

41 Frognal
London NW3 6YD
Heritage Statement



March 2015

Consultancy for the
Historic Built Environment

KMIHeritage

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1 Executive Summary

- 1.1 41 Frognal was designed in 1965 by Alexander Flinder for the industrialist Harry Kleeman in the International Modernist style.
- 1.2 The house is lies within the Redington Frognal Conservation Area. 41 Frognal sits 'quietly' in its mature setting, set back from the road. This landscape setting in particular is recognised as a defining feature of the conservation area and is an important contributor to its character.
- 1.3 The proposal is to retain the existing house, adding extension to the rear, side and second floor and creation of a new garage and a single level basement to provide a modern detached family dwelling and a one bedroom apartment. The scale and composition of the extensions have been designed to be sympathetic to the existing building and its setting.
- 1.4 The scheme is respectful and well-considered and takes its cue from the existing architectural composition of the building. The proposals will significantly enhance the environmental performance and therefore sustainability of the building.
- 1.5 Following pre-application discussion, particular emphasis has been placed on ensuring the horizontal form remains – in particular through emphasis of the fenestration in the extensions. Detailed panelling of the full length rear stair window has been incorporated to break up the full length glazing.
- 1.6 The effect of the works on the heritage significance is positive. The works will preserve the character and appearance of the conservation area and the setting of nearby listed buildings – the sylvan setting of the house will be retained and the key elements of the architectural style of the building will remain legible and appreciable.
- 1.7 For these reasons, the proposed scheme complies with the law, and national and local policy and guidance for listed buildings and conservation areas.

2 Introduction

- 2.1 This report has been prepared to support an application for the alteration and extension of the site of 41 Frognal, London, NW3 6YD.

Purpose

- 2.2 The purpose of the report is to consider the significance of the relevant heritage assets according to national and local policy and guidance and assess the impact of the proposals on those heritage assets.

- 2.3 This report should be read in conjunction with the drawings and Design & Access Statement prepared by KSR Architects.

Notes on research, analysis and sources

- 2.4 It should be noted that in common with many historic buildings and sites, it is not always possible to provide a truly comprehensive analysis of the historic development of a building or its context.

- 2.5 This desk-based and archival research has been combined with a visual assessment and appraisal of the buildings. Further sources and evidence that add to our knowledge and understanding of the buildings and their history may become available.

Author

- 2.6 The lead consultant and editor of this report is Kevin Murphy B.Arch MUBC RIBA IHBC. He was an Inspector of Historic Buildings in the London Region of English Heritage and dealt with a range of major projects involving listed buildings and conservation areas in London. Prior to this, he had been a conservation officer with the London Borough of Southwark, and was Head of Conservation & Design at Hackney Council between 1997 and 1999. He trained and worked as an architect, and has a specialist qualification in urban and building conservation.

- 2.7 The drafting of this statement was undertaken by Nick Collins BSc (Hons) MSc MRICS IHBC. Nick has been a Principal Inspector of Historic Buildings & Areas in the London Region of English Heritage. Most recently he was a Director of Conservation at Alan Baxter & Associates. Nick has extensive experience in dealing with proposals that affect the historic environment and also has a background in research, in policy analysis and in understanding historic buildings and places.

- 2.8 Supplementary historical research for this report was undertaken by Dr Ann Robey FSA, a conservation and heritage professional with over twenty years experience. She has worked for leading national bodies as well as smaller local organisations and charities. She is a researcher and writer specialising in architectural, social and economic history, with a publication record that includes books, articles, exhibitions and collaborative research.

3 The site and its context

- 3.1 This section of the report describes the history and development of 41 Frognal and the surrounding area.

The area and its development

- 3.2 Frognal was first recorded in the 15th century, as a customary tenement of the Manor of Hampstead, where there were three ponds full of frogs – hence the name. In 1792 Frognal was praised for its ‘salubrity of air and soil, in the neighbourhood of pleasure and business’. A few years later in 1811, Frognal was a ‘hamlet of handsome residences’ surrounded by groves of gardens ‘of an extent begrudged by builders in these modern days’.¹ Located on the western slopes of Hampstead, it was described in the later 19th century as a ‘beautiful suburban village’, with fine views and being ‘full of gentlemen’s seats and villas’, including Frognal Hall set in gardens adjoining the churchyard.²
- 3.3 During the 19th century Hampstead grew rapidly especially after the first railway station was built there in 1852, which made commuting to the City easier. In the mid-1850s the area to the west of Rosslyn Hill started to be developed for housing. The 1860s saw the building of new roads and estates south and west of Hampstead Village, parts of it on land that formed the Rosslyn House Estate. The OS Map of the 1870’s shows the area, when Lyndhurst Road had started to be developed (figure 1).
- 3.4 During the Victorian era building increased. In 1875 land was offered in lots at the Frognal end of Hampstead and a series of detached and semi-detached villas, some built by well-known architects, were erected in the later 19th century including Nos. 2 & 4 by Philip Well (1876), No. 35 (Redington Lodge) built in 1887 by Horace Field, Nos. 49-51 by Reginald Blomfield in 1886 and No. 16 (One Oak) designed by A.H. Mackmurdo in 1889. As the 1894 OS Map shows, the original house on the site of No. 41, a large detached villa had been built in the centre of its plot by that time.

¹ ‘Hampstead: Frognal and the Central Demesne’, *A History of the County of Middlesex: Volume 9: Hampstead, Paddington* (1989), pp. 33-42

² ‘Hampstead: Belsize and Frognal’, *Old and New London: Volume 5* (1878), pp.494-504



Figure 1: OS Map 1894 showing developments around the site of No.41 in the south (the property with the curved rear boundary)

- 3.5 By the turn of the 20th century the population of the area to the south of Hampstead village around Finchley Road and Frognal was growing rapidly as new houses continued to be built on previously undeveloped land. It was a favoured residence of the wealthy and the illustrator Kate Greenaway lived at No.39 Frognal in a house ‘a little pretty-pretty with its lavish use of tile hanging in a ruralist mode’ that she had commissioned from Richard Normal Shaw in 1885 and where she lived until her death in 1901.³ Others who lived in Frognal included the sculptor Sir Hamo Thornycroft, John Lewis the store owners, and the architect Reginald Blomfield.
- 3.6 Next to Kate Greenaway’s house was a large detached house with a lantern turret set central on a very large wide plot – with a distinctive curved rear boundary⁴ - the original No. 41 Frognal (see figures 1 & 2). Plans of the house survive from c. 1947, when it was converted by W. Kochmann into three self-contained flats and a maisonette, with a caretakers’ room on the lower ground floor. It occupied one of the largest plots in Frognal with almost an acre of garden and evidently in the years when it was a single family home was substantial.

³ Bridget Cheery, Nikolaus Pevsner, *The Buildings of England, London 4: North* (1998), p.228; It was built in the style of a Surrey Weald cottage with a studio across the top floor.

⁴ The distinctive plot shape survives today at No. 41 Frognal

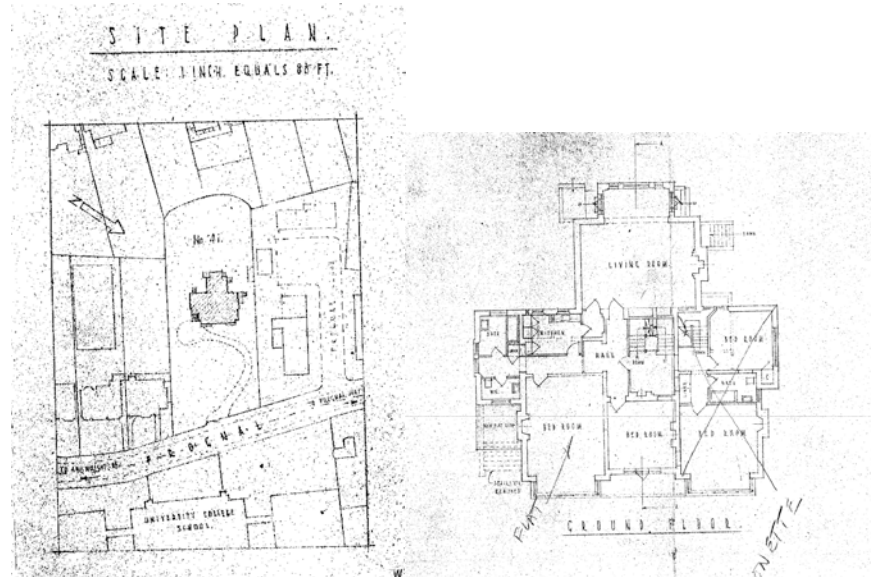


Figure 2: No. 41 in 1947 showing the plan and site of the Victorian house that occupied the plot [© Camden Planning]

- 3.7 From 1908 until the early⁵ 1940s, No. 41 Frognal was the family home of Rudolph Kohnstamm, a leather merchant, whose family had come to London from Bavaria in the late 19th century. His two elder sons died serving as officers in the British army in World War One. Many wealthy Jewish families had moved to Hampstead especially after Hampstead synagogue designed by Delissa Joseph, was built in 1892. In the 1920s and 1930s Hampstead further developed a modernist and continental spirit, with the arrival of émigré Jewish artists and intellectuals.
- 3.8 All this was to influence the type of houses designed in Frognal, Frognal Close and Frognal Way between 1924 and well into the post-War era. These included The Sun House (Grade II*) at No. 9 Frognal Way designed by Maxwell Fry in 1935. This was the first example of a modernist home built in London and one of the most important embodiments of the modern, international movement of the 1930s. Other important houses included No. 66 Frognal by Connell Ward and Lucas built in 1938, and the six plain brick modern houses designed by Ernst Freud (son of Sigmund) in Frognal Close in 1936 (Grade II) which lay adjacent to the garden of No. 41 (see figures 3-5).
- 3.9 By 1958, No. 41 was owned by Mrs AR Harris who applied to have two garages built to the front of the house, at the end of the existing drive⁶. In the same year

⁵ <http://genealogy.metastudies.net/ZDocs/Kohn/Kohn04.html>

⁶ LB Camden planning online RN 12652

plans were drawn up by CS Ochs to subdivide part of the garden at the front and to build a new dwelling house that was to be attached to No. 39 Frognal.⁷ But this did not happen and the house was sold to Harry Kleeman.



Figures 3-5: Modernist houses Sun House, Frognal Way, No. 66 Frognal & houses in Frognal Close

- 3.10 By the early 1960s Harry Kleeman⁸ was living in one of Ernst Freud's modern houses at No.4 Frognal Close. This was a cul-de-sac of just six modernist homes. Kleeman was a wealthy industrialist who made his fortune from plastics and polymers and by purchasing the old Victorian house at No. 41 Frognal, evidently saw an opportunity to redevelop the large site and build a large modern family home to exactly his own needs.
- 3.11 At first he planned to subdivide the garden and build two additional homes for sale (see figures 6-7). In 1963, he commissioned Montagu Evans & Sons architects and surveyors to apply for conditional permission from the LCC to redevelop the site of No. 41 Frognal. This was to involve 'the erection of three dwelling houses, and the construction of a new means of access to the highway'

⁷ LB Camden Planning online 1790

⁸ Harry Kleeman, CBE (1928-2004) was an Industrialist who was a leading person for 30 years in the Jewish charity, World Jewish Relief which aided Jewish victims of conflict throughout the world

with the total number of habitable rooms in the whole development limited to 22. There were also tree preservation orders in place towards the front of the garden.⁹ This scheme was not pursued.



