

<b>Address:</b>	4 Lutton Terrace London NW3 1HB		<b>4</b>
<b>Application Number(s):</b>	2022/3071/P	<b>Officer: Ewan Campbell</b>	
<b>Ward:</b>	Hampstead Town		
<b>Date Received:</b>	12/08/2021		
<p><b>Proposal:</b> Erection of a mansard roof extension with front dormer windows and rear rooflights and roof terrace, new front boundary wall with iron railings, installation of replacement double glazed timber windows to front and rear elevations.</p>			
<p><b>Background Papers, Supporting Documents and Drawing Numbers:</b></p> <p>LT004-E010, LT004-E101, LT004-E102, LT004-E103, LT004-E104, LT004-E200, LT004-E201, LT004-E202, LT004-E203, LT004-E210, LT004-E211, LT004-E212, LT004-E213, LT004-E220, LT004-E221, LT004-P222, LT004-P010, LT004-P101_A, LT004-P102, LT004-P103_A, LT004-P104, LT004-P200_A, LT004-P201, LT004-P202_A, LT004-P203_A, LT004-P204_A, LT004-P210_A, LT004-P211_A, LT004-P212_A, LT004-P213_A, LT004-P222, LT004-Design and Access Statement, Heritage Statement (15/07/2022) and Daylight/Sunlight Report (080422)</p>			
<p><b>Recommendation Summary: Grant conditional planning permission subject to a section 106 legal agreement.</b></p>			
<b>Applicant:</b>		<b>Agent:</b>	
Mr Daniel Norsa Scott 4 Lutton Terrace Camden London NW3 1HB		Hugh Cullum Architects Ltd 61b Judd Street London WC1H 9QT United Kingdom	

## ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace (GIA sqm)
Existing	Residential (Class C3)		84sqm
Proposed	Residential (Class C3)		106sqm

Parking Details:		
	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	0	0
Proposed	0	0

## **OFFICERS' REPORT**

**Reason for Referral to Committee: Where the Director of Economy, Regeneration and Investment has referred the application for consideration after briefing members [clause 3(vii)].**

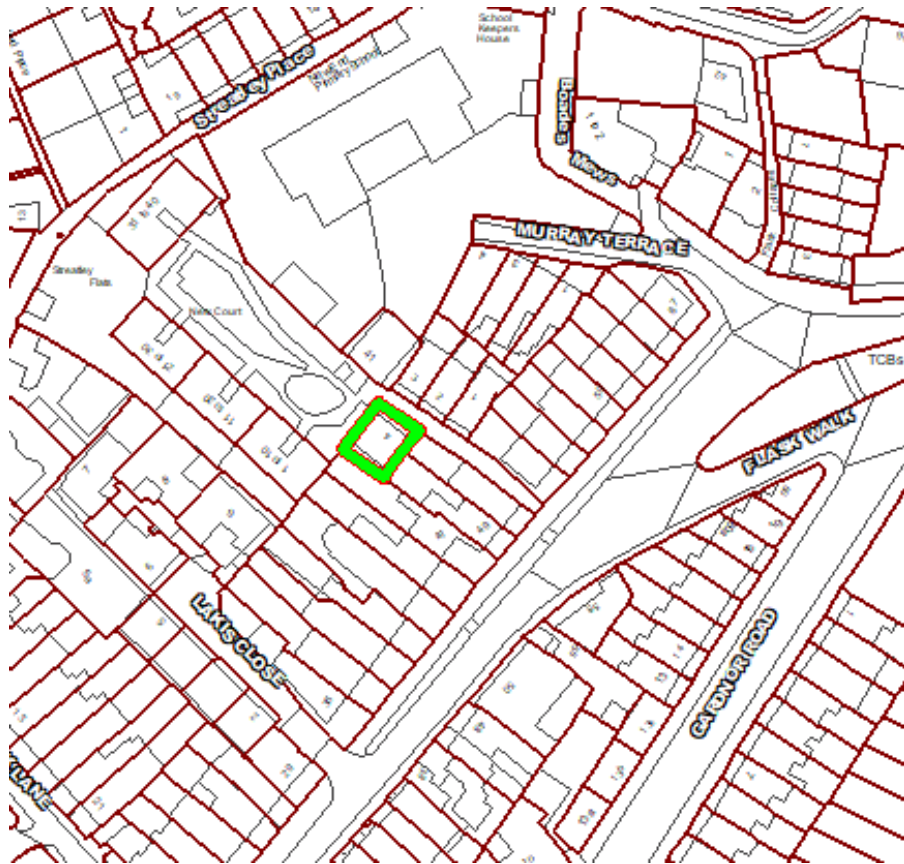
### **Executive Summary**

- i. The application site is a two storey detached residential property within the Hampstead Conservation Area. It is not a listed building but is identified as making a positive contribution to the character of the conservation area within the Conservation Area Management and Appraisal Strategy. Planning permission is sought for the erection of a mansard roof extension with front dormer windows and rear rooflights and roof terrace, new front boundary wall with iron railings, installation of replacement double glazed timber windows to front and rear elevations.
- ii. Overall, the proposals are considered sympathetic to the character of the existing building and would result in acceptable changes to its external appearance from public views, as well as private views from neighbouring properties. The nature of the site and Luton Terrace means that the property's most significant contribution to the conservation area is from the front facing from Luton Terrace which will be retained. Due to its narrow width and enclosed nature, the main visible change would be a parapet instead of eaves, the mansard extension from this angle would not be particularly visible and the proposal is subordinate in scale overall. As such, the proposals would preserve the character and appearance of the Hampstead Conservation Area
- iii. Due to the location of the works and their relationship to neighbours, they would not impact neighbouring amenity by way of loss of privacy or outlook, daylight and sunlight or noise. The proposals would not have an unacceptable impact on local transport infrastructure subject to a construction management plan (CMP), CMP implementation support contribution of £3,920 and a CMP bond of £7,500, and a highways contribution of £3,200, all of which would be secured by a section 106 agreement.
- iv. As such, the proposed development is considered to comply with the requirements of local and national policies and guidance and it is recommended that conditional planning permission is granted subject to a section 106 agreement.

## Site

- 1.1 The site on the southern side of Luton Terrace contains a detached cottage located within the Hampstead Conservation Area. The site is situated in Sub Area Two, which is characterised by “the intricate network of lanes and narrow alleyways built on the complex slopes of the land to the east of Heath Street [which] dates from the early 18th century through the 19th century....This network is punctuated by small and irregularly shaped spaces of great charm, such as Hampstead Square, New End Square, Mansfield Place and Stamford Close. The area contains an extraordinary variety of building types, ages and styles, ranging from tiny cottages of all ages, grand 18th century houses, Victorian tenements and substantial villas to 20th century council flats and small private houses.” (Hampstead Conservation Area Statement, p.17)
- 1.2 The 19th century building is 2 storeys in height with a double pitched roof with a 1960's two storey addition at the rear that includes a flat roof. The existing roof appears to be non-original and is covered with concrete tiles. The building is occupied as a single family dwelling. To the west is an area of open space that is accessible from Luton Terrace.
- 1.3 No.4 Luton Terrace is situated in between houses of Flask Walk and apartment blocks of New Court and New End School, which all represent buildings of a larger scale.
- 1.4 The application is also near several listed buildings. New Court, no.41 Flask Walk, as well as 35-47 Flask Walk are all listed.





*Figure 1 – Site location outlined in green.*

- 1.5 The site has a Public Transport Accessibility Level (PTAL) of 3 (average). The nearest London Underground Station is Hampstead to the South, and Hampstead Heath Overground Station is to the south east, both of which are relatively short walks away. There are also numerous bus services from Rosslyn Hill and Haverstock Hill.

## **2 The Proposal**

- 2.1 Planning permission is sought for the following works:

- Mansard roof extension measuring 7.9m in width, a maximum depth of 5.8m and a height of 1.8m. The design includes 3 front dormer windows and 2 rear rooflights with a terrace area cut into the roof also at the rear.
- Raising of the roof height and flank walls by 1.3m and 2.9m respectively.
- Alterations to the front boundary treatment with rendered pillars and iron railings at a maximum height of 1.4m.
- Replacement of existing front and rear windows with double glazing.
- New front bin store measuring 1.9m in depth, 0.7m in width and a height of 1.2m

- Increase in the height of rear flank boundary wall by 1.2m in height from 1.9m to 3.1m.

2.2 Following the submission of this proposal, amendments were sought to the scheme to remove a proposed air conditioning unit (AC unit), reduce the scale of the roof extension and alter the front fenestration details. All revisions have been accepted by officers and are reflected in the scheme which is now being considered.

### **3 Relevant history**

3.1 **4756** - Addition at rear to first floor level at 4 Luton Terrace, Camden (Granted 14/03/1968).

3.2 **5276** - The rebuilding of a 2-storey dwelling house at 4 Luton Terrace, Camden (Permitted Development (19/06/1968)

### **4 Consultation Summary**

#### **Adjoining Occupiers**

4.1 A press notice was published on 01/09/2022 that expired on 25/09/2022 and site notices were displayed on 26/08/2022 that expired on 19/09/2022.

