

Representative Viewpoint 7 – View from Castlehaven Community Park looking west towards the Site



Figure 7.20: Representative Viewpoint 7 – Existing

Baseline Conditions

- 7.31 The viewpoint is located at the northeastern corner of Castlehaven Community Park near the junction between Clarence Way and Castlehaven Road and the Grade II listed Holy Trinity Church, approximately 430m to the northeast of the Site. The view is experienced by recreational users of Castlehaven Community Park (TCA5 Castlehaven).
- 7.32 The view looks across the football pitches within the park towards the railway viaduct. A small mound of grass planted with young trees surrounds the football pitches and is visible in the foreground of the views. The football pitches, which are surrounded by tall railings, occupy the majority of the view, extending into the middle ground. The background of the view is framed by the brown brick-built form of the railway viaduct between the Kentish Town West and Camden Road Overground stations. The bridge over Castlehaven Road is visible to the left-hand side of the view and the arches along the west side of the park stretch towards the right-hand side of the view. The upper storeys of the residential building of white stucco and brown brick at the corner of Hawley Street and the modern shopping centre of the north of Camden Lock Place can be seen above the railway viaduct.
- 7.33 The Site is not visible in the view due to interposing built form and the railway viaduct.



Figure 7.21: Representative Viewpoint 7 – Proposed

Predicted Effects – Proposed

7.34 The application proposals would not be visible in this view and have no visual impact on users of Castlehaven Community Park.



Figure 7.22: Representative Viewpoint 7 – Cumulative

Predicted Effects – Cumulative

7.35 Elements of the Camden Goods Yard development presently under construction will be visible in the background of this view, beyond the existing development and mature vegetation whilst the application proposals will remain not visible. There will be **no/neutral** impact on townscape character or heritage significance.

Representative Viewpoint 8 – View from Talacre Gardens looking southwest towards the Site



Figure 7.23: Representative Viewpoint 8 – Existing

Baseline Conditions

- 7.36 The viewpoint is located at the northwest of Talacre Gardens, to the east of the football pitch, approximately 500m to the north east of the Site. The view is experienced by recreational users of Talacre Gardens (TCA2 North of Chalk Farm Road).
- 7.37 The view looks across the open green space towards Talacre Road from the footpath close to the Wilkin Street entrance. An open area of grassland occupies the foreground of the view. The pathway crossing the park from west to east is lined with small trees runs in the middle ground of the view. Beyond the pathway, a line of mature trees mark the boundary of the park and partially obstruct visibility to the built form along Talacre Road. The three-storey terraces of yellow brick and stucco along Talacre Road, within the West Kentish Town Conservation Area, frame the background of the view. Beyond the terraces, the Denton residential Tower rises to approximately twenty storeys and is prominent in the background of the view.
- 7.38 The Site is currently not visible in the view due to the interposing built form within the West Kentish Town Conservation Area.



Figure 7.24: Representative Viewpoint 8 – Existing

Predicted Effects – Proposed

7.39 The application proposals will not be visible and have no visual impact on users of Talacre Gardens.



Figure 7.25: Representative Viewpoint 8 – Cumulative

Predicted Effects – Cumulative

- 7.40 The Camden Goods Yard development is located behind the existing tree screening and built form to the left of the application proposals. The application proposals will continue to have **no/neutral** visual impact on townscape character (TCA2) or heritage significance.

Representative Viewpoint 9 – View from the corner of Regent’s Park Road and King Henry’s Road



Figure 7.26: Representative Viewpoint 9 – Existing

Baseline Conditions

- 7.41 The viewpoint is located on King Henry’s Road, at the junction with Regent’s Park Road and Gloucester Avenue, approximately 300m to the southeast of the Site. The view is experienced by motorists and pedestrians travelling along King Henry’s Road and Regent’s Park Road. The viewpoint is located at the northern boundary of the Primrose Hill Conservation Area and looks out from the conservation area, across the mainline railway cutting and tracks, towards the Site (TCA3 Primrose Hill).
- 7.42 The view looks across the junction between King Henry’s Road and Regent’s Park Road, which occupies the foreground of the view, from the southern pathway, towards Regent’s Park Road Bridge over the railway lines. The northern pathway and the low brick boundary wall separating the road from the railway extend along the middle ground of the view. The right-hand side of the view is contained by the Pembroke Castle public house, which is of three storeys and three bays and stands within the Primrose Hill Conservation Area. The steel frame structure of the railway bridge, which leads north towards Adelaide Road, partially screens views to the built form beyond. The very upper parts of the Roundhouse and the present building within the Site can be seen, beyond the railway and the associated gantries electrification and lines. The upper levels of the residential tower on Hazelbury Way can be distinguished in the far distance, to the right-hand side of the view.



Figure 7.27: Representative Viewpoint 9 – Proposed

Predicted Effects – Proposed

- 7.43 The upper storeys of the cylindrical drums of the application proposals will be visible to motorists and pedestrians travelling along Regent's Park Road/King Henry's Road/Gloucester Avenue junction, in the distance behind the existing brick boundary wall. The application proposals appear to the right of Roundhouse, stepping up and away so that its conical roof remains fully visible, whilst adding further visual interest to the skyline.



Figure 7.28: Representative Viewpoint 9 – Cumulative

Predicted Effects – Cumulative

7.44 Elements of the Roundhouse Hotel and Camden Goods Yard developments will be seen in the background of this view, in conjunction with the application proposals, appearing as layers in front of, to the side and behind. The application proposals sit comfortably within this townscape context and add visual interest through their form and design, resonating with the form of the Roundhouse and the industrial 'railway lands' character of the middle ground. The proposals will have a **beneficial** effect on townscape character (TCA3) and not harm the significance of the Roundhouse (insofar as it is legible in this view) or affect the significance of the Primrose Hill Conservation Area.

Representative Viewpoint 10 – View from the junction of Fitzroy Road and Chalcot Road looking north towards the Site



Figure 7.29: Representative Viewpoint 10 – Existing

Baseline Conditions

- 7.45 The viewpoint is located on the west side of Fitzroy Road, at the junction with Chalcot Road, approximately 360m to the south of the Site. The view is experienced by motorists and pedestrians travelling along Fitzroy Road and is representative of views from within the Primrose Hill Conservation Area (TCA3 Primrose Hill).
- 7.46 The view extends along Fitzroy Road, one of the principal roads within the Primrose Hill Conservation Area, lined with rows of Victorian residential terraces. In the foreground, the special architectural and historic interest of buildings that comprise the conservation area is apparent in the terraces of historic buildings.
- 7.47 The view is terminated by the upper levels of Juniper Crescent, beyond the mature trees and railway lines, with the eastern edge of the Roundhouse roof and the present building on the Site just glimpsed in the far distance.



Figure 7.30: Representative Viewpoint 10 – Proposed

Predicted Effects – Proposed

7.48 The application proposals would be visible to motorists and pedestrians travelling along Fitzroy Road as a minor element in the distant background, beyond the existing mature landscaping and interposing urban development that comprises the wider townscape setting to this conservation area. The greater part of the application proposals would not be perceptible in summer months and would be screened in winter months. The proposals will not affect the character or appearance of the conservation area and appear as an element in its wider, urban townscape setting beyond.



Figure 7.31: Representative Viewpoint 10 – Cumulative

Predicted Effects – Cumulative

- 7.49 The cumulative developments will not be visible in this view or affect the relative visibility of the application proposals, insofar as it will be legible in the distant background to this view. The application proposals will have a beneficial townscape impact (TCA3) and not harm the significance of the conservation area.

