

Ms Jennifer Dawson
Planning Solutions Team
Camden Council
- sent via email to planning@camden.gov.uk

Date: 18 December 2023
Our ref: 66653/01/SB/ABt/27342745v6

Dear Ms Dawson

Representation to Applications for Planning Permission and Listed Building Consent at 14 Cannon Place, London NW3 IEJ

On behalf of our client, Pamela Roditi, the owner and occupier of No. 12 Cannon Place, we are writing to submit a formal representation in response to the applications for listed building consent (ref: 2023/4992/L) and planning permission (ref: 2023/3926/P) at 14 Cannon Place, London NW3 IEJ for the following development:

“Replacement of the rear conservatory, replacement of the existing roof covering with slate, changes to the rear dormer windows and rooflights. Internal alterations including underfloor heating, altering bathrooms M&E improvements and upgrades.”

Please note that our client only became aware of the application being submitted due to the site notice posted to a lamp post in Cannon Place. Despite living next door to the application site no neighbour consultation has been received, which does raise concerns about whether other neighbours have been consulted.

Our client has separately submitted an objection to these applications under her name. Their principal concern is the impact of the proposed extension in terms of loss of light and outlook and increased sense of enclosure in the glazed side passage and side window of No. 12 Cannon Place. They have also asked Lichfields to review the application. This current representation by Lichfields should be treated as in addition to our client’s separate representation. This representation only considers the external works proposed to 14 Cannon Place.

As you are aware, 14 Cannon Place is a Grade II* listed building and the adjacent 12 Cannon Place, our client’s property, is also Grade II* listed. Both are located within the Hampstead Conservation Area. The applications are therefore within a sensitive heritage context. We are concerned that there are elements of the proposal that have the potential for heritage harm but the details of which are not clear in the application, or are omitted completely. This means it is not possible to establish whether there would be instances of heritage harm as the application documents do not fully allow an assessment of

the proposed development or its effect on heritage assets, including the Grade II* Nos 12 and 14 Cannon Place, both designated heritage assets of high importance.

Missing Information

We are writing to highlight the following information which is missing from the application and which, in our view, is critical to being able to assess the potential effects of the proposed development:

- 1 The application drawings do not show the relationship between No. 14 and No. 12 on the existing or proposed drawings, except for Section A-A. This is not sufficient to understand the relationship between the proposed rear extension and No. 12. Additional drawings should be provided which include No. 12 on them so the effect on the significance of this Grade II* listed building can be appropriately considered. This should include a plan, long south elevation showing the relative height of the extension to No. 12 and a section including the garden wall between the two properties to establish the relative height, proximity and whether there would be any physical effect on the wall. This is particularly important as the Council's website¹ states that for elevations to be accepted with a planning application they should "*show the site in context with adjoining properties and include details and measurements which show the relationship with adjoining sites, such as the location and height of any boundary walls and the total height of adjoining roofs and eaves*".
- 2 In addition to the above, the existing and proposed drawings should be at the same scale or have dimensions included so it is possible to clearly establish the size of the proposed extension as this is not clear from the submitted plans as they are at different scales and orientations. This is important as the extension has the potential to harm the significance of both Nos 14 and 12. This is primarily due to the scale, massing and proposed materials of the proposed extension. The proposal is for a full single storey structure in contrast to the existing conservatory which is shorter, lower in height and lighter in appearance with a sloped glazed roof (i.e. a considerably more minor extension to the listed building). We do not agree with the conclusion of the Heritage Statement that the works to the conservatory would be a heritage benefit and that it would appear lightweight. You will have seen that our client has requested the conservatory be reduced by c. 1.25m in length, which we agree would help to address these concerns.

The Guideline H26 in the Hampstead Conservation Area Statement state that (our emphasis):

*"Extensions and conservatories can alter the balance and harmony of a property or of a group of properties by insensitive scale, design or inappropriate materials. Some rear extensions, although not widely visible, so adversely affect the architectural integrity of the building to which they are attached that the character of the Conservation Area is prejudiced. Rear extensions should be as unobtrusive as possible and should not adversely affect the character of the building or the Conservation Area. In most cases such extensions should be no more than one storey in height, **but its general effect on neighbouring properties and Conservation Area will be the basis of its suitability.**"*

- 3 The application, including the Heritage Statement, does not identify the significance of No. 12 Cannon Place (or the contribution of its setting to this) or the Conservation Area; this is a

¹ <https://www.camden.gov.uk/types-scale-drawings-plans-planning-applications> [accessed 14/12/23]

requirement of para. 194 of the National Planning Policy Framework (NPPF) as both have the potential to be affected by the proposed development. There is also no assessment of the potential effects of the proposed development on No. 12, except for a comment in the Heritage Statement that the proposal would not cause harm to the significance of the Hampstead Conservation Area or the settings (and therefore presumably significance) of nearby listed buildings. Combined with the lack of information shown on the drawings in relation to No. 12, this exacerbates the inability to assess the heritage effects of the proposed development.