Figures 6 & 7: 1958 plans for the site of No. 41 Frognal

- 3.12 A change of plan occurred sometime as in 1965, Kleeman applied to LB Camden to develop the site with a two-storey house with integral garage in landscaped gardens. The house was to be built to the designs of Alexander Flinder and Associates of Aldwych House, Aldwych.¹⁰ Permission was granted to build a detached dwelling house, but the trees on the site were to remain protected.
- 3.13 Kleeman evidently liked the buff brick of his Frognal Close home and his new house commissioned from Flinder, a local Jewish architect was to be built in a modernist style in brick with plenty of glass and with a flat roof. It was built in the International Modern style. The flat roofed house with large open-plan living spaces, integral garage and with a vast garden was an ideal place for Harry and Avril Kleeman to bring up their four children. A succession of adverts appears in *The Times* in the early 1970s for nannies to help with the children.¹¹ Unusually for a 1960s home, the house was planned with two staff bedrooms (out of a total of seven).
- 3.14 Alexander Flinder, FRIBA lived at No.52 Hampstead Lane.¹² He no doubt knew Harry Kleeman, possibly through their family or religious connections.

⁹ LB Camden planning online AR/TP/35660/W

¹⁰ LB Camden planning online CTP/F6/2/2

¹¹ *The Times* online

¹² But it was for his passion for diving that he will be best remembered. Flinder pioneered marine archaeology in Britain and it was largely due to his efforts that

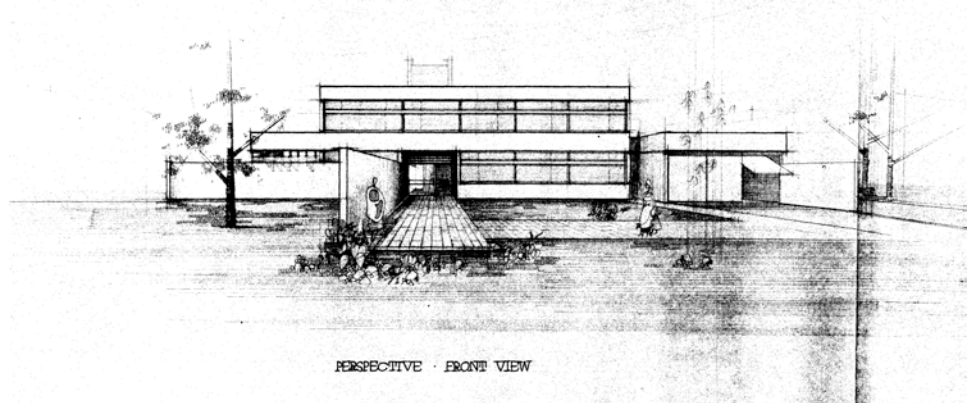


Figure 8: The elevation of the house as drawn by Alexander Flinder

- 3.15 He was a senior partner of the London firm Alexander Flinder, Ashley Partnership, who were based in the Aldwych and he worked on many architectural projects, including the design of some plain largely brick houses on the south side of Hertford Square in Kensington.¹³ He designed the Pinner Synagogue (1979-82) and the extension to the West London Synagogue in Seymour Place (1992). In partnership with Michael Gold, the Alexander Flinder, Ashley Partnership designed a banqueting hall, and the Halliwick old people's home in Winchmore Hill in 1994.
- 3.16 No.41 Frognal is an interesting house – designed for a wealthy patron who evidently liked modernist architecture. Sleek and built mainly in brick, it has elements of the International Moderne style brought up to date into the mid-1960s.

the underwater workforce of amateur divers was organized and made possible the lifting of the Tudor ship, the Mary Rose in 1982. He led expeditions to the Mediterranean and Red Sea to dive ancient harbours. Obituary in *DiverNet News* 14 May 2001

¹³ 'Hereford Square Area: The Day estate', Survey of London: volume 42: Kensington Square to Earl's Court (1986), pp.158-167

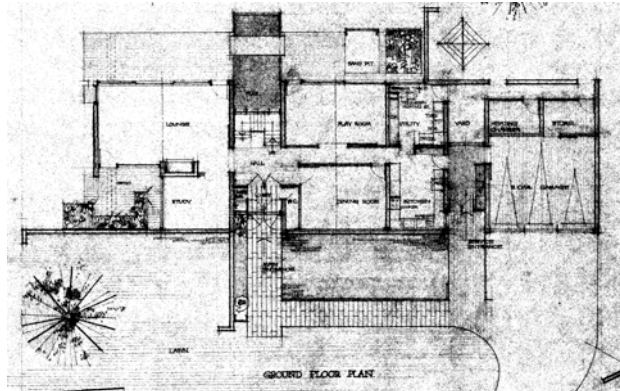


Figure 9: Ground floor plan of No. 41 Frognal

- 3.17 Built with a total of seven bedrooms (including a large master bedroom suite with roof terrace over-looking the back garden), the house also had four reception rooms on the ground floor – a study, dining room, a large lounge, and a playroom, which opened up onto a patio with integral sandpit, as well as a kitchen, and large utility room. There was an integral garage, with service rooms behind.

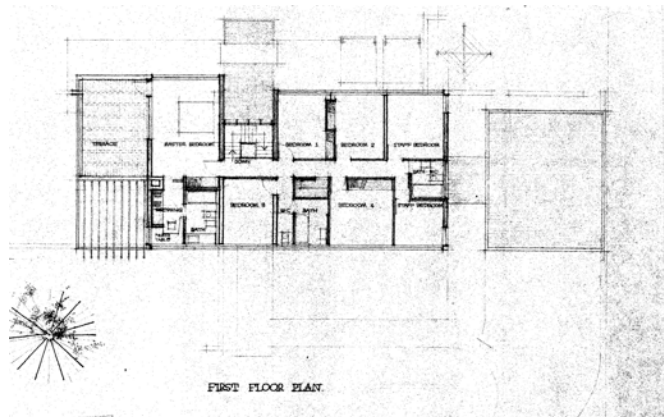


Figure 10: First floor plan of No. 41 Frognal

- 3.18 No.41 Frognal is set in grounds of just under an acre, and the two storey house seems to nestle into the wooded and flower-filled garden (which also contains a swimming pool). The garden and trees – some of which pre-date the current property form a mature landscape and there are specimen trees in the front garden including Horse Chestnut, Sycamore, London Plane, Norway Maple, Robinia, Black Maple and Sugar Maple.
- 3.19 The house remained in the ownership of the Kleeman family for almost fifty years. Sales particulars state that the house was ‘approached via a magnificent crocus

woodland with parking for fourteen cars' and the house said to be 'one of the last remaining substantial sites in Hampstead village'¹⁴

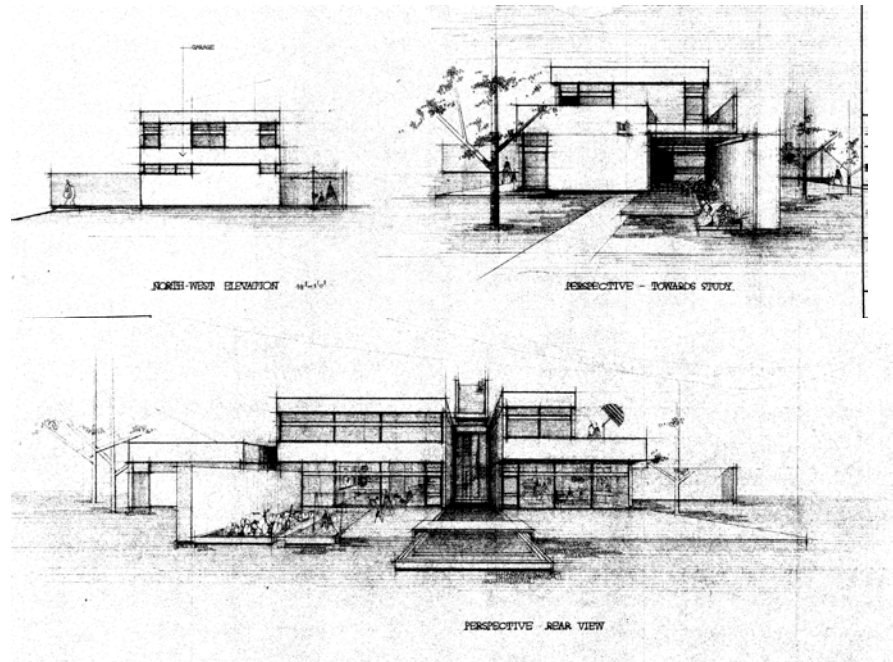


Figure 11: Elevations from 1965

¹⁴ www.zoopla.co.uk/property-history/26848049

4 Heritage significance

- 4.1 This section of the report assesses the heritage significance of 41 Frognal and its context.

The heritage context of the site and its surroundings

- 4.2 41 Frognal is an unlisted building within the Redington Frognal Conservation Area.
- 4.3 There are a number of statutory listed buildings in the vicinity of 41, all listed at Grade II. Immediately adjacent are 39/39A Frognal and 1&2 Frognal Close, opposite is the University College School. 5&6 Frognal Close are also listed Grade II.

Locally listed buildings

- 4.4 There are no buildings in the vicinity of the site included in the Council's Local List.

The relevant heritage assets

- 4.5 In terms of the assessment of the proposals for 41 Frognal, the heritage assets within the London Borough of Camden most relevant to considering the effect of the scheme are the Conservation Area and the nearby listed buildings.
- 4.6 The effect of the proposed scheme on these assets will be on the character and appearance of the conservation area and on the setting of the other listed buildings.

Assessing heritage significance

- 4.7 Redington Frognal Conservation Area and the listed buildings in the vicinity are 'designated heritage assets', as defined by the National Planning Policy Framework (NPPF). Other buildings and structures that make a positive contribution to the conservation area can be considered as 'non designated heritage assets'. 41 Frognal has been identified by the London Borough of Camden as making a positive contribution to the character and appearance of the conservation area.
- 4.8 'Significance' is defined in the NPPF as 'the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic'. The English Heritage 'Planning for the Historic Environment Practice Guide' puts it slightly differently – as 'the sum of its architectural, historic, artistic or archaeological interest'.
- 4.9 'Conservation Principles, Policies and Guidance for the sustainable management of the historic environment'

(English Heritage, April 2008) describes a number of 'heritage values' that may be present in a 'significant place'. These are evidential, historical, aesthetic and communal value.

- 4.10 In terms of the conservation area, its significance is best articulated in its special architectural or historic interest.

Redington Frognal Conservation Area

- 4.11 The bulk of the conservation area was designated in June 1985. The Conservation Area is situated on the slopes to the west of Hampstead as they fall towards Finchley Road the Conservation Area is defined by the relationship of the streets and houses to the contours of the hills. Overall it is a well-preserved example of a prosperous late 19th century and Edwardian residential suburb. The houses are predominantly large detached and semi-detached, and display a variety of formal and free architectural styles. On the whole the houses are built in red brick with clay-tiled roofs with occasional areas of tile hanging and render. The Conservation Area Statement notes that 'mature trees and dense vegetation form the dominant features of the street scene...the gardens also contribute to the ecological balance of the area. in many of the avenues and gardens of the conservation areas' (p.9).

- 4.12 41 Frognal lies within Sub-Area 8: Arkwright Road, Frognal, Frognal Close and Lindfield Gardens. This sub-area is regarded as probably the most varied in character within the Conservation Area. Specifically in respect of area within which 41 Frognal sits, the Conservation Area Statement states:

'The upper stretch of Frognal comprises University College School to its eastern side and a group of two-three storey detached Queen Anne and Arts and Crafts style houses to the western side... The school buildings on the current site were purpose built for University College School in 1907 in an Edwardian Baroque style and although much of the centre building was destroyed by fire in 1978 it was restored in virtual facsimile. In addition to this fine building and its associated porter's lodge, the railings and piers to the school street boundary and the weeping willow tree contribute greatly to the character of this part of Frognal. The school, lodge and boundary walls and railings are all listed. Of particular note on the western side of Frognal are No.39, a house designed by R Norman Shaw for the illustrator Kate Greenaway in 1885 and No. 41, a low horizontal late 1960s house by Alexander Flinder. Beyond the latter is Frognal Close. This comprises a relatively tightly knit enclave of six semi-detached houses set around a small cul-de-sac. These houses designed by Ernest Freud on 1937 are reminiscent of Erno Goldfinger's work at Willow Road and Mies van der

Rohe's early brick houses at Frefeld. Four of the six houses that make up the close are listed.'

- 4.13 The hedges to the front boundaries of properties and trees within front gardens is identified in particular as an element of streetscape that makes a positive contribution to this part of the conservation area.
- 4.14 41 Frognal sits 'quietly' in its mature landscape setting, set back from the road. This landscape setting in particular is recognized as a defining feature of the conservation area and is an important contributor to its character. In the context of its immediate neighbours to the north, the house is a respectful neighbour using similar buff brick and a 'modern' style.
- 4.15 However, it is a relatively minor example of houses designed in a modern style in the 1960s and has never been the subject of significant attention in an era when such houses have become the focus of increasing interest. It is essentially derivative in its style, lacking any notably distinctive features that would cause it to be of major interest.
- 4.16 The best examples of modern British housing, from before the First World War, the inter-war period or since World War Two are not merely derivative – they interpret and transform the broader ideas that have been brought from elsewhere. This is a result of either a discernible variation in how an imported style or model was interpreted, or by a radical advancement of the modernist debate, led by British architects, into areas such as high-tech or modern vernacularism. Thus, in the first category there are houses such as Connell Ward and Lucas' 66 Frognal, Goldfinger's Willow Road houses and James Gowan's Scheiber House – all within a mile or two of 41 Frognal. In the second category is Michael Hopkins' house, Edward Cullinan's house and John Winter's house – again all within a couple of miles. Other examples exist across the country.
- 4.17 However, though 41 Frognal does not retain any internal features of note, and while not in the highest order of modern houses, it is acknowledged that the building makes a modestly positive contribution to the conservation area, and for that reason, it has been decided to work with the existing building while extending it and altering it.

5 The policy context

- 5.1 This section of the report sets out the range of national and local policy and guidance relevant to the consideration of change in the historic built environment

The National Planning Policy Framework

- 5.2 The legislation governing listed buildings and conservation areas is the Planning (Listed Buildings and Conservation Areas) Act 1990. In March 2012, the Government published the new National Planning Policy Framework (NPPF).

- 5.3 The NPPF says at Paragraph 128 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.

- 5.4 A description and analysis of the heritage significance of 41 Frognal and its surroundings is provided earlier in this report.

- 5.5 The NPPF also requires local planning authorities to 'identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal'.

- 5.6 At Paragraph 131, the NPPF says 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.

5.7 Paragraph 132 advises local planning authorities 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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting’.

5.8 The NPPF says at Paragraph 133 ‘Good design ensures attractive, usable, durable and adaptable places and is a key element in achieving sustainable development. Good design is indivisible from good planning.’ Paragraph 133 says:

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.

5.9 Paragraph 134 says 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 securing its optimum viable use.

5.10 Further advice within Section 12 of the NPPF urges local planning authorities to take into account the effect of an application on the significance of a non-designated heritage asset when determining the application. It says

that 'In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.

5.11 Paragraph 137 of the NPPF advises local planning authorities to 'look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably'.

5.12 Paragraph 138 says that:

Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 133 or less than substantial harm under paragraph 134, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.

5.13 The NPPF incorporates many of the essential concepts in Planning Policy Statement 5 'Planning for the Historic Environment'. PPS5 was accompanied by a 'Planning for the Historic Environment Practice Guide', published by English Heritage 'to help practitioners implement the policy, including the legislative requirements that underpin it'. The 'Guide' gives, at Paragraph 79, a number of 'potential heritage benefits that could weigh in favour of a proposed scheme' in addition to guidance on 'weighing-up' proposