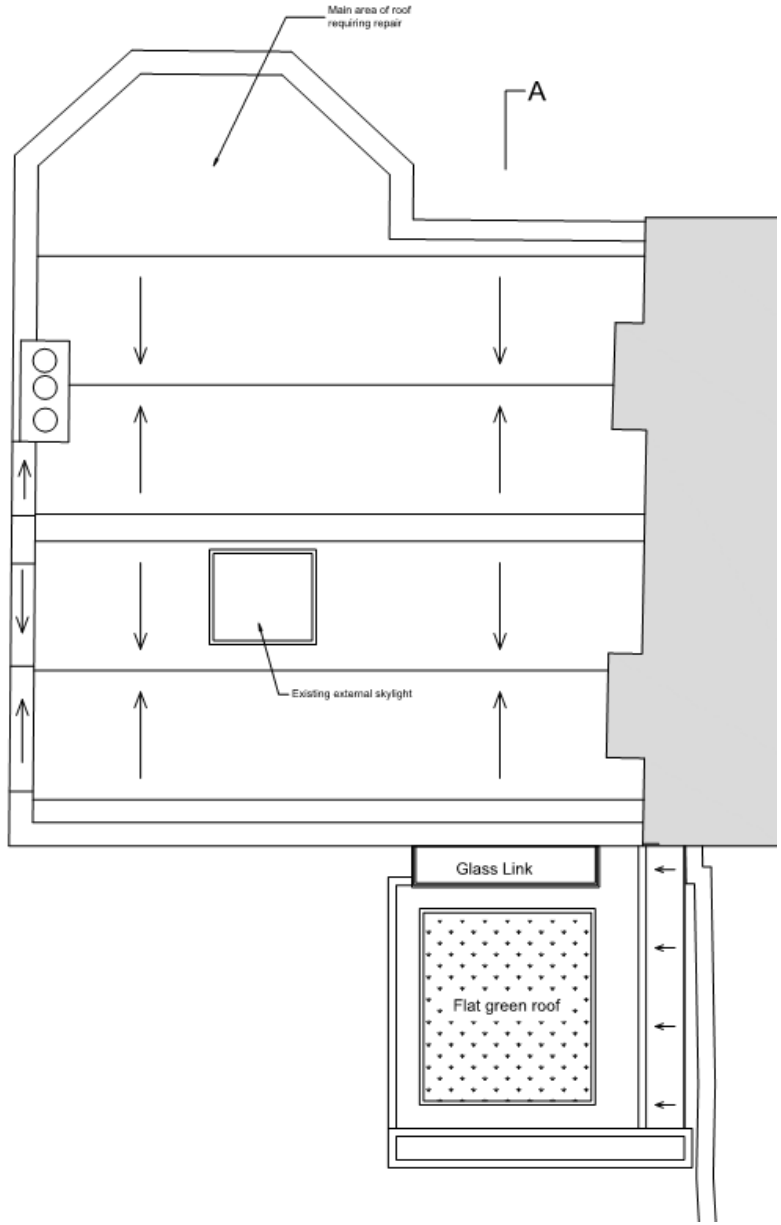

W.G.03
W.G.04
W.G.02
A
W.G.01
Marble fireplace and surround. Cast iron insert. Refurbish
RECEPTION
3
Refurbish and reinstate fireplace opening
DINING
2
Cupboard / shelves to be replaced with joinery more appropriate to building
Reopen alcove
CUP'D
LANDING
6
WC
5
UP
Glass door
FAMILY ROOM
1
W.G.05
ENTRANCE HALL
4
Refurbish and reinstate usage as fireplace
Proposed sliding door
UP
W.G.06
Security gate
Retain exposed brickwork
500
950
2475
Retain exposed bric
Concealed existing
(dashed red line)
3100
3700
4000
KITCHEN
TERRACE
1600
2475
950
Existing garde
1005
925
1745
3675





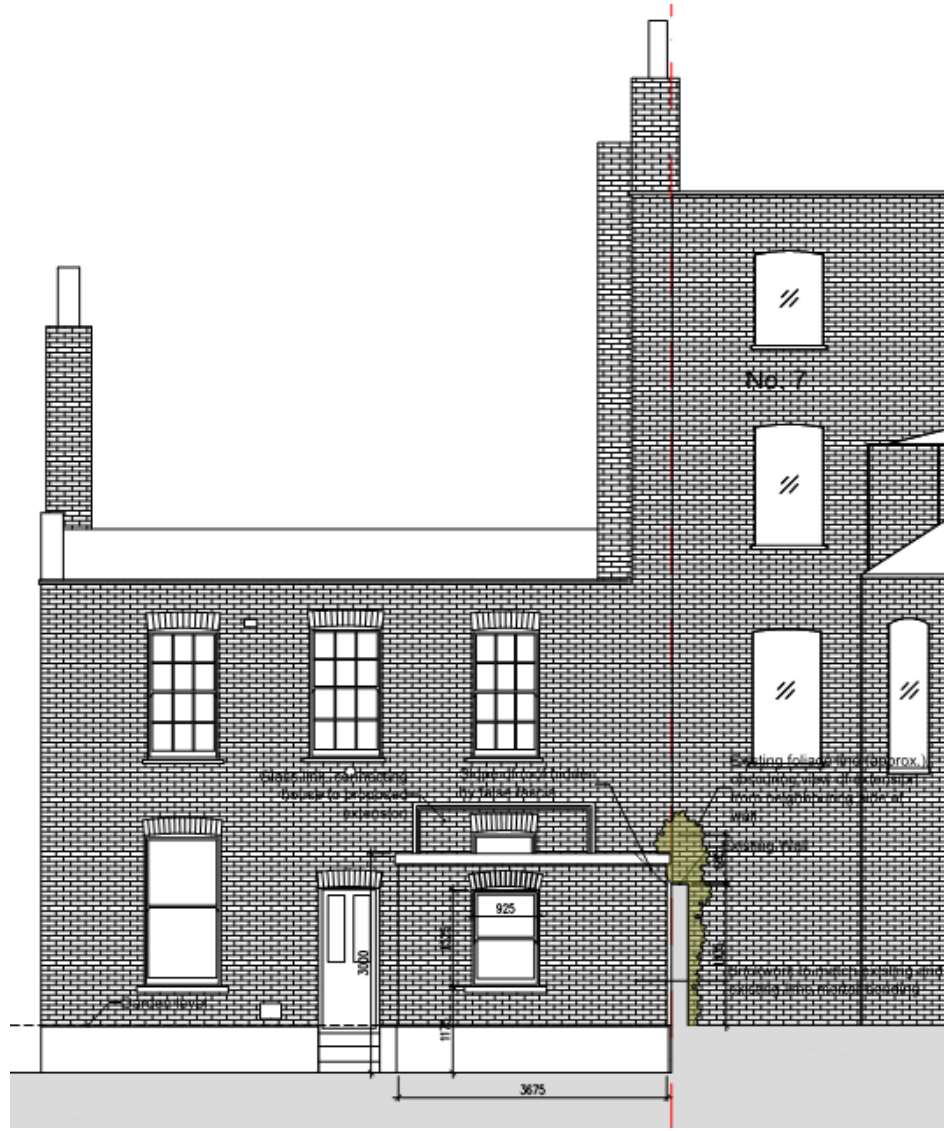
Existing and proposed first floor



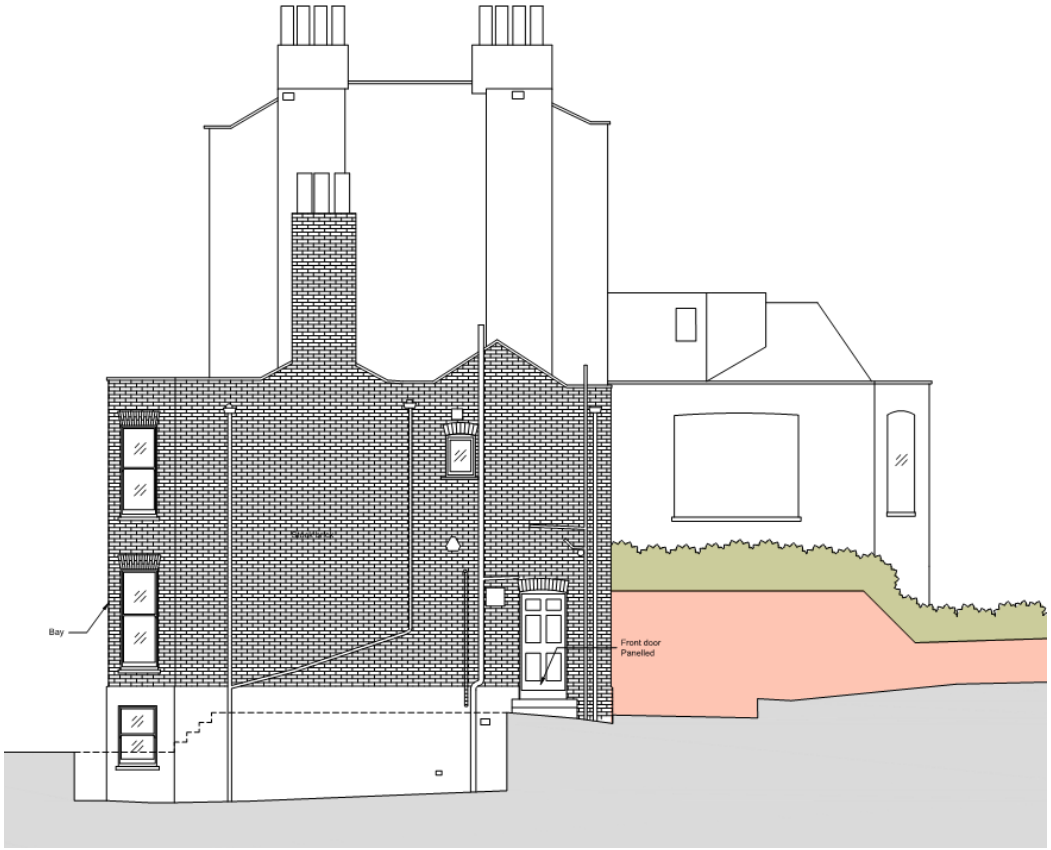