Representative Viewpoint 11 – View from the junction of Fitzroy Road and Gloucester Avenue looking north towards the Site



Figure 7.32: Representative Viewpoint 11 – Existing

Baseline Conditions

- 7.50 The viewpoint is located on the east side of Fitzroy Road, at the junction with Gloucester Avenue, approximately 250m to the south of the Site. The view is experienced by motorists and pedestrians travelling along Fitzroy Road and is representative of views from within the Primrose Hill Conservation Area towards its northeastern boundary, adjacent to the expanse of railway sidings and tracks (TCA3 Primrose Hill).
- 7.51 The view extends along Dumpton Place from the east pathway at the northern end of Fitzroy Road, at the junction with Gloucester Avenue, which occupies the foreground of the view. In the foreground, the built form comprises a row of 19th-century terraces of three storeys with basement, stucco at ground and basement levels and brown brick at first and second floors, on the east corner with Gloucester Avenue. On the west side, the corner is occupied by the Lansdowne Public House, of three storeys and white stucco, with decorative tiles at ground floor. In the middle ground, the built form on the west side of Dumpton Place comprises a modern built of three and four storeys of yellow brick construction with white rendering at ground floor.
- 7.52 The middle ground of the view is partly contained by the brick boundary wall separating the street (and the conservation area) from the railway sidings and lines to

the north. Beyond, the upper storeys of Juniper Crescent can be seen together with the upper levels of the Roundhouse, with Denton Tower partly behind, breaking its silhouette against the sky. The Site buildings are not visible in the view due to the intervening built form and topography.



Figure 7.33: Representative Viewpoint 11 – Proposed

Predicted Effects – Proposed

7.53 The upper storeys of the application proposals will be partly visible to motorists and pedestrians travelling along Fitzroy Road, located beyond the railway and Juniper Crescent and be partly concealed by existing built form in the conservation area. The proposals will appear set apart from the visible roof of the Roundhouse, stepping away to the east. The cylindrical form and materiality of the proposals would be legible and reflect the form of the Roundhouse and be seen in relation to the existing tall building of Denton Tower, directly behind the Roundhouse.



Figure 7.34: Representative Viewpoint 11 – Cumulative

Predicted Effects – Cumulative

- 7.54 In terms of cumulative effects, part of the Charlie Ratchford Centre development in Belmont Street will be visible behind and to the left of the Roundhouse whilst other developments would be screened by existing built form in the conservation area.
- 7.55 The proposals would have a **beneficial** effect on townscape character (TCA3) and have no adverse effect on the significance of the Roundhouse or the Primrose Hill Conservation Area – appearing as an element of the wider urban townscape setting beyond the railway sidings and lines.

Representative Viewpoint 12 – View from the junction of Eton Road and Adelaide Road looking east towards the Site



Figure 7.35: Representative Viewpoint 12 – Existing

Baseline Conditions

- 7.56 The viewpoint is located on the north side of Adelaide Road, at the junction with Eton Road, approximately 580m to the west of the Site. The view is experienced by motorists and pedestrians travelling along Adelaide Road (TCA4 Belsize Park).
- 7.57 The view extends along Adelaide Road from the northern pathway, at the junction with Eton Road, which occupies the foreground of the view and leads north into the Eton Conservation Area. On the north side of the road, the residential built form within Beaumont Walk is screened from views by tall mature trees. Adelaide Road is bordered by the mainline railway lines to the south, which are physically and visually separated from the road by a low boundary wall and a dense line of mature trees, visible along the right-hand side of the view. Beyond the railway line cutting, buildings in King Henry's Road (and the northern boundary of the Primrose Hill Conservation Area) can be seen. The construction cranes on the Camden Goods Yard site are visible whilst the Site itself is not visible due to the intervening mature vegetation along Adelaide Road.



Figure 7.36: Representative Viewpoint 12 – Proposed

Predicted Effects – Proposed

- 7.58 It is possible that elements of the application proposals could be visible to motorists and pedestrians travelling along Adelaide Road, as glimpsed elements in the distance. otherwise screened by vegetation and railway infrastructure. However, the degree of visibility and change would be minimal.



Figure 7.37: Representative Viewpoint 12 – Cumulative

Predicted Effects – Cumulative

7.59 The cumulative developments of 5—17 Haverstock Hill, the Roundhouse Hotel, the Roundhouse Works and Campus and that on the former petrol filling station site will also be largely screened in this view. However, the wider Camden Goods Yard scheme will be prominent above the railway lines to the centre-right of this view, signalling the prevailing wider pattern of change to the townscape. The application proposals remain largely screened with **no/neutral** impact on townscape character (TCA4) or heritage significance in this view.

Representative Viewpoint 13 – View from the south of bridge over railway tracks at the junction of Oval Road and Gloucester Avenue



Figure 7.38: Representative Viewpoint 13 – Existing

Baseline Conditions

- 7.60 The viewpoint is located at the junction between Gloucester Avenue and Oval Road, to the south of the railway line, approximately 700m to the southeast of the Site. The view is experienced by pedestrians and motorists travelling along Gloucester Avenue and is a representative view from within the Primrose Hill Conservation Area (TCA3 Primrose Hill).
- 7.61 The view looks towards the Site, across and along the railway cutting, although the site buildings are not visible due to the separation distance and the effect of interposing built form, particularly the development around Centric Close on the east side of the railway cutting. The construction crane indicates the intervening site of the Camden Goods Yard development.



Figure 7.39: Representative Viewpoint 13 – Proposed

Predicted Effects – Proposed

7.62 The application proposals will not be visible from this viewpoint location and be obscured by the existing, intervening urban townscape.



Figure 7.40: Representative Viewpoint 13 – Cumulative

Predicted Effects – Cumulative

- 7.63 The Camden Goods Yard development will be visible in the distance illustrating the general pattern of change in the vicinity of the Site. The Site remains not visible and there will be **no/neutral** effect on townscape character (TCA3) or heritage significance.

Representative Viewpoint 14 – View from the north of tow path on Regents canal



Figure 7.41: Representative Viewpoint 14 – Existing

Baseline Conditions

- 7.64 This viewpoint is located on the north towpath along Regent's Canal, to the south of Water Lane, approximately 570m to the east of the Site. The view is experienced by pedestrians and cyclists travelling along Regent's Canal and is particularly representative of the inward looking 'secluded' views that characterise the greater part of the Regent's Canal Conservation Area (TCA1 Regent's Canal and Rail Interchange).
- 7.65 The view looks across Regent's Canal towards the recent Hawley Lock development and Camden Market. The Site is not visible due to the topography and the nature of interposing built form, particularly along the canal-side. The red brick chimney of the Grade II listed Interchange building on the north side of the canal rises just above the shopping centre and market building.



Figure 7.42: Representative Viewpoint 14 – Proposed

Predicted Effects – Proposed

7.66 The application proposals will not be visible.



Figure 7.43: Representative Viewpoint 14 – Cumulative

Predicted Effects – Cumulative

7.67 The upper elements of the Camden Goods Yard development are visible above buildings on the north side of the canal. The application proposals will have **no effect** on the significance of the conservation area or townscape character (TCA1).

Representative Viewpoint 15 – View from the eastern extent of Regent’s Park looking north towards the Site



Figure 7.44: Representative Viewpoint 15 – Existing

Baseline Conditions

- 7.68 This longer distance view is from a viewpoint located at the northeastern extent of Regent’s Park, to the northwest of the Gloucester Gate Playground, approximately 840m to the south of the Site. The view is experienced by recreational users of Regent’s Park and is representative from views within the Regent’s Park Conservation Area and the associated Registered Park and Garden of Historic Interest (TCA3 Primrose Hill).
- 7.69 The view looks across the Park towards the Outer Circle, from an open area of grassland to the north of the Gloucester Gate Playground, which occupies the foreground and background of the view. The background of the view is framed by tall mature trees along the Outer Circle, forming the boundary of the park. The built form beyond the Park boundary is largely screened by this dense line of vegetation with some glimpses of the Grade II listed terraces along Prince Albert Road, within the Primrose Hill Conservation Area seen through gaps in the vegetation.
- 7.70 The Site is not visible in the view due to the distance and interposing vegetation and built form.



Figure 7.45: Representative Viewpoint 15 – Proposed

Predicted Effects – Proposed

7.71 The application proposals would not be visible to users of Regent's Park due to distance and the nature of interposing vegetation.



Figure 7.46: Representative Viewpoint 15 – Cumulative

Predicted Effects – Cumulative

7.72 Similarly, the cumulative developments will also not be visible in this view from the Park with the possible exception of glimpses of the very upper parts of the Camden Goods Yard development. The application proposals will have **no effect** on the townscape/landscape character of the Park (TCA3) or heritage significance.

