

Edward Hodgson  
Planning Solutions Team  
London Borough of Camden

14 July 2023

Dear Sirs

**20 Crediton Hill, London NW6 1HP (the “Property”)**

We act for the owners of 22 Crediton Hill, and submit this objection to the planning application at the rear of the Property for the *“Demolition of existing building and erection of part single part two storey plus basement dwellinghouse and associated works”*, which has been allocated reference 2023/2258/P by the Council (the **“Application”**).

**Background**

1. The Property lies within the Council’s West End Green Conservation Area, and lies directly adjacent to a designated area for local open space, which is used as a sports field by South Hampstead High School and Hampstead Cricket Club
2. The building in question was initially constructed as a conservatory pursuant to a 1985 consent. Planning permission was granted in 2018 for the *“Provision of a new basement extension below existing rear single-storey premises, minor amendments to rear ground floor, formation of new landscaped patio garden”* (the **“2018 Permission”**). The delegated report for the 2018 Permission stated that *“The proposals would extend the premises below the existing floor area and there would therefore be no increase in bulk upwards or to the sides. There would therefore be little visual impact from the proposals”*.
3. A further planning permission was granted in April 2023 for the *“Provision of a new basement extension below existing rear single-storey premises, minor amendments to rear ground floor, formation of new landscaped patio garden and use of the premises as a self-contained, stand-alone residential property”* (the **“2023 Permission”**). The delegated report for the 2023 Permission confirmed that *“There are no further external alterations proposed than what was approved under the 2018 application”*.
4. The Application proposes an increase in height of around 2m. The planning statement accompanying the Application states that (emphases added):
  - a. *“The design of the new dwelling has been developed by Scenario (the architects) with the intention of creating a contemporary yet sustainable family home. Conscious of the Arts and Crafts style which is a prominent feature of the local area, the new*

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dwelling does not try and compete with this but rather offers a modern building that is lightweight yet durable, and clearly of its time”.

- b. “The proposals lean on the substantial difference in levels between the higher ground to the rear to the main house of 20 Crediton Hill and the cricket ground to create a dwelling which is subordinate in relation to the main building and in relation to the neighbouring properties”.
  - c. “Towards the neighbours and No. 22 Crediton Hill, the volume proposed is higher than the existing fence by 1.8m. However, the increase in height is considered modest and has been orientated so as not to interfere with the neighbour’s main outlook towards the cricket field”.
  - d. “While it is acknowledged that the increase in height from a single storey to 2-storeys will result in a modest difference in outlook to neighbouring properties. However, given the distance between the proposed building and the existing properties at nos. 20 and 22 Crediton Hill, this is not considered to result in loss of outlook for neighbours. The view will be different with a slightly more pronounced built form, but it does not cause an undue sense of enclosure”.
5. The Design and Access Statement accompanying the Application includes a number of CGI views purporting to show the impact of the Application on our client’s property.

#### **Grounds of objection**

6. The relevant Council policies are appended to this letter.

#### *Heritage*

7. The heritage impacts of the Application are fully analysed in the appended note, prepared by Paul Velluet IHBC. By way of introduction, it should be noted that:
- a. One of the key messages set down in section 2 of the Council’s Design SPG is that *“schemes should consider the context of a development and its surrounding area”*. It is self-evident that the Application has not done so – instead choosing an incongruous and out of place design not all in keeping with the surrounding designated and non-designated heritage assets.
  - b. The applicant has made no attempt whatsoever to justify the design (and no heritage statement has been submitted). It is noted that the 2018 Permission was predicated on the lack of visual impact of the proposals – this is clearly not the case for the Application, which will be highly visible both from public and private vantage points.
  - c. The planning statement notes only that *“conscious of the Arts and Crafts style which is a prominent feature of the local area, the new dwelling does not try and compete*

*with this but rather offers a modern building that is lightweight yet durable, and clearly of its time*". This is essentially an acceptance that the design is incongruous, and it is in any event clear that a modern structure would not reflect the style of Crediton Hill or this part of the conservation area – it cannot reasonably be said that the Application would in any way preserve or enhance the conservation area.

- d. It is also noted that the Council's SPG states at paragraph 7.10 that "*Development should integrate well with the existing character of a place, building and its surroundings*", and that paragraph 2.11 of the Design SPG states that:

*Good design should respond appropriately to the existing context by:*

- *ensuring the scale of the proposal overall integrates well with the surrounding area*
- *carefully responding to the scale, massing and height of adjoining buildings, the general pattern of heights in the surrounding area*
- *positively integrating with and enhancing the character, history, archaeology and nature of existing buildings on the site and other buildings immediately adjacent and in the surrounding area, and any strategic or local views, vistas and landmarks. This is particularly important in conservation areas;*

The Application is clearly in breach of all of the above.

- e. In this context, less than substantial harm (as per NPPF paragraph 202) would be caused to the conservation area. A redesign of a single dwelling would not, in our submission, constitute sufficient public benefit to outweigh this harm (and the applicant has not suggested that it would or listed any other public benefits). It cannot even be argued that the dwelling would contribute to the Council's housing supply, as as per the 2023 Permission there is already an established consent for the dwelling.