Existing and proposed roof plan

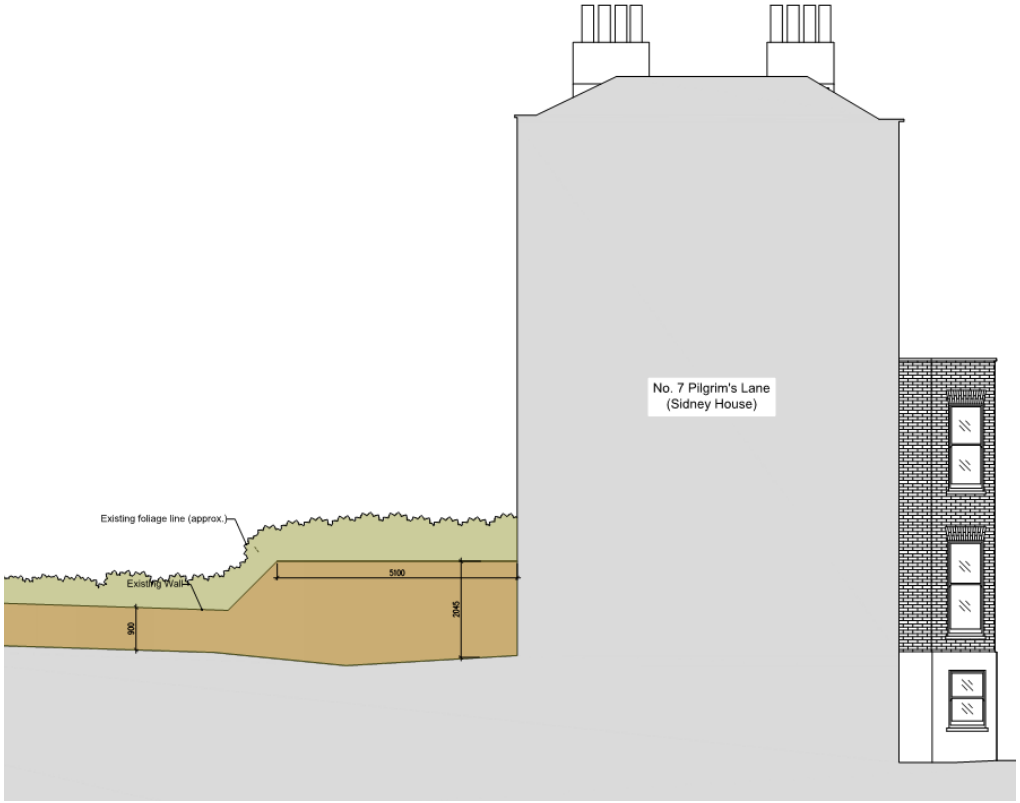
Existing and proposed front elevation

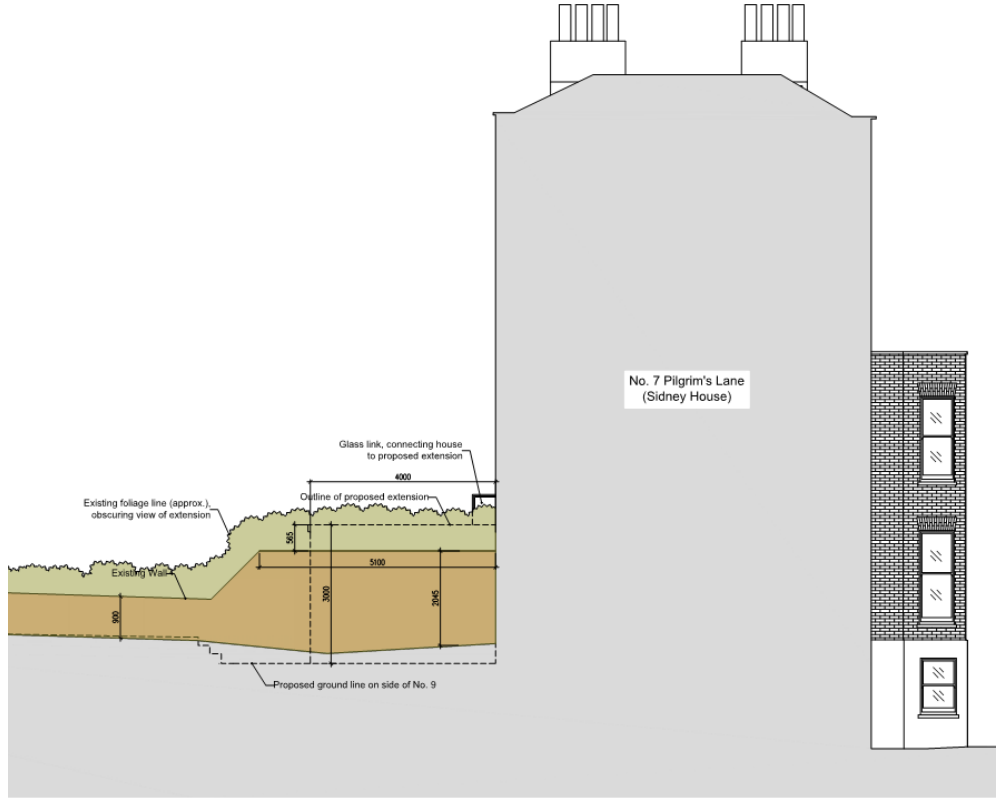


Existing and proposed rear elevation



Existing and proposed side elevation (east)





Existing and proposed side elevation (west)