



Design & Access, Planning and Heritage Impact Statement

12 Mabledon Place, London, WC1H 9AZ

Erection of mansard roof extension

April 2024

J Butterworth Planning Limited

71-75 Shelton Street

London, WC2H 9JQ

07803 588 479

jeremy@jbutterworthplanning.co.uk

jbutterworthplanning.co.uk

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Prepared By Jeremy Butterworth BSc (Hons) MA MRTPI

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Registered Office: 71-75 Shelton Street, Covent Garden, London, WC2H 9JQ

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1 Executive Summary

1.1 Executive Summary

- 1.1.1 This application seeks planning and listed building consent for the erection of a mansard roof extension at 12 Mabledon Place, London, WC1H 9AZ.
- 1.1.2 The proposed design is compatible with the local area and will not have any significant impact on the listed building or Conservation Area.
- 1.1.3 The proposed development will not have any additional impact on the amenity of neighbours and there are no technical impediments to the granting of planning permission.
- 1.1.4 On balance, the proposed development is compliant with all levels of planning policy.
- 1.1.5 The development will achieve a sustainable development.

2 Introduction, Purpose and Development Proposals

2.1 Introduction

2.1.1 This statement represents a Planning, Heritage and Design & Access Statement submitted in support of the planning and listed building consent applications for the erection of a roof extension (the 'proposed development') at the Grade II Listed 12 Mabledon Place, London, WC1H 9AZ (the 'site').

2.1.2 This application represents a revised design and the re-submission of a previously refused scheme. The previous planning application (Ref: 2018/6282/P) was refused for the following reasons:

1. The proposed roof extension, by reason of its principle, design and height would be detrimental to the character and appearance of the host building, streetscene and surrounding area. This would harm the significance of the host listed building, the listed buildings on Cartwright Gardens due to impact on their setting, and the significance of the Bloomsbury Conservation Area. The proposal is therefore contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017

2. The proposed roof extension, due to height and proximity to the rear of 27 and 28 Cartwright Gardens would result in loss of outlook and an increase sense of enclosure. It would therefore be contrary to policy A1 (Managing the impacts of development) of the London Borough of Camden Local Plan 2017

2.1.3 The previous Listed Building Consent application (Ref: 2019/0586/L) was refused for the following reason:

The proposed roof extension, by reason of its principle, design and height would be detrimental to the character and appearance of the host building, streetscene and surrounding area. Insufficient evidence has also been provided to demonstrate the removal of the existing roof would not cause harm to the special character of the listed building. Therefore there would be harm to the significance of the listed building and to the conservation area, contrary to policy D2 (Heritage) of the London Borough of Camden Local Plan 2017.

2.1.4 This is discussed in more detail below.

2.2 Purpose

- 2.2.1 Planning law¹ requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 2.2.2 The Courts² have determined that it is enough that a proposal accords with the development plan when considered as a whole. It is not necessary to accord with each and every policy contained within the development plan. Indeed, it is not at all unusual for development plan policies to pull in different directions.
- 2.2.3 The position was also clarified by Patterson J in *Tiviot Way Investments Ltd v Secretary of State for Communities and Local Government and Stockton-on-Tees BC [2015] EWHC 2489 Admin* at paragraph 31:

I do not accept, lest it be thought to establish the proposition, that the case of Hampton Bishop (supra) establishes that a breach of one key policy was sufficient to find conflict with the development plan as a whole.

- 2.2.4 The Planning & Compulsory Purchase Act 2004 defines the Development Plan for the purposes of this assessment process as the strategy for the region in which the site is located and development plan documents, taken as a whole, which have been approved or adopted for the area.
- 2.2.5 The purpose of this statement is therefore to identify Development Plan policies that are relevant in the assessment of the development proposals. Then to determine if the proposals conflict with their provisions and if they do, to determine whether there are material considerations which outweigh such conflict.
- 2.2.6 This statement has also been prepared to illustrate the process that has led to the formulation of the proposed development and to explain and justify the adopted approach to both design and access.
- 2.2.7 This statement should be read in conjunction with the other submitted planning application documents which include the application Form and proposed floor plans and elevations.
- 2.2.8 The listed building also introduces a further statutory test which is that when making a decision on all listed building consent applications or any decision on a planning application for development that affects a listed building or its setting, a local planning authority must 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. Preservation in this context means not harming the interest in the building, as opposed to keeping it utterly unchanged.

¹ Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990

² See for example *Laura Cummins and London Borough of Camden, SSETR and Barrett Homes Limited [2001]*; *R. v Rochdale MBC ex parte Milne [2000]* & *City of Edinburgh Council v. Secretary of State for Scotland [1997]*

- 2.2.9 This statement and the associated documents confirm that the development is in accordance with relevant national, strategic and local plan policy and as such, in accordance with Section 70(2) of the Town and Country Planning Act 1990 and Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning permission could be contemplated.

2.3 Development Proposals

- 2.3.1 The proposed development is described as:

The erection of a mansard roof extension to create 1 additional HMO room.

- 2.3.2 The proposed additional rooms will increase the number in the property from 6 to 7 HMO rooms.

- 2.3.3 The proposed extension will be a traditional mansard design upon the current flat roof.

2.4 Supporting Documents

- 2.4.1 The application is accompanied by the following documents:
- Application Form and Certificate A;
 - This Statement;
 - Site Location Plan;
 - Site Location Plan
 - Drawings:
 - 2024/A/01/01 Proposed Site and Block Plan
 - 2024/A/01/02 Existing and Proposed Floor and Roof Plans
 - 2024/A/01/03 Existing and Proposed Sections
 - 2024/A/01/04 Existing Front and Rear Elevations
 - 2024/A/01/05 Proposed Front and Rear Elevations
 - 2024/A/01/06 Existing and Proposed Side Elevations
 - 2024/A/01/07 Proposed Dormer Window Section

3 Site Location, Description and History

3.1 Site Location and Description

- 3.1.1 The site is located on the western side of Mabledon Place close to the junction with Cartwright Gardens and comprises a two storey (plus basement) hostel with a flat roof.
- 3.1.2 The property is significantly lower than neighbouring properties including the Grade II Listed 27-44 Cartwright Gardens which backs on the property.
- 3.1.3 To the rear the property contains a communal garden for the use of the occupants.



- 3.1.4 The property is a Grade II Listed building with a statutory listing address of 'Number 12 and attached railings, 12, Mabledon Place'.
- 3.1.5 The property was listed on 14th May 1974 and the listing description states that:

CAMDEN

TQ2982NE MABLEDON PLACE 798-1/89/1094 (West side) 14/05/74 No.12 and attached railings

GV II

Terraced house. Early C19. Stucco with rusticated ground floor. 2 storeys and basement. 2 windows. Segmental-arched ground floor openings in shallow recesses. Doorway with cornice-head, fanlight and panelled door. 1st floor with square-headed, recessed casements and cast-iron balcony. Cornice and blocking course. INTERIOR: not inspected. SUBSIDIARY FEATURES: attached cast-iron railings with urn finials to areas.

Listing NGR: TQ2999482634

- 3.1.6 The property is also located within the Bloomsbury Conservation Area. This is discussed in more detail below.

3.2 Planning History

- 3.2.1 No planning history of the property has been identified on the Council's Planning Register, other than the previous refusals as discussed within the Introduction.

4 Development Plan Context, Designations and Material Considerations

4.1 Development Plan Context and Designations

- 4.1.1 The Development Plan context in Bloomsbury is provided by the London Plan (2021) and the Camden Local Plan (2017) along with the Policies Map.
- 4.1.2 The Policies Map confirms that the site is not allocated for any particular land use but is within the Bloomsbury Conservation Area.

4.2 Relevant Development Plan Policies

- 4.2.1 The London Plan is strategic in nature and therefore the majority of the policies are not relevant to the proposed development.
- 4.2.2 However, from a review of the Development Plan it is considered that the following policies are relevant to the determination of the application.

Issue	London Plan	Local Plan
Principle of Development		Policy G1 Delivery and location of growth
Design	Policy D3 Optimising site capacity through the design-led approach Policy D4 Delivering good design	Policy D1 Design
Heritage	Policy HC1 Heritage conservation and growth	Policy D2 Heritage
Residential Amenity	Policy D3 Optimising site capacity through the design-led approach	Policy A1 Managing the impact of development

- 4.2.3 These are discussed in more detail below where relevant.

4.3 Material Consideration – National Planning Policy Framework

- 4.3.1 The Government's National Planning Policy Framework (2023) (the 'Framework') is a material consideration in the assessment of development proposals. The Framework confirms that the purpose of the planning system is to contribute to the achievement of sustainable development.
- 4.3.2 The Framework confirms that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways:

- *an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
- *a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and*
- *an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

4.3.3 The Framework emphasises that these objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged.

4.3.4 The Framework confirms that at its heart is a presumption in favour of sustainable development and that for decision taking this means approving development proposals that accord with an up-to-date development plan without delay.

4.3.5 An assessment of the Framework confirms that the proposed development is consistent with national planning policies, and this provides further support for the proposed development. This is discussed in more detail below with particular regard to design and heritage considerations.

4.4 Material Consideration – Supplementary Planning Guidance

4.4.1 The supplementary guidance which is considered to be relevant includes the **Camden Planning Guidance on Design and Amenity** and the **Bloomsbury Conservation Area Appraisal**.

4.4.2 However, no conflicts have been identified. This is discussed below where relevant.

5 Planning Assessment

5.1 Introduction

- 5.1.1 The following assessment considers the relevant Development Plan policies and material considerations identified in the preceding section and the degree to which the proposed development complies with their provisions or not as the case may be.
- 5.1.2 From a review of the Development Plan it is considered that the following planning issues are considered to be material to the determination of the application.
- Principle of Development;
 - Impact of the proposed additions on the Listed Building and the character and appearance of the Conservation Area; and
 - Impact on neighbouring amenity.
- 5.1.3 These considerations are summarised in turn below.

5.2 Principle of development

- 5.2.1 The proposed roof extension will be located within a previously developed site and will offer additional accommodation and promote a more efficient use of land in accordance with the National Planning Policy Framework and Policy G1 of the Local Plan.
- 5.2.2 The Camden Planning Guidance (CPG) considers that additional storeys and roof alterations are likely to be acceptable where:
- *There is an established form of roof addition or alteration to a terrace or group of similar buildings and where continuing the pattern of development would help to reunite a group of buildings and townscape;*
 - *Alterations are architecturally sympathetic to the age and character of the building and retain the overall integrity of the roof form;*
 - *There are a variety of additions or alterations to roofs which create an established pattern and where further development of a similar form would not cause additional harm.*
- 5.2.3 The existing building does not form part of any terrace or group of buildings and is already significantly lower than the surrounding buildings. The proposed roof extension would still maintain subservience to the frontage on Cartwright Gardens and the adjoining five storey building on Mabledon Place. As discussed in detail below, there would be no harm to the street scene.
- 5.2.4 In this respect the proposal would not conflict with the above.
- 5.2.5 In addition, the CPG also confirms that a roof alteration or addition is likely to be unacceptable in the following circumstances where there is likely to be an adverse effect on the skyline, the appearance of the building or the surrounding street scene:

- *There is an unbroken run of valley roofs;*

This is not relevant to the proposed development.

- *Complete terraces or groups of buildings have a roof line that is largely unimpaired by alterations or extensions, even when a proposal involves adding to the whole terrace or group as a coordinated design;*

There is no complete terrace and the building is a single standalone property surrounded by much higher properties.

- *Buildings or terraces which already have an additional storey or mansard;*

There is no existing additional storey.

- *Buildings already higher than neighbouring properties where an additional storey would add significantly to the bulk or unbalance the architectural composition;*

The building is currently lower than neighbouring properties.

- *Buildings or terraces which have a roof line that is exposed to important London-wide and local views from public spaces;*

There are no important views exposed by the existing roofline.

- *Buildings whose roof construction or form are unsuitable for roof additions such as shallow pitched roofs with eaves;*

The property has an almost flat roof and is easily suitable for an additional storey.

- *The building is designed as a complete composition where its architectural style would be undermined by any addition at roof level;*

The architectural style of the property would be maintained by the additional storey. This is discussed in more detail below.

- *Buildings are part of a group where differing heights add visual interest and where a roof extension would detract from this variety of form;*

The building is not part of a group but the proposal would still be subservient to the buildings on Cartwright Gardens.

- *Where the scale and proportions of the building would be overwhelmed by additional extension.*

The additional storey would maintain the scale and proportion of the building and complement the character of the area. This is discussed in more detail below.