8. The note concludes that the Application:

- Would fail to preserve or enhance the character or appearance of the West End Green Conservation Area, contrary to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990;
- Would harm the character, appearance and significance of the West End Green Conservation Area as a 'designated heritage asset' without justification or potential public benefits that would balance or outweigh such harm,
- Would harm the setting and significance of the adjacent property at no. 22 Crediton Hill as a 'non-designated heritage asset' without justification or potential public benefits that would balance or outweigh such harm;

- Would fail to either sustain or enhance the significance of the West End Green Conservation Area as a designated heritage asset and would fail to make a positive contribution to local character and distinctiveness, contrary to Paragraph 197 of the National Planning Policy Framework;
- Would fail to enhance or better reveal the significance of the West End Green Conservation Area, contrary to Paragraph 206 of the National Planning Policy Framework; and
- Would fail to respond positively to the relevant guidance on ‘Design Excellence’ and ‘Heritage’ contained in the Council’s Camden Planning Guidance – Design supplementary planning document of January, 2021; and the relevant guidelines on Demolition; Front Gardens/Backland/Rear Gardens; new Development; Roof Extensions; and Side Extensions contained in the Council’s West End Green Conservation Area Statement of October, 2002

#### *Outlook and amenity*

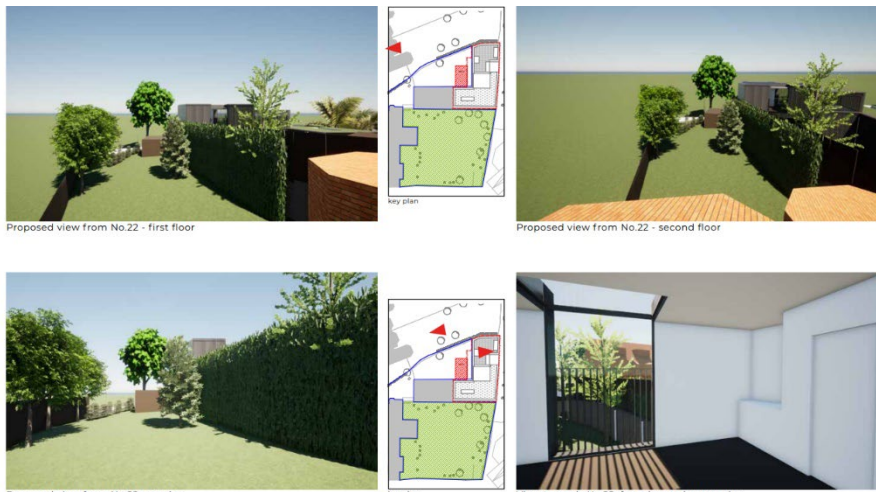
9. The Council’s Planning Guidance on Amenity (2021) sets out, at the start of section 2, three key issues to be considered. Two of these are that:

*“Developments should be designed to protect the privacy of occupiers of both existing and proposed dwellings; and*

*Mitigation measures should be included to reduce overlooking”*

10. The Application has had scant, if any, regard to either of these key messages, and would be an overly dominant and entirely inappropriate addition to the host site and the Property. It would overlook our client’s house and garden, be visible from our client’s house, have a direct line of sight into our client’s windows and would clearly impact on our client’s enjoyment of their property.
11. Camden’s Planning Guidance is very clear that *“Developments should ensure that the proximity, size or cumulative effect of any structures avoids having an overbearing and/or dominating effect that is detrimental to the enjoyment of their properties by adjoining residential occupiers”*. The Application clearly is in breach of this guidance, and therefore the underlying Local Plan policy. The new structure will appear as a sheer wall when viewed from our client’s house and garden, especially as it is now proposed to be made of an unspecified reflective material. In addition, reflective material represents a clear danger to birds as research shows that almost all bird strikes happen at or below the tree line because that is where the habitat is reflected.
12. The applicant’s images are not in any way a true reflection of the proposals, and indeed distort and exaggerate the distance between the proposed structure and our client’s windows. It should be noted that the tree shown in the foreground in all these images is now dead and therefore offers no screening.

13. The following images (which suggest a very small and limited impact) were included in the application documents:



14. By contrast, the below images were taken inside our client's property. They clearly show that any increase in bulk at the rear of the Property will have a large and disproportionate impact on our client.

FIRST FLOOR



GROUND FLOOR



15. A 2m high addition would dominate our client's outlook – it is simply not correct to state that the main outlook will not be impacted.
16. In addition, the Application proposes a window on the uppermost storey of the west elevation of the Property. Due to the increased height of the proposed building, there will be a direct line of sight from that window into our client's house and garden.

17. Our clients are keen gardeners, and spend a substantial amount of time tending to their garden, which is home to a variety of bird and other wildlife species. The applicant's shading study shows that (on the assessed date of March 21<sup>st</sup>), the proposals will cause increased shadowing to our client's garden at all times between 830 am and around 3pm. Clearly this will upset the delicate cultivated eco-system of our client's garden.
18. The applicant claims that the shadowing is acceptable because between 630am and 930am our client's garden will be sufficiently lit. This ignores the fact that (a) after 930am is the time when gardens are more likely to be used, and (b) the applicant's own shading study (which only lists entries until 1230pm) shows the light getting progressively worse throughout the day and reducing to under 36% of daylight during the middle of the day. **We note that no full sunlight/daylight or overshadowing study has been provided – the Council should not make a decision on the Application without this crucial analysis and our client requests that such analysis be first made public for our own review and comment before any decision on the Application is made.**
19. For all of these reasons, it is clear that the Application would be in clear breach of the Council's policies and guidance, and permission should therefore be refused.

Please contact James Kon

Yours faithfully

Asserson Law Offices

## Appendix 1 – Council Policy and Guidance

### **Council policy and guidance**

#### **Amenity**

##### **Local Plan**

##### *Policy A1 Managing the impact of development*

*The Council will seek to protect the quality of life of occupiers and neighbours.*

*We will grant permission for development unless this causes unacceptable harm to amenity.*

*We will:*

- a. seek to ensure that the amenity of communities, occupiers and neighbours is protected;*
- b. seek to ensure development contributes towards strong and successful communities by balancing the needs of development with the needs and characteristics of local areas and communities;*
- c. resist development that fails to adequately assess and address transport impacts affecting communities, occupiers, neighbours and the existing transport network; and*
- d. require mitigation measures where necessary.*

*The factors we will consider include:*

- e. visual privacy, outlook;*
- f. sunlight, daylight and overshadowing;*
- g. artificial lighting levels;*
- h. transport impacts, including the use of Transport Assessments, Travel Plans and Delivery and Servicing Management Plans;*
- i. impacts of the construction phase, including the use of Construction Management Plans;*
- j. noise and vibration levels;*
- k. odour, fumes and dust;*
- l. microclimate;*
- m. contaminated land; and*
- n. impact upon water and wastewater infrastructure.*

##### *Protecting amenity*

*6.3 Protecting amenity is a key part of successfully managing Camden's growth and ensuring its benefits are properly harnessed. The Council will expect development to avoid harmful effects on the amenity of existing and future occupiers and nearby properties or, where this is not possible, to take appropriate measures to minimise potential negative impacts.*



### *Visual privacy and outlook*

*6.4 A development's impact upon visual privacy, outlook and disturbance from artificial light can be influenced by its design and layout. These issues can affect the amenity of existing and future occupiers. The Council will expect that these elements are considered at the design stage of a scheme to prevent potential harmful effects of the development on occupiers and neighbours.*

### **Camden Planning Guidance – Amenity**

#### *Overlooking and privacy*

*2.2 Interior and exterior spaces that are overlooked lack privacy, which can affect the quality of life of occupants. The Council will therefore expect development to be designed to protect the privacy of the occupants of both new and existing dwellings to a reasonable degree. Therefore, new buildings, extensions, roof terraces, balconies and the location of new windows should be carefully designed to avoid overlooking. The extent of overlooking will be assessed on a case-by-case basis.*

*2.3 The places most sensitive to overlooking are typically habitable rooms and gardens at the rear of residential buildings. For the purposes of this guidance, habitable rooms are considered to be residential living rooms; bedrooms and kitchens. The area of garden nearest to the window of a habitable room is most sensitive to overlooking.*

#### *Outlook*

*2.13 Outlook is the visual amenity enjoyed by occupants when looking out of their windows or from their garden. How pleasant an outlook is depends on what is being viewed. For example, an outlook onto amenity space is more pleasant than an outlook across a servicing yard. Particular care should therefore be taken if the proposed development adjoins properties with a single aspect. Any unpleasant features should be screened if possible, for example with permanent landscaping.*

*2.14 Developments should ensure that the proximity, size or cumulative effect of any structures avoids having an overbearing and/or dominating effect that is detrimental to the enjoyment of their properties by adjoining residential occupiers. The location of bin or cycle stores, for example, should be carefully considered if they are in close proximity to windows or spaces used by occupiers*

### **Camden Planning Guidance – Home improvements**

*There are some basic principles that you should consider:*

- *Ensure your proposal does not reduce your neighbours access to daylight & sunlight;*
- *Design your home improvement to not infringe on your neighbours outlook from their windows and garden;*



- *Ensure any opportunities for overlooking into or from your neighbour's property are removed and privacy for all properties is maintained;*
- *Ensure your extension or alteration does not result in excessive light pollution that adversely impacts adjoining properties;*
- *If you're proposing plant equipment, ensure it is sensitively designed and acoustically enclosed so it does not become a nuisance for your neighbouring properties.*

## **Design and Heritage**

### **Local Plan**

#### *Policy D1 Design*

*The Council will seek to secure high quality design in development. The Council will require that development:*

- a. respects local context and character;*
- b. preserves or enhances the historic environment and heritage assets in accordance with Policy D2 Heritage;*
- c. is sustainable in design and construction, incorporating best practice in resource management and climate change mitigation and adaptation;*
- d. is of sustainable and durable construction and adaptable to different activities and land uses;*
- e. comprises details and materials that are of high quality and complement the local character;*
- f. integrates well with the surrounding streets and open spaces, improving movement through the site and wider area with direct, accessible and easily recognisable routes and contributes positively to the street frontage;*
- g. is inclusive and accessible for all;*
- h. promotes health;*
- i. is secure and designed to minimise crime and antisocial behaviour;*
- j. responds to natural features and preserves gardens and other open space;*
- k. incorporates high quality landscape design (including public art, where appropriate) and maximises opportunities for greening for example through planting of trees and other soft landscaping,*
- l. incorporates outdoor amenity space;*
- m. preserves strategic and local views;*
- n. for housing, provides a high standard of accommodation; and*
- o. carefully integrates building services equipment.*