Representative Viewpoint 16 – LVMF View 2A.1 - Parliament Hill summit to St Paul's Cathedral, looking south east



Figure 7.47: Representative Viewpoint 16 – Existing

Baseline Conditions

7.73 This formally identified viewpoint in the London Views Management Framework (LVMF) is located on the east side Parliament Hill, some 1.7km to the north of the Site. Parliament Hill forms part of the prominent east west ridge traversing Hampstead Heath and is open public area of the Heath consisting of fields, hedgerows and woodland. Panoramic views of central London can be gained from the summit of the hill, and the relevant protected vista from this viewing location is one of two (2A and 2B) that is orientated towards the City of London, St Paul's Cathedral and the Victoria Tower of the Palace of Westminster.

7.74 Two Assessment Points are identified at the summit, 2A.1 and 2A.2. They are orientated in different directions, although they share the same position: one looks towards St Paul's Cathedral (2A.1) and the other looks towards the Victoria Tower of the Palace of Westminster (2A.2)

7.75 The LVMF states that:

"... The topography of London frames the silhouette of the city. The viewer can see a number of complementary and prominent elements, in particular the tall buildings in the City's financial district and an aggregation of taller buildings at Docklands. The latter feature has particular prominence in this view because of the rise of Shooter's Hill in the background.

St Paul's Cathedral is set within a miscellany of buildings, in both its foreground and background. The dome and peristyle are visible, but some development in the background diminishes the viewer's ability to recognise and appreciate the landmark, particularly in poor weather conditions. However, the Shard with its distinctive shape and high quality materials provides a strong orientation point to allow the viewer to recognise St Paul within the wider panorama. The Palace of Westminster is positioned behind the Euston Tower and the BT Tower. Only the Central Lobby Lantern and the Victoria Tower are visible. The latter's turrets and finials contrast with the simple housing blocks in the middle ground."

7.76 Visual Management Guidance provided by the LVMF states that:

"The panorama is sensitive to large-scale development in the foreground and middle ground.

St Paul's Cathedral and its western towers should be recognisable in the panorama. A Protected Vista is applied in this view.

New development should preserve or enhance the viewer's ability to recognise and appreciate the Palace of Westminster in this view..."

7.77 Whilst a small portion of the Site is within the foreground of the viewing corridor, it is not visible in the view due to the considerable separation distance, topography and the nature and extent of intervening built form in the wider City townscape.



Figure 7.48: Representative Viewpoint 16 – Proposed

Predicted Effects – Proposed

7.78 The viewing corridor bisects a very small part of the very southeast corner of the site. However, the height of the application proposals is below the plane of the protected vista and as such will have **no impact** on the protected view and will not trigger the associated policy consideration. The site of the application proposals is therefore provided for illustrative purposes.

8. Conclusions

- 8.1 In this Heritage, Townscape and Visual Statement the likely effects of the application proposals on heritage significance, townscape character and associated visual receptors are identified and assessed.
- 8.2 The assessment is informed by desktop and field study, including a review of relevant built heritage and townscape/landscape designations, visual receptors and views; relevant legislation, national and local planning policy; relevant published sources; and baseline assessment of the value and importance of the relevant built heritage, townscape/landscape and visual receptors. That baseline work informed the assessment of the potential impact of the application proposals on the relevant heritage assets, townscape/landscape character areas, visual receptors and representative views.
- 8.3 **Sections 3 and 4** of this Statement have identified the relevant heritage assets and their significance, townscape areas and their character, and visual receptors that have the potential to be affected by the application proposals. The nature and extent of the application proposals is summarised in **Section 5** (see the DAS for associated detail).

Heritage, Townscape and Visual Impact

- 8.4 The proportionate assessment in **Sections 6 and 7** identify and provide assessment of the relative impacts of the application proposals on heritage assets, townscape character areas and visual receptors.
- 8.5 Representative Views have also been identified from which the visual impact of the proposals in isolation, and in conjunction with relevant cumulative schemes, is assessed in terms of heritage setting and townscape context.
- 8.6 It is concluded that:
- Insofar that the Site is an element of setting, the overall heritage significance of the Primrose Hill Conservation Area, the Grade II* listed Horse Hospital, the Grade II listed Chalk Farm Road Underground Station, Drinking Fountain and Cattle Trough, and the locally listed buildings Nos. 36—37 Chalk Farm Road and No. 2 and Nos. 45—47 Crogsland Road, will be sustained.
 - There will be no/neutral to beneficial impacts on the townscape character of the identified Townscape Character Area 2 (North of Chalk Farm Road), 3 (Primrose Hill) or 4 (Belsize Park), meeting the objectives of Development Plan policies regarding strategic and local views and good design appropriate to surroundings.
 - The application proposals have been designed to respond positively to the character of the surrounding townscape in terms of disposition of massing, material palette and architectural articulation. The proposals constitute buildings of high-architectural quality to transform the Site, which otherwise detracts from the townscape and this part of the Regent's Canal Conservation Area.

- Architectural form and materials reflect wider townscape characteristics and facilitate substantial improvements to the public realm and the activation of the street scene, including the setting of the Roundhouse as a major entertainment venue. In these terms, the application proposals will have a substantial beneficial effect on the townscape character of TCA1 (Regent's Canal and Rail Interchange).
 - The application proposals will deliver heritage benefits through removing the existing building and its damaging connection to the Grade II* listed Roundhouse, providing new development composed to better reveal its external form and significance and providing for an activated and engaged street scene to this part of the Regent's Canal Conservation Area.
 - In these terms, the application proposals are consistent with s66(1) and s.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, meet the objectives of NPPF policy with respect to the historic environment and address Development Plan policies regarding heritage.
 - Notwithstanding the heritage, townscape and visual benefits, the application proposals will, through realising positive transformation change to the Site, cause some minor, less than substantial harm to the heritage significance of Regent's Canal Conservation Area and the Grade II* listed Roundhouse.
 - The application supporting material demonstrates that opportunities have been taken to minimise that heritage harm through siting, layout and detailed design, whilst maximising the opportunities for enhancement.
- 8.7 In context of legislation and national and local policy, the limited, less than substantial harm, must be accorded considerable weight and importance in the planning balance, and must be weighed against the public benefits provided by the proposals (NPPF paragraph 208).
- 8.8 The public benefits delivered by application proposals set out in the application documents are concluded in the Planning Statement prepared by Gerald Eve, to decisively outweigh this harm. Overall, the application proposals constitute a well-conceived scheme for transformational and regenerative change to the Site and its heritage and townscape context.

Appendix 1: Relevant Planning Policy and Guidance

Statutory Duties

The Planning (Listed Buildings and Conservation Areas) Act 1990

The Planning (Listed Buildings and Conservation Areas) Act 1990 provides that listed building consent is required for;

“(s.7) ... any works for the demolition of a listed building or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest ...”

In determining such applications the following duty is placed upon the decision maker:

“s.16(2) In considering whether to grant listed building consent for any works the local planning authority, or as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

Section 66 imposes a “General duty as respects listed buildings in the exercise of planning functions.” Subsection (1) provides:

“In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

With regard to applications for planning permission within conservation areas, it is set out that:

“s.72(1) In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

Case law⁷⁴ has confirmed that Parliament’s intention in enacting section 66(1) of the 1990 Act was that decision-makers should give “considerable importance and weight” to the desirability of preserving the setting of listed buildings, where “preserve” means to “to do no harm” This duty must be borne in mind when considering any harm that may accrue and the balancing of such harm against public benefits as required by national planning policy. Case law has confirmed that this weight can also be applied to the statutory tests in respect of conservation areas⁷⁵. The Secretary of State has confirmed⁷⁶ that ‘considerable importance and weight’ is not synonymous with ‘overriding importance and weight’. Importantly, the meaning of preservation in this context, as informed by case law, is taken to be the avoidance of harm.

⁷⁴ Barnwell Manor Wind Energy Limited and (1) East Northamptonshire District Council (2) English Heritage (3) National Trust (4) The Secretary of State for Communities and Local Governments, Case No: C1/2013/0843, 18th February 2014

⁷⁵ The Forge Field Society v Sevenoaks District Council [2014] EWHC 1895 (Admin); North Norfolk District Council v Secretary of State for Communities and Local Government [2014] EWHC 279 (Admin)

⁷⁶ APP/H1705/A/13/2205929

National Policy

National Planning Policy Framework 2023

The updated National Planning Policy Framework (NPPF) was introduced 20th December 2024 as the full statement of Government planning policies covering all aspects of the planning process.

Chapter 12 of the Framework outlines Government's guidance on achieving well-designed and beautiful places.

Paragraph 131 establishes that for the Government the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this.

Paragraph 135 sets out that planning policies and decisions should ensure that developments:

"a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁶; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."

Paragraph 137 establishes that design quality should be considered throughout the evolution and assessment of individual proposals.

Paragraph 139 requires that permission should be refused for 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, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek

to ensure that the quality of approved development is not materially diminished between permission and completion, because of changes being made to the permitted scheme.

Paragraph 139 also sets out that in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

Chapter 16 of the NPPF outlines the Government's guidance regarding conserving and enhancing the historic environment.

The glossary of the Framework (**Annex 2**) defines conservation as the process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance.

Paragraph 200 requires the significance of the heritage assets, which may be affected by the proposals to be described as part of any submission. The level of detail should be proportionate to the importance of the assets and sufficient to understand the potential impact of the proposals on their significance.

Paragraph 201 requires local planning authorities to also identify and assess the particular significance of heritage assets that may be affected by proposals. They should take this assessment into account when considering the impact of proposals in order to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 203 states that local planning authorities should take account of the desirability of sustaining and enhancing the significance of all heritage assets and putting them into viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 205 further requires that local planning authorities should give great weight to the asset's conservation when considering the impact on a proposed development on the significance of a designated heritage asset. The more important the heritage asset, the greater the weight should be.

Paragraph 206 specifies that any harm to, or loss of, significance of a designated heritage asset should require clear and convincing justification.

Paragraph 207 advises local planning authorities to refuse consent where a proposal will lead to substantial harm or total loss of significance, unless it can be demonstrated that this is necessary to deliver substantial public benefits that outweigh such harm or loss, or a number of other tests can be satisfied.

Paragraph 208 concerns proposals which will lead to less than substantial harm to the significance of a designated heritage asset. Here harm should be weighed against the public benefits, including securing the optimum viable use.

Paragraph 209 relates to the effects of an application on the significance of non-designated heritage assets with a judgement required having regard to the scale of any harm or loss and the significance of the asset to be taken into account in determining the application.

Paragraph 212 states that proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance), should be treated favourably. It outlines that local planning authorities should also look for opportunities for new development within conservations areas and the setting of heritage assets to enhance or better reveal their significance.

Paragraph 213 notes that not all elements of e.g. a conservation area will necessarily relate to its significance (whilst loss of a positively contributing element should be treated as either substantial or less than substantial harm, taking account of relative significance and contribution as a whole)

European Landscape Convention

The European Landscape Convention (ELC) provides a basis for closer co-operation on landscape issues across Europe and was signed and ratified in the UK. This recognition to landscape matters raises the profile and the ELC has been set out to improve approaches to the planning, management and protection of landscapes throughout Europe.

The ELC defines landscape as *“an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors”* and it includes **townscape**, as well as all forms of rural landscape.

The Development Plan

The Development Plan comprises the London Plan 2021 and the Camden Local Plan 2017 and various neighbourhood plans. These documents provide local guidance with regard to development affecting heritage assets and should accord with the statutory duties and the general principles outlined in the Framework.

The London Plan 2021

The new London Plan 2021 was recently adopted in March 2021, and replaces the previous London Plan (2016 with alterations since 2011) and relevant policies. Policy HC1 of the new London Plan states:

Policy D1 London’s form, character and capacity for growth seeks to establish the character and context of an area to understand how different places may develop in the future.

“A) Boroughs should undertake area assessments to define the characteristics, qualities and value of different places within the plan area to develop an understanding of different areas’ capacity for growth. Area assessments should cover the elements listed below:

- 1) demographic make-up and socio-economic data (such as Indices of Multiple Deprivation, health and wellbeing indicators, population density, employment data, educational qualifications, crime statistics)*
- 2) housing types and tenure*

- 3) *urban form and structure (for example townscape, block pattern, urban grain, extent of frontages, building heights and density)*
- 4) *existing and planned transport networks (particularly walking and cycling networks) and public transport connectivity*
- 5) *air quality and noise levels*
- 6) *open space networks, green infrastructure, and water bodies*
- 7) *historical evolution and heritage assets (including an assessment of their significance and contribution to local character)*
- 8) *topography and hydrology*
- 9) *land availability*
- 10) *existing and emerging Development Plan designations*
- 11) *land uses*
- 12) *views and landmarks.”*

Policy D3 Optimising site capacity through the design-led approach seeks to ensure development is most appropriate for the site through an evaluation of its attributes, its surrounding context and its capacity for growth. It states that development proposals should consider factors such as form and layout, experience as well as the quality and character. In relation to the quality and character, development should:

- “11) respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character*
- 12) be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well*
- 13) aim for high sustainability standards (with reference to the policies within London Plan Chapters 8 and 9) and take into account the principles of the circular economy*
- 14) provide spaces and buildings that maximise opportunities for urban greening to create attractive resilient places that can also help the management of surface water.”*

Policy D9 Tall buildings applies to tall buildings as defined by the borough. Where no definition is provided, the policy applies to buildings over 6 storeys or 18 metres measured from the ground to the floor level of the uppermost storey. In relation to the location of tall buildings, the policy states:

- “1) Boroughs should determine if there are locations where tall buildings may be an appropriate form of development, subject to meeting the other requirements of the Plan. This process should include engagement with neighbouring boroughs that may be affected by tall building developments in identified locations.*
- 2) Any such locations and appropriate tall building heights should be identified on maps in Development Plans.*

3) Tall buildings should only be developed in locations that are identified as suitable in Development Plans.

Development proposals for tall buildings should address the impacts on amenity, functionality, the environment and cumulative schemes. With regards to visual impacts, development should consider:

- a) The views of buildings from different distances;*
 - i) Long-range views – these require attention to be paid to the design of the top of the building. It should make a positive contribution to the existing and emerging skyline and not adversely affect local or strategic views*
 - ii) mid-range views from the surrounding neighbourhood – particular attention should be paid to the form and proportions of the building. It should make a positive contribution to the local townscape in terms of legibility, proportions and materiality*
 - iii) immediate views from the surrounding streets – attention should be paid to the base of the building. It should have a direct relationship with the street, maintaining the pedestrian scale, character and vitality of the street. Where the edges of the site are adjacent to buildings of significantly lower height or parks and other open spaces there should be an appropriate transition in scale between the tall building and its surrounding context to protect amenity or privacy.*
- b) whether part of a group or stand-alone, tall buildings should reinforce the spatial hierarchy of the local and wider context and aid legibility and wayfinding*
- c) architectural quality and materials should be of an exemplary standard to ensure that the appearance and architectural integrity of the building is maintained through its lifespan*
- d) proposals should take account of, and avoid harm to, the significance of London’s heritage assets and their settings. Proposals resulting in harm will require clear and convincing justification, demonstrating that alternatives have been explored and that there are clear public benefits that outweigh that harm. The buildings should positively contribute to the character of the area*
- e) buildings in the setting of a World Heritage Site must preserve, and not harm, the Outstanding Universal Value of the World Heritage Site, and the ability to appreciate it*
- f) buildings near the River Thames, particularly in the Thames Policy Area, should protect and enhance the open quality of the river and the riverside public realm, including views, and not contribute to a canyon effect along the river*
- g) buildings should not cause adverse reflected glare*
- h) buildings should be designed to minimise light pollution from internal and external lighting*

With regards to cumulative impacts, development should consider:

- a) *the cumulative visual, functional and environmental impacts of proposed, consented and planned tall buildings in an area must be considered when assessing tall building proposals and when developing plans for an area. Mitigation measures should be identified and designed into the building as integral features from the outset to avoid retro-fitting.”*

Policy HC1 Heritage conservation and growth:

‘A. Boroughs should, in consultation with Historic England and other relevant statutory organisations, develop evidence that demonstrates a clear understanding of London’s historic environment. This evidence should be used for identifying, understanding, conserving, and enhancing the historic environment and heritage assets, and improving access to the heritage assets, landscapes and archaeology within their area.

