



JON LOWE  
HERITAGE

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## Heritage Statement

31 Elsworthy Road, London  
NW3 3BT

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On Behalf of Elsworthy Road (Investments) Ltd

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September 2024 | Project Ref. 00594 | V.2

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Appendix 1: Legislation and Planning Policy

Heritage Statement	31 Elsworthy Road, London, NW3 3BT	On Behalf of: Elsworthy Road (Investments) Ltd
Report Version: V2	Project Reference: 00594	© Jon Lowe Heritage Ltd



# Introduction

- 1. This Heritage Statement has been prepared by Jon Lowe Heritage Ltd under instruction from Elsworthy Road (Investments) Ltd. It supports a householder application for full planning permission for proposed works to 31 Elsworthy Road, London, NW3 3BT.
- 2. Constructed in c.1895, residential property 31 Elsworthy Road is unlisted but lies within the Elsworthy Conservation Area and is identified as a Positive Contributor within its Conservation Area Appraisal and Management Strategy.
- 3. This report presents Camden Borough Council, the decision makers, with a statement of significance on the heritage assets potentially affected by the works applied for, together with an assessment of the impacts and effects of those works upon identified significance. In doing so it supports the statutory obligation on decision-makers to pay special attention to the desirability of preserving or enhancing the character and appearance of conservation areas and to have special regard to the desirability of preserving listed buildings and their settings.

## Proposed Scheme

- 4. The property has an existing planning consent 2021/1527/P that has formed the basis of this Planning Application. This existing consent has permitted the following development:
  - New Basement extension to include a pool and rear lightwell.
  - Alteration and Retention of balconies at second floor rear elevation.
  - Alterations to window openings to the side elevation.
  - New Garage doors.
  - Changes to the Rear Elevation.

- 5. The current proposals seek to vary the extant permission submission with the following specific proposals:
  - Changing the garage to a study and reinstating a window to the front bay.
  - Introduction of a lightwell within the driveway to the front of the existing bay window. A new bay window to the basement within the lightwell replicates the form of the existing bay window at Ground Floor. A planter to the perimeter of the lightwell is proposed.
  - Introduction of a lightwell to the side elevation along the boundary between 31 and 29 Elsworthy Road to provide natural light and ventilation into the basement.
  - Ground Floor lightweight metal and glass conservatory extension to rear that maintains the existing bay window structure.
  - Ground Floor roof lights within the rear terrace to provide natural light to the swimming pool.
  - Air Source Heat Pump mechanical plant strategy with associated garden enclosure.
  - Variation to the consented fenestration of the side elevation.
  - Introduction of 5no. roof lights to the upper flat roof.
- 6. The proposals have evolved following a pre-application process with Camden Borough Council and consultation. The pre-application consultation response (ref 2024/1752/PRE, dated 8 July 2024) has informed design changes now presented in the submission. Full account of the design response is presented in the Design and Access Statement accompanying the application.



Figure 1: Aerial view of 31 Elsworthy Road, edged in red, and environs.



Methodology

- 7. The Site and its relationship to context and the wider area have been observed by the author during site visits conducted in April and July 2024. The findings have informed our assessment and helped to inform the design development.
- 8. Value judgements on heritage interests and the sensitivity of the heritage assets have been made based on observation of the building fabric, form and features of the site and its context. This was further supported by documentary research that sought to better understand the history and evolution of the site and the wider historic environment to which it forms a part. Observations sought to better identify the overall sensitivity of the building and site to change, together with opportunities for enhancement. Through collaborative working with the design team, proposals are put forward that offer improved and heritage sensitive residential accommodation.

Report Structure

- 9. This report presents an understanding of the application site, surrounding heritage assets, and townscape before setting out the history and evolution of the subject building. This is followed by a proportionate description of the significance of the heritage assets potentially affected by the proposals and an assessment of any impacts and effects upon the significance of the heritage assets and townscape.



Figure 2: Front elevation



Figure 3: Rear elevation. Former window adapted to French doors



Figure 4: Front door

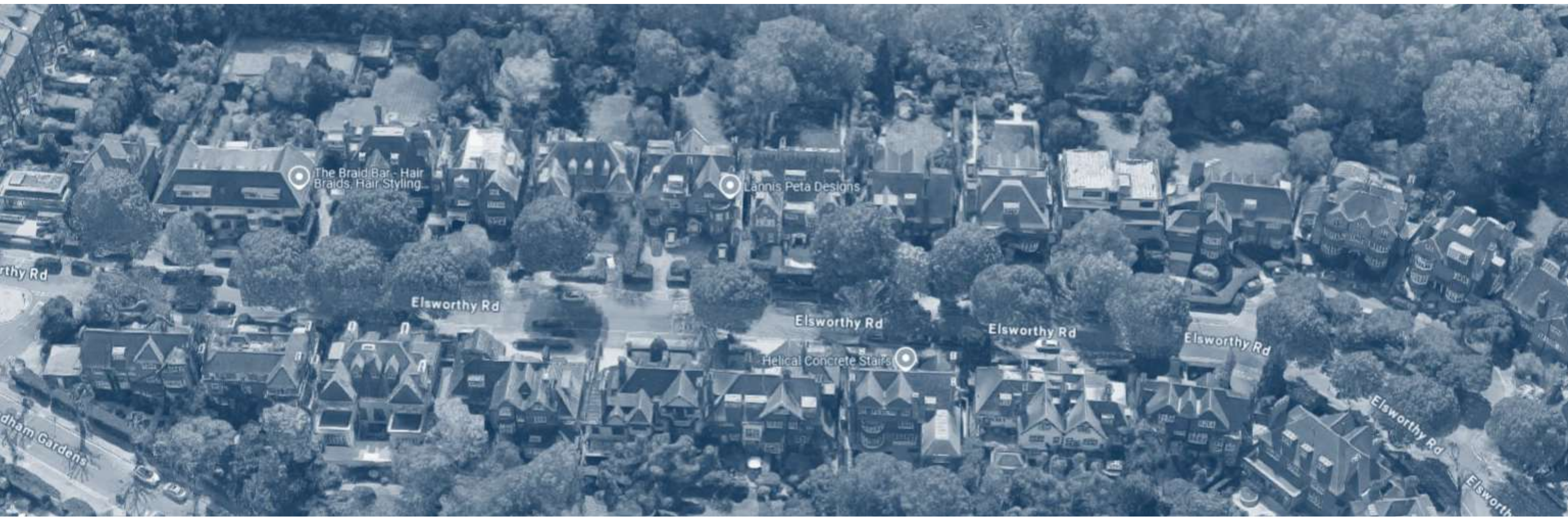


Figure 5: Extensions to Rear of No.29



Figure 6: West/side elevation showing relationship to No.33





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## Understanding The Site

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# Understanding The Site

## The Site

- 10. 31 Elsworthy Road was built in c.1895 by William Willet. It is unlisted and not therefore subject to listed building controls.