*The Council will resist development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.*

#### *Policy D2 Heritage*

### *Conservation areas*

*In order to maintain the character of Camden's conservation areas, the Council will take account of conservation area statements, appraisals and management strategies when assessing applications within conservation areas.*

*The Council will:*

- e. require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area;*
- f. resist the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a conservation area;*
- g. resist development outside of a conservation area that causes harm to the character or appearance of that conservation area; and*
- h. preserve trees and garden spaces which contribute to the character and appearance of a conservation area or which provide a setting for Camden's architectural heritage.*

## Appendix 2 - Heritage Report

PAUL VELLUET,  
B.A. Hons, B.Arch. Hons, M.Litt., R.I.B.A., I.H.B.C.  
CHARTERED ARCHITECT

**NO. 20, CREDITON HILL, WEST HAMPSTEAD, LONDON, N.W.6.**

A REPORT ON THE CONSERVATION AND URBAN DESIGN ASPECTS OF THE PROPOSED DEMOLITION AND REDEVELOPMENT OF THE EXISTING PROPERTY TO A SUBSTANTIALLY INCREASED HEIGHT AND BULK - THE SUBJECT OF AN APPLICATION FOR PLANNING PERMISSION, CAMDEN COUNCIL REFERENCE 2023/2258/P – SUBMITTED IN SUPPORT OF OBJECTIONS

**I. INTRODUCTION**

- I.1 This report has been prepared by Chartered Architect, Paul Velluet, on behalf of the owner-occupiers of the property at no. 22, Crediton Hill, which lies immediately adjacent to the northern boundary of the application-site at no. 20, Crediton Hill, in support of their objections to the application. The comments in this report relate specifically to the conservation and urban design aspects of the proposals which are currently the subject of an application for Planning Permission (reference 2023/2258/P) for the proposed demolition and redevelopment of the existing property to a substantially increased height and bulk.
- I.2 This report has been informed by an inspection of the application-site from adjacent, publicly accessible areas – including the adjacent Cricket Ground - and from both the house and garden of no. 22, Crediton Hill and through a careful examination of the relevant documentation submitted in support of the application, including, most importantly, the drawings showing the existing building, the extent of proposed works of demolition and the height and bulk of the proposed development. The proposals have been assessed against the relevant policies contained in the *London Plan* of March, 2021 and the *Camden Local Plan*, 2017; the relevant paragraphs of the *National Planning Policy Framework*; and the relevant guidance on ‘Design Excellence’ and ‘Heritage’ contained in the Council’s *Camden Planning Guidance – Design* supplementary planning document of January, 2021; and the relevant guidelines on Demolition; Front Gardens/Backland/Rear Gardens; new Development; Roof Extensions; and Side Extensions contained in the Council’s *West End Green Conservation Area Statement* of October, 2002.

I.3 This report concludes that the submitted proposals, by virtue of the proposed height, bulk and external design of the proposed new development on the site:

- Would fail to preserve or enhance the character or appearance of the West End Green Conservation Area, contrary to Section 72 of the *Planning (Listed Buildings and Conservation Areas) Act, 1990*;
- Would seriously harm the character, appearance and significance of the West End Green Conservation Area as a ‘designated heritage asset’ without justification or potential public benefits that would balance or outweigh such harm, contrary to Policy HCI.C of the *London Plan* of March, 2021, Policies D1 Design and Policy D2 Heritage of the *Camden Local Plan*, 2017 and Paragraphs 200 and 202 of the *National Planning Policy Framework*;
- Would substantially harm the setting and significance of the adjacent property at no. 22, Crediton Hill as a ‘non-designated heritage asset’ without justification or potential public benefits that would balance or outweigh such harm, contrary to Policy HCI.C of the *London Plan* of March, 2021, Policies D1 Design and Policy D2 Heritage of the *Camden Local Plan*, 2017 and Paragraph 203 of the *National Planning Policy Framework*;
- Would fail to either sustain or enhance the significance of the West End Green Conservation Area as a designated heritage asset and would fail to make a positive contribution to local character and distinctiveness, contrary to Paragraph 197 of the *National Planning Policy Framework*;
- Would fail to enhance or better reveal the significance of the West End Green Conservation Area, contrary to Paragraph 206 of the *National Planning Policy Framework*;
- Would fail to respond positively to the relevant guidance on ‘Design Excellence’ and ‘Heritage’ contained in the Council’s *Camden Planning Guidance – Design* supplementary planning document of January, 2021; and the relevant guidelines on Demolition; Front Gardens/Backland/Rear Gardens; new Development; Roof Extensions; and Side Extensions contained in the Council’s *West End Green Conservation Area Statement* of October, 2002.

I.4 On this basis, the proposals would be contrary to the relevant national, London-wide and local planning and conservation policies and guidance. Accordingly, the Council is urged to refuse the application.

- 2. THE APPLICATION-SITE AND ITS RELATIONSHIP WITH THE CHARACTER, APPEARANCE AND SIGNIFICANCE OF THE WEST END GREEN CONSERVATION AREA AND WITH THE SETTINGS AND SIGNIFICANCE OF THE ADJACENT AND NEARBY PROPERTIES WHICH MAKE A POSITIVE CONTRIBUTION TO THE CONSERVATION AREA**
- 2.1 The application-site is located on the eastern side of Crediton Hill just below the inflection in the line of road, and together with the adjoining no. 18, Crediton Hill, is located opposite the eastern of Fawley Road. Like many of the pairs of semi-detached houses along the eastern side of Crediton Hill the garden of the property and that part of the original ground now built upon extend eastwards to the western boundary of the Hampstead Cricket Club Sports Ground – the other boundaries of which extend to Albanley Gardens to the north-east and Lymington Road to the south-east.
- 2.2 From its external design, the original, large house occupying the street-frontage of no. 20, Crediton Hill - like many buildings within this part of the West End Green Conservation Area, including the nearby houses on both sides of Crediton Hill - appears to date from between the mid-1890s and the early-1910s – a situation confirmed by reference to the relevant 25-inch (1:2 500) scale Ordnance Survey mapping of the area in 1894 and in 1912-1913 (Middlesex Sheet XVI.4). However, whilst broadly consistent in architectural character with the other houses on the eastern and western sides of Crediton Hill, it is a building of much greater size than its neighbours; occupying a very much larger site than those of its neighbours.
- 2.3 The north-eastern part of the original garden of the property – immediately adjacent to the south-eastern boundary of no. 22, Crediton Hill and to the western boundary of the Cricket Ground is now occupied by a single-storey L-shaped development located around a hard-paved yard accessed from the road – built in two distinct phases – that to the south, the earlier phase, comprising a block of six garages, approved in October, 1961, whilst that to the east, the more recent phase, comprising an office ancillary to one of the flats in the original no. 20, Crediton Hill, approved in December, 1985, with a storage unit at its northern end. The garage block has a part flat and a part-shallow-pitched roof, with a slatted timber covering; the office block has a shallow-pitched roof, with a slated slatted timber covering, and the storage unit as a shallow-pitched roof. There is an approximately 3.0 m. to 3.5 m. difference in ground level between that of the gardens at the rear of the properties fronting Crediton Hill, including the application-site, and the level of the Cricket Ground adjacent to its western boundary.
- 2.4 The application-site is located just within Character Zone 5 (The Houses – East), one of five character zones identified in Camden Council's *West End Green (and Parsifal Road) Conservation Area Appraisal and Management Study* published in February, 2011. Whilst the original frontage building at no. 20 is included with the other residential properties on the eastern side of Crediton Hill - nos. 2 to 76 (even) and on

the western side of Crediton Hill - nos. 1, 3 to 11 (odd) and nos. 15 to 55 (odd) in the schedule of buildings which make a positive contribution to the character and appearance of the conservation area in the Council's *Appraisal*, the single-storey L-shaped development located around a hard-paved yard accessed from the road occupying the north-eastern part of the site is specifically excluded from such annotation in Map 3 (West End Green Conservation Area Townscape Appraisal) in the Council's *Appraisal*.

- 2.5 Given the identification of the original no. 20, Crediton Hill and its neighbours in the schedule of 'buildings which make a positive contribution to the character and appearance of the West End Green Conservation Area in the Council's *Appraisal*, they may be properly considered as 'non-designated heritage assets' for the purpose of the relevant provisions of the *National Planning Policy Framework*, whilst the conservation area itself may be properly regarded as 'a designated heritage asset' for the purposes of the relevant provisions of the *National Planning Policy Framework*.
- 2.6 By virtue of its location, size and external design, the existing, single-storey L-shaped development located around a hard-paved yard accessed from the road occupying the north-eastern part of the site of no. 20, Crediton Hill actively detracts from the prevailing character, appearance and significance of the West End Green Conservation Area (as seen from within the conservation area and from the adjacent cricket ground) and from the settings and significance of the original no. 20, Crediton Hill immediately adjacent and the nearby houses to north and south – namely nos. 18 and 22, Crediton Hill. In profile and elevational design, the L-shaped development fails to share any of the distinctly Arts and Crafts character of no. 22, Crediton Hill and the other semi-detached houses further up the eastern side of Crediton Hill, nor the more conventional late-Victorian/Edwardian character of the original no. 20, Crediton Hill and the other semi-detached houses further down the eastern side of Crediton Hill. In particular, the extensive glazing of the front and rear elevations of the office building sets itself apart from its setting, whether in views from the access road and Crediton Hill and from the cricket ground. The site presents a key opportunity for enhancement rather than further harm.

### **3. ISSUES ARISING FROM THE DOCUMENTATION SUBMITTED IN SUPPORT OF THE APPLICATIONS**

#### **THE ADEQUACY OF THE SUBMITTED DRAWINGS AND OTHER DOCUMENTATION**

- 3.1 Given the substantial and highly contentious issues raised by the proposals, it is quite extraordinary that clear and definitive plans, sections and elevations have not been submitted showing the existing and proposed relationships between the existing



development and the proposed development with the immediately adjoining property at no. 22, Crediton Hill. It is surprising that the application has been validated by the Council's planning officers in the absence of such drawings despite the relevant guidance contained in *Camden's Local Area Requirements for Planning Applications* of July, 2018.