B. Development Plans and strategies should demonstrate a clear understanding of the historic environment and the heritage values of sites or areas and their relationship with their surroundings. This knowledge should be used to inform the effective integration of London’s heritage in regenerative change by:

- 1) setting out a clear vision that recognises and embeds the role of heritage in place-making*
- 2) utilising the heritage significance of a site or area in the planning and design process*
- 3) integrating the conservation and enhancement of heritage assets and their settings with innovative and creative contextual architectural responses that contribute to their significance and sense of place*
- 4) delivering positive benefits that sustain and enhance the historic environment, as well as contributing to the economic viability, accessibility and environmental quality of a place, and to social wellbeing.*

C. 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 cumulative impacts of incremental change from development on heritage assets and their settings, should also be actively managed. Development proposals should seek to avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.

D. Development proposals should identify assets of archaeological significance and use this information to avoid harm or minimise it through design and appropriate mitigation. Where applicable, development should make provision for the protection of significant archaeological assets and landscapes. The protection of undesignated heritage assets of archaeological interest equivalent to a scheduled monument should be given equivalent weight to designated heritage assets.

E. Where heritage assets have been identified as being At Risk, boroughs should identify specific opportunities for them to contribute to regeneration and place-making, and they should set out strategies for their repair and re-use.’

Policy HC3 Strategic and Local Views seeks to protect the composition and character of the views which make a significant contribution to the image and character of London.

- A) *Strategic Views include significant buildings, urban landscapes or riverscapes that help to define London at a strategic level. They are seen from places that are publicly-accessible and well-used. The Mayor has designated a list of Strategic Views (Table 7.1) that he will keep under review. Development proposals must be assessed for their impact on a designated view if they fall within the foreground, middle ground or background of that view.*
- B) *Within the designated views, the Mayor will identify landmarks that make aesthetic, historic, cultural or other contributions to the view and which assist the viewer's understanding and enjoyment of the view.*
- C) *The Mayor will also identify Strategically-Important Landmarks in the views that make a very significant contribution to the image of London at the strategic level or provide a significant cultural orientation point. He will seek to protect vistas towards Strategically-Important Landmarks by designating landmark viewing corridors and wider setting consultation areas. These elements together form a Protected Vista. Each element of the vista will require a level of management appropriate to its potential impact on the viewer's ability to recognise and appreciate the Strategically-Important Landmark. These and other views are also subject to wider assessment beyond the Protected Vista.*
- D) *The Mayor will also identify and protect aspects of views that contribute to a viewer's ability to recognise and appreciate a World Heritage Site's authenticity, integrity, and attributes of Outstanding Universal Value. This includes the identification of Protected Silhouettes of key features in a World Heritage Site.*
- E) *The Mayor has prepared Supplementary Planning Guidance on the management of the designated views – the London View Management Framework Supplementary Planning Guidance (LVMF SPG). The Mayor will, when necessary, review this guidance.*
- F) *Boroughs should include all designated views, including the protected vistas, in their Local Plans and work with relevant land owners to ensure there is inclusive public access to the viewing location, and that the view foreground, middle ground and background are effectively managed in accordance with the LVMF SPG.*
- G) *Boroughs should clearly identify local views in their Local Plans and strategies. Boroughs are advised to use the principles of Policy HC4 London View Management Framework for the designation and management of local views. Where a local view crosses borough boundaries, the relevant boroughs should work collaboratively to designate and manage the view."*

Policy HC4 London View Management Framework seeks to preserve and enhance the ability to appreciate distinctive London landmarks from designated viewing places. Where existing buildings detract from or block the view, this is not a reasonable justification for similar buildings to be permitted.

- A) Development proposals should not harm, and should seek to make a positive contribution to, the characteristics and composition of Strategic Views and their landmark elements. They should also preserve and, where possible, enhance viewers' ability to recognise and to appreciate Strategically-Important Landmarks in these views and, where appropriate, protect the silhouette of landmark elements of World Heritage Sites as seen from designated viewing places.*
- B) Development in the foreground, middle ground and background of a designated view should not be intrusive, unsightly or prominent to the detriment of the view.*
- C) Development proposals and external illumination of structures in the background of a view should give context to landmarks and not harm the composition of the view as a whole. Where a silhouette of a World Heritage Site is identified by the Mayor as prominent in a designated view, and well-preserved within its setting with clear sky behind, it should not be altered by new development appearing in its background. Assessment of the impact of development in the foreground, middle ground or background of the view or the setting of a Strategically-Important Landmark should take into account the effects of distance and atmospheric or seasonal changes.*
- D) Development proposals in designated views should comply with the following:*
 - 1) London Panoramas should be managed so that development fits within the prevailing pattern of buildings and spaces, and should not detract from the panorama as a whole. The management of views containing Strategically-Important Landmarks should afford them an appropriate setting and prevent a canyon effect from new buildings crowding in too close to the Strategically-Important Landmark in the foreground, middle ground or background where appropriate*
 - 2) River Prospects should be managed to ensure that the juxtaposition between elements, including the river frontages and key landmarks, can be appreciated within their wider London context*
 - 3) Townscape and Linear Views should be managed so that the ability to see specific buildings, or groups of buildings, in conjunction with the surrounding environment, including distant buildings within views, is preserved.*
- E) Viewing places should be accessible and managed so that they enhance people's experience of the view.*
- F) Where there is a Protected Vista:*
 - 1) development that exceeds the threshold height of a Landmark Viewing Corridor should be refused*

- 2) *development in the Wider Setting Consultation Area should form an attractive element in its own right and preserve or enhance the viewer's ability to recognise and to appreciate the Strategically-Important Landmark. It should not cause a canyon effect around the Landmark Viewing Corridor*
- 3) *development in the background should not harm the composition of the Protected Vistas, nor the viewer's ability to recognise and appreciate the Strategically-Important Landmark, whether the development proposal falls inside the Wider Setting Consultation area or not*
- 4) *development in the foreground of the wider setting consultation area should not detract from the Strategically-Important Landmark in this part of the view."*

The London View Management Framework SPG 2012

Policies 7.11 and 7.12 of the London Plan establish the London View Management Framework, which seeks to designate, protect and manage twenty-seven views of London and some of its major landmarks. The purpose of this document is to explain in greater detail this policy approach so that boroughs, applicants and other statutory authorities can assess a proposal's compliance with the London Plan. The Site is located adjacent to the Parliament Hill summit to the Palace of Westminster London View Management Framework (LVMF) Viewing Corridor.

Camden Local Plan 2017

The Camden Local Plan sets out the Council's planning policies and replaces the Core Strategy and Development Policies planning documents (adopted in 2010).

The Draft Local Plan was released in 2015. Following this, public hearings were held in October 2016 and further modifications were consulted on in early 2017. Following the Inspector's report the Local Plan was adopted in July 2017, incorporating the Inspectors recommended modifications.

The Local Plan ensures that Camden continues to have robust, effective and up to-date planning policies that respond to changing circumstances and the borough's unique characteristics and contribute to delivering the Camden Plan and other local priorities. The Local Plan will cover the period from 2016-2031.

Policy D1 (Design) sets out that:

"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) states:

"The Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens and locally listed heritage assets.

Designated heritage assets

Designated heritage assets include conservation areas and listed buildings. The Council will not permit the loss of or substantial harm to a designated heritage asset, including conservation areas and Listed Buildings, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a. the nature of the heritage asset prevents all reasonable uses of the site;*
- b. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;*
- c. conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and*
- d. the harm or loss is outweighed by the benefit of bringing the site back into use.*

The Council will not 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.

Conservation Areas

Conservation areas are designated heritage assets and this section should be read in conjunction with the section above headed 'designated heritage assets'. 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 of appearance of that conservation area; and*
- h. preserves 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..."*

Listed Buildings

Listed buildings are designated heritage assets and this section should be read in conjunction with the section above headed 'designated heritage assets'. To preserve or enhance the borough's listed buildings, the Council will:

- i. resist the total or substantial demolition of a listed building;*
- j. resist proposals for a change of use or alterations and extensions to a listed building where this would cause harm to the special architectural and historic interest of the building; and*
- k. resist development that would cause harm to significance of a listed building through an effect on its setting."*

London Borough of Camden, Draft Camden Goods Yard Planning Framework Supplementary Planning Document, 2017

The Council have recently consulted on a draft 'Camden Goods Yard Planning Framework', as an SPD for the application site and nearby area, which builds upon the policies in the Development Plan. The framework sets out the Council's vision and key objectives for this specific area of the borough. It is intended to help guide future development of the area. The draft SPD provides general principles for the development of the area as well as a framework for the redevelopment of the PFS parcel and the MS parcel. Importantly, it acknowledges that the application site is of strategic importance and encourages their redevelopment in an appropriate manner.

London Borough of Camden draft Site Allocations Local Plan (SALP) 2020

Camden Council is developing a new Site Allocations Local Plan for Camden. The Plan identifies a number key development sites and areas across the borough and sets out how they should be developed in the future. The Site is located within the 'Policy CGY4 – 100 Chalk Farm Road' area which states:

An employment-led development will be supported. Complementary town centre uses should be provided as a means of activating the street and adding to the character and diversity of Camden Town Centre. An element of permanent self-contained housing is also appropriate but should not detract from employment provision in this location or undermine the achievement of a strong town centre frontage. Development must be in accordance with Policy CGY1 – Camden Goods Yard Area, and in addition must meet the following requirements specific to this site:

- a. B1 floorspace should be reprovided in line with the Camden Local Plan's employment policies
- b. Be of a high-quality design that is appropriate to the high street location and which responds to the area's historic context with attractive amenity spaces provided to meet the needs of residents and workers
- c. The applicant will be expected to work collaboratively with relevant stakeholders, to appraise the feasibility of delivering improved access to Juniper Crescent housing estate in the event of its redevelopment occurring. The design and layout of any scheme must consider how this estate may change to ensure optimal benefits across sites.
- d. The applicant must also consider how the relationship with neighbouring land to the east, including the Petrol Filling Station, can be enhanced, taking into account how this area may change. We expect the collaboration and co-design of proposals to ensure a coherent and optimised approach across both sites to deliver efficient use of land, a compatible mix of uses and higher quality townscape
- e. Assess the impact of proposals on locally important views of which those with the Roundhouse and Stables Market/Horse Hospital are particularly critical.
- f. Development must enhance the gap adjacent with the Roundhouse and enhance its setting by opening up views of this heritage asset.
- g. Ensure that existing night-time entertainment uses, in particular the neighbouring Roundhouse venue, are not adversely affected by development on this site, with mitigation measures secured as a last resort in line with the agent of change principle

- h. h. Remove existing car parking and enter into a 'car-free' obligation for the site.

London Borough of Camden Conservation Area Appraisals/Management Strategies and Statements

The Council has prepared and adopted a number of appraisals, management strategies and statements for conservation areas located within the study area. These documents provide an overview of the historic development of the relevant conservation area, an assessment of its character and appearance and then set out general guidance on how development proposals can sustain this heritage significance:

- Primrose Hill Conservation Area Conservation Area Statement (2000);
- Camden Town Conservation Area Appraisal and Management Strategy (2007);
- Regent's Canal Conservation Appraisal and Management Strategy (2008).

Camden Building Heights Study (Final Report, January 2024)

The purpose of this study is to provide a borough-specific approach to the assessment of building heights in Camden to support in the preparation of a new Local Plan and revised Euston Area Plan. It provides contextual guidance on tall buildings to ensure that co-ordinated approach is taken and negative effects can be appropriately mitigated.

Other Material Considerations

National Planning Policy Guidance (NPPG)

National Planning Practice Guidance (PPG) was first issued by the Government in 2014 as a web based resource and living document. This is intended to provide more detailed guidance and information with regard to the implementation of national policy set out in the NPPF. The most recent updates date from 2019.

In paragraph 003 the design guidance category supports the need to evaluate and understand the defining characteristics of an area in order to identify appropriate design opportunities and policies. Paragraph 007 goes on to state that views into and out of larger sites should be carefully considered from the start of the design process.

With regard to development affecting heritage assets PPG reiterates that conservation of heritage assets in a manner appropriate to their significance is a core planning principle⁷⁷. It states that conservation is an active process of maintenance and managing change that requires a flexible and thoughtful approach⁷⁸. The NPPG notes that where changes are proposed to heritage assets, the Framework sets out a clear basis for decision-taking to ensure that heritage assets are conserved, and where appropriate enhanced, in a manner that is consistent with their significance and thereby achieving sustainable development⁷⁹.

Harm to significance may arise from works to the heritage asset or from development within its setting. A thorough assessment of the impact of changes within setting upon heritage significance should take into account, and be proportionate to, the significance of the heritage asset, together with the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it.

⁷⁷ Paragraph: 003 Reference ID: 18a-003-20140306

⁷⁸ Paragraph: 003 Reference ID: 18a-003-20140306

⁷⁹ Paragraph: 003 Reference ID: 18a-003-20140306

NPPG sets out that whether a proposal causes substantial harm will be a judgment for the decision taker, having regard to the circumstances of the case and the policy in the Framework. In general terms, substantial harm is a high test, so it may not arise in many cases⁸⁰. In my view this would be a harmful impact that would result in the significance of a heritage asset being either entirely removed or significantly reduced.

Accordingly, further guidance has been provided by the Courts in the Bedford case, with regard to assessing the degree of harm likely to be caused to a designated heritage asset (listed building in this case)⁸¹. It was interpreted that:

“What the inspector was saying was that for harm to be substantial, the impact on significance was required to be serious such that very much, if not all, of the significance was drained away.

Plainly in the context of physical harm, this would apply in the case of demolition or destruction, being a case of total loss. It would also apply to a case of serious damage to the structure of the building. In the context of non-physical or indirect harm, the yardstick was effectively the same. One was looking for an impact which would have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced.”

Public benefits are defined in PPG as anything that delivers economic, social or environmental progress as described in the Framework (paragraph 7)⁸². NPPG confirms that public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be of private benefit. It is noted that benefits do not always have to be visible or accessible to the public in order to be genuine public benefits. Public benefits may include heritage benefits⁸³, such as:

- *“Sustaining or enhancing the significance of a heritage asset and the contribution of its setting;*
- *Reducing or removing risks to a heritage asset; and*
- *Securing the optimum viable use of a heritage asset in support of its long term conservation.”*

In the design guidance⁸⁴ category this supports paragraph 130 of the NPPF which states that ‘permission should be refused for 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, taking into account any local design standards or style guides in plans or supplementary planning documents’. It also refers to the accompanying National Design Guide, which sets out ten characteristics for a well-designed place:

- *“Context – enhances the surroundings.*
- *Identity – attractive and distinctive.*
- *Built form – a coherent pattern of development.*
- *Movement – accessible and easy to move around.*

⁸⁰ Paragraph: 017 Reference ID: 18a-017-20140306

⁸¹ [2013] EWHC 2847 (Admin)

⁸² Paragraph: 020 Reference ID: 18a-020-20140306

⁸³ Paragraph: 020 Reference ID: 18a-020-20140306

⁸⁴ Paragraph 001 Reference ID: 26-001-20191001

- *Nature – enhanced and optimised.*
- *Public spaces – safe, social and inclusive.*
- *Uses – mixed and integrated.*
- *Homes and buildings – functional, healthy and sustainable.*
- *Resources – efficient and resilient.*
- *Lifespan – made to last.”*

National Design Guide: Planning practice guidance for beautiful, enduring and successful places 2019

The government has published the National Design Guidance to underpin the NPPF design policies. The purpose of this document is to set out how well-designed places are recognised, and to assist policy makers, decision takers and applicants preparing applications.

The document outlines and illustrates the Government’s priorities for well-designed places in the form of ten characteristics which form an overarching framework.

“Well-designed places have individual characteristics which work together to create its physical Character. The ten characteristics help to nurture and sustain a sense of Community. They work to positively address environmental issues affecting Climate. They all contribute towards the cross-cutting themes for good design set out in the National Planning Policy Framework.”

The ten characteristics are summarised as follows:

*Context – enhances the surroundings;
Identity – attractive and distinctive;
Built form – a coherent pattern of development;
Movement – accessible and easy to move around;
Nature – enhanced and optimised;
Public spaces – safe, social and inclusive;
Uses – mixed and integrated;
Homes and buildings – functional, healthy and sustainable;
Resources – efficient and resilient; and
Lifespan – made to last.*

A National Model Design Code will be published and consulted on in due course and will form part of this guidance. This will set standards for key elements of successful design.

Department of Culture, Media and Sport Circular: Principles of Selection for Listing Buildings 2018

The Principles of Selection for listing buildings sets out the general criteria for assessing the special interest of a building in paragraph 16, as below:

“Architectural Interest. To be of special architectural interest a building must be of importance in its architectural design, decoration or craftsmanship; special interest may also apply to nationally important examples of particular building types and techniques (e.g. buildings displaying technological innovation or virtuosity) and significant plan forms;

Historic Interest. To be of special historic interest a building must illustrate important aspects of the nation’s social, economic, cultural, or military history and/or have close historical associations with nationally important people. There should normally be some quality of

interest in the physical fabric of the building itself to justify the statutory protection afforded by listing.”

When making a listing decision, paragraph 17 sets out that the Secretary of State may also take into account:

“Group value: The extent to which the exterior of the building contributes to the architectural or historic interest of any group of buildings of which it forms part, generally known as group value. The Secretary of State will take this into account particularly where buildings comprise an important architectural or historic unity or a fine example of planning (e.g. squares, terraces or model villages) or where there is a historical functional relationship between the buildings. Sometimes group value will be achieved through a co-location of diverse buildings of different types and dates.

Fixtures and features of a building and curtilage buildings: The desirability of preserving, on the grounds of its architectural or historic interest, any feature of the building consisting of a man-made object or structure fixed to the building or forming part of the land and comprised within the curtilage of the building.

The character or appearance of conservation areas: In accordance with the terms of section 72 of the 1990 Act, when making listing decisions in respect of a building in a conservation area, the Secretary of State will pay special attention to the desirability of preserving or enhancing the character or appearance of that area.”

General principles for selection are also set out in this advice, in paragraphs 18-23. These include: Age and rarity; Buildings less than 30 years old; Aesthetic merits; Selectivity; and National interest, although State of repair will not usually be a relevant consideration.

In addition to the criteria and general principles set out in the guidance, a number of Selection Guides for different building types have been published by Historic England, first in 2011 and then later updated. These Selection Guides provide further information regarding each building type, and demonstrate what features are considered significant and likely to make a building of special architectural or historic interest when assessing each building type.

Historic England, Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment 2015

This document provides advice on the implementation of historic environment policy in the Framework and the related guidance given in the NPPG. For the purposes of this report, the advice includes: assessing the significance of heritage assets; using appropriate expertise; historic environment records; and design and distinctiveness.

It provides a suggested staged approach to decision-making where there may be a potential impact on the historic environment:

- “1. Understand the significance of the affected assets;*
- 2. Understand the impact of the proposal on that significance;*
- 3. Avoid, minimise and mitigate impact in a way that meets the objectives of the Framework;*
- 4. Look for opportunities to better reveal or enhance significance;*

5. *Justify any harmful impacts in terms of the sustainable development objective of conserving significance and the need for change;*
6. *Offset negative impacts on aspects of significance by enhancing others through recording, disseminating and archiving archaeological and historical interest of the important elements of the heritage assets affected."*

With particular regard to design and local distinctiveness, advice sets out that both the NPPF (section 7) and NPPG (section ID26) contain detail on why good design is important and how it can be achieved. In terms of the historic environment, some or all of the following factors may influence what will make the scale, height, massing, alignment, materials and proposed use of new development successful in its context:

- (a) *The history of the place*
- (b) *The relationship of the proposal to its specific site*
- (c) *The significance of nearby assets and the contribution of their setting, recognising that this is a dynamic concept*
- (d) *The general character and distinctiveness of the area in its widest sense, including the general character of local buildings, spaces, public realm and the landscape, the grain of the surroundings, which includes, for example the street pattern and plot size*
- (e) *The size and density of the proposal related to that of the existing and neighbouring uses*
- (f) *Landmarks and other built or landscape features which are key to a sense of place*
- (g) *The diversity or uniformity in style, construction, materials, colour, detailing, decoration and period of existing buildings and spaces*
- (h) *The topography*
- (i) *Views into, through and from the site and its surroundings*
- (j) *Landscape design*
- (k) *The current and historic uses in the area and the urban grain*
- (l) *The quality of the materials*

Historic England: Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets 2017 (2nd Edition)

GPA Note 3 provides information to assist in implementing historic environment policy with regard to the managing change within the setting of heritage assets, and also now views analysis. This also provides a toolkit for assessing the implications of development proposals affecting setting and views. A series of stages are recommended for assessment, these are:

- a) *"Step 1: identifying the heritage assets affected and their settings*
- b) *Step 2: assessing whether, how and to what degree these settings make a contribution to the significance of the heritage asset(s)*

- c) *Step 3: assessing the effect of the Proposed Development*
- d) *Step 4: maximising enhancement and minimising harm*
- e) *Step 5: making and documenting the decision and monitoring outcomes."*

Historic England: Advice Note 1: Conservation Area Designation, Appraisal and Management 2019 (2nd Edition)

This Historic England Advice Note supports the NPPF and NPPG and is intended to set out ways to manage change in a way that conserves and enhances historic areas through conservation area designation, appraisal and management. It seeks to offer advice to all those involved in managing conservation areas so that the potential of historic areas worthy of protection is fully realised, the need for community and owner consultation examined, and the benefits of management plans to manage change, and achieve regeneration and enhancement, fully exploited. Advice on appraisal of conservation areas is also given, as assistance in demonstrating special interest and articulating character, guiding investment, and in developing a management plan.

Historic England: Advice Note 2: Making Changes to Heritage Assets 2016

This advice note provides general advice according to different categories of intervention in heritage assets, including repair, restoration, addition, and alteration, as well as on works for research alone. This covers different types of heritage assets, including buildings and other structures; standing remains including earthworks; buried remains and marine sites; as well as larger heritage assets including conservation areas, registered landscapes, and World Heritage Sites.

Historic England: Advice Note 4: Tall Buildings 2022 (2nd Edition)

This Historic England Advice Note seeks to guide people involved in planning for and designing tall buildings so that they may be delivered in a sustainable and successful way through the development plan and development management process. It states that the advice is for all relevant developers, designers, local authorities and other interested parties. Advice on making a planning application for a tall building, as well as assessing the impact of development proposals is set out.

Historic England: Advice Note 12: Statements of Heritage Significance 2019

This Historic England Advice Note provides general advice regarding preparation of statements of heritage significance and analysing of significance for the full range of heritage assets. This is designed primarily for applicants proposing changes to heritage assets and accords with the Framework.

English Heritage (now Historic England): Conservation Principles: Policies and Guidance 2008

This guidance document sets out Historic England's approach to making decisions and offering guidance about all aspects of England's historic environment. The contribution of elements of a heritage asset or within its setting to its significance may be assessed in terms of its "heritage values":

"Evidential Value: the potential of a place to yield evidence about past human activity.

Historical Value: the ways in which past people, events and aspects of life can be connected through a place to the present.

Aesthetic Value: the ways in which people draw sensory and intellectual stimulation from a place.

Communal Value: the meanings of a place for the people who relate to it, or for whom it figures in their collective experience or memory.’ (Paras. 30-60)”

A draft has been released for public consultation and subsequent revision of this document in 2018.

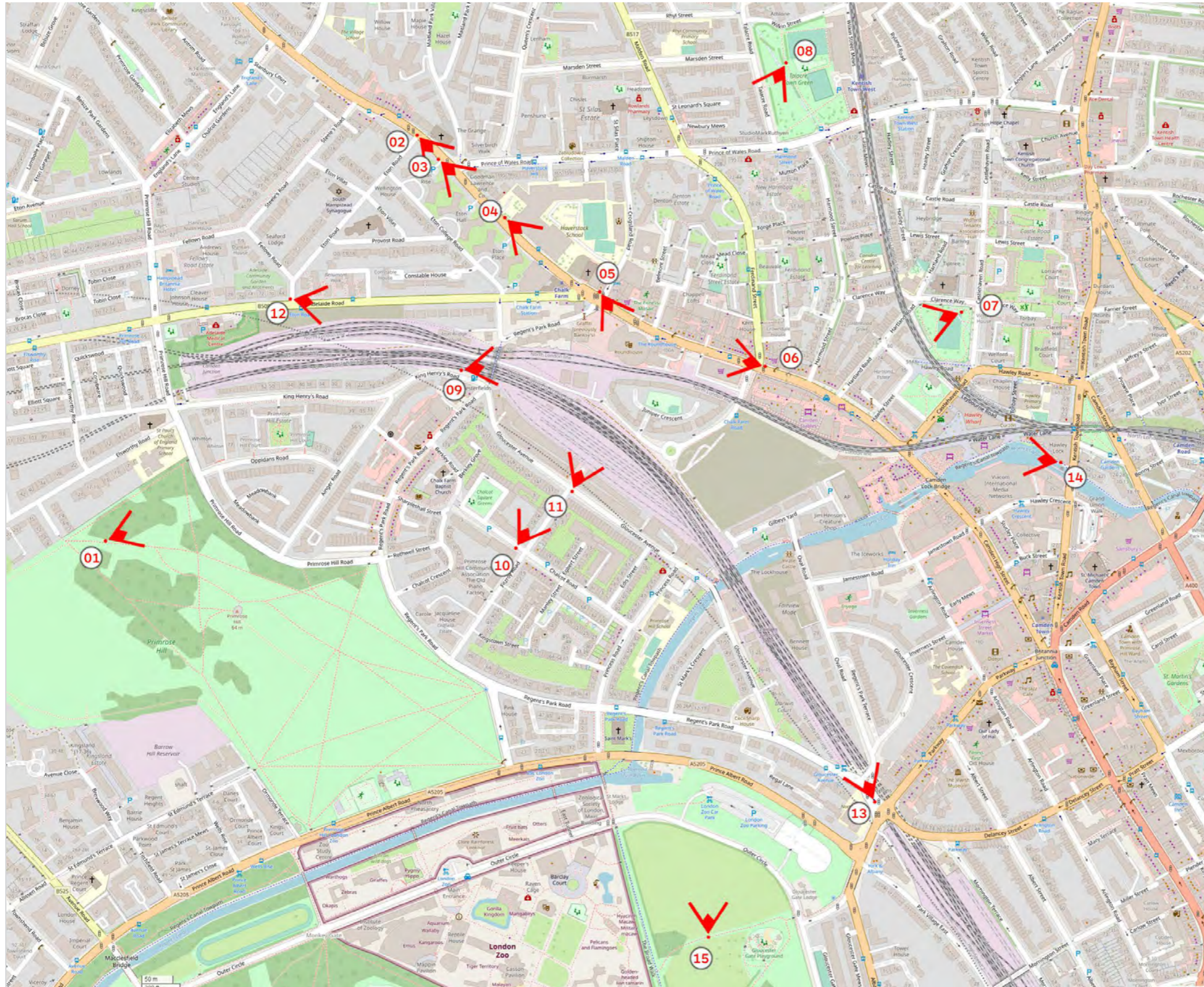
Greater London Authority, Planning Practice Note: Heritage Impact Assessments and the Setting of Heritage Assets

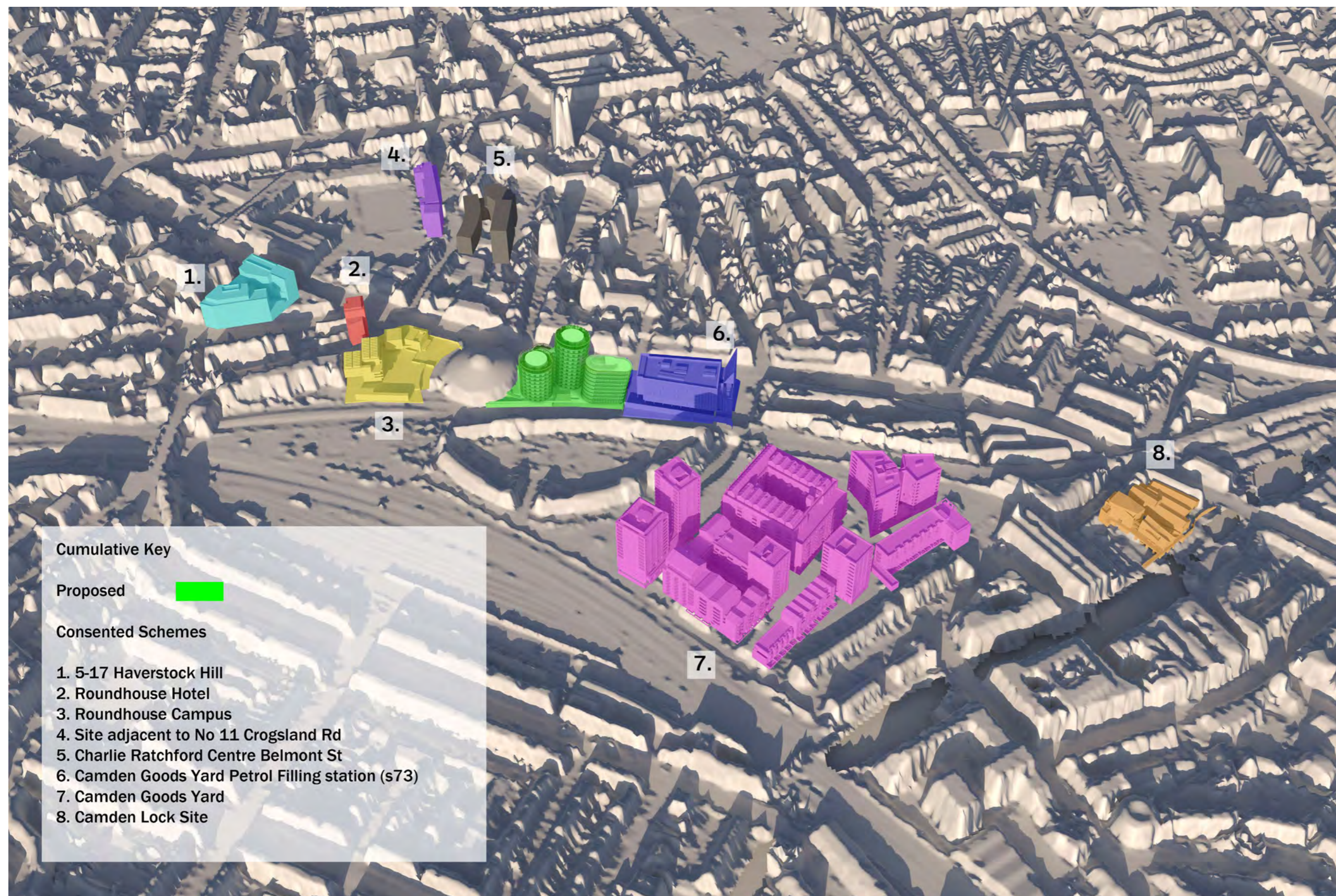
This note sets out the GLA’s preferred approach i.e., the methodologies and working practices it seeks to see consistently applied in the preparation of planning application documents for proposed developments which affect the settings of heritage assets.

Appendix 2: Full Size AVRs and AVR Technical Methodology (prepared by AVR London)

AVR

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1.6 m above ground

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