4.2 Letters of objection were received from 26 local residents on the following grounds (summarised):

#### **4.3 Design / Heritage**

- Detrimental to character of Conservation Area
- Harmful impact to adjacent listed buildings
- Development out of keeping with character of area
- Mansard roof detracts from character
- Height and flank wall increases massing
- Overdevelopment
- Overbearing design
- Precedents will be set
- Scale of extension is unacceptable
- Impact on setting on listed building and conservation area

#### **Officer response**

- *Please refer to section 2.2 (Design and Conservation) for full assessment.*

#### **4.4 Neighbouring Amenity**

- Dominate gardens adjacent to New Court
- Overshadowing and loss of light
- Overlooking and loss of privacy
- Loss of outlook

Officer response

- *Please refer to section 8 (amenity) for full assessment of impact on neighbouring amenity and section 9 (Transport) for assessment of construction impacts.*

4.5 Other

- Contrary to Neighbourhood Plan policies
- Contrary to Local Plan Policies
- Threatening the structure and desirability of Pan-African refugee Coop buildings
- Construction and foundation issues
- Issues with water pipes and underground water lines
- Anti-social behaviour will increase

Officer response

- *Neighbourhood Plan and Local Plan policies are explicitly listed in the report and have been taken into consideration when assessing the development proposals.*
- *Structural and water pipe issues and desirability potential are not material considerations for this application.*
- *There is limited evidence to suggest this householder extension is likely to contribute to anti-social behaviour.*

4.6 The following concerns were raised by **Hampstead CAAC**:

- House is part of a terrace not a single unit
- Overdevelopment
- Front proposals are too bulky and complicated

Officer response

- *The issues are addressed in paragraphs within Section 7 of the report below.*

4.7 The following concerns were raised by **Hampstead Neighbourhood Forum**:

- Objected to AC unit
- Requested a CMP
- Additional height of 1.4m is considerable

- Would have a disproportionate effect on the residents opposite and detrimental to the conservation area

Officer response

- *Following amendments the AC units have been removed, the front fenestration details have been altered and the height of the mansard has been reduced. A Construction Management Plan (CMP) would be secured as part of the s106 agreement (see section 9 of the report). Issues of design and amenity are discussed in section 7 of the report below.*

4.8 The following concerns were raised by **Heath and Hampstead Society**:

- Seems like a very reasonable proposal
- Terrace would overlook neighbours (Objection)
- Elevations have not been included

Officer response

- *Amenity considerations have been addressed in section 8. The elevations have been visible on the website since submission.*

4.9 The following concerns were raised by The **Flask Walk Neighbourhood Association**:

- Access
- Sense of enclosure and overlooking
- Impact on Conservation Area
- AC unit should be removed
- Noise nuisance is considerable from the unit for neighbours
- A letter reiterating concerns was sent to the Council 03/04/2023

Officer response

- *Design and amenity issues are all material considerations for this application and have been discussed in more detail within sections 7 and 8 of this report. In terms of the AC unit, this has now been removed from the scheme which mitigates the noise impacts.*

## **5 Policies & Guidance**

### **5.1 National Planning Policy Framework 2021**

### **5.2 NPPG**

### **5.3 London Plan 2021**

## 5.4 Mayor's Supplementary Planning Guidance

## 5.5 Camden Local Plan (2017)

Policy A1 Managing the impact of development

Policy D1 Design

Policy D2 Heritage

Policy T1 Prioritising walking, cycling and public transport

Policy T2 Parking and car-free development

## 5.6 Hampstead Neighbourhood Plan (2018)

Policy DH1: Design

Policy DH2: Conservation areas and listed buildings

Policy BA3: Construction Management Plans

## 5.7 Supplementary Planning Policies

Camden Planning Guidance

CPG Design (January 2021)

CPG Amenity (January 2021)

CPG Home Improvements (January 2021)

CPG Transport (January 2021)

Hampstead Conservation Area Statement (CAS) (2001)

# 6 Assessment

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

7	<b>Design and conservation</b>
8	<b>Impact on neighbouring amenity</b>
9	<b>Transport</b>
10	<b>Conclusion</b>
11	<b>Recommendations</b>
12	<b>Legal comments</b>
13	<b>Conditions</b>
14	<b>Informatives</b>

# 7 Design and Conservation

Legislative background

### Statutory Framework

- 7.1 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires local planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.
- 7.2 Special regard has been attached to the desirability of preserving listed buildings, their setting and any features of special architectural or historic interest, under s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.
- 7.3 The effect of this section of the Listed Buildings Act is that there is a statutory presumption in favour of the preservation of the character and appearance of Conservation Areas. Considerable importance and weight should be attached to their preservation. A proposal which would cause harm should only be permitted where there are strong countervailing planning considerations which are sufficiently powerful to outweigh the presumption. The NPPF provides guidance on the weight that should be accorded to harm to heritage assets and in what circumstances such harm might be justified (section 16). This section of the report assesses whether there is any harm to heritage assets from the proposal.
- 7.4 The duties imposed by the Listed Buildings Act are in addition to the duty imposed by section 38(6) of the Planning and Compulsory Purchase Act 2004, to determine the application in accordance with the development plan unless material considerations indicate otherwise.

### The National Planning Policy Framework 2021 (NPPF)

- 7.5 The NPPF is a material consideration and requires its own exercise to be undertaken as set out in chapter 16 - Conserving and enhancing the historic environment. Paragraph 195 requires local planning authorities to identify and assess the particular significance of any heritage assets that may be affected by a proposal. Paragraphs 199-202 require consideration as to the impact of a proposed development on the significance of a designated heritage asset, including an assessment and identification of any harm/the degree of harm. Paragraph 202 states:

*'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.'*

### Policy review

- 7.6 London Plan policies HC1 and D4, Policies D1 and D2 of the Camden Local Plan, DH1, DH2 and BA3 of the Hampstead Neighbourhood Plan and supplementary planning documents CPG Design and CPG Home Improvements are relevant. Policy D1 of the Camden Local Plan seeks to secure high quality design in all development by requiring development to respond to local character and context, be highly sustainable in design and construction, integrate well to the surrounding streets and townscape, comprise high quality architecture, and be accessible for all. 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. In line with the statutory tests, Policy D2 states that the Council will not permit the loss of or substantial harm to a designated heritage asset, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 7.7 Policies DH1, DH2 and BA3 are included in the 2018 Hampstead Neighbourhood Plan. DH1 and DH2 states that development should positively contribute to the distinctiveness and history of the character areas, adhere to guidelines within the Conservation Area Management Area Appraisal and give regard to NPPF paragraphs in relation to conservation. Development overall should preserve or enhance the character of the Conservation area. Policy BA3 provides local area requirements for CMP's
- 7.8 Camden's Local Plan is supported by CPG (Design), CPG (Home Improvement) and the Hampstead Conservation Area appraisal and management strategy 2001.

### Designations

- 7.9 The following section discusses the relevant designated heritage assets as far as is relevant to the context of the application, before considering how the significance of these assets would be impacted by the proposals.
- 7.10 The application site is located within the Hampstead Conservation Area, within Sub Area 2. There are a number of listed buildings in the square however this building is not listed but is noted as providing a positive contribution to the conservation area. The nearby listed buildings include the New Court flats to the south east, a singular building at no.41 New Court to the North and various listed buildings along Flask Walk.

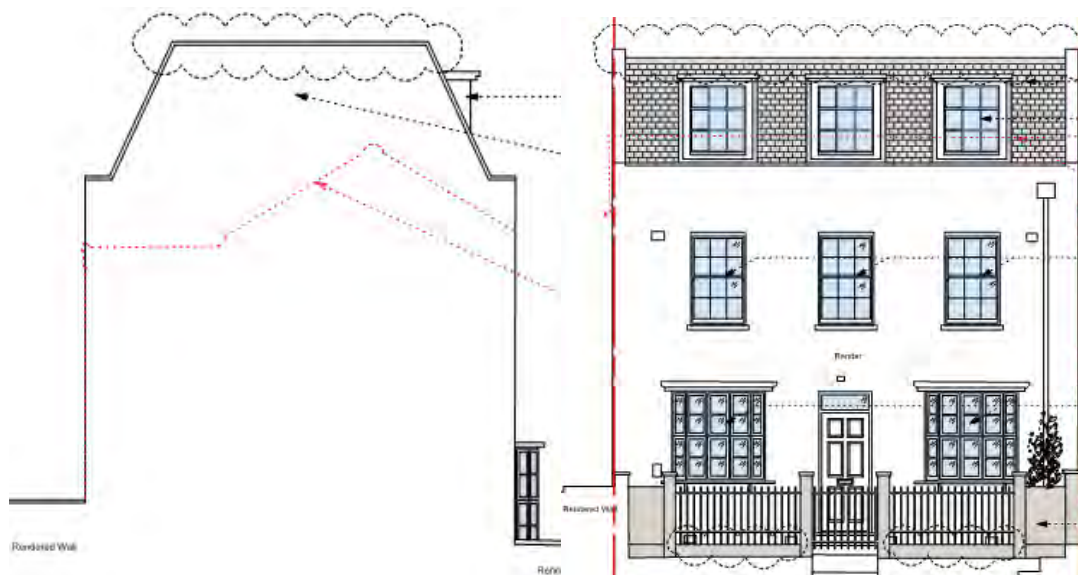
### Hampstead Conservation Area

- 7.11 The site is located within the sub area two of the Hampstead Conservation Area and comprises an intricate network of lanes and alleyways that were built along the ground contours from the 18th Century. The area is characterised by a variety of building types, ages, styles ranging from tiny cottages of all ages to 18th Century town houses
- 7.12 When describing Lutton Terrace, the assessment notes that no.47 has had infill development, including a damaging garage inset into the steep gradient of the hill direct from the street, and that the 'sylvan setting of no.47a is a pleasant surprise' compared to no.45. No.47d is not specifically mentioned, either in the description of the area, or as a positive or negative feature, and as such, it can be reasoned that it is considered to make a neutral contribution to the character and significance of the conservation area. The most significant contribution the application site makes to the character of the conservation area is considered to be the two mature Lime trees to the front boundary (one of which is subject to a TPO), which shall be retained and protected during the proposed works.

#### Assessment

- 7.13 The existing roof form does not relate to a strong prevailing character in the area and its removal would not harm the buildings character. The existence of the flat roof 1960's extension also mean part of the existing dual pitched roof character is weakened and appears contrived.
- 7.14 The scale of the mansard is acceptable in relation to prevailing building heights and sizes within the close proximity of the property. The detailed design also is considered sympathetic including traditional elements, respecting proportions and using sympathetic materials. To the side the mansard extension includes a flank wall which is shown on figure1 below. It is clear that the proportions in relation to the depth and height are respected by this elevation and results in a more traditional form from the side elevation. To the front, when comparing the existing pitch roof and the mansard, the existing roof form would be replaced by a mansard with side walls. Neither are widely visible and both are historically appropriate to the Conservation area. The mansard includes three windows which match with the symmetry of the fenestrations below. The windows are of acceptable scale (shown in figure 2) and in proportion with the hierarchy of the building. Although the design itself is acceptable, this element will barely be seen from Lutton Street due to the width of the pavement.





*Figure 2 and 3: Proposed Side and Front Elevation*

7.15 The proposed mansard roof would be in keeping with the varied roof forms that are present within this part of the Hampstead Conservation Area and rationalise the overall roof design for the existing building. The building stands alone in an area characterised by a variety of building forms which is demonstrated by the butterfly roof terrace of three opposite, the hipped roof property of 41 Flask Walk, the rear hipped roof elevations of the buildings on Flask Walk and the mansion block of New Court. Consequently there is no uniformity to roof design and the change is acceptable as a historically appropriate alternative. Mansards are a historical roof design and there are significant amount of examples within the area; along Flask Walk and Gardner Close as well as individual examples at 2, Streatley Place and 42, New End and means the design does not appear incongruous. This position is supported by policy DH1: Design of the Hampstead Neighbourhood Plan which requires development to respond positively and sympathetically to the existing rhythm, proportion, height, scale, massing, materials and storey heights of surrounding buildings. As stated, it is clear that the development falls in line with scale of development in the area but also in terms of building heights and design. This development does not upset the existing rhythm of surrounding buildings rather it reinforces it by providing a more traditionally designed and proportioned building.

7.16 The mansard roof itself would sit behind a front parapet and due to the width of the street/walkway, would not be visible from the front of the building. The new roof profile would be visible when looking south eastwards towards the building and is some degree higher than the existing roof, however within these views the cottage remains smaller and subservient to the buildings that surround it, maintaining the varied scale that characterises the area. The small increase in

height would also not impact how the listed buildings are viewed or read within the context of the area and can still be fully appreciated following the proposal.

- 7.17 These views will be predominantly of the flank elevation of the building and therefore does not significantly alter the existing views or character of the area. The continuation of reflecting a flank elevation and relatively small change in height means that the setting of the conservation area but also nearby listed buildings is preserved and not significantly impacted. The roof form would be visible from private houses and gardens to the rear but would have little impact on the host building.
- 7.18 The mansard roof angle is under the 70 degrees and therefore conforms to the principles set out in the Home Improvements CPG paragraph 2.2.2. Considering these aspects, the mansard roof extension would not have a significant impact on the character of the host building and would also preserve and enhance the character of the conservation area and would not harm the setting of nearby listed buildings.
- 7.19 The dormer windows to the front elevation of the mansard have been reduced since the pre-application design, and clearly provide a hierarchical structure for the building, with smaller windows as you go up the building. The details of materials will be conditioned with the dormer material being a natural slate tile with timber frames.
- 7.20 The proposed inset roof terrace would cover part of the roof to the rear of the building, run behind the southern flank wall and would be enclosed by metal railings and planters. The terrace itself sits within the roof extension and behind the flank wall which will be built up in the traditional mansard design. This means there be little impact to how the roof extension is read in the context of overall building. Due to the width and size of the roof terrace, it is considered that the roof terrace would not adversely impact the character of the building or conservation area. As stated, the existing 1960's extension which exists is not considered to be a positive element of the building nor the conservation area and has less value than what is being proposed. The form of the mansard would still be retained and respected and would still be read in this way.
- 7.21 The windows would be replaced with double glazed windows in timber. The principle of this alteration is accepted on the host property; however, a condition will be required to secure the submission and approval of further details to ensure that the thickness and profile of the replacement windows matches the existing and that they incorporate integrated glazing bars.
- 7.22 The existing boundary treatment is made out of thin iron railings and stone cladding which does not positively contributed to the site. The front fenestrations proposed, have been amended to include a dwarf wall and railings. The wall is proposed to be rendered and include pillars at 1.4m, 1.9m

and 2.3m in height due to the stepped change in ground level. The bin store within the front courtyard area would be appropriately placed and scaled in relation to the host building and front boundary treatment as it does not exceed the height of the pillars. As stated, currently the arrangement does not positively contribute to the site or conservation and the alteration to cleaner yet traditional boundary treatment improved by sympathetic materials means this is an improvement to the character of the site. The submission and approval of details of these aspects will be secured by condition.

### Conclusion

- 7.23 Therefore it is considered that the proposal complies with policies D1 (Design) and D2 (Heritage) of the Local Plan and Policy DH1: Design within the neighbourhood planning area of the 2018 Hampstead Neighbourhood Plan.

## **8 Impact on neighbouring amenity**

- 8.1 Policy A1 seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of neighbouring residents. This includes privacy, outlook, noise, and impact on daylight and sunlight. Construction-related impacts are dealt with in the Transport section below.
- 8.2 A Daylight/Sunlight report has been submitted in support of the application. The analysis tests windows on properties fronting onto Flash Walk including nos 43-53 (odds), nos 1, 2 and 3 Luton Terrace and 10 and 41 New Court. Figure 1 below shows the properties tested spatially.

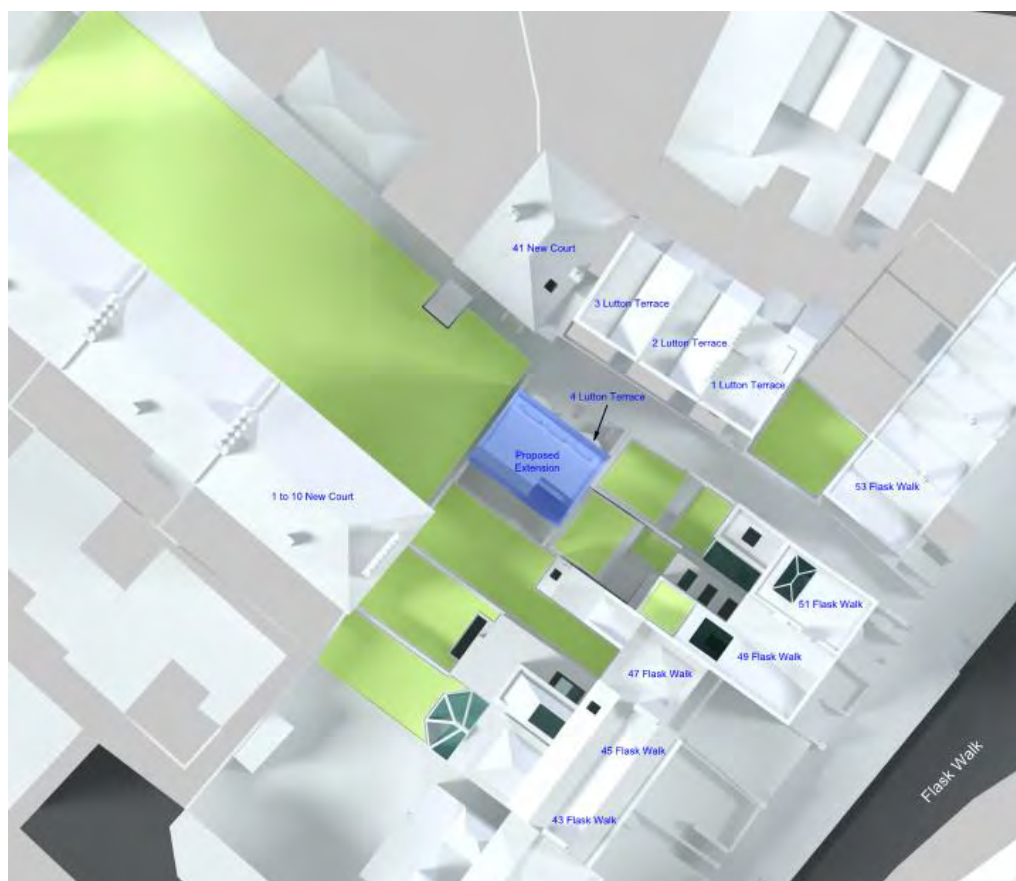


Figure 3: Map of properties tested in Daylight/Sunlight Report

- 8.3 The report tested two issues; Vertical Sky Component (VSC) and Daylight Distribution (DD). For VSC the results demonstrated there would not be a loss higher than 2.9% and only 15 (out of 127) windows would have a loss of 2.0% or over. In terms of DD the results demonstrated that most of the windows were impacted very little and percentages were not considered significant. Regarding the rooms tested for daylight the DD tests show that one of the ground floor windows of no. 3 Lutton Terrace (window 11) and 1 of the basement windows of no. 2 Lutton Terrace (window 17) will fail as they fall below 0.8 however these windows appear to serve hallways which is not a habitable room and in this instance is therefore acceptable. Overall the proposal would reduce the skylight available for windows by less than 27% and less than 0.8 times its former value. The report concludes that all the windows with a requirement for daylight pass the VSC test i.e. the ratio between existing and proposed daylight values are all above 0.8 times the former value and therefore the impact is not considered adverse.
- 8.4 Notwithstanding this the highest loss of daylight distribution was for windows serving properties 41 New Court and 3, Lutton Terrace (2) in which three windows were impacted 5%, 12.9% and 15% respectively. This means there would be some reduction, however all three are comfortably under the 27%

threshold the BRE guidance states as 'adversely impacting' and means this loss is considered acceptable.

- 8.5 In terms of loss of outlook and enclosure, 4 Lutton Terrace is 5.5m away from the buildings opposite (1 and 2 Lutton Terrace) however the extension will not change this distance. Whilst the mansard roof extension does increase the height of the building it is only at its maximum 3.0m and because of the angle of the extension the tallest part of the roof is at the furthest point from neighbours to the front and back. To the front, Lutton Terrace is a narrow alley with limited outlook. The extension's impact on ground and basement floors of the buildings opposite would be very small due to the limited visibility of the extension at this height. To the west, occupants in New Court may have some indirect views partially blocked, but because the building line for 4 Lutton Terrace is set away and not directly adjacent to the New Court apartment block it means the direct impact is actually quite limited as only small number of windows will have a relatively low level of views being blocked as a consequence. For the neighbours on Flask Walk, no. 47, no.49 and no.51 they would be most impacted upon as their gardens abut the site to the rear. However, because this view is already blocked by the existing property the impact of the slight increase in height is not considered to adversely impact any outlook or enclosure issues. For properties further south along Flask Walk (41-51), the site is sufficiently set away from the gardens as to not provide any significant impacts. Whilst the proposal does result in the increase in height of the roof, it does not close any gaps between the site and properties in Lutton Terrace, Flask Walk or New Court and therefore these spaces are retained. This means a feeling of openness still is retained and any sense of enclosure is alleviated.
- 8.6 In terms of overlooking and loss of privacy, the front and rear windows are not considered to increase the perception of overlooking and loss of privacy to neighbouring properties as it does not significantly change the original layout and location of windows. Three new windows are being proposed on the front however the separation distance is the same for the windows in the lower floors and therefore there is no additional harmful overlooking into windows of properties along Lutton Terrace than what is experienced on the lower floors.
- 8.7 In terms of the inset balcony at the rear, this is set behind the southern flank wall and faces the rear gardens of Flask Walk. Considering the location this would lead to an increase in overlooking or a slight loss of privacy for occupants along Flask Walk, however because of the small scale nature and the distance away from the actual windows, the impact would be limited. The gardens of properties on Flask Walk already contain a level of overlooking as there is rear development with numerous windows looking over the gardens. This means there is a general sense of overlooking towards the rear of

properties fronting onto Flask Walk. Furthermore there are a couple of existing roof terraces within close vicinity including at no 47 Flask Walk. Therefore it is considered that the existing situation would not be worsened as a consequence of the proposed balcony.

- 8.8 In terms of noise and disturbance from the balcony, the balcony is small, only allowing for a couple of people at a time and means the potential noise and disturbance created would be limited and associated to that of a dwelling house.
- 8.9 As such, the proposals would not have an undue adverse impact on the amenity of any occupiers of any neighbouring properties in accordance with policy A1 of the Local Plan and DH1 of the Hampstead Neighbourhood Plan.

## **9 Transport**

- 9.1 Policy T1 aims to promote sustainable transport by prioritising walking cycling and public transport. This is achieved by improving pedestrian friendly public realm, road safety and crossings, contributing to the cycle networks and facilities and finally improving links with public transport. All these measure are in place to ensure the Council meets their zero carbon targets.
- 9.2 Policy T2 limits the availability of car parking in the borough and requires all new developments in the borough to be car free. There is no parking on site and this would remain once extended.
- 9.3 The Council's Transport and Highways team has confirmed that a Construction Management Plan and associated implementation support contribution (£3,920) would be required due to the sites proximity to other properties, the fact that Lutton Terrace is the only access for construction purposes and proximity to New End Primary School. The Council recognises there are developments nearby and it is up to the applicant to take account of other developments happening at the same time to coordinate an approach to construction to ensure there is not an unacceptable level of disruption.
- 9.4 Given the difficulties of the site it would be important to have a community liaison officer and working group to ensure dialogue and updates can be given to residents which also provides opportunities for residents to raise concern.
- 9.5 Lutton Terrace and therefore access to the site is owned and managed by the Council's Park's team which adds another layer of control and ensures that the process can be managed properly.
- 9.6 In order to ensure the public highway is protected and that any damage can be repaired, a construction impact bond (£7,500) and highways contribution of £3,200 would also be required.

9.7 Therefore the proposal complies with A1 of the 2017 Local Plan and BA3 of the 2017 Hampstead Neighbourhood Plans

## 10 Conclusion

10.1 In conclusion, the proposed development would preserve the character and appearance of the host building and the significance of the Hampstead Conservation Area in accordance with policies D1 and D2. The proposals would not result in harmful loss of outlook, daylight/sunlight or overlooking or loss of privacy for neighbouring residents. The impact on the local transport network has been considered acceptable subject to the recommended conditions and obligations, in accordance with policies A1 and T1. As such, the proposed development is considered acceptable.

## 11 Recommendation

11.1 Planning Permission is recommended subject to conditions and a section 106 agreement securing the following heads of terms:

- A construction management plan (CMP) and CMP implementation support contribution of £3,920 and a CMP bond of £7,500;
- Construction working group; and
- A highways contribution of £3,200.

## 12 Legal Comments

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

## 13 Planning Conditions

1	<p>The development hereby permitted must be begun not later than the end of three years from the date of this permission.</p> <p>Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).</p>
2	<p>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.</p> <p>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 Policy DH1, Policy DH2 and Policy BA3 of the 2018 Hampstead Neighbourhood Plan.</p>

3	<p>The development hereby permitted shall be carried out in accordance with the following approved plans: LT004-E010, LT004-E101, LT004-E102, LT004-E103, LT004-E104, LT004-E200, LT004-E201, LT004-E202, LT004-E203, LT004-E210, LT004-E211, LT004-E212, LT004-E213, LT004-E220, LT004-E221, LT004-P222, LT004-P010, LT004-P101_A, LT004-P102, LT004-P103_A, LT004-P104, LT004-P200_A, LT004-P201, LT004-P202_A, LT004-P203_A, LT004-P204_A, LT004-P210_A, LT004-P211_A, LT004-P212_A, LT004-P213_A, LT004-P222, LT004-Design and Access Statement, Heritage Statement (15/07/2022) and Daylight/Sunlight Report (080422).</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
4	<p>Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:</p> <p>a) Details including sections at 1:10 of all windows (which shall have integrated glazing bars and a putty finish and shall match the existing windows and include the jambs, head and cill)</p> <p>b) Specification details and samples of the proposed roof tiles (natural slate tiles).</p> <p>c) Plans, sections and elevations of the proposed front railings (which shall be individually placed within the boundary wall).</p> <p>d) Manufacturer's specification details of all facing materials and samples of those materials.</p> <p>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.</p> <p>Reason: To safeguard the appearance of the premises and 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 policy DH1, Policy DH2 and Policy BA3 of the 2018 Hampstead Neighbourhood Plan</p>

## 14 Planning Informatives

1	<p>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</p>
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	6941).
2	<p>All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <a href="https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319">https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319</a> 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)</p> <p>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.</p>
3	<p>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 &amp; 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.</p>
4	<p>You are advised the developer and appointed / potential contractors should take the Council's guidance on Construction Management Plans (CMP) into consideration prior to finalising work programmes and must submit the plan using the Council's CMP pro-forma; this is available on the Council's website at <a href="https://beta.camden.gov.uk/web/guest/construction-management-plans">https://beta.camden.gov.uk/web/guest/construction-management-plans</a> or contact the Council's Planning Obligations Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444). No development works can start on site until the CMP obligation has been discharged by the Council and failure to supply the relevant information may mean the council cannot accept the submission as valid, causing delays to scheme implementation. Sufficient time should be afforded in work plans to allow for public liaison, revisions of CMPs and approval by the Council.</p>
6	<p>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</p>

	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.
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# Planning Committee

12<sup>TH</sup> May 2023

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2022/3071/P

4 Lutton Terrace  
London  
NW3 1HB