## Visibility and Views

- 11. The house presents its public primary frontage to Elsworthy Road, on its north side. The east elevation abuts the neighbouring unlisted No.29 whilst the west elevation is a subservient return in close proximity to No.33. The rear south facing elevation fronts a private garden extending to a rear boundary with private access directly on to Primrose Hill parkland.
- 12. The frontage is visible and experienced by pedestrians, vehicles and residents of Elsworthy Road. The house and hardstanding drive are set back from the road, behind a mature planted and walled front boundary that partially obscure the frontage.
- 13. The rear elevation is private and views are limited and partial, due to mature planting, trees, and distance from the park.
- 14. There are several names views within the Elsworthy Conservation Area Appraisal, including a view west along Elsworthy Road and the view looking into the conservation area looking north east along Elsworthy Road.

## Heritage Context

- 15. No.31 is experienced within the setting of a series of contemporary private residences lining the north and south sides of Elsworthy Road. The houses, though contemporaneous and attributed to a single builder, are varied in form and design but unified in their expressive and architecture and Arts and Crafts influence.
- 16. There are no listed buildings within a 250m radius of the site.

- 17. The site and all immediate neighbours are located with the Elsworthy Conservation Area, Sub-Area 3, the Willett Development. The area was developed as a wealthy residential suburb and maintains this character today with spacious leafy streets and generously laid out plots.
- 18. The Elsworthy Conservation Area was designated in 1973 (originally limited to Sub Area 3) and extended in 1985 and 1991. The updated conservation area appraisal and management plan was adopted on 14 July 2009.
- 19. The property abuts the southern boundary of the conservation and the north boundary of the Grade II listed Primrose Hill Registered Park and Garden. In the early 19th century the 25 hectare Primrose Hill was to be laid out with housing but in the Crown Land Act of 1851 it, together with Regents Park, were secured as parkland.

## Townscape Character

- 20. The character of the development in the area is varied—buildings are generally individually-designed in a varied Arts & Crafts manner. Properties are characterised by irregular footprints, projections and rooflines.
- 21. The vast majority of buildings within the Elsworthy Conservation Area, including No.31 and its neighbours, are identified as 'Positive Buildings' that contribute to the townscape.
- 22. Many properties along Elsworthy Road have received rear additions, including properties either side of No.31. Their build lines to the rear are consequently considerably deeper and their massing is not coherent, as can be seen in Fig.4. These varied build lines and variety of extensions to the rear of properties along Elsworthy Road offer a degree of flexibility for potential additions to the rear of No.31.

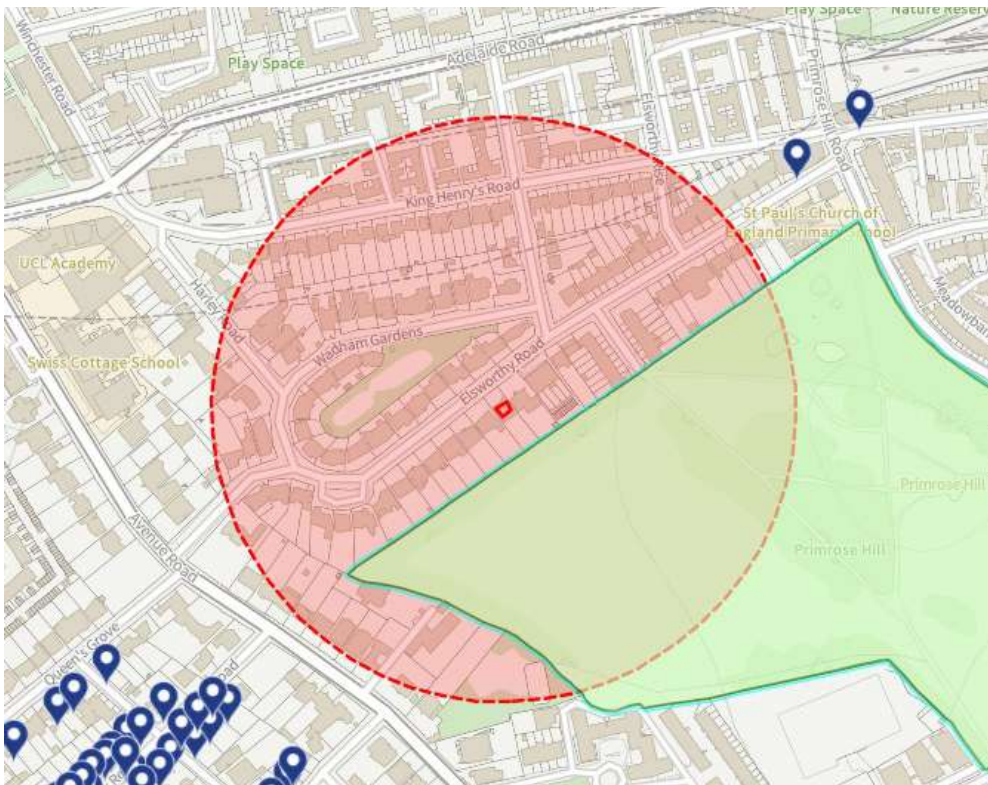


Figure 6: National Heritage List map showing a 250m radius from the site.

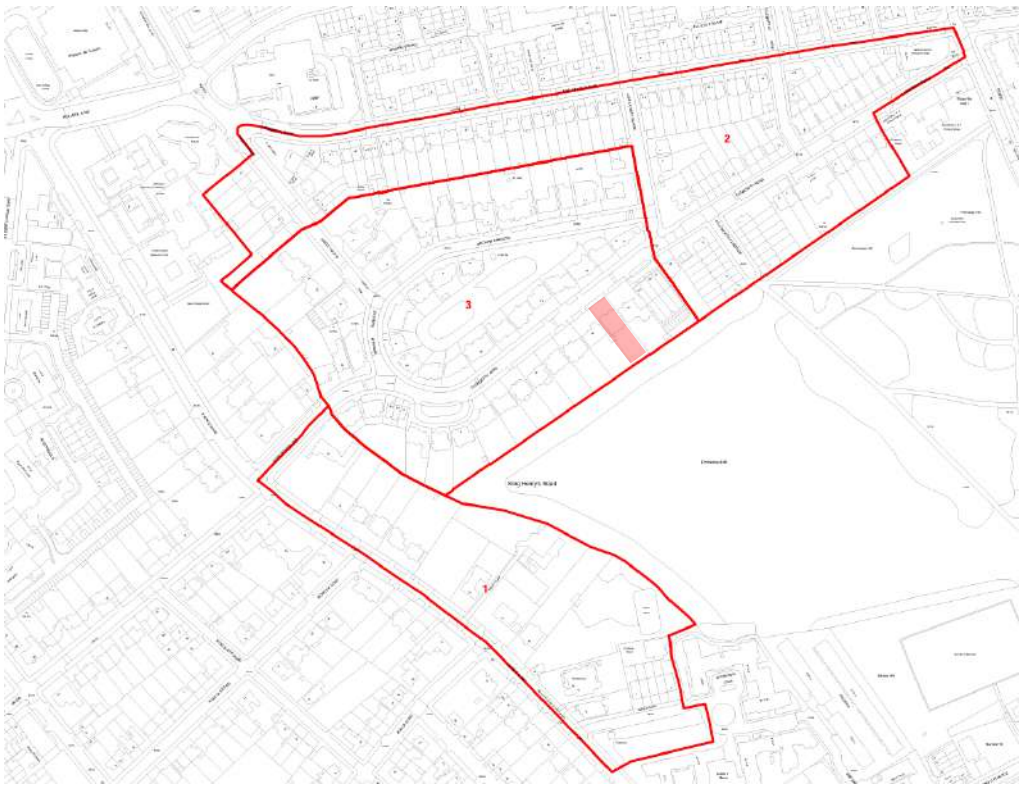
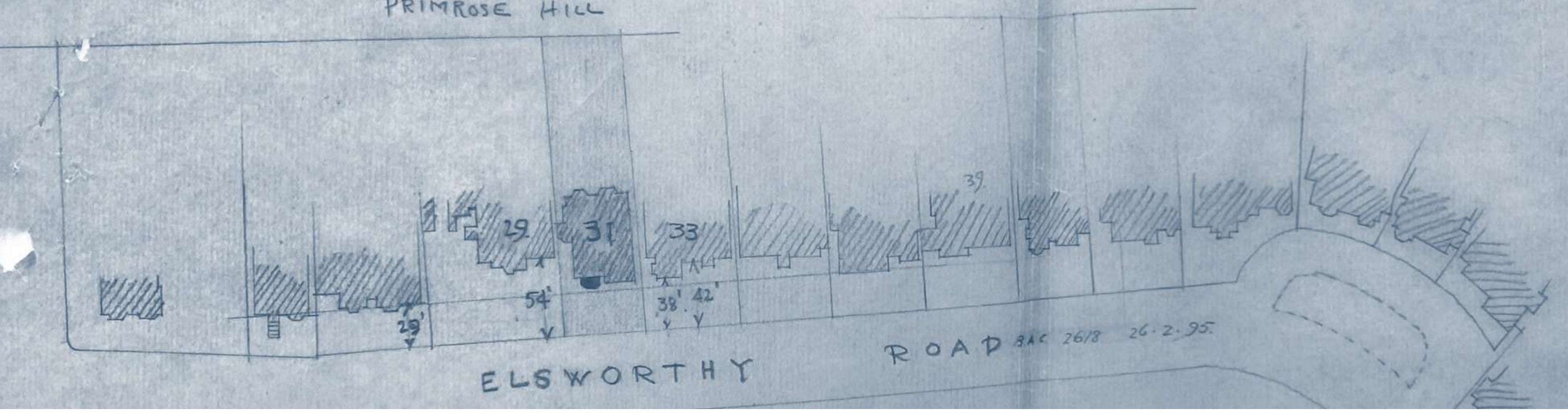


Figure 8: Elsworthy Conservation Area boundary and Sub Areas. No.31 (red tone) is within Sub Area 3



CASE N° 71379.

PRIMROSE HILL



## Historic Background



# Historic Background

## Historic Development

- 23. The land on which Elsworthy Road was built was originally part of the Chalcots Estate in Hampstead. Until the 19th century there were only two farmhouses on the Hampstead portion of the Chalcots Estate, and one building called ‘Steele’s Cottage’ to the west of Haverstock Hill. In 1811, there were only six houses on the whole estate. In 1826 surveyor John Shaw obtained an Act to grant 99-year building leases on the land. In 1830 Adelaide Road was constructed, with William Wynn building houses fronting Haverstock Hill around the same time. By 1840 there were no buildings beyond Wynn’s Haverstock Hill frontage. Later development was piecemeal, and dependant on small-scale opportunist schemes.
- 24. In 1881, William Willett (1856-1915) made a building agreement with Eton College for 15 acres in the northwest of the estate, where he agreed to build 200 houses by 1900. This figure was reduced to 140 houses, shops, and stables

in 1885. In 1890 a further agreement was made, this time for 11 acres in the southwestern corner of the estate, a site used as the Eton and Middlesex Cricket Ground. It was here that Willett extended Elsworthy Road, forming a loop with Wadham Gardens, linking it to Avenue Road and the existing roads to the north. The site, bordering on Primrose Hill and with good transport links, was highly sought after.

## The Architect and Builder—William Willett

- 25. William Willett the elder (born c.1837) begun as a stonemason and monumental sculptor specialising in chimney pieces, but by 1861 he had established himself as a builder. His eldest son, also William (born 1856), after some commercial experience, entered his father’s building firm in the later 19th century.
- 26. The houses William the younger designed were wider and lower than previous Willett houses, and the windows ceased to be long painted sashes, stacked one above the other. These

new Willett houses had small paned casement windows alongside one another in groups, where the horizontal axis was longer than the vertical.

- 27. The interior of the later Willett houses also attempted to move away from the regular town house pattern, of an entrance opening to a narrow straight hall with the stairs opposite. Instead they had a vestibule opening to a square shaped hall, with stairs. This square shaped hall could easily be made into a room with the appropriate furnishings.
- 28. Willett houses had a good reputation for their quality. The interiors often had much plaster decoration, alcoves beneath the wide shallow arches, and timber staircases rising from the hall. Wood panelling was used, along with stained and decorative glass. William Willett the younger officially took over the firm in 1906, but for some time prior to this had been the driving force behind many of the firm’s decisions. After his father’s retirement, Willett the younger diversified his interests.

- 29. William Willett the younger’s biggest claim to fame was his promotion and campaign for daylight saving. He published a pamphlet in 1907 titled, The Waste of Daylight, in which he argued that the clocks should be changed by one hour depending on the season. The bill was passed after his death.

## No.31 Elsworthy Road

- 30. 31 Elsworthy Road was built in c.1895 and was originally known as ‘Hillside’. The 1910 Lloyd George Domesday Survey notes David Methven (c.1850-1928) as the occupier, with the house still owned by Willett. Methven lived in the house until his death in 1928, after which his daughter, Alma, and her husband Lt Col Marcus John Barre de la Poer Beresford (1868-1944) resided there.
- 31. Plans for alterations to the property dated 1958 show that Sir Lancelot Royle (1898-1978) was living at the house. Sir Lancelot was a businessman, and in his younger years had competed as a sprinter in the 1924 Olympic



Figure 9: 1893-96 Ordnance Survey



Figure 10: 1910 Lloyd George Domesday Survey

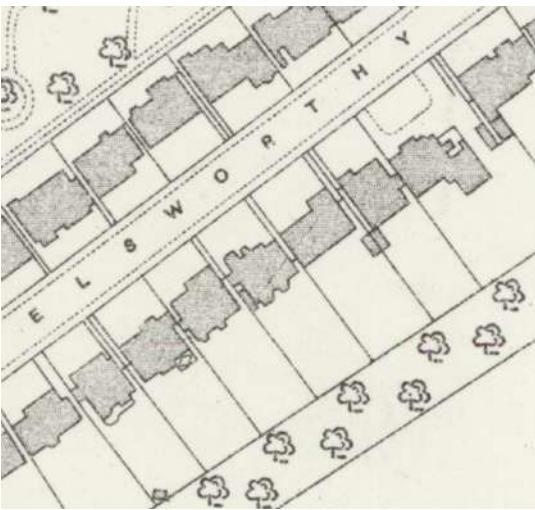


Figure 11: 1915 Ordnance Survey Map

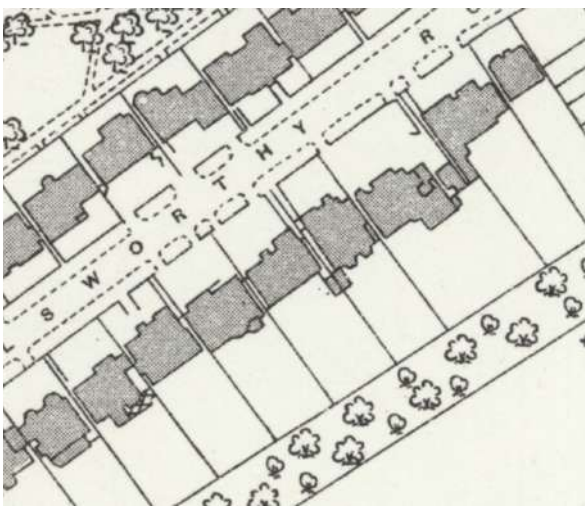


Figure 12: 1939 Ordnance Survey Map



Figure 13: 1953 Ordnance Survey Map



Games in Paris as part of the 'Chariots of Fire' team. Sir Lancelot lived at 31 Elsworthy Road until his death in 1978.

