

Delegated Report		Analysis sheet		Expiry Date: 20/04/2022	
		N/A		Consultation Expiry Date: 01/05/2022	
Officer			Application Number(s)		
Ewan Campbell			2022/0731/P		
Application Address			Drawing Numbers		
Flat 10 11 Lyndhurst Terrace London NW3 5QA			Please refer to draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Erection of a roof top glazed front extension and glazed side stairwell extension and alterations to existing staircore and sun room.					
Recommendation(s):		Refuse Planning Permission			
Application Type:		Full Planning Permission			
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice			
Informatives:					
Consultations					
		No. of responses	1	No. of objections	1
Neighbour Consultation		<p>A site notice was put up on 29/03/2022 expired on the 22/04/2022 and a press advert was put up 07/04/2022 and expired on 01/05/2022</p> <p>An objection was made from a residents group representing 10 flats within 11 Lyndhurst Terrace. Concerns include:</p> <ul style="list-style-type: none"> - Impact to the Conservation area - Fails to preserve or enhance the character - Little development of similar nature in area - Current roof extension is not particular visible <p><i>Officer comments: The objection letter references policies and material planning considerations which have been outlined in section 3</i></p>			

<p>Hampstead CAAC</p>	<p>The Hampstead CAAC have objected to the proposal. Concerns include:</p> <ul style="list-style-type: none"> - Light pollution from stairwell - Roof material poor quality and harmful of CA - No need for large window and proposed new bathroom - Overall energy efficiency upgrade needs to happen for building <p><i>Officer comments: Whilst the need for particular rooms are not material considerations with this application, the other issues in relation to design, materials and light pollutions are and are discussed within section 3 of the report.</i></p>
<p>Hampstead Neighbourhood Forum</p>	<p>The Hampstead NF have objected to the proposal. Concerns include:</p> <ul style="list-style-type: none"> - Extension will essentially add another storey to the building - Fails to demonstrate how it would enhance the character of the area by assuring that the design is sympathetic to the existing rhythm, proportion, height, scale, massing, and story heights of surrounding buildings and therefore is contrary to DH1 of the Hampstead Neighbourhood Plan. <p><i>Officer comment: comments from the Neighbourhood Forum are noted and all remain material considerations. These are discussed in section 3.</i></p>

Site Description

The site is located on the west side of Lyndhurst Terrace and comprises a apartment block. Its immediate neighbours are a four storey ornate Victorian villa to the south (no.7) and a five storey modern flat block to the north (no.11).

The site is situated in the Fitzjohns Netherall Conservation Area. It is identified as a negative contributor to the conservation area. According to the Fitzjohns Netherhall Conservation Area Statement, 'No. 11 is a 1960s block of flats which is unsympathetic in terms of design, scale, and detail'.

It is also situated within the Hampstead Neighbourhood Plan Area.

Relevant History

CTP/F7/2/2/23082 – Erection of sun room on roof - granted on 24/08/1976

CTP/F7/2/2/35037 - Erection of additional sun room at roof level - granted 29/11/1982

2004/3974/P – Demolition of existing sunroom at fourth floor/roof level, and replacement by the construction of two new sunrooms, as an extension to the existing third floor flat, plus extended roof terrace and associated balustrading - granted 05/11/2004

2006/2846/P - Alterations to external appearance of the building to provide cedar cladding below windows and a rendered finish, as an amendment to planning permission granted 5th November 2005 (ref. 2004/3974/P) for the demolition of existing sun room at 4th/roof level and replacement by the construction of 2 new sun rooms as an extension to the existing 3rd floor flat plus extended roof terrace and associated balustrading – granted 11/08/2006

2007/6354/P – Extension at roof level to provide additional habitable accommodation to the third floor flat including front and rear roof terraces as an amendment to planning permission dated 5/11/2005 (ref. 2004/3974/P) for demolition of existing sunroom at fourth floor/roof level and replacement by the construction of two new sunrooms as an extension to the existing 3rd floor flat plus extended roof

terrace and associated balustrading - granted 08/04/2008

2021/0138/P - The erection of an additional (second) sun room on the roof (permitted and commenced under planning permission CTP/F7/2/2/35037 dated 29/11/1982) – granted 17/03/2021

National Planning Policy Framework 2021

The London Plan 2021

Camden Local Plan 2017

Policy D1 Design

Policy D2 Heritage

Policy A1 Managing the impact of development

Policy A3 Biodiversity

Hampstead Neighbourhood Plan 2018

Policy DH1: Design

Policy DH2: Conservation Areas and Listed Buildings

Policy D4: Non Designated Heritage Assets

Policy NE4: Supporting Biodiversity

Policy G03: Biodiverse Habitats

Camden Planning Guidance (CPG)

CPG Home Improvements (January 2021)

CPG Biodiversity (March 2018)

Fitzjohns Netherhall Conservation Area Statement (CAS) 2001

Assessment

1. PROPOSAL

1.1. The applicant seeks the following:

- A roof top extension to the front of the existing one, measuring 5.0m in depth 5.8m in width and a height of 2.8m with a flat roof design.
- A new glazed stairwell enclosure to the north side
- Increased height of existing core with curved roof and new window on south side; both sunroom and core re-clad with lightweight panels.

2. CONSIDERATIONS

2.1. The material considerations for this application are as follows:

- Design and Heritage
- Amenity

3. ASSESSMENT

Design and Heritage

3.1.1. The Local Plan policies D1 (Design) and D2 (Heritage) are aimed at achieving the highest standard of design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function,

appearance and character of the area; and Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings.

- 3.1.2. There is an existing extension on site which was confirmed as lawful by a CLEUD decision ref 2021/0138/P. Whilst this is lawful, the extension does not contribute positively to the overall character of the building and is not considered to be a good design.
- 3.1.3. The proposed roof extension appears significantly bulky within the context of the building and fails to match up with the existing roof extension to the rear. The proposed stairwell, link room and extension in combination all look incongruous to the overall building and seem awkward in appearance. The proportions, sizes and forms are not subordinate nor are they related to the form of the building. The glazing also appears excessive and fails to be considerate of the building below. The alterations to the existing staircore with a new curved roof will increase its height and visibility.
- 3.1.4. Furthermore the front extension would extend considerably towards the front elevation and become a dominant element at the top of the building. The extension itself is set back 1.5m from the front elevation; however the flat roof overhang is actually only 0.5m from the front elevation. This means the extension would become very prominent from multiple points on the street itself and neighbouring buildings. Although its flat roof is appropriate, the extension does not respect the proportions, fenestration design and amount of glazing of the host building. The design and bulk in such a prominent location make the extension unacceptable and it is considered to harm the character and appearance of the host building and streetscene.
- 3.1.5. No objections are raised to the recladding of the existing sunroom and the new side window.
- 3.1.6. The building itself is listed as a negative contributor in the local CAS due to its '*design, scale and detail*'. The proposal does nothing to address any of these issues and actually, due to its bulk and incongruous form, compounds all these issues. This means the proposal neither preserves or enhances the character and appearance of the conservation area.
- 3.1.7. 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.
- 3.1.8. The NPPF in Section 16 provides guidance on the weight that should be accorded to harm to a heritage asset, such as listed building or conservation area, and in what circumstances such harm might be justified. Para 202 states that 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use'.
- 3.1.9. The proposal is considered to lead to 'less than substantial' harm to the significance of the conservation area as a designated heritage asset and would not create any public benefit. In accordance with the NPPF balancing exercise outlined above, it is considered that this harm is not outweighed by any benefit and thus the scheme should be refused permission.

Amenity

- 3.1.10. Policy A1 seeks to protect the amenity of Camden's residents by ensuring the

impact of development is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. This includes privacy, outlook and implications on daylight and sunlight. This is supported by the CPG Amenity.

3.1.11. In terms of amenity, the extension is located on the roof of the highest building on the street and, and because it is set in a small amount from the roof edge, issues relating to loss of outlook and daylight/sunlight are not considered to be significant.

3.1.12. The extension is in a prominent location on the roof and will contain a significant amount of glazing. Whilst this would mean that there might be a degree of light pollution, there are no neighbouring windows at this level within close vicinity and therefore the impact will not be significant.

3.1.13. In terms of overlooking, the new glazed extension would mean an increase in the perceived level of overlooking being easily able to see into properties across the street and to the side at 7 Lyndhurst Terrace. This means some degree of privacy would be lost; however in this instance, with existing side windows and roof top extensions, there will not be a significant difference from what is existing and any further impact would only be marginally harmful.

4. RECOMMENDATION

4.1. Refuse Planning Permission for the following reason:

The proposed roof extensions and alterations, by virtue of their location, design, bulk and massing, would result in incongruous and dominant additions to the existing building. This would cause harm to the character and appearance of the host building, streetscene and conservation area, contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017 and policy DH1 of the Hampstead Neighbourhood Plan 2018.