- 5.2.6 The proposed development would not result in any harm to the roofscape of the area and would not be contrary to any guidance within the Camden Planning Guidance and therefore the principle of development must be acceptable subject to the design, heritage and amenity considerations which are discussed in detail below.

5.3 Impact on the Host Property and Conservation Area

- 5.3.1 In respect of design considerations Paragraph 126 of the NPPF confirms that 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.
- 5.3.2 Paragraph 135 states that planning decisions should aim to ensure that developments function well and add to the overall quality of the area; establish a strong sense of place; optimise the potential of the site to accommodate development; are sympathetic to local character and history and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
- 5.3.3 Paragraph 139 advises that significant weight should be given to: a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or b) 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.
- 5.3.4 In this respect the NPPF offers support to the proposed development which will have no material impact on the appearance of the building.
- 5.3.5 Policy D4 of the London Plan seeks good design.
- 5.3.6 As discussed in detail below, the proposed development will be of a scale which is compatible with the street scene in which it sits.
- 5.3.7 There will be no impact on the wider landscape and materials will match the existing.
- 5.3.8 Furthermore, in respect of heritage issues Policy HC1 of the London Plan states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.
- 5.3.9 In addition, Policy D2 of the Local Plan states that 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.

5.3.10 In addition, the policy states that 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.

5.3.11 The National Planning Policy Framework confirms at paragraph 190 that local planning authorities should take into account:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- the desirability of new development making a positive contribution to local character and distinctiveness; and
- opportunities to draw on the contribution made by the historic environment to the character of a place.

5.3.12 Paragraph 200 confirms that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

5.3.13 Paragraph 203 states that in determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to 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.

- 5.3.14 Paragraph 205 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 5.3.15 Paragraph 206 confirms that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 5.3.16 Paragraph 207 states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, 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:
- the nature of the heritage asset prevents all reasonable uses of the site; and
 - no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
 - conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
 - the harm or loss is outweighed by the benefit of bringing the site back into use.
- 5.3.17 Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use (paragraph 208).
- 5.3.18 In summary, the Framework seeks to ensure that proposals affecting a Heritage Asset first make an assessment of the impact of the proposal on the significance of the asset and should be granted if there is no harm to the significance. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that there are substantial public benefits that outweigh that harm or loss.
- 5.3.19 Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 5.3.20 In this respect, in accordance with the NPPF it is clear that the approach in determining applications affecting a Heritage Asset is as follows:
- Assess the significance of the Heritage Asset.
 - Assess the impact of the proposed development on the significance of the Heritage Asset.

Assessment of the significance of the Heritage Asset(s)

- 5.3.21 As stated above the Listing Description provided by Historic England confirms that the property is Grade II Listed.
- 5.3.22 This property which dates from early 19th Century is considered to be significant as a result of its stucco detailing with rusticated ground floor and cast-iron balcony.
- 5.3.23 The property sits behind the Grade II listed terrace of Cartwright Gardens and acts as a kind of subservient mews house.
- 5.3.24 The internal features have been extensively modified and were not inspected as part of the listing.
- 5.3.25 In this respect, it is clear from the above that the significance of the listed building arises from its architectural detailing and its subservience to Cartwright Gardens. This is discussed in more detail below.
- 5.3.26 However, the existing building is in a poor state of repair and there are cracks on rear walls caused by root activity from the London Plane tree at the rear of No 27 Cartwright Gardens.
- 5.3.27 The parapet wall with the adjoining property on north side and roof are in poor condition and major repair works are likely to be required.
- 5.3.28 These defects are shown in the below photographs.





5.3.29 The works are being held in abeyance pending the outcome of the application to hopefully allow for a comprehensive and cost-effective result.

5.3.30 From an analysis of the Conservation Area it is clear that the significance of the Conservation Area is also predominately as an area of planned Georgian squares and terraces.

Assessment of the impact of the development on the significance of the Heritage Asset(s)

5.3.31 For the purposes of assessing the likely impact of the proposed development on the heritage asset, the following criteria are used:

- NEGLIGIBLE: the proposed changes will have a very minor impact upon on the heritage asset or very minor impact on the overall character of the surrounding context.
- MINOR: the proposed changes may cause minimal impact to the building or overall character of a heritage asset, but will not cause an overall change to the building or views around it.
- MODERATE: the proposed changes will alter the setting or overall character of the heritage asset. There may be an impact in key views and change (e.g. the creation of coherency) to the visual aesthetic of the building.
- SUBSTANTIAL: the proposed changes will seriously alter the overall setting and character of heritage assets.

5.3.32 The impact of proposals can also be NEUTRAL, BENEFICIAL OR ADVERSE. The impact of the proposed development on the identified heritage asset is considered as follows.

5.3.33 In the determination of the previous application the Planning Officer's Delegated Report outlined the Council's objections as follows:

Council's comments	Response in revised scheme
The property is located adjacent to taller buildings, primarily the contemporaneous crescent-shaped grade II terrace of Cartwright Gardens, but also taller buildings which were largely constructed in the 20th century, who scale is generally out-of-keeping with the sensitive historic context.	The proposed roof extension will still be much lower than the adjoining buildings and will retain subservience. This is discussed in more detail below.
This extension is a crude alteration, essentially, copying the layout on the lower floor and not being sensitive to the hierarchy or scale of the building. The character of the building is that it is at a lower level to other buildings in the Conservation area and is what gives its special interest and	The proposed development has been re-designed so that instead of an additional floor the additional accommodation is located within a traditional mansard design which is common feature of Georgian buildings.

<p>significance. Therefore proposing an additional floor across the top of the building appears alien and contrived. This is excessive in this context because the roof form is exactly the same size and form as the existing floors below harming its Georgian character. Therefore the extension, from a design perspective, is unacceptable in principle.</p>	<p>The extension / mansard is also reduced in footprint and sits only above the main part of the building.</p> <p>This retains the subservient and lower outtrigger.</p>
<p>The existing house at No 12 reads as a much lower scale building bridging the gap between taller buildings, and emphasising the scale, form and separation of the adjacent crescent terrace. This configuration is also found in several locations across the conservation area, particularly where returns in street frontages exist, adjacent to taller classical terraces. In this instance, No 12 is located in close proximity to the back of the grade II listed end-terrace crescent property facing Cartwright Gardens, and may at one time have been an ancillary building to this property. Its lower height and smaller scale, render it subservient to the large listed buildings next door. These characteristics – the dimensions, low height, and appearance of the building in this location, all contribute to the significance of the listed building. The increase in scale which is proposed will be diminished as a consequence of this alteration, harming this part of its significance.</p>	<p>The height of the roof extension has been lowered from the previous application from and the mansard design reduces its bulk.</p> <p>In this respect, the building still reads as a two storey (above ground) building which is lower and subservient to the terrace at Cartwright Gardens.</p> <p>The proposed extension appears as a roof rather than an additional storey.</p>
<p>The differentiation in height, and the building's relationship to the adjacent listed buildings in the terrace, are also an important part of the setting of the crescent. This setting emphasises the grandeur of the crescent terrace and in this respect directly contributes to its significance. The relationship of the return and status of the crescent are also important contributions to the significance of this part of the conservation area, as well as the wider impact of diminishing a return gap which are</p>	<p>The lower height, mansard design and set back from the façade means that the building is still seen as a subservient building to the main crescent terrace and maintains this relationship with the return gap.</p>

common features across the wider conservation area and part of its significance.	
<p>The lower height of No 12, which is defined by a horizontal parapet, also creates an important gap in the streetscape allowing greater visibility of the sky. This building, because of its height and overall appearance, contributes to the special character and setting of the listed Cartwright Gardens terrace as well as the historical context and relevance to the character of the conservation area. This gap is significant to the terrace's setting as it relates to the group of listed buildings in Cartwright Gardens, rather than the taller row of buildings immediately to the north of No 12 facing Mabledon Place. Removing this gap and making the building less subservient reduces the contribution it makes to the setting and special character of the adjacent listed buildings on Cartwright gardens which means the proposal is a harmful addition. For this reason, diminishing these relationships to the crescent terrace and eroding this feature in the conservation area will harm the significance of the listed</p>	<p>The lower height and revised design gives the appearance of a roof above a low building and the set back of the mansard still maintains the streetscape gap and views of the sky beyond.</p>
<p>The application contains little detail about the condition and form of the existing roof on No 12, which appears from the section drawings to be a shallow monopitch. It is possible that this roof is not original as buildings of this type and age tended to have valley roofs concealed behind their front parapets. However, the application offers no evidence as to the age of the roof structure and associated fabric. From the Council's perspective it is difficult to make an assessment on this however it is considered that insufficient evidence has been provided to justify this removal and therefore will form part of the reason for refusal.</p>	<p>As stated above, the existing roof is in a poor state of repair and will need replacing. The roof is not thought to be original.</p> <p>In this respect, the proposed development will also allow a higher quality replacement roof in a style which would have been common on Georgian buildings.</p>

- MODERATE: the proposed changes will alter the setting or overall character of the heritage asset. There may be an impact in key views and change (e.g. the creation of coherency) to the visual aesthetic of the building.
- SUBSTANTIAL: the proposed changes will seriously alter the overall setting and character of heritage assets.

5.3.34 The impact of proposals can also be NEUTRAL, BENEFICIAL OR ADVERSE. The impact of the proposed development on the identified heritage asset is considered as follows.

5.3.35 From the above it is considered that although the proposal will have a moderate impact on the significance of the listed building its overall impact will be neutral or beneficial as it will allow the replacement of the roof whilst maintaining the subservience of the building to the terrace at Cartwright Gardens.

5.3.36 The rusticated ground floor will be maintained, and the stucco appearance will be unchanged.

5.3.37 There are no traditional features on the property which will be lost as a result of the development and as confirmed above there are no conflicts with any of the design policies.

5.3.38 Paragraph 208 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

5.3.39 In this respect, the benefits of the replacement of the roof quality roof and increased accommodation will outweigh any minor harm.

5.3.40 Therefore, the proposal meets the criteria as set out in the National Planning Policy Framework and the Development Plan.

5.4 Neighbouring amenity

5.4.1 Policy D3 of the London Plan seeks that development should deliver appropriate outlook, privacy and amenity.

5.4.2 In addition, Policy A1 of the Local Plan seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. This includes privacy, outlook and implications on daylight and sunlight. This is supported by the CPG Amenity.

5.4.3 In the determination of the previous application, the Planning Officer's Delegated Report confirmed that:

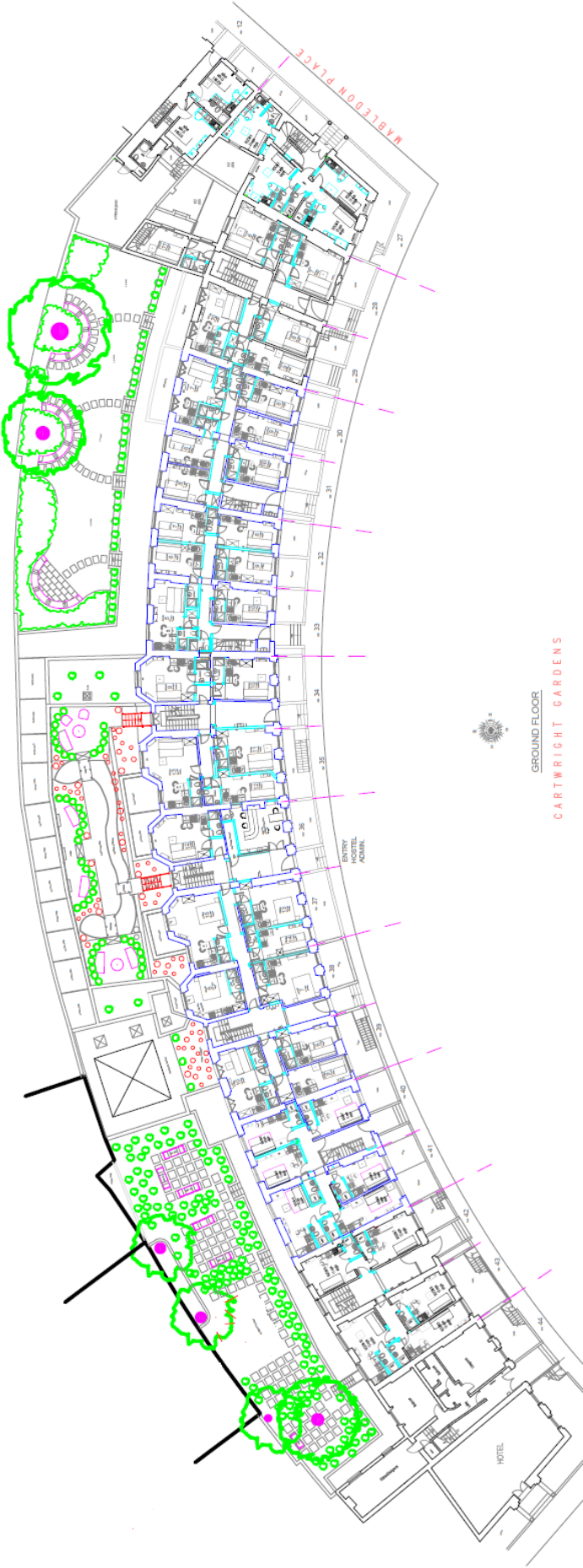
When measuring the 25 degree line with windows of 27 and 28 Cartwright Gardens the 12 Mabledon Place does fails the test for the lower ground and ground floor windows however from the plans 10-12 Mabledon Place already fails this line for these windows and meaning there is already an impact on light. Because of this building beyond at 10-12 Mabledon Place will already obstruct a notable amount of sky and whilst the proposal is likely to have an impact on light received to the bottom three floors it is unlikely to be a significant or harmful impact as the existing neighbouring building is already blocking light.

- 5.4.4 In this respect, the proposed development which is now narrower and lower than the previously refused must also be acceptable in relation to the daylight impact on the neighbouring properties.
- 5.4.5 In addition, the previous proposal was not considered to have any impact on the amenity of neighbouring properties by way of loss of privacy. This must also be the case again.
- 5.4.6 However, in the determination of the previous application the Council considered that the proposed roof extension, due to height and proximity to the rear of 27 and 28 Cartwright Gardens would result in loss of outlook and an increase sense of enclosure.
- 5.4.7 However, in the determination of the previous application, the Planning Officer's Delegated Report stated:

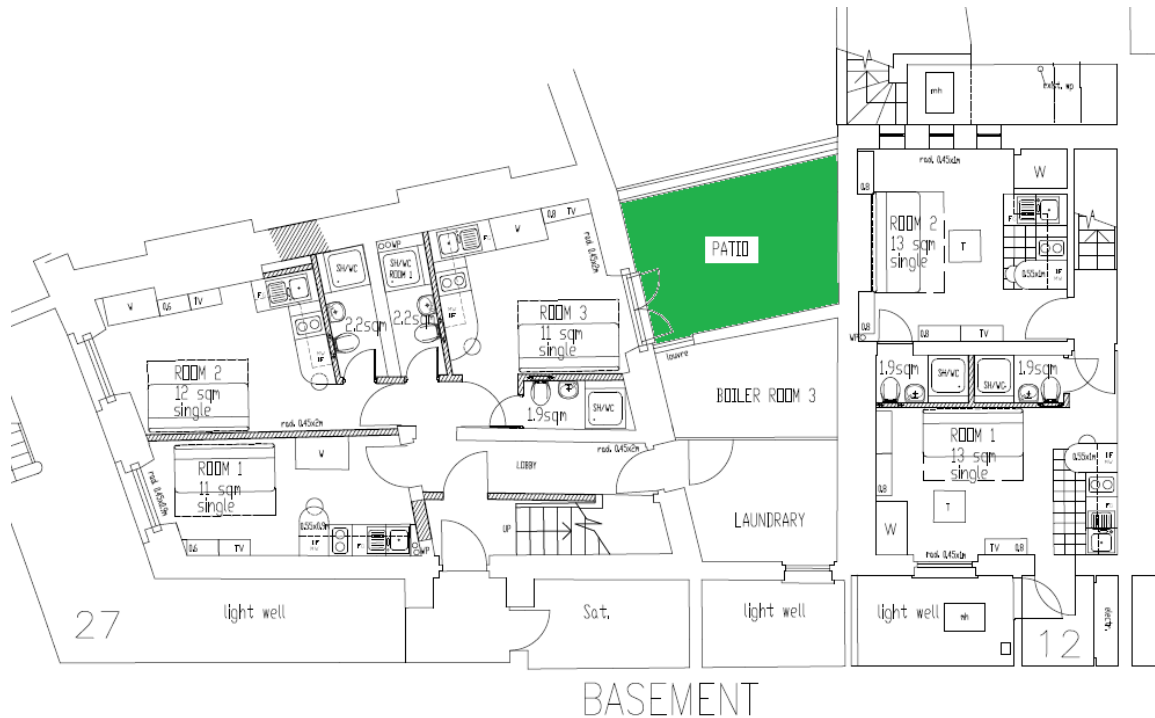
The property is within close proximity to the rear elevations of no.27 and no.28 Cartwright Gardens as well as the small amenity spaces to the rear. The character of the area is of small, tighter amenity spaces which may be more challenged compared with typical amenity spaces for residential properties. However, both properties contain amenity spaces directly adjacent to the site and the additional floor (and a height of 2.4) in this location means that these amenity spaces and windows at ground and lower ground level will be significantly impacted.

The additional height in such close proximity would also contribute to a significant increase in the sense of enclosure and loss of outlook. Due to the lower ground floor nature of the amenity spaces the increase in height would significantly increase the sense of enclosure neighbours would feel considering the flank wall of no.12 almost completely covers the rear of the properties. For the rear windows as well, the increase in height in such close proximity means the outlook of these windows, particularly on lower ground and ground will be significantly impacted and will be primarily looking out onto the flank wall which is approximately 3.4m away.

- 5.4.8 The amenity spaces in question relate to the large building at 27-44 Cartright Gardens which is within the same ownership at the application site and consists of a hostel with a large, shared garden, as shown below:



- 5.4.9 This large, shared garden is accessible from all of the rooms within 27-44 Cartwright Gardens, including the rooms within Nos. 27 and 28. The entire terrace is one interconnecting building.
- 5.4.10 The garden areas at No. 27 and No. 28 Cartright Gardens sit at basement level. The Basement level of both the application site and No. 27 Cartwright Gardens is show below with the patio highlighted in green.:



- 5.4.11 In this respect, this amenity area serves only one single-bed hostel room (which is 11sqm in size) and which also has access to the large, shared garden. The same arrangement exists at No. 28 Cartright Gardens.
- 5.4.12 These patio areas are already bordered by the 5-storey building at Cartwright Gardens and in the case of No. 27, a three-storey flank wall of the application property and a two-storey flank wall.
- 5.4.13 In this regard an additional storey at 12 Mabledon Place would not have any impact on the outlook from these patio areas, as shown below from a height of approximately 1.8 metres.



- 5.4.14 In this regard, the proposed roof extension will not be seen from the patio and therefore cannot be considered to result in any loss of outlook or increased sense of enclosure.
- 5.4.15 In addition, as shown on the submitted drawings, there is no material impact from the ground floor windows of Nos. 27 and 28.
- 5.4.16 In this regard, the Council's previous objections are no longer sustainable, and the proposed extension will not result in any loss of outlook of any neighbouring properties, increased sense of enclosure or any overshadowing.

6 Summary and Conclusion

6.1 Summary

- 6.1.1 An assessment of the relevant planning policies in the adopted Development Plans confirms that there is no significant conflict with their provisions and that the statutory test imposed by Section 70(2) of the Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004 is met.
- 6.1.2 The National Planning Policy Framework is a material consideration in the assessment of the development proposal. An assessment of the Framework confirms that the proposed development is consistent with national planning policies and provides further support for the application.
- 6.1.3 The above confirms that:
- The principle of the development is acceptable.
 - The proposed design is compatible with the local area and will not have any impact on the listed building or Conservation Area.
 - The proposed development will not have any impact on the amenity of neighbours.
 - There are no technical impediments to the granting of planning permission.

6.2 Conclusion

- 6.2.1 In conclusion, the proposed development is considered compliant with the relevant provisions of the Development Plan. Planning law dictates that this justifies a grant of planning permission.
- 6.2.2 Assessment against the policies contained within the Framework, which is a material consideration, further confirms that the development can be considered to be a form of sustainable development and therefore benefit from the presumption in favour of sustainable development which is a golden thread running through decision-taking.
- 6.2.3 The proposal is therefore promoted on this basis and that it can be supported and receive a grant of planning permission and listed building consent.

Jeremy Butterworth BSc (Hons) MA MRTPI

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J Butterworth Planning Limited

71-75 Shelton Street

London, WC2H 9JQ

07803 588 479

jeremy@jbutterworthplanning.co.uk

jbutterworthplanning.co.uk