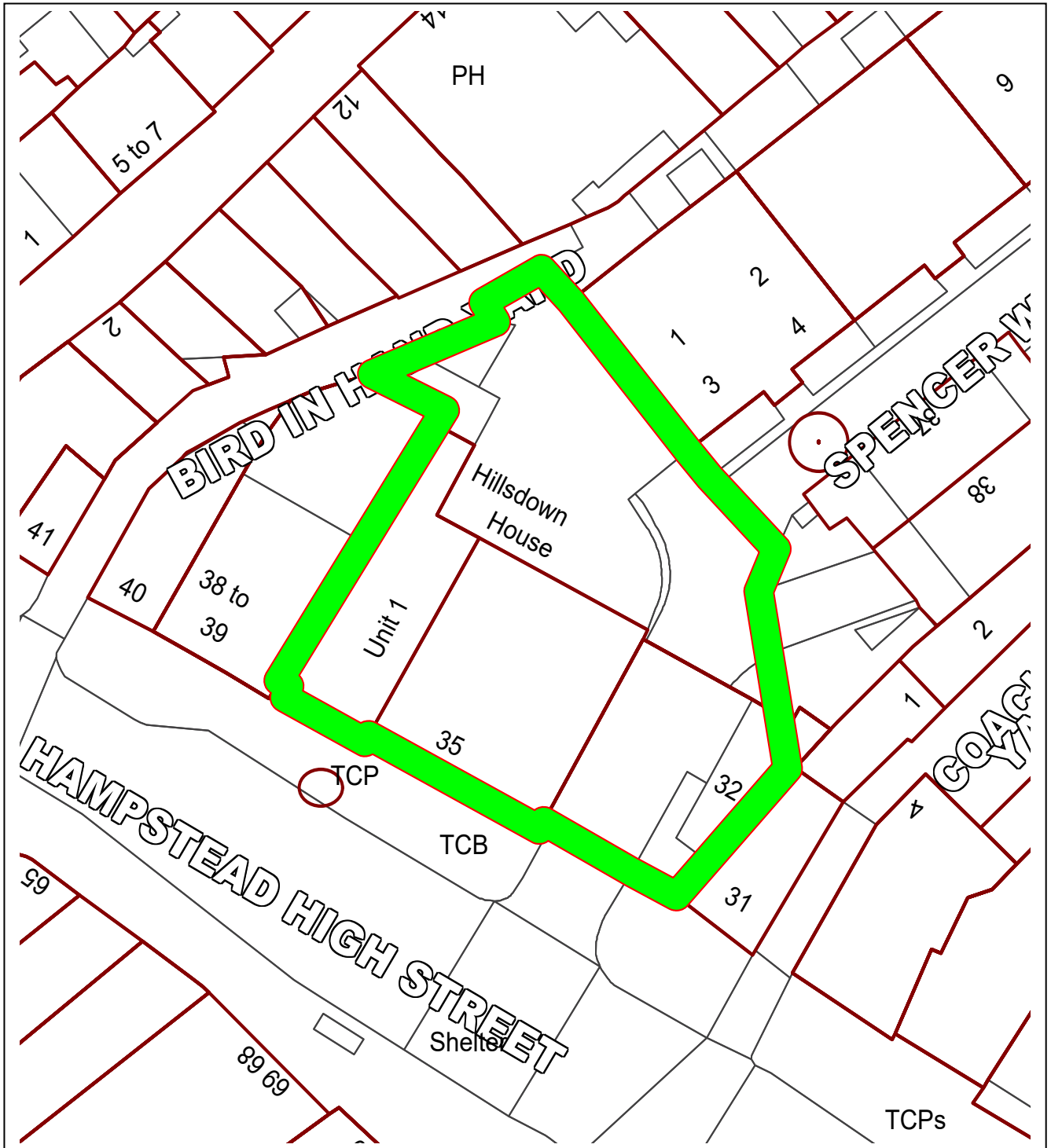


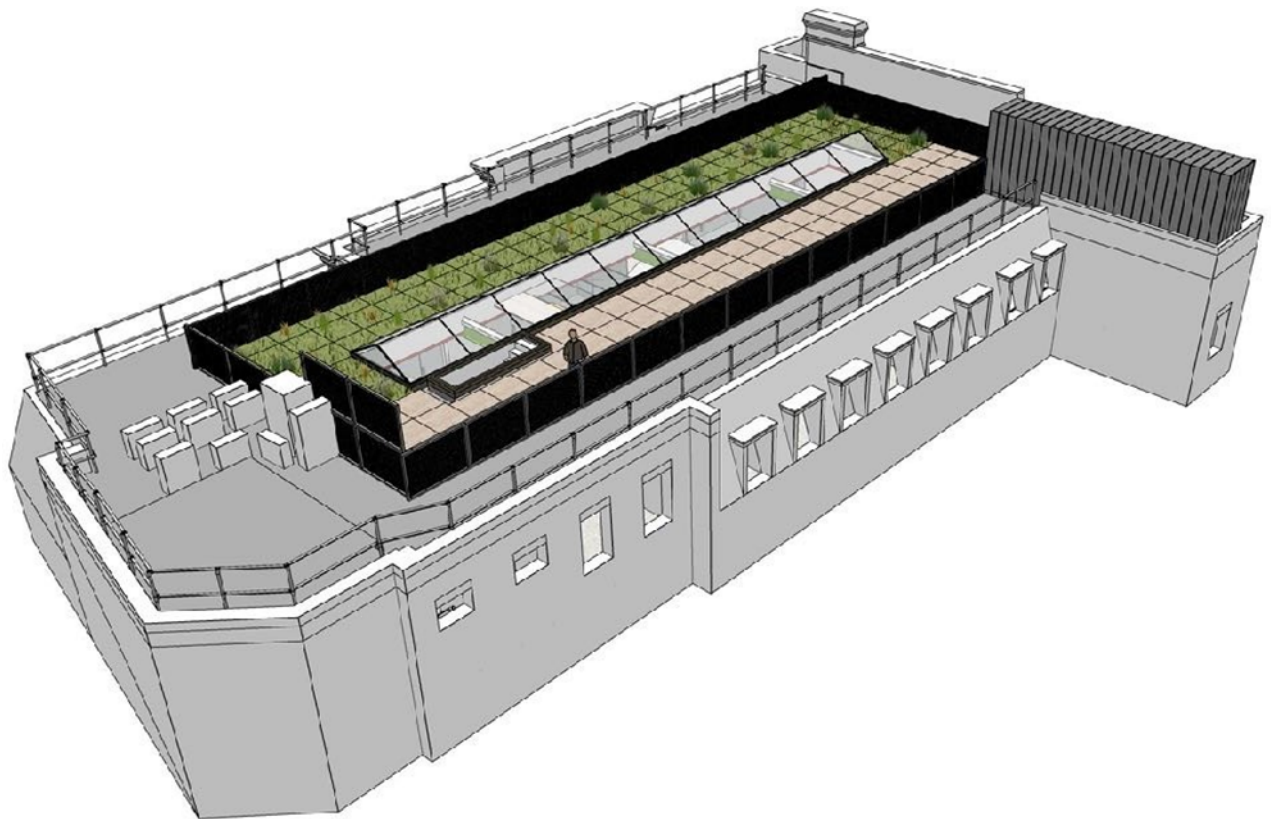
# 2020/2920/P 32 Hampstead High Street



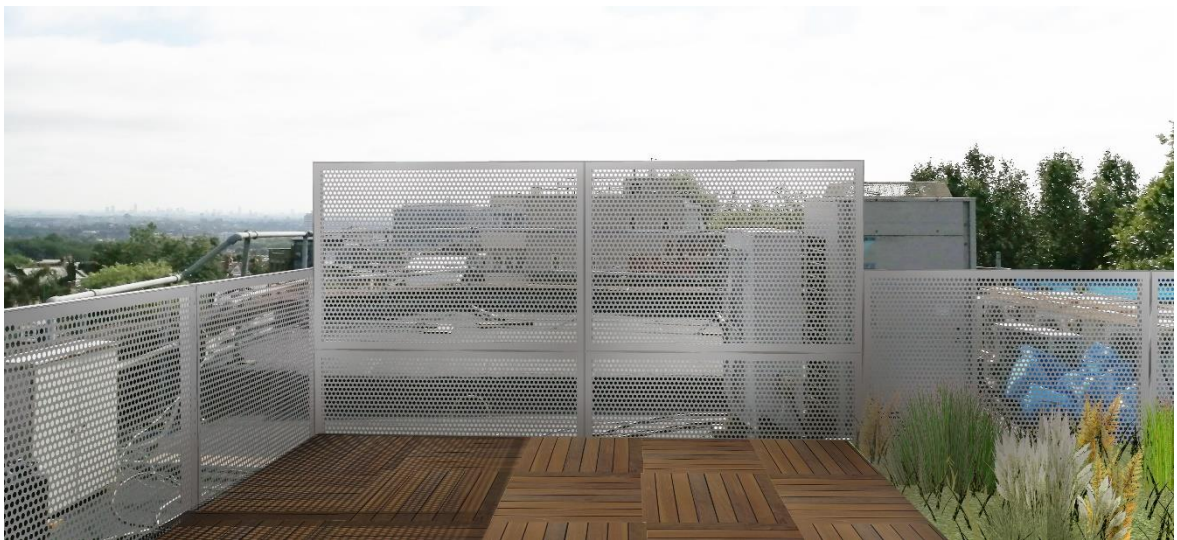
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Views of the stair tower at the rear, existing (left) proposed (right)



Schematic view of the roof showing the new accessible area, green roof area, and inner balustrade. The Raised sight screen is on the left, the stairhead on the right.



<b>Delegated Report (Members Briefing)</b>	<b>Analysis sheet</b>		<b>Expiry Date:</b>	10/02/2021
	Attached		<b>Consultation Expiry Date:</b>	17/01/2021
<b>Officer</b>			<b>Application Number(s)</b>	
Josh Lawlor			2020/2920/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
32 Hampstead High Street London NW3 1JQ			See draft decision notices	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
Creation of rear roof terrace at 4th floor level for use ancillary to existing Class E office use at 3rd floor level, including erection of rear stair enclosure, installation of balustrades and roof access hatch and other associated alterations.				
<b>Recommendation:</b>	Grant conditional planning permission			
<b>Application Type:</b>	Full Planning Permission			
<b>Conditions or Reasons for Refusal:</b>	Refer to Draft Decision Notices			
<b>Informatives:</b>				
<b>Consultations</b>				
<b>Summary of consultation:</b>	Site notices were displayed near to the site on the 12/08/202 (expiry 05/09/2020)  The application was also publicised in the local press from 06/08/2020 (expiry 30/08/2020)			
<b>Adjoining Occupiers:</b>	No. of responses	1	No. of objections	1
<b>Summary of consultation responses:</b>	An objection was received from unknown 1 address:  I have no objection in principle to a roof terrace, but am concerned that the proposed terrace would have a direct view into my bathroom and into my bedroom beyond that.  <i>Officer response:</i>			