32. The primary changes that were made to the built fabric of the property since its initial construction are laid out below:

- The property was built with no ground floor bays on its front elevation. A ground floor bay window was first installed in the location of the existing garage to the left of the entrance door (then a smoking room) in 1932.
- A second ground floor bay window, this time to the right of the entrance door, was constructed in 1958.
- In the same year, the smoking room to the left of the entrance door was converted into a garage and a garage door was installed within the earlier bay window.

- A second garage was then constructed adjacent to the first, on the north-east side of the building, in 1978. Both sets of garage doors were replace and reconfigured at this time.
- Various internal alterations were also made; for example, the kitchen was originally the first room on the right upon entry (current dining room), but had moved to the rear of the property by the late 1970s. This room has undergone a number of changes—it originally contained a large chimney breast and had been subdivided until the 1950s when the space was reconfigured once again. Further changes would be made in approximately the 1970s when the kitchen was moved into the rear room.

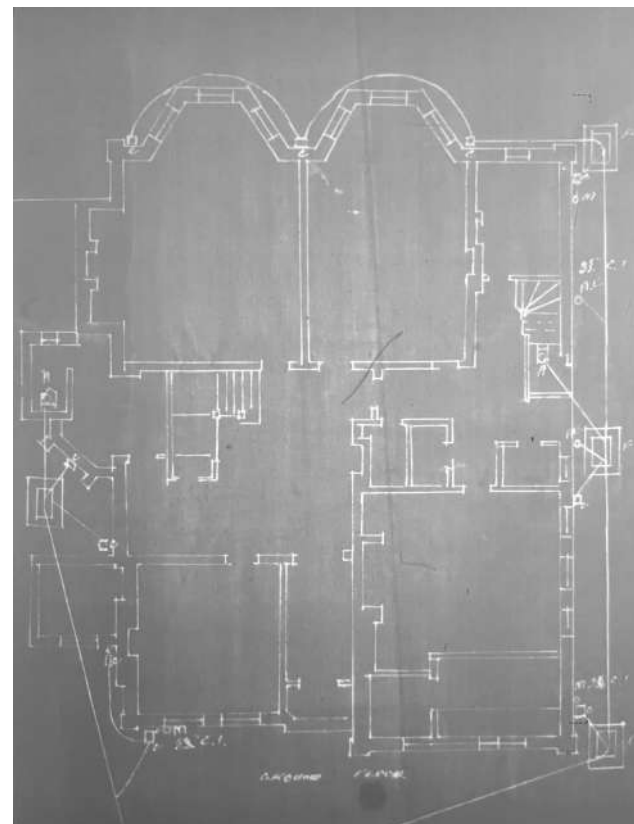


Figure 14: Ground floor, 1932

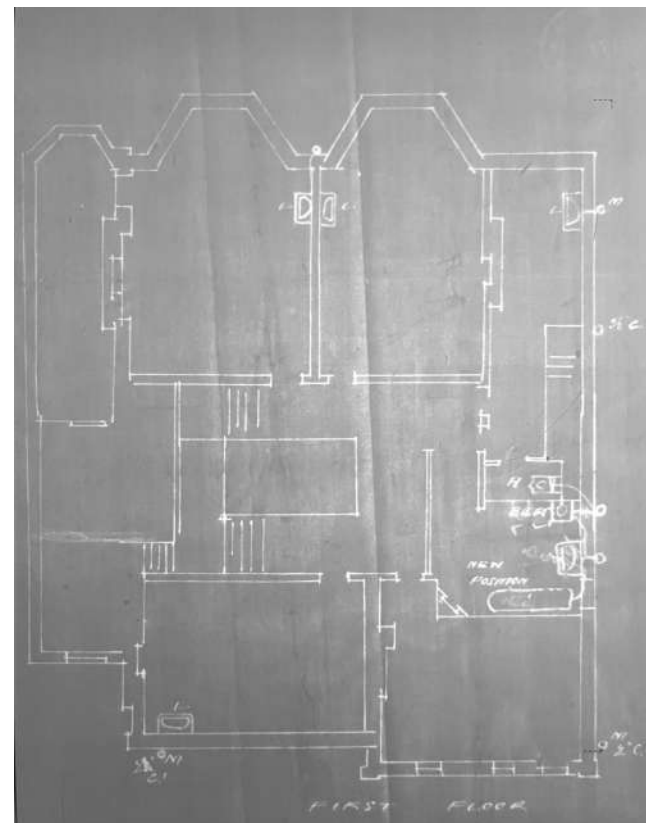


Figure 15: First floor, 1932

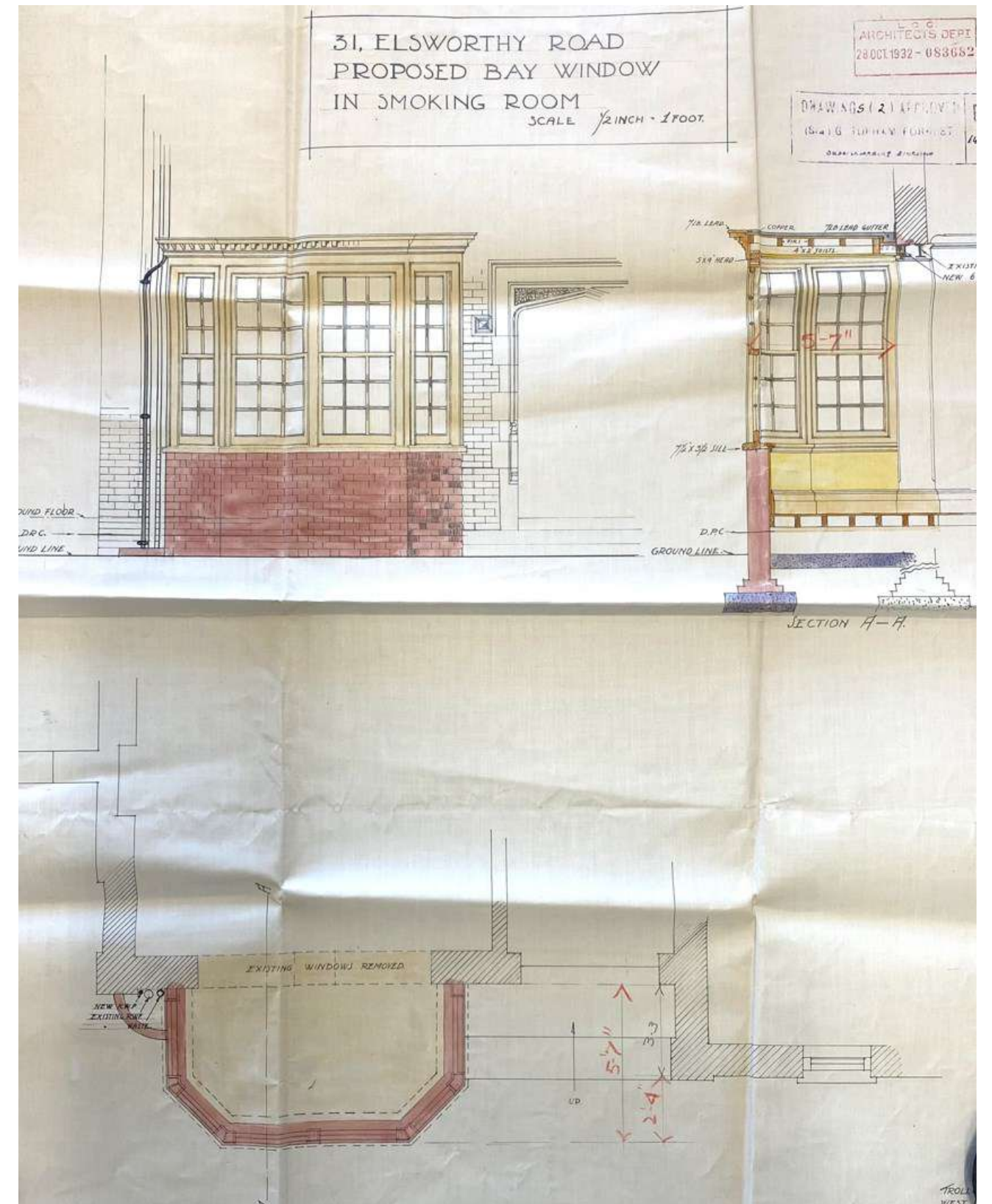


Figure 16: Proposal drawing showing the proposed ground floor bay window, 1932.





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## Assessment of Significance

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# Assessment of Significance

## Assessment of Significance

33. Constructed in c.1895, 31 Elsworthy Road is unlisted but lies within Sub-Area 3 (Willett Development) of the Elsworthy Conservation Area, an are of special architectural or historic interest. The property is identified as a Positive Contributor within the Conservation Area Appraisal and Management Strategy.

## Elsworthy Conservation Area

34. The special architectural and historic character of the conservation area is summarised in its appraisal as follows.
35. The Elsworthy Conservation Area is of architectural and historic interest. Sub-Area 3, the Willett Development, has a distinctive pattern of development which reflected a revolution in housing design. There was a great emphasis on landscape and layout which created a new type of housing estate and heralded the beginnings of suburban architecture.
36. The Willet development at Elsworthy was given high praise in Hampstead, Building a Borough 1650-1964 (Thompson 1974), “...the estate is one of Willets most interesting. There is a great variety of ornament and outline, and every house is different. This modest simple variety was Faulkner’s great achievement. Its most notable features were variety of roof line, prominent chimneys and wide, welcoming doors, protected by low porches with pitched roofs.”
37. Low, two or three storey red brick buildings with a horizontal rather than vertical emphasis are a predominant characteristic of the sub-area. Properties are predominantly detached and sit within generous garden plots, and have an organic and varied layouts. The influence of the Free Style is also strong throughout the Willett

Development; key features include roof gables, canopied porches, tile hung gable ends, bays, small-paned windows, decorative brickwork, stone dressings and white painted woodwork. Properties in this sub-area are characterised by their high degree of individuality, and the design, form and plan of each property is highly variable.

38. 31 Elsworthy Road is an example of this sub-area’s varied building form and style and contributes positively to the character and appearance of the conservation area.
39. A notable characteristic of the area as a whole are the differences in building styles between the sub areas an, including varied boundary treatments. Sub Area 3 includes low frontage boundary walls and privet hedges and together with the set back build lines shows influence of Norman Shaw’s Bedford Park.
40. The conservation Area Appraisal includes a management strategy in the interest of avoiding negative change and preserving the area’s special character and appearance. Of relevance to the proposal this notes:
- “...as such alterations and extensions to existing buildings should be carefully considered. Extensions should be subsidiary to the existing building and not detract from its character by becoming over-dominant.
- Where alterations and extensions of a sympathetic scale are appropriate, attention to detail and an imitative, historicist approach are to be encouraged without allowing pastiches of historical features that may reflect current tastes, but are less appropriate to the style and detailing of the original building and which may detract from the overall integrity of the group.”



Figure 17: Streetscape view of No.31 and No.29 Elsworthy Road



Figure 18: VuCity Model of 31 Elsworthy Road (shaded blue) and surrounding properties. Later additions to nearby properties shaded red.



High quality design and high quality execution will be required of all new development at all scales. It will be important that applications contain sufficient information to enable the Council assess the proposals.

Within the different sub-areas of the Elsworthy Conservation Area there are many interesting examples of historic rear elevations. The original historic pattern of rear elevations within a street or group of buildings is an integral part of the character and appearance of the Conservation Area. As such rear extensions will not be acceptable where they would compromise the special character. This is especially true of the

buildings surrounding and sharing an outlook into the private amenity space in Wadham Gardens. The properties in Elsworthy Terrace and parts of Elsworthy Road directly back onto Primrose Hill, which although outside the Conservation Area is a Royal Park and Metropolitan Open Land and a Site of Nature Conservation Importance as defined in the London Borough of Camden Replacement Unitary Development Plan June 2006. The integral visual relationship with the complementary, open rural aspect of Primrose Hill is a marked characteristic of the Conservation Area. Any rear extensions or harmful alterations in the locations cited will be strongly discouraged."

#### No.31 Elsworthy Road

41. 31 Elsworthy Road is attributed to Willet's architect, Amos Faulkner. Faulkner was responsible for most houses, perhaps with the exception of No.33.
42. 31 Elsworthy Road is an undesignated heritage asset, therefore its interests are modest and relate to its envelope. Its primary interest stems from its frontage, which is visible from the public realm, although this frontage has undergone phases of unsympathetic change. The imposition of two garages on within its front elevation have detracted from its interests and from the contribution it makes to the character and appearance of the conservation. The Conservation Area Appraisal document notes that

some houses have had side garage extensions or rooms converted to garages and that these detract from the character and appearance.

43. The rear elevation has also undergone phases of change—there has been a ground floor infill extension on the north-east side of the building (likely in around the mid-20th century), new doors have been inserted, and the kitchen window has been replaced by a larger doorway, resulting in the loss of its window head. This façade also plays a less important role in the character and appearance of the conservation area due to being less visible from the public realm. A tall brick boundary wall and established planting, both important elements of the conservation area, prevent views of the rear elevation from Primrose Hill Park.



Figure 19: Front elevation. Note later inserted garage within extended bay.



Figure 20: Rear elevation. Note later inserted French door to left and extension to right. .







# Assessment of Proposals

44. The proposals appraised include the following:

- Changing the garage to a study and reinstating a window to the front bay.
- Introduction of a lightwell within the driveway to the front of the existing bay window. A new bay window to the basement within the lightwell replicates the form of the existing bay window at Ground Floor. A planter to the perimeter of the lightwell is proposed.
- Introduction of a lightwell to the side elevation along the boundary between 31 and 29 Elsworthy Road to provide natural light and ventilation into the basement.
- Ground Floor lightweight metal and glass conservatory extension to rear that maintains the existing bay window structure.
- Ground Floor roof lights within the rear terrace to provide natural light to the swimming pool.
- Air Source Heat Pump mechanical plant strategy with associated garden enclosure.
- Variation to the consented fenestration of the side elevation.
- Introduction of 5no. roof lights to the upper flat roof.

45. The submitted design includes a series of changes made to the scheme and that directly respond to the pre-application feedback. Details of the pre-app advise and design responses are detailed below. No adjustments have been made to the to Basement or Ground Floor plans.

## Changing the garage to a study and reinstating a window to the front bay

46. The pre-app response noted: *"The proposal involves the removal of a garage door on the front elevation and the installation of a new window. This is a welcomed alteration as the window, with a fine glazing pattern matching the fenestration on the house, would be more appropriate than the incongruous and non-original garage door. The new window should be high-quality timber given the visibility from the street."*
47. This proposed change offers considerable enhancement and restoration of the unlisted building's primary frontage. The garage originally served as the 'smoking room' but was unsympathetically adapted and converted to a garage in the 20th century, introducing a visually dominant and unsightly garage door.
48. The proposal would see a return of this room to the habitable sequence of spaces within the house, as a study. It would remove the

- incongruous elevational feature of the garage door and return the domestic architectural character and qualities of the front elevation, thereby enhancing the appearance of the building and the contribution it makes to the streetscape.
49. This element of the proposal would improve the architectural form and appearance of the primary frontage and thereby enhance its contribution to the character and appearance of the conservation area.

## Introduction of a lightwell within the driveway to the front of the existing bay window. A new bay window to the basement within the lightwell replicates the form of the existing bay window at Ground Floor. A planter to the perimeter of the lightwell is proposed.

50. The pre-app response noted *"Front lightwells are generally discouraged by the Elsworthy Conservation Area Statement, as they can harm the relationship between the building and the street and can result in the loss of gardens. In*

*addition, railings around lightwells can cause a cluttered appearance to the front of the property. It is noted that the building is set back somewhat from the street and the lightwell would be approx. 9.4m back from the pavement. Given this distance, a front lightwell could be supported however it would need to be as small as possible and surrounded by planting rather than railings to be acceptable"*

51. In response, the submitted design includes an increased planter/planting height to visually conceal the lightwell and its edge protection in views of the frontage from the public domain.
52. These design proposals are considered to be sympathetic to the appearance of the house and would maintain its contribution to the character and appearance of the conservation area. The proposed lightwell to the front will be discreetly hidden and not visible from the public realm. Its location beneath an existing window is appropriate and it would not detract from the character and appearance of the property's front elevation.



Figure 21: Existing and proposed front elevations



Introduction of a lightwell to the side elevation along the boundary between 31 and 29 Elsworthy Road to provide natural light and ventilation into the basement.

53. The pre-app response noted: *"The side lightwell is acceptable as it would be small in scale and located between the host building and the neighbouring and would be set back sufficiently from the front elevation."*
54. We concur with this assessment. The lightwell to the side will have no impact upon the appearance of the property as it will be almost impossible to see. Its presence would sustain the architectural and heritage interests of the property and the overall character and appearance (significance) of the conservation area.

Ground Floor lightweight metal and glass conservatory extension to rear that maintains the existing bay window structure.

55. The pre-app response noted: *"The proposal involves a new single-storey rear extension, designed as a metal and glazed conservatory structure. This would help to ensure that the existing bays at ground floor would be retained and remain legible, which is welcomed. The extension should be subordinate to the building and the current proposal feels slightly overbearing and should be reduced in scale; most notably in height and depth. The roof ridges would measure over 4m high and almost reach the height of the first-floor window. This should be lowered in order to create more separation between ground and*

*first floor and to avoid an overbearing extension. The depth should also be reduced to match the depth of the lightwell in order to ensure the structure maintains an acceptable level of subordination. However, a lightweight conservatory structure that retains the rear bays is in principle supported."*

56. In response, the design has been amended to reduce the overall height by c.100mm. This provides greater clearance between the extension and existing bay window sill detail and is effective in reducing its scale and massing overall.
57. In addition, the pronounced ridge detail of the rear conservatory extension roof has been reduced in height to reduce perceived height and

massing. Any architectural expression is now limited to decorative finials.

58. The pre-app design included a glass roof to the extension. This, and the rooflights within it, have been replaced with a solid roof to minimise solar gain to the interior and uplighting and to maintain consistency with established extensions at neighbouring properties.
59. To further reduce the scale and massing of the proposed extension the central solid element of the proposed roof would wrap down on the rear elevation within the valley of the two ridges. The visibility of the existing bay form would be maintained due to the glass frontage.
60. The proposed length of the extension into the



Figure 22: Proposed rear elevation.

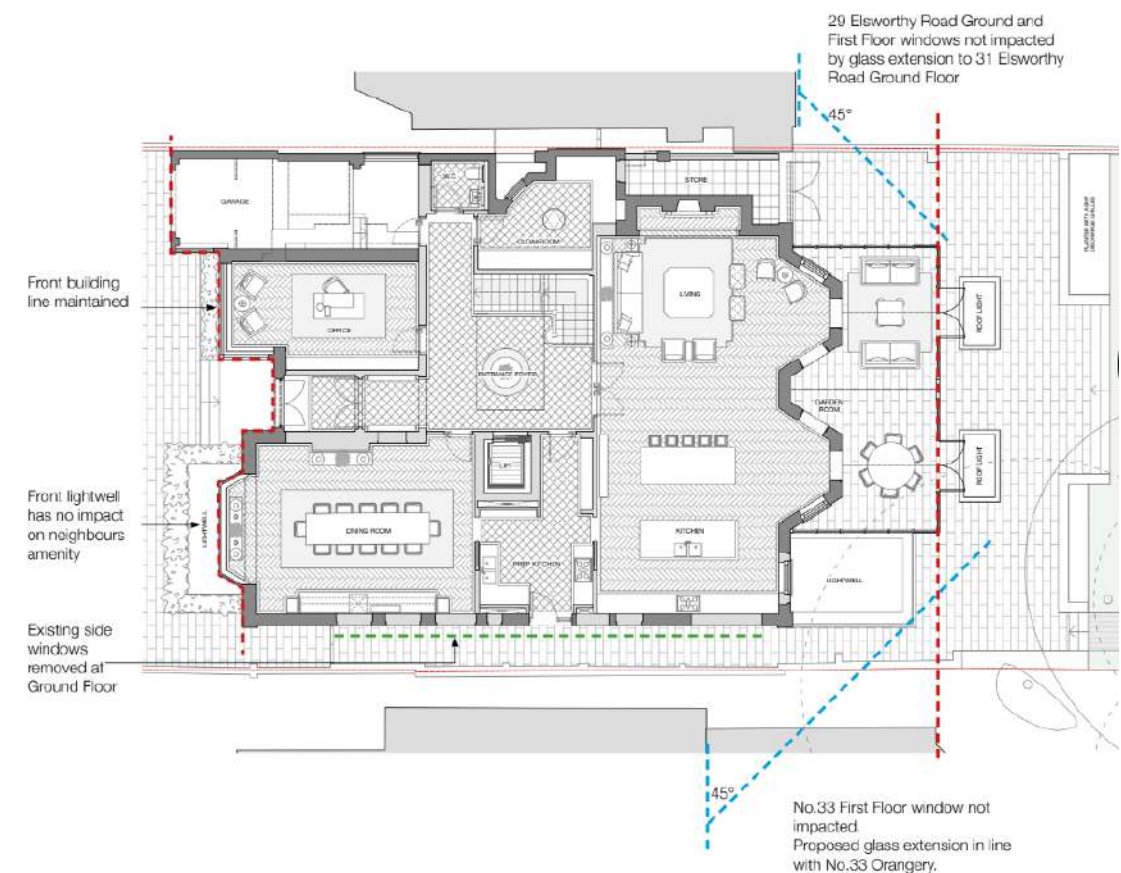


Figure 23: Proposed ground floor plan.



garden has been maintained to achieve c.3m internal depth. Importantly, the external build line of the proposal is contextually recessive, sitting back c.655mm from the extension build lines at 33 Elsworthy Road and c.3200mm back from the extension build line at 29 Elsworthy Road (No.33's extension extends 8000mm from that main rear façade).

61. The proposed extension is considered to fully respect No.31 and its context. The proposal offers a traditionally-designed lightweight metal and glass extension that will retain the existing bay window structure to the rear, and maintain their visibility and visibility and appreciation of the design of the rear elevation overall. In accordance with the guidance set out in the Conservation Area Appraisal Management Strategy, the proposed conservatory has been designed to appear as a sensitive, lightweight addition that works in harmony with the existing rear elevation. Its presence would complement the character and appearance of the conservation area and preserve its character and appearance.

#### Ground Floor roof lights within the rear terrace to provide natural light to the swimming pool.

62. A small number of discreet rooflights over the consented basement are proposed.
63. The pre-app response advised: *"The rooflights located in the rear garden to serve the basement would not greatly impact on the overall appearance of the building and no objection is raised. These should be flush and incorporated neatly into the landscape finishes."*
64. These proposed rooflights, which will be within the rear patio area in front of the proposed conservatory, will be small in size and will not appear visually intrusive. They will be flat to the ground and are designed merely to let natural light into the basement below.
65. The proposed rooflights are assessed as having no adverse effect on the rear elevation of the property or any heritage significance. The character and appearance of the conservation area would be fully preserved.

#### Air Source Heat Pump mechanical plant strategy with associated garden enclosure.

66. The proposed air source heat pump discharge grilles will be discreetly located within a planter on the patio, and again, this modest addition will be entirely in-keeping with the character of the existing garden and have no adverse heritage impacts or effects on the significance of heritage assets.

#### Variation to the consented fenestration of the side elevation

67. The extant permission allowed bricking up of windows to the west side elevation.
68. At variation to the approved scheme, the current proposals would not introduce the new ground floor window and there is a proposed adjustment to the side door access arrangement with introduction of a fixed side light. At first floor it is proposed to replace two contemporary windows with new windows that replicate the glazing bar arrangement of the established traditional side elevation fenestration.

69. The pre-app response noted: *"The alterations to the side elevation, including the bricking up of windows, have already been consented and are considered acceptable. The new timber door and side light is also acceptable given the limited visibility of this elevation."*
70. These proposals would have no adverse impacts on heritage values or interests. The character and appearance of the conservation area would be preserved.

#### Introduction of 5no. roof lights to the upper flat roof.

71. At roof level, five new rooflights are proposed. These are located on the central flat roof section of the main roof. These will provide natural light to the four bedrooms at this floor as well as light into the stairwell.
72. The pre-app response noted: *"The proposed installation of rooflights on the flat roof could be supported, however these should be subordinate to the roof and should be conservation style."*
73. The proposed rooflights would not be visible from the public domain and would have no effect on the character or appearance of the conservation area.

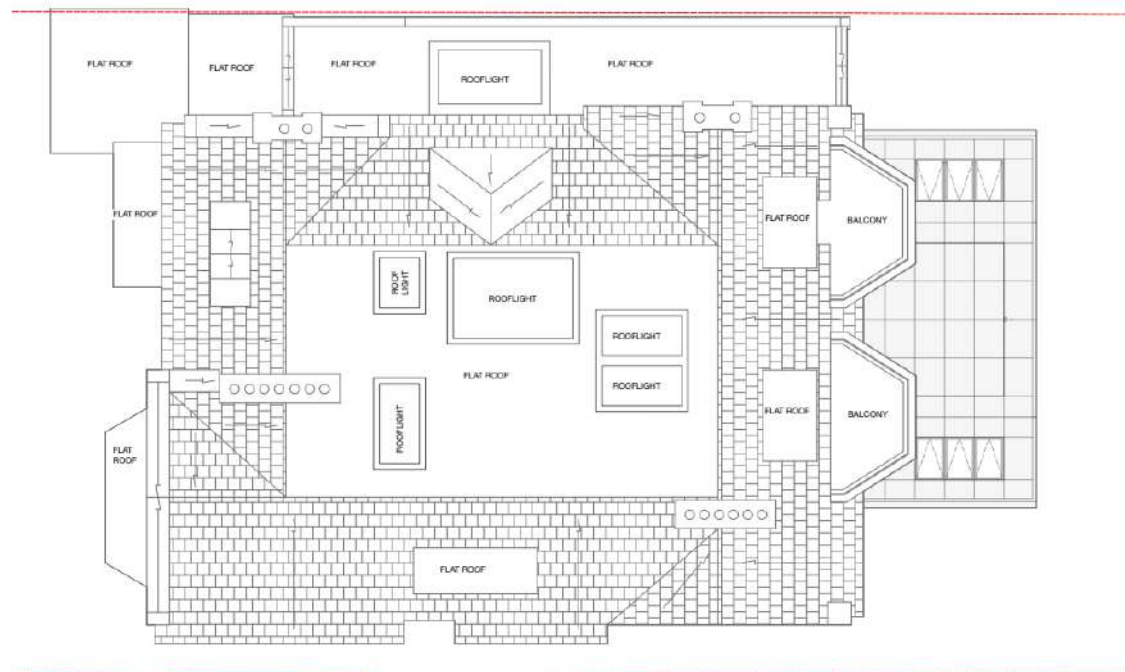


Figure 24: Proposed roof plan.



Figure 25: Proposed side elevation.





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## Policy Compliance and Conclusions

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# Policy Compliance and Conclusions

## Conclusions

74.

Our research has shown that the site has clear capacity for change. The site has undergone numerous episodes of change in phases throughout the 20th century. These include the conversion of a dwelling room to a garage, a second garage extension, the installation of bay windows and a side extension.
75.

These later interventions have reduced the sensitivity of the site to change, and in its current state can be deemed to be of modest interest. The house is not statutorily listed but makes a positive contribution to the character and appearance of he conservation area.
76.

Properties within the vicinity of the site are characterised by their irregular footprints, projections and rooflines. Many of these properties have received rear extensions and additions and build lines are highly varied. This offers a degree of flexibility for potential additions to the rear of No.31.
77.

The proposed conservatory extension has been sensitively designed and is entirely in keeping with the character of the building—its lightweight design means that the original rear elevation bays will be retained, and they will remain fully legible in views onto the rear elevation. The addition's design and massing are informed by the character of the host building and it allows continued appreciation of the rear elevation. There will be no effect on views within the area.
78.

The conversion of the later inserted garage back into a usable domestic room will reinstate a lost element of domestic architectural character to the front elevation, and is a clear heritage gain that will reinstate its domestic character.
79.

The proposals offer a sympathetic and informed
- scheme of works that would maintain the overall interests of the undesignated heritage asset and the character and appearance of the Elsworthy Conservation Area.
80.

The proposed changes are in line with the management strategy for the conservation area, as set out within the Elsworthy Conservation Area Character Appraisal 2009. The setting of nearby undesignated heritage assets would also be maintained.
81.

The proposals have been assessed against and accord with the policy and guidance set out within the NPPF and Camden's Local Plan, notably Policy D2(e). As no harm has been identified the tests at Paragraph 208 of the NPPF are not engaged. Regardless, this assessment has demonstrated that the proposals, notably the removal of the garage door and reinstatement of a traditional window, would enhance the building and its contribution to the conservation area, thereby offering a heritage benefit to the designated heritage asset.



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## Legislation and Planning Policy

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Legislation

- 1) The Planning (Listed Building and Conservation Areas) Act 1990 is the current legislation relating to listed buildings and conservation areas and is a primary consideration.
- 2) In respect of proposals potentially affected listed buildings, Section 66 states that “*in considering whether to grant planning permission or permission in principle 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*”.
- 3) In respect of conservation areas, Section 72 of the Act places a duty on the decision maker to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.

National Planning Policy Framework (revised 2023)

- 4) The Government’s planning policies for England are set out within the National Planning Policy Framework (revised 2023). It sets out a framework within which locally prepared plans can be produced. It is a material consideration and relates to planning law, noting that applications are to be determined in accordance with the local plans unless material considerations indicate otherwise.
- 5) Chapter 16, ‘Conserving and enhancing the historic environment’, is of particular relevance.
- 6) Heritage assets are recognised as being a irreplaceable resource that should be conserved in a manner appropriate to their significance. (Paragraph 195) The conservation of heritage assets in a manner appropriate to their significance is also a core planning principle.
- 7) Conservation (for heritage policy) is defined at

annex 2 as: “a process of maintaining and managing change in a way that sustains and, where appropriate, enhances its significance.” It differs from preservation which is the maintenance of something in its current state.

- 8) Significance (for heritage policy) is defined at annex 2 as: “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...”
- 9) As a framework for local plans the NPPF, at paragraph 196, directs that plans should set out a positive strategy for the conservation and enjoyment of the historic environment, taking into account four key factors:
  - a. “The desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;
  - b. The wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
  - c. The desirability of new development making a positive contribution to local character and distinctiveness; and
  - d. Opportunities to draw on the contribution made by the historic environment to the character of a place.”
- 10) This approach is followed through in decision making with Local Planning Authorities having the responsibility to take account of ‘a’ as well as ‘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 203)

- 11) Describing the significance of any heritage asset affected, including the contribution made by its setting, is the responsibility of an applicant. Any such assessment should be proportionate to the asset’s significance. (Paragraph 200)
- 12) Identifying and assessing the particular significance of any heritage asset potentially affected by a proposal, taking into account evidence and expertise, is the responsibility of the Local Planning Authorities. The purpose of this is to ‘avoid or minimize any conflict between the heritage asset’s conservation and any aspect of the proposal’. (Paragraph 201)
- 13) In decision making where designated heritage assets are affected, Paragraph 205 places a duty of giving ‘great weight’ to the asset’s conservation when considering the impact of a proposed development, irrespective of the level of harm.
- 14) Heritage Assets are defined in Annex 2 as: “A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).”
- 15) Harm to designated heritage assets is categorized into ‘substantial harm’, addressed in Paragraphs 206 and 207 of the NPPF, or ‘less than substantial harm’, addressed in Paragraphs 208.
- 16) The effects of any development on a heritage asset, whether designated or not, needs to be assessed against its archaeological, architectural, artistic and historic interests as the core elements of the asset’s significance.
- 17) The setting of Heritage Assets is defined in Annex 2 of the NPPF as: “  
  
“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.”

National Planning Practice Guidance

- 19) National Planning Practice Guidance relating to Chapter 16 of the NPPF was last modified on 24 June 2021.
- 20) In respect of levels of harm paragraph 018 recognises that substantial harm is a high test. Case law describes substantial harm in terms of an effect that would vitiate or drain away much of the significance of a heritage asset. In cases where harm is found to be less than substantial, a local authority is to weigh that harm against the public benefits of the proposal.
- 21) Proposals can minimise or avoid harm to the significance of a heritage asset and its setting through first understanding significance to identify opportunities and constraints and then informing development proposals.
- 22) A listed building is a building that has been designated because of its special architectural or historic interest and includes the building, any object or structure fixed to the buildings, and any object or structure within the curtilage of the buildings which forms part of the land and has done so since before 1 July 1948. (Paragraph 023)
- 23) The term ‘Special architectural or historic interest’ as used in legislation are used to describe all parts of a heritage asset’s significance.
- 24) Paragraph 007 of the NPPG states: “*Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and*



*importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals."*

25) Paragraph 013 states:

*26)"The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each."*

London Plan (2021)

26) The London Plan (2021) provides a city wide framework within which individual boroughs must set their local planning policies. It is not a revision but offers a new approach from previous iterations of the London Plan. While policies are generally strategic and of limited relevance the policies relating to the historic environment are detailed within Chapter 7 Heritage and Culture. These have been aligned with the policies set out in the NPPF, key of which is Policy HC1: Heritage Conservation and Growth. This policy provides an overview of a London wide approach to heritage and in doing so requires local authorities to demonstrate a clear understanding of London's historic environment. It concerns the identification, understanding, conservation, and enhancement of the historic environment and heritage assets, with an aim to improve access to, and the

interpretation of, the heritage assets. It states that:

*Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process*

Camden Council's Local Plan

Policy D2 Heritage

27) 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

28) Designed 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.

29) 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

30) 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.

31) The Council will:

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

Listed Buildings

32) 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.

Archaeology

33) The Council will protect remains of archaeological importance by ensuring acceptable measures are taken proportionate to the significance of the heritage asset to preserve them and their setting, including physical preservation, where appropriate.

Other heritage assets and non-designated heritage assets

34) The Council will seek to protect other heritage assets including non-designated heritage assets (including those on and off the local list), Registered Parks and Gardens and London Squares.

35) The effect of a proposal on the significance of a non-designated heritage asset will be weighed against the public benefits of the proposal, balancing the scale of any harm or loss and the significance of the heritage asset.