- 3.2 Given the substantial and highly contentious issues raised by the proposals and their location within a conservation area, it is quite extraordinary that no Heritage Statement has been submitted. It is surprising that the application has been validated by the Council's planning officers in the absence of such a Statement despite the specific guidance contained in *Camden's Local Area Requirements for Planning Applications* of July, 2018.
- 3.3 It is extraordinary too, that neither to the 42-page *Planning Statement* nor the 24-page *Design and Access Statement* provide any sound and convincing justification for the massive departure of the approach adopted by the applicants' team to the design of the proposed development from the values reflected in the relevant formally adopted conservation and design policies of the *London Plan* and the *Camden Local Plan*; in the relevant provisions of the *National Planning Policy Framework*; and in the Council's published guidance.
- 3.4 To the contrary, both the *Planning Statement* and the *Design and Access Statement*, quoted extensively below, suggest that the proposed development has been deliberately designed in contrast to the established character, appearance and significance of the West End Green Conservation Area:

*'4.3 The design of the new dwelling has been developed by Scenario (the architects) with the intention of creating a contemporary yet sustainable family home. Conscious of the Arts and Crafts style which is a prominent feature of the local area, the new dwelling does not try and compete with this but rather offers a modern building that is lightweight yet durable, and clearly of its time (sic).*

*4.4 The aspiration has been to improve the contribution of the site to the West End Green Conservation Area and deliver high-quality residential accommodation.*

*4.5 Utilising the existing built form, the proposals lean on the substantial difference in levels between the higher ground to the rear to the main house of 20 Crediton Hill and the cricket grounds to create a dwelling which is subordinate in relation to the main building and in relation to the neighbouring properties' (sic).*

*'5.50 The architectural approach is contemporary and driven by sustainability. Due to the discreet nature of the site, it is considered that there is an opportunity here for an individually designed dwelling to come forward. Policy D1 acknowledges that high quality contemporary design which responds to context can be welcomed. Paragraph 7.3 states that "the Council will welcome high quality contemporary design which*

responds to its context, however, there will be some places of homogenous architectural style (for example Georgian Squares) where it is important to retain it.

*5.51 The site's context is currently one of 'backland' ancillary buildings. The new building will continue to be ancillary in nature and purposely does not seek to draw on the materiality or style of the Arts and Crafts buildings along the road. It is considered that this would create confusion and therefore an individual, contemporary designed is felt to be a more preferable approach, one that is more appropriate to the more open and green setting formed by the cricket ground and back gardens area. By largely aligning with the current built form, the new dwelling will respond to the existing urban grain, open spaces, gardens and streets of the surrounding area but architecturally it seeks to be distinct and be read as a 21st Century element.*

*'5.63 Towards the neighbours and No. 22 Crediton Hill, the volume proposed is higher than the existing fence by 1.8m. However, the increase in height is considered modest and has been orientated so as not to interfere with the neighbour's main outlook towards the cricket field.*

*5.79..... The façade facing No. 22 Crediton Hill's garden will also be clad with a reflective material, in order to improve the visual outlook.*

*'5.87 While it is acknowledged that the increase in height from a single storey to 2-storeys will result in a modest difference in outlook to neighbouring properties. However, given the distance between the proposed building and the existing properties at nos. 20 and 22 Crediton Hill, this is not considered to result in loss of outlook for neighbours. The view will be different with a slightly more pronounced built form, but it does not cause an undue sense of enclosure (sic). A series of visuals from the neighbouring properties have been prepared and are included within the DAS to help demonstrate that the change in view does not result in an overwhelming sense of enclosure for residents of these properties.*

*'The design of the new dwelling has been developed by Scenario Architecture with the intention of creating a contemporary yet sustainable family home. Conscious of the Arts and Crafts style which is a prominent feature of the local area, the new dwelling does not try and compete with this but rather offers a modern building that is lightweight yet durable. The aspiration has been to improve the contribution of the site to the West End Green Conservation Area, and deliver high-quality residential accommodation. Utilising the existing built form, the proposals lean on the substantial difference in levels between the higher ground to the rear to the main house of 20 Crediton Hill and the cricket grounds to create a dwelling which is subordinate in relation to the main building and in relation to the neighbouring properties.*

*'The design of the new dwelling has been developed by Scenario Architecture with the intention of creating a contemporary yet sustainable family home. Conscious of the*

Arts and Crafts style which is a prominent feature of the local area, the new dwelling does not try and compete with this but rather offers a modern building that is lightweight yet durable. The entire dwelling will be cladded (sic) in grey aluminium louvres. All glazed openings will be double/triple glazed aluminium profiles – powder coated in grey tones. This will mean that they are unobtrusive. Large glazed areas are louvred to avoid overlooking or restricted to the areas where they provide key views of the shared garden and the cricket field. The roof around the living areas will be covered with an extensive green roof, and the one above the mezzanine with PV tiles, laid horizontally, covering a surface of 32 m2. The facade facing No. 22 garden will be cladded (sic) with a reflective material’.

‘Towards the neighbours and No. 22 Crediton Hill, the volume proposed is higher than the existing fence by 1.8m. However, the increase in height is considered modest and has been orientated so as not to interfere with the neighbour’s main outlook towards the cricket field’.

- 3.5 These statements – in particular, the claims underlined in the extracts above - demonstrate very clearly a wholly uncompromising and entirely unsympathetic approach to the design of the development in relation to its sensitive heritage context within the West End Green Conservation Area.
- 3.6 Similarly, no sound and convincing evidence has been provided to justify the very substantial increase in the height and bulk of the proposed development over and above those of the existing ancillary office building or with those of the existing ancillary office building as proposed for extension at lower ground floor level and its use as a self-contained residential property approved as recently as April, 2023 (application reference 2022/0743/P).
- 3.7 The suggestions that the proposed development is ‘clearly of its time’; is ‘a dwelling which is subordinate in relation to the main building and in relation to the neighbouring properties’; and that ‘By largely aligning with the current built form, the new dwelling will respond to the existing urban grain, open spaces, gardens and streets of the surrounding area but architecturally it seeks to be distinct and be read as a 21st Century element’ are seriously open to question. The suggestion that ‘the increase in height is considered modest and has been orientated so as not to interfere with the neighbour’s main outlook towards the cricket field’ is not only seriously open to question but could be construed as a truly cynical view.

#### THE KEY ISSUES

- 3.8 Clearly, the proposals raise three key issues;
- Firstly, the very substantial increase in the height and bulk of the proposed development compared with those of the existing building and those of the property as proposed under the Planning Permission granted in April, 2023, militating against the

satisfactory integration of the proposed development with its sensitive heritage context within the West End Green Conservation Area, and resulting in serious harm to the character, appearance and significance of the conservation area as a designated heritage asset.

- Secondly, the very substantial increase in the height and bulk of the proposed development compared with those of the existing building and those of the property as proposed under the Planning Permission granted in April, 2023, resulting in substantial harm to the setting and significance of the adjacent property at no. 22, Crediton Hill as a non-designated heritage asset, and posing very significant threats to the maintenance of the reasonable amenity presently enjoyed by the occupiers of no. 22, Crediton Hill. And
- Thirdly, the particular and deliberately conceived external design of the proposed development – including the choice and extent of the proposed facing materials and the location of windows - militating against its satisfactory integration with its sensitive heritage context within the West End Green Conservation Area, and resulting in serious harm to the character, appearance and significance of the conservation area as a designated heritage asset and posing very significant threats to the maintenance of the reasonable amenity and privacy presently enjoyed by the occupiers of no. 22, Crediton Hill.

#### THE PROPOSED HEIGHT AND BULK

- 3.9 According to the submitted elevations and sections, the proposed development rises up to 2.4 m. above the maximum height of the existing ancillary office building. A significant part of the development rises to some 2.8m above the general roof level of the existing ancillary office building. These heights generate a substantial increase in the bulk of development on the site, which has no precedent anywhere along in the rear gardens of the long established properties down the eastern side of Crediton Hill or along the western boundary of the Cricket Ground. The potential and substantial impact of the excessive height and bulk of the proposed development on this part of the conservation area and its setting - comprising the adjoining Cricket Ground - and on the setting of no. 22, Crediton Hill is usefully demonstrated in the visuals contained in the submitted *Design and Access Statement*. Such a significant increase in height and bulk of development will clearly have a substantially harmful impact on the setting and significance of no. 22, Crediton Hill, as experienced from both the house and its garden.

#### THE PROPOSED FACING MATERIALS

- 3.10 The choice of facing materials for the proposed development – comprising grey aluminium cladding, grey aluminium louvres, clear glass set in dark grey aluminium frames and an unspecified ‘bespoke reflective surface’ facing the garden of no. 22,

Crediton Hill, has no precedent as prevailing facing materials in any development in this part of the West End Green Conservation Area. As clearly demonstrated in the visuals contained in the submitted *Design and Access Statement* the use of such materials in the manner proposed, will clearly have a potential and substantial impact on this part of the conservation area and its setting - comprising the adjoining Cricket Ground - and on the setting and significance of no. 22, Crediton Hill as experienced from both the house and its garden.

#### ASSESSMENT OF THE PROPOSALS AGAINST THE RELEVANT PLANNING POLICIES AND GUIDANCE

- 3.11 Policy HCI.C of the *London Plan* of March, 2021 states that development proposals affecting heritage assets and their settings should conserve their significance by being sympathetic to the assets' significance and appreciation within their surroundings. The proposed development – by virtue of its height, bulk and external design - fails to demonstrate sympathy towards the significance of the West End Green Conservation Area as a designated heritage asset and towards the setting and significance of no. 22, Crediton Hill, as a non-designated heritage asset.
- 3.12 Policies D1 Design a., b. and e. of the *Camden Local Plan*, 2017 refer to the Council's aim to secure high quality design in development which respects local context and character; preserves or enhances the historic environment and heritage assets (in accordance with Policy D2 Heritage); and comprises details and materials that are of high quality and complement the local character. The proposed development – by virtue of its height, bulk and external design - fails to respect local context and character and preserve or enhance the historic environment and heritage assets, and does not comprise details and materials that complement the local character.
- 3.13 Policy D2 Heritage of the *Camden Local Plan*, 2017 refers to the Council's intention not to permit development that results in harm that is less than substantial to the significance of a designated heritage asset unless the public benefits of the proposal convincingly outweigh that harm. The submitted proposals do not offer such public benefits.
- 3.14 Policy D2 Heritage e. of the *Camden Local Plan*, 2017 refers to the Council's requirement that development within conservation areas should preserve, or where possible, enhance the character or appearance of the area. The submitted proposals do not do either.
- 3.15 Policy D2 Heritage also refers to the Council's aim to seek to protect non-designated heritage assets, and to weigh the potential effects of proposals on the significance of such assets against the potential public benefits of the proposals, balancing the scale of

any harm and significance of the asset. The submitted proposals do not offer such public benefits.

