

Application ref: 2021/5369/P
Contact: Elaine Quigley
Tel: 020 7974 5101
Email: Elaine.Quigley@camden.gov.uk
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Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk

www.camden.gov.uk/planning

Hanson Architects
Studio 7C
Wellington Rd
London
NW10 5LJ

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

**68 Parliament Hill
London
NW3 2TJ**

Proposal:

Erection of a double height side extension, alterations to the front and rear elevations including enlargement of front courtyard at lower ground floor level, replacement of windows with doors on the lower ground floor rear elevation, erection of new single storey garden studio building in the rear garden and associated hard and soft garden landscaping, installation of new railings within front forecourt and new boundary fencing and brick walls at the rear all in association with the conversion of 2 flats at lower and upper ground floor levels to 1 maisonette.

Drawing Nos: 587-IN-050; 587-IN-051; 587-IN-100; 587-IN-101; 587-IN-200; 587-IN-201; 587-IN-202; 587-IN-203; 587-IN-204; 587-IN-205; 587-IN-206; 587-IN-208; 587-GA-051 rev D; 587-GA-100 rev G; 587-GA-101 rev G; 587-GA-102 rev E; 587-GA-103 rev E; 587-GA-200 rev F; 587-GA-201 rev E; 587-GA-202 rev F; 587-GA-203 rev F; 587-GA-204 rev E; 587-GA-205 rev F; 587-GA-206 rev D; 587-GA-207 rev D; 587-GA-208 rev D; 587-GA-209 rev B; 587-SK-503; 587-SK-505; Arboricultural Report and Tree Condition Survey produced by Ruskins Tree Consultancy dated January 2022.

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:
587-IN-050; 587-IN-051; 587-IN-100; 587-IN-101; 587-IN-200; 587-IN-201;
587-IN-202; 587-IN-203; 587-IN-204; 587-IN-205; 587-IN-206; 587-IN-208;
587-GA-051 rev D; 587-GA-100 rev G; 587-GA-101 rev G; 587-GA-102 rev E;
587-GA-103 rev E; 587-GA-200 rev F; 587-GA-201 rev E; 587-GA-202 rev F;
587-GA-203 rev F; 587-GA-204 rev E; 587-GA-205 rev F; 587-GA-206 rev D;
587-GA-207 rev D; 587-GA-208 rev D; 587-GA-209 rev B; 587-SK503; 587-SK-505; Arboricultural Report and Tree Condition Survey produced by Ruskins Tree Consultancy dated January 2022.

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

- 3 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 and policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018.

- 4 Prior to the commencement of the works to construct the studio outbuilding hereby approved the relevant parts of the rear boundary brick wall shall be rebuilt to match the height, design and materials of the existing brick wall..

Reason: To safeguard the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017 and policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018.

- 5 Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the local planning authority in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the London Borough of Camden Local Plan 2017 and NE2 of the Hampstead Neighbourhood Plan 2018.

- 6 The outbuilding hereby approved shall only be used for purposes ancillary to the residential use of the second and third floor flat of the application site and shall not be used as a separate independent Class C3 dwelling or Class B1 business unit.

Reason: To ensure that the future occupation of the studio outbuilding does not adversely affect the amenity of adjoining residential premises/immediate area by reason of noise, traffic congestion and excessive on-street parking and is not used for unauthorised purposes, in accordance with policies A1, D1, D2 and T2 of the London Borough of Camden Local Plan 2017 and policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018.

Informative(s):

- 1 Reasons for granting permission.

The proposal includes conversion of the existing lower ground and upper ground floor flats to create a new self-contained maisonette. The Hampstead Neighbourhood Plan (NP) policy on loss of small self-contained dwellings (HC1) is in general accordance with policy H3 and its supporting text at 3.75 ("Net loss of one home is acceptable when two dwellings are being combined into a single dwelling"). The proposal would be acceptable in land use terms as it would result in the loss of 1 residential unit and this is in accordance with policy H3 of the Camden Local Plan and HC1 of the Hampstead Neighbourhood Plan.

Various extensions and alterations are being proposed to enlarge and make better use of the internal space at lower and upper ground floor levels. During the course of the application revisions have been made to the proposal including reduction in the size of the two storey side extension, removal of railings along the front boundary wall, and retention of the historic railings on the balcony on the upper ground floor rear elevation.

There are existing brick structural arches to the side of the building that would be incorporated into the proposed new side extension. The two storey side extension would project 1.4m above the brick structure and would be set back 1.5m from the front porch. It would be set back from the rear elevation of the main building by 0.3m to create a shadow gap. Due to its location at lower ground and upper ground floor level and given its modest width (0.9m) the extension would be subservient to the main building and would not have a harmful impact on the character or appearance of the building. The extension would include mainly glazing which would ensure it has a lightweight appearance. The window opening in the front elevation would be standard in size and would be set back 1.5m from the front porch of the building and approx. 6.9m from the street. It would not have a harmful impact on the character or appearance of the building. In this part of South Hill Park Conservation Area the gaps between buildings are important as they provide glimpses through to the greenery of the gardens and trees behind which provides relief along the densely developed street. Objections have been received from a local resident regarding the loss of the gap with views being

reduced through to the trees beyond. The proposed side extension would project not have any significant impact on the view through the gap as this is already compromised by the 2 storey extension at no. 70. There is still the ability to appreciate the sky and some greenery between the buildings. Concerns have been raised about the window opening and the fact that it is not sympathetic to the street. This window would be set back approx. 6.9m from the street and given its size the window would not have an adverse impact on the streetscene. Overall the side extension not have a harmful impact on the character or appearance of the conservation area.

The proposal would include the removal of the existing lower ground floor windows and doors on the rear elevation and replacement with 3 full height glazed double door openings which would extend across the rear elevation and would be constructed using crittal frames. Although this is a very contemporary intervention the doors would continue to be vertical in their emphasis which matches the fenestration pattern above. Neighbouring buildings particularly at nos. 64 and 66 also include large modern replacement openings at this level and the doors would not appear out of character within the building nor within this part of the terrace and would be considered acceptable.

The alterations within the front lightwell including lowering of the ground level by approx. 0.3m and enlargement of windows and replacement doors would be considered acceptable due to their location at lower ground floor level and minor nature of the works.

- 2 Simple black railings and hand rail would replace the existing railings at upper ground floor level on the front forecourt down the steps to the lower ground floor level. Railings that enclose the lightwell below are a common feature along this part of Parliament Hill and is considered acceptable. Railings on the front boundary brick wall have been removed from the scheme as they are not a feature of the street which is mainly made up of low brick walls with soft planting above.

A new timber studio outbuilding would be constructed in the rear garden which faces onto the Heath. Supporting text 6.40 of Policy A2 identifies Hampstead Heath as Metropolitan Open Land (MOL) where the openness and character of the space shall be protected. The site in question is located in land immediately adjacent to Hampstead Heath (MOL) and is also on land designated as Private Open Space (POS). Therefore, any development on this site needs to take account of the setting of adjoining MOL and the appropriateness of buildings on POS. Any development on sites adjacent to open space should respect the size, form and use of that space and not cause harm to its appearance or setting. In addition to this, Camden's Design Guidance (CPG) Design sets out a number of tests for development within rear gardens (paragraph 4.24) and where development is on private land that forms part of a public space (paragraph 4.26).

It would measure 25.7 sq. m and would include a pitched roof that would measure 2.5m to the eaves and 3.5m to the ridge. The shed would be constructed using timber which is a natural material that is typical of garden structures. The rear garden measures 27m in length and is approximately 286 sq. m in area. The garden structure would take up approximately 10% of the

garden and would be modest in size in relation to the garden as a whole and would be considered subservient in size. Due to the sloping, stepped ground level of the rear garden and the partially sunken nature of the outbuilding it would be mainly screened from any public views from beyond the high level rear brick boundary wall. An upper section of the boundary wall has partially collapsed due to the recent removal of trees in the rear garden. A condition would be attached to ensure that the collapsed sections of the rear boundary wall are rebuilt before the timber outbuilding is constructed.

The location of the outbuilding within the garden is not immediately behind the host property but is approximately 17.6m to the rear. This leaves the rest of the garden open and well vegetated and therefore its location is not considered to detract from the open character of the garden. As stated above, the garden of the property is located within land designated as Private Open Space and as such one of the supporting paragraphs of Policy A2 needs to be addressed. This requires development within such areas to be limited development ancillary to the existing use, and, for which there is a demonstrable need. The proposed size and use of the outbuilding is considered to be both limited development and ancillary to the existing dwelling. A large proportion of open garden space will remain. A condition would be attached to ensure that the studio is used for the residential dwelling only.

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.

The proposed works would not have any impact on the amenity of neighbouring occupiers in terms of loss of light, sense of enclosure or privacy and would be considered acceptable.

1 letter of objection was received in response to the application. This and the planning history of the site have been taken into account when coming to this decision.

- 3 As there would be new occupiers living in the flat it would be required to be car-free. This would be secured by a legal agreement to would prevent future occupiers from obtaining on-street parking permits.

The development would involve lightwell excavations and the lowering of the lower ground floor by approx. 0.3m, adjacent to the public highway. The Council has to ensure that the stability of the public highway adjacent to the site is not compromised by the proposed excavations. The applicant would be required to submit an approval in principle (AIP) report. The AIP report and an associated assessment fee of £646.27 would be secured via a legal agreement.

Three trees would be removed as part of the works in the rear garden (plum/cherry, apple and pear tree) from the southern boundary with no. 66. The removal of the trees has been approved as part of a recent permission (2021/6159/T). A arboricultural method statement and tree protection plan would be prepared prior to the commencement of works on site. The

submission of these documents would be secured by condition.

As such, the proposed development is in general accordance with policies A1, A2, A3, D1, D2, H3 and T2 of the London Borough of Camden Local Plan 2017 and policies DH1, DH2, HC1 and NE2 of the Hampstead Neighbourhood Plan 2018. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2021.

- 4 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.
- 5 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).
- 6 You are advised that the appropriate standards for tree work are set out in BS 3998: 2010. Failure to ensure that the proposed works are carried out to these standards may result in damage to the tree(s) and may result in legal action by the Council.
- 7 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) 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.

- 8 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ.
- 9 Your attention is drawn to the fact that there is a separate legal agreement with

the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.

- 10 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.

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:

<https://www.gov.uk/appeal-planning-decision>.

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer