

Application ref: 2022/3264/P and
2022/3265/P
PINS ref: APP/X5210/W/23/3327715
& APP/X5210/W/23/3327716
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Dear Sir/Madam

Heritage Impacts of Appeal Schemes at 239 High Street, Camden

This statement prepared by David McKinstry (Camden's Conservation officer) relates to 2 appeals on the same site- 2022/3264/P (APP/X5210/W/23/3327715) and 2022/3265/P (APP/X5210/W/23/3327716), the appeals inspector raised concerns over the impact to the setting of the Grade II listed Arlington House along with the possible impacts to the Camden Town conservation area.

2022/3264/P

Erection of part-one and part-two storey rear extension to create 2 x residential dwellings above existing hot food takeaway.

Site and Significance

The site forms part of an unlisted terrace of shops dating from the nineteenth-century and it is not within a conservation area. It forms the setting of three statutorily designated heritage assets; the Regent's Canal Conservation Area and the Camden Town Conservation Area and the GII listed Arlington House.

Proposal

Erection of part-one and part-two storey rear extension to create 2 x residential dwellings above existing hot food takeaway [for the purposes of clarity, without mansard].

Effect of Proposal on Significance

The Inspector has noted that the appeal site for the above linked appeals lies within the setting of the Grade II listed Arlington House. The rear elements of the proposals would bring the development closer to the listed building than the existing arrangement. The towers and roofscape of the listed building are also experienced from Camden High Street. In accordance with Section 66(1) of the Planning (listed buildings and Conservation Areas) Act 1990, the Council has a duty to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.

The appeal site also lies within the setting of the Camden Town Conservation Area. The developments have the potential to affect the significance of the Conservation Area through development within its setting.

The parties are invited to make comments with regard to the effect of the proposed developments on the significance of the aforementioned designated heritage assets.

For the purposes of the Inspector's instruction Officers are required to provide the following under the NPPF:

128. Planning policies and decisions should support development that makes efficient use of land, taking into account: d) the desirability of maintaining an area's prevailing character and setting

135. Planning policies and decisions should ensure that developments:

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);

212. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. 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

And that the terms of reference in such matters should be under NPPF vis:

Setting of a heritage asset: The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

Significance (for heritage policy): The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.

Conclusion

Accordingly the appeal site is within the setting of a GII listed Building and the setting of the Camden Town Conservation area and to a lesser degree from the Regent's Canal Conservation Area.

Under the Act and its attendant policies the greatest weight is given to the matter of the setting of the Grade II listed building and in that it is considered:

Section 66(1) of the Listed Buildings Act 1990 In considering whether to grant planning permission for development which affects a listed building or its setting, the Council is required to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.

The effect of the proposal is to harm the setting of the listed building due to the manner in which the bulk, mass and design of the extension would overwhelm the rear of the host building, further diluting any sense of its original form when seen from Arlington House. The C19th townscape relationship between Arlington House and the appeal site and the neighbouring properties within the appeal site terrace, would be further reduced by the proposals and although the effect of this would be less than substantial harm it would nonetheless be harm.

Under the Act and its attendant policies the Council is directed to consider:

Section 72(1) of the Listed Buildings Act 1990 In the exercise of various functions under the Planning Acts in relation to land in conservation areas (including determination of planning applications) the Council is required to pay special attention to the desirability of preserving or enhancing the character and appearance of the Conservation Area.

In that matter, Officers are not required to assess the impact on the character and appearance of the conservation area because the site is not within a conservation area. However, conservation areas have a setting. The effect of the proposal on the setting of the Regent's Canal Conservation Area is neutral because the proposal is not visible from the Regent's Canal Conservation Area.

There is visibility of the site from part of the Camden Town Conservation Area, in the vicinity of Buck

Street. The proposal would result in loss of visibility of some of Arlington House which is currently visible over the roofline of the existing building when seen from Buck Street. The spatial character of the C19th Early Mews is also affected by the development, resulting in increased density due to the height and mass of the proposals. However, the neighbouring buildings have a ridge at the level proposed under this scheme and that the historic condition of the building would have been such a roofline.

In the matter of the setting of the listed building, Officers find that the visual impact of the proposed development, when contrasted with the lawful state of the site, is deleterious and that this equates to less than substantial harm under the NPPF. In the matter of the conservation area Officers find that the impact of the appeal scheme without the mansard is neutral in its impact.

However, to the rear of the site the setting of the affected heritage assets is diminished, that is to say visually taken further away from their reasons for significance, which in this instance are their visual and evidential qualities of C19th townscape value ergo value as pieces, or remnants, of architecturally coherent C19th town-planning.

2022/3265/P

Erection of part-one- and part-two storey rear extensions with mansard roof over to create 3 x residential units above existing hot food takeaway.

Site and Significance

The site forms part of an unlisted terrace of shops dating from the nineteenth-century and it is not within a conservation area. It forms the setting of three statutorily designated heritage assets; the Regent's Canal Conservation Area and the Camden Town Conservation Area and the GII listed Arlington House.

Proposal

Erection of part-one- and part-two storey rear extensions with mansard roof over to create 3 x residential units above existing hot food takeaway.

Impact of Proposals on Significance

The Inspector has noted that the appeal site for the above linked appeals lies within the setting of the Grade II listed Arlington House. The rear elements of the proposals would bring the development closer to the listed building than the existing arrangement. The towers and roofscape of the listed building are also experienced from Camden High Street. In accordance with Section 66(1) of the Planning (listed buildings and Conservation Areas) Act 1990, the Council has a duty to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.

The appeal site also lies within the setting of the Camden Town Conservation Area. The developments have the potential to affect the significance of the Conservation Area through development within its setting.

The parties are invited to make comments with regard to the effect of the proposed developments on the significance of the aforementioned designated heritage assets.

For the purposes of the Inspector's instruction Officers are required to provide the following under the NPPF:

128. Planning policies and decisions should support development that makes efficient use of land, taking into account: d) the desirability of maintaining an area's prevailing character and setting

135. Planning policies and decisions should ensure that developments:

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);

212. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. 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. And that my terms of reference in such matters should be under NPPF vis:

Setting of a heritage asset: The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

Significance (for heritage policy): The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.

Conclusion

Accordingly the appeal site is within the setting of a GII listed Building and the setting of the Camden Town Conservation area and to a lesser degree from the Regent's Canal Conservation Area.

Under the Act and its attendant policies the greatest weight is given to the matter of the setting of the GII listed building and in that Officers find:

Section 66(1) of the Listed Buildings Act 1990 In considering whether to grant planning permission for development which affects a listed building or its setting, the Council is required to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.

The effect of the proposal is to harm the setting of the listed building due to the manner in which the bulk, mass and design of the extension would overwhelm the rear of the host building, further diluting any sense of its original form when seen from Arlington House. The C19th townscape relationship between Arlington House and the appeal site and the neighbouring properties within the appeal site terrace, would be further reduced by the proposals and although the effect of this would be less than substantial harm it would nonetheless be harm. There is also harm to the setting of Arlington House due to the manner in which the proposed mansard would block, or interrupt, views of Arlington House when seen from the wider townscape, notably from the High Street and from Buck Street, which is within the Camden Town Conservation Area.

Under the Act and its attendant policies Officers are directed to consider:

Section 72(1) of the Listed Buildings Act 1990 In the exercise of various functions under the Planning Acts in relation to land in conservation areas (including determination of planning applications) the Council is required to pay special attention to the desirability of preserving or enhancing the character and appearance of the Conservation Area.

In that matter, Officers are not required to assess the impact on the character and appearance of the conservation area because the site is not within a conservation area. However, conservation areas have a setting. The effect of the proposal on the setting of the Regent's Canal Conservation Area is neutral because the proposal is not visible from the Regent's Canal Conservation Area.

There is visibility of the site from part of the Camden Town Conservation Area, in the vicinity of Buck Street. The proposal would result in loss of visibility of some of Arlington House which is currently visible over the roofline of the existing building when seen from Buck Street and environs. The spatial character of the C19th Early Mews is also affected by the development, resulting in increased density due to the height and mass of the proposals. There are no other mansards in the terrace, and there is no evidence of there having historically been any mansards in this terrace. The proposed mansard affects the setting of the Camden Town Conservation Area as it creates an uncharacteristic roof form in an otherwise largely consistent run of C19th commercial terrace when viewed from Buck Street and environs. It distorts the historic form and scale relationship of the appeal site when viewed in conjunction with Arlington House and thereby harms the setting of the GII listed building.

In the matter of the setting of the listed building, Officers find that the visual impact of the proposed development, when contrasted with the lawful state of the site, is deleterious and that this equates to less than substantial harm under the NPPF. In the matter of the conservation area Officers consider that the impact of the appeal scheme without the mansard is harmful in its impact, at the level of less than substantial harm.

Under this scheme both to the rear and front of the site the setting of the affected heritage assets is diminished, that is to say visually taken further away from their reasons for significance, which in this instance are their visual and evidential qualities of C19th townscape value ergo value as pieces, or remnants, of architecturally coherent C19th town-planning.

Recommendation on both appeals

Should either application have been determined by the Local Authority, the recommendation on each or either of the applications would have been refusal in terms of the impact on the setting of adjacent heritage assets. The impact on setting differs between the two proposals, as set out above, but in both instances there is less than substantial harm to setting and in both instances the setting of a Grade II listed building is affected.

Having outlined the assessment of harm to adjacent heritage assets, the Local Planning Authority therefore respectfully submits the above findings to the Inspectorate's authority for determination and requests that the appeals are dismissed.

Blythe Smith
Planning officer