- 3.16 Paragraphs 197 a) and c) of the *National Planning Policy Framework* refer to the desirability of sustaining and enhancing the significance of heritage assets and of new development making a positive contribution to local character and distinctiveness. The submitted fail to sustain or enhance the significance of either the West End Green Conservation Area as a designated heritage asset, or no. 22, Crediton Hill, as a non-designated heritage asset, and fail to make a positive contribution to local character and distinctiveness.
- 3.17 Paragraph 199 of the *National Planning Policy Framework* states that when considering the potential impact of proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation – and the more important the asset, the greater the weight should be. The submitted proposals do not reflect such great weight being given to the conservation of the West End Green Conservation Area as a designated heritage asset.
- 3.18 Paragraph 200 of the *National Planning Policy Framework* states that any potential harm to the significance of a designated heritage asset should require clear and convincing justification. No such clear and convincing justification has been put forward in relation to the potential harm caused by the submitted proposals to the significance of the West End Green Conservation Area as a designated heritage asset.
- 3.19 Paragraph 202 of the *National Planning Policy Framework* states that where development 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. The submitted proposals do not offer public benefits that would balance or outweigh the harm caused to the significance of the West End Green Conservation Area as a designated heritage asset.
- 3.20 Paragraph 203 of the *National Planning Policy Framework* states that the potential effect of proposals on the significance on a non-designated heritage should be taken into account in determining an application, and that in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the and the significance of the heritage asset. The submitted proposals will clearly cause substantial harm to the setting and significance of no. 22, Crediton Hill as a non-designated heritage asset.
- 3.21 Paragraph 208 of the *National Planning Policy Framework* states that local planning authorities should look for opportunities for new development within conservation areas and within the setting of heritage assets, to enhance or better reveal their significance. However, the submitted proposals will fail to enhance or better reveal

the significance of the West End Green Conservation Area as a designated heritage asset or the setting of no. 22, Crediton Hill as a non-designated heritage asset.

3.22 In connection with the above, the level of potential harm caused to the significance of the West End Green Conservation Area as a designated heritage asset by the proposed development may be reasonably considered to be verging on the borderline between 'less than substantial' and 'substantial' in accordance with the guidance contained in paragraph 018 of the *National Planning Practice Guidance*, whilst the level of potential harm caused to the setting and significance of no. 22, Crediton Hill, as a non-designated heritage asset may be reasonably considered as 'substantial' in accordance with the guidance contained in paragraph 018 of the *National Planning Practice Guidance*.

3.23 The submitted proposals should also be considered against the relevant published guidance of Camden Council. In this connection, the following are of particular relevance:

- The 'Design Excellence' and 'Heritage' sections contained in the Council's *Camden Planning Guidance – Design* supplementary planning document of January, 2021; and
- The guidelines on Demolition; Front Gardens/Backland/Rear Gardens; new Development; Roof Extensions; and Side Extensions contained in the Council's *West End Green Conservation Area Statement* of October, 2002.

3.24 The submitted proposals would fail to respond positively to both sets of published guidance.

#### 4. CONCLUSION

4.1 By virtue of the proposed height, bulk and external design of the proposed new development on the site:

- Would fail to preserve or enhance the character or appearance of the West End Green Conservation Area, contrary to Section 72 of the *Planning (Listed Buildings and Conservation Areas) Act, 1990*,
- Would seriously harm the character, appearance and significance of the West End Green Conservation Area as a 'designated heritage asset' without justification or potential public benefits that would balance or outweigh such harm, contrary to Policy HCI.C of the *London Plan* of March, 2021, Policies D1 Design and Policy D2 Heritage of the *Camden Local Plan*, 2017 and Paragraphs 200 and 202 of the *National Planning Policy Framework*;



- Would substantially harm the setting and significance of the adjacent property at no. 22, Crediton Hill as a ‘non-designated heritage asset’ without justification or potential public benefits that would balance or outweigh such harm, contrary to Policy HCI.C of the *London Plan* of March, 2021, Policies D1 Design and Policy D2 Heritage of the *Camden Local Plan*, 2017 and Paragraph 203 of the *National Planning Policy Framework*;
  - Would fail to either sustain or enhance the significance of the West End Green Conservation Area as a designated heritage asset and would fail to make a positive contribution to local character and distinctiveness, contrary to Paragraph 197 of the *National Planning Policy Framework*; and
  - Would fail to respond positively to the relevant guidance on ‘Design Excellence’ and ‘Heritage’ contained in the Council’s *Camden Planning Guidance – Design* supplementary planning document of January, 2021; and the relevant guidelines on Demolition; Front Gardens/Backland/Rear Gardens; new Development; Roof Extensions; and Side Extensions contained in the Council’s *West End Green Conservation Area Statement* of October, 2002.
- 4.2 On this basis, the proposals would be contrary to the relevant national, London-wide and local planning and conservation policies and to relevant guidance. Accordingly, the Council is urged to refuse the application.

Paul Velluet

12<sup>th</sup> July, 2023.