	<p><i>The addition of the raised sight screen at the southeastern end of the accessible terrace area was made in response to this concern, and precludes any such overlooking.</i></p>
<p><b>Hampstead CAAC</b></p>	<p>HCAAC states that it objects initially to the proposal: It is clearly aimed at allowing a crowd of people onto the roof where previous access will have been for maintenance only. We must see the effect on the surrounding properties as to potential noise nuisance.</p> <p>No description of that detail in the application heading, no statement is offered - how validated without a DAS? HCAAC always asks such things.</p> <p>Please have that submitted for further consideration, let us see what exactly is involved, people numbers etc. We would expect it will confirm daytime only use, but to be sure. The area will have to be lit against the possibility of night-time access, so details of that also needed.</p> <p>Redundant AC units are to be removed to accommodate the new stair housing - a good move hopefully not to be substituted with new units.</p> <p>Attention to the roof finish and thermal improvement also welcome - can the green roof be of the deeper type to try for bio-diversity?</p> <p>The new stair housings are not welcome if distorting the otherwise clean roof profile, but use for persons in numbers probably necessitates. Maintenance access still required to the roof perimeters - how is that to be safeguarded - must be a gate somewhere?</p> <p><i>Officer Response:</i></p> <p><i>The applicant has provided a Design and Access Statement. Built in lighting is to be kept to a minimum with only deck-mounted, low-energy, side-emitting light fittings to assist with way finding during darker conditions. These will be within the line of the proposed balustrade and therefore not visible from outside the terrace.</i></p> <p><i>Please see the Design/Heritage, Amenity sections of this report for further information.</i></p>
<p><b>The Hampstead Neighbourhood Forum</b></p>	<p>The Forum made the following comment:</p> <p>The new stair housing as means of escape, when the regular access is through a hatch? Is the roof considered a place of safety in an emergency? If not, then a hatch could replace the proposed housing. As it is, the oddity spoils the block's otherwise clean profile.</p> <p>If it is, then lighting needed for H&amp;S - details of such? Should be low-height downward-lighting fittings not offering nuisance to surroundings.</p> <p>The potential for noise nuisance is if many people use the terrace at night-time - office parties come to mind, although not a feature until well into next year if then. The DAS confirms daytime only use, but to be sure. You will</p>

presumably condition against such, but is it realistic to expect people to limit their use of private open space?

Attention to the roof finish and thermal improvement is welcome - can the green roof be of the deeper type to try for bio-diversity?

*Officer Response:*

*The new stair housing is considered acceptable in design and heritage terms. The emergency escape strategy is not material to the assessment. Built in lighting is to be kept to a minimum, with only miniature deck-mounted, low-energy, side-emitting light fittings to assist with way finding during darker conditions. These will be within the line of the proposed balustrade and therefore not visible from outside the terrace.*

*Please see the Design/Heritage, Amenity sections of this report for further information.*

## Site Description

The property is a mixed use commercial building of late twentieth century construction, consisting of 3 floors of offices above retail (Class E). It is built of red brick with bronze coloured aluminium framed windows, and a flat roof with some lead mansard roof sections. The front of the building is on the High Street, and there is An undercroft to allow private access to a service yard at the rear, and a contemporaneous housing development behind. The back of the building is visible from some of the houses in this development and also from the rear of some other properties which have their fronts onto nearby Flask Walk.

## Relevant History

**8702926** Installation of a barrel vaulted rooflights on existing roof **Granted 28/10/1987**

**8702926** Installation of air conditioning unit **Granted 28/10/1987**

## Relevant policies

### National Planning Policy Framework (2021)

### The London Plan (2021)

### Camden Local Plan (2017)

- A1 Managing the Impact of Development
- A3 Biodiversity
- D1 Design
- D2 Heritage
- G1 Delivery and location of growth
- CC1 Climate change mitigation
- CC2 Adapting to climate change
- CC3 Water and flooding

### Hampstead Neighbourhood Development Plan 2018

- Policy DH1 Design
- Policy DH2 Conservation Areas and Listed Buildings

## Supplementary Guidance - Camden Planning Guidance

- [Amenity](#) - January 2021
- [Design](#) - January 2021
- [Home improvements](#) - January 2021
- [Trees](#) – March 2019
- [Biodiversity](#) – March 2018

[Hampstead Conservation Area statement](#) (2001)

## Assessment

### 1. The proposal

- 1.1. Planning permission is sought for the use part of the flat roof as an amenity terrace for the 3rd floor office occupants. In connection with this, it is proposed to:
- extend the existing rear escape stair upwards with a new housing to serve the roof,
  - install a new inner balustrade delineating the section of roof to be used, and
  - install a roof hatch providing access from the 3rd floor offices.
- 1.2. At present the only access to the roof is via a small hatch over the rear escape stair. Access to the proposed terrace will be from an accommodation stair within the offices, via a new hinged opening hatch in the flat roof. Secondary access will be from the existing rear escape stair which is to be extended upwards with a new housing at roof level. This will have the appearance of a small section of mansard roof with a lead-coloured standing seam metal finish on all sides.

### 2. Revisions

- 2.1. The stair enclosure and balustrades were originally proposed to be timber-clad and timber slats, but they've taken our advice and amended them to a lead coloured metal cladding for the stair enclosure, and perforated metal mesh screens for the balustrades and the 1.8m high privacy screen to the east of the proposed terrace. The proposal to use metal rather than timber fits far better with the character of the building

### 3. Assessment

- 3.1. The principal considerations material to the determination of this application are as follows:
- The visual impact upon the character and appearance of the listed building streetscene, local area (Design and Heritage)
  - The impacts caused upon the residential amenities of any neighbouring occupier (Residential Amenity)

### 4. Design and Heritage

- 4.1. The terrace part will be defined by a new balustrade set well back from the Northern roof edge by a varying amount, averaging in excess of 3 metres, with the inner edge defined by the existing large roof light. The set back of the balustrade would avoid any visual sign of the development from street level. The new balustrade, in the form of a painted perforated aluminium panel wood fence, will act as a privacy screen and windbreak, and will not be visually obtrusive within the street scene or wider public realm.

- 4.2. An existing tubular metal perimeter balustrade will be retained for the safety of maintenance operatives working on the non-accessible part of the roof. Some bulky redundant air conditioning plant are to be removed from the roof.
- 4.3. The terrace would only occupy part of the flat roof on the Northern side for the terrace, with the larger part of the roof area, including the whole Southern side, remaining inaccessible, except for maintenance purposes.
- 4.4. The part of the roof to the south of the large rooflight is to be laid to green roof using the Grufetile modular green roof system with Sedum and Wildflower mix. This area will not be accessible except for maintenance, but will make a positive contribution to biodiversity and water-runoff rates. The applicant has provided details of the green roof to show that it would have appropriate substrate depth to support the variety of wildflowers and sedum proposed. A maintenance plan has been provided which demonstrates that it would be sustainable.
- 4.5. Considerable importance and weight has been attached to the harm and special attention has been paid to the desirability of preserving or enhancing the character or appearance conservation area, under s. 72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

## **5. Residential Amenity**

- 5.1. Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of residents. This includes factors such as privacy, outlook, implications to natural light, artificial light spill, as well as impacts caused from the construction phase of development. Policy A4 seeks to ensure that residents are not adversely impacts upon by virtue of noise or vibrations.
- 5.2. The accessible part of the amenity terrace will be 83.4 square metres, 16.6% of the total roof area. The limited extent of the roof terrace would reduce the scope for excessively large gatherings. The accessible part of the terrace is set well back from the roof edge, preventing adverse overlooking. A sight screen is incorporated into the design at the southern end of the accessible terrace area to prevent overlooking of the side of the top floor apartments at 25 Hampstead High street to the south east. A condition is attached preventing use of any other parts of the roof not explicitly identified as a roof terrace.
- 5.3. The terrace will be conditioned so to only be used as an outdoor amenity space between the hours 0700 and 2100 Monday to Friday and between 0900 and 1800 on Saturday and Sunday. Outside of these permitted hours the roof will be used only for maintenance purposes.
- 5.4. The small scale, private nature, set back location, screen, restricted hours of access, urban setting and physical distance from nearby properties all mitigate against the potential for noise or light spillage of any significant degree.
- 5.5. The proposal would not give rise to adverse impacts on residential amenity.

## **6. Recommendations**

- 6.1. Grant conditional Planning Permission

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members' Briefing panel on Tuesday November 8<sup>th</sup> 2021, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.***



Application ref: 2020/2920/P  
Contact: Josh Lawlor  
Tel: 020 7974 2337  
Email: [Josh.Lawlor@camden.gov.uk](mailto:Josh.Lawlor@camden.gov.uk)  
Date: 4 November 2021

**Development Management**  
Regeneration and Planning  
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Town Hall  
Judd Street  
London  
WC1H 9JE

Phone: 020 7974 4444

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James Lambert Architects Ltd.  
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Haslemere Rd.  
London  
N8 9QY  
United Kingdom

# DRAFT

Dear Sir/Madam

**DECISION**

Town and Country Planning Act 1990 (as amended)

## **Full Planning Permission Granted**

Address:

**32 Hampstead High Street  
London  
NW3 1JQ**

# DECISION

Proposal:

Creation of rear roof terrace at 4th floor level for use ancillary to existing Class E office use at 3rd floor level, including erection of rear stair enclosure, installation of balustrades and roof access hatch and other associated alterations.

Drawing Nos: 32HH EX 0.1; 32HH EX 0.2; 32HH EX 1.1; 32HH EX 1.2; 32HH EX 1.3; 32HH EX 1.4; 32HH EX 1.5; 32HH GA 0.1; 32HH GA 0.2 Rev. A; 32HH GA 1.1 Rev. A; 32HH GA 1.2 Rev. A; 32HH GA 1.3 Rev. A; 32HH GA 1.4 Rev. A; 32HH GA 1.5 Rev. A; Block Plan (dated 23/06/2020); Design and Access Statement HH01a (prepared by James Lambert Architects Ltd, received 07/01/2021); Site Plan (dated 23/06/2020), Wildflower varieties, GrufeKit Green Roof System.

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

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: 32HH EX 0.1; 32HH EX 0.2; 32HH EX 1.1; 32HH EX 1.2; 32HH EX 1.3; 32HH EX 1.4; 32HH EX 1.5; 32HH GA 0.1; 32HH GA 0.2 Rev. A; 32HH GA 1.1 Rev. A; 32HH GA 1.2 Rev. A; 32HH GA 1.3 Rev. A; 32HH GA 1.4 Rev. A; 32HH GA 1.5 Rev. A; Block Plan (dated 23/06/2020); Design and Access Statement HH01a (prepared by James Lambert Architects Ltd, received 07/01/2021); Site Plan (dated 23/06/2020), Wildflower varieties, GrufeKit Green Roof System.

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

- 3 The living roof shall be fully provided in accordance with the details hereby approved prior to first use of the roof as a terrace 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, CC1, CC2, CC3, D1, D2 and A3 of the London Borough of Camden Local Plan 2017.

- 4 The terrace hereby approved shall be used as an outdoor amenity space between the hours 0700 and 2100 Monday to Friday and between 0900 and 1800 on Saturday and Sunday. Outside of these permitted hours the roof shall be used only for maintenance purposes.

Reason: To safeguard the residential amenity of surrounding residential occupiers in accordance with Policy A1 of the Camden Local Plan 2017.

- 5 Other than the areas explicitly identified on the approved drawings as a roof terrace, no part of any other roof of the building shall be used as a roof terrace or other form of open amenity space. Any access out onto this area shall be for maintenance purposes only. The balustrade hereby approved shall be installed prior to the use of the terrace and shall be retained and maintained thereafter.

Reason: In order to protect the existing residential amenities of the occupiers of neighbouring properties in accordance with the requirements of policies A1 and D1 of the London Borough of Camden Local Plan 2017.

- 6 The use of the roof terraces shall not commence until the balustrades, as shown on the approved drawings, have been constructed. The balustrades shall be permanently retained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises and for the safety of users in accordance with policies C5, A1 and D1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 2 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, 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.
- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at [www.camden.gov.uk](http://www.camden.gov.uk)) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Chief Planning Officer