- 4 There is a cellar which extends beneath No. 14 but belongs to No. 12 (as shown on the title deeds) and is accessed directly from it. This cellar would be located underneath the area for the proposed conservatory (cellar 1 in the basement plan in Annex 1). There is no information on this in the application so it is not possible to establish the relationship between the two and whether there would be any physical effect on the fabric of the cellar structure and any potential for harm to it. Information, including sections and details of foundations required for the conservatory, should be provided on this. The cellar is likely to form part of the Grade II* listed 12 Cannon Place and listed building consent may be required if there is any physical intervention required. This lack of information is compounded by the following point.
- 5 The Site is within an Archaeological Priority Area but a desk-based assessment has not been included with the application, despite being a validation requirement. ‘Camden’s Local Area Requirements for Planning Applications’ (2020) states that a desk-based assessment is required in line with the requirements of the NPPF for proposals involving “...*a new building or disturbance of ground within an Area of Archaeological Potential.*” It is therefore not possible to establish whether there would be any effects on archaeology and so a desk-based assessment should be provided.
- 6 Confirmation as to whether any trees would be impacted.
- 7 Clarification as to which windows are proposed for replacement and their dates, particularly the westernmost window on the rear elevation. There is likely to be harm to the significance of No. 14 Cannon Place if historic windows are being replaced due to loss of historic fabric. It is not clear from the drawings which windows are proposed for replacement. For example, drawing 302 ‘South elevation – removals’ does not show the westernmost window as removed but the ‘Proposed South Elevation’ drawing (also numbered drawing 302) states in relation to this window “Slimline double glazing in timber frames to match the style and appearance of the existing.” This implies the window is to be replaced but this is not clear due to the conflict with the information on the removals drawing.
- 8 Multiple drawings share the same drawing number and this further complicates the review of the application material. It is noted that the ‘Camden’s Local Area Requirements for Planning Applications’ states under ‘Important notes’ that “*All drawings...should be clearly titled and include unique reference numbers with clearly labelled revision references (normally a letter).*” The application therefore clearly does not meet this validation requirement as few of the drawings have a unique reference number.
- 9 The Council should ensure it is satisfied that the revised fenestration at the top (attic) floor of No. 14 would not affect the significance of this Grade II* listed building. This includes as a result of any effect on the appreciation of the hierarchy of floors in the building, the appreciation of the design of

the rear elevation, and whether the east and west dormers would be appropriate in views to the building, particularly due to the proposed southern glazing. Even if not highly visible in views, this would change the character of the roofscape of the building and make it appear more cluttered and at odds with the historic role of this floor of the building, reflected in its current simple appearance with generally restrained fenestration. In our view, there is the potential for harm to the significance of the listed building as a result of the fenestration changes to the roof, primarily due to the additional glazing proposed on the east and west dormers. The Conservation Area Statement (p.58) states in relation to roof alterations that “...*insensitive alterations can harm the character of the roofscape with poor materials, intrusive dormers, inappropriate windows. In many instances there is no further possibility of alterations.*” The DAS states the size of the west dormer is being increased to reintroduce symmetry with the east dormer and match its scale, but it is also proposed to increase the size of the east dormer. There is also no evidence in the application that they were originally the same size, particularly as Figure 63 in the Heritage Statement, a drawing from 1932, shows them as different sizes. The Heritage Statement shows evidence of dormers in these locations from at least the late 19th century (Figure 43).

Planning Policy and Legislative Considerations

Should there be harm to the significance of any of these designated heritage assets, as required by paragraph 200 of the NPPF there needs to be clear and convincing justification for harm to designated heritage assets and the Council should be satisfied that there is justification for these elements of harm, in particular whether this harm could be removed or reduced by an alternative design. As required by the NPPF para. 199 and s. 16 (2), 66 (1) and 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, great weight should be given to the harm to the listed buildings and Conservation Area commensurate to their importance, where relevant, in the planning balance and the Council should pay special attention to the desirability of preserving or enhancing the character and appearance of the Conservation Area and preserving the special interest of the listed buildings. If the Council is satisfied there is clear and convincing justification for any harm, this would need to be weighed against the public benefits of the proposal as per NPPF para. 202 and Local Plan Policy D2. Local Plan Policy D2 states that the public benefits would need to “convincingly outweigh” the harm. London Plan Policy HC1 does not provide for heritage harm to be outweighed by public benefits. If the harm is not outweighed by public benefits, it would not be in accordance with the statutory development plan or NPPF.

Conclusion

We request that the Council seeks the above information from the applicant to meet the validation requirements and to be able to sufficiently assess the application so as to be able to discharge its statutory duty under s. 16 (2), 66 (1) and 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as to ensure the application complies with paragraph 194 of the NPPF.

We also request that this additional information is made publicly available on the Council’s planning register once it is received and for the consultation deadline to be extended accordingly. This is so consultees such as our client can review the further detail and for an assessment to be made as to whether there would be any heritage harm, and to make further representations if necessary.

Our strong view is that the application should not be determined without the provision of the above necessary information. If a decision is made on the application based on the current information, we

would request that appropriate conditions are attached to ensure that the outstanding matters above are addressed, such as detailed drawings of the windows and conservatory, an archaeology assessment, and information regarding the cellar and trees.

Thank you for your consideration in the matter and we assume our client will be consulted again in due course once the requested additional information is available.

Yours sincerely

Amy Booth
Associate Director - Heritage
BA (Hons) MSc IHBC

Annex 1: Extract from 12 Cannon Place basement plan drawing (ref. 101/1202) submitted with planning application ref. 2012/5536/P

BASEMENT FLOOR PLAN - E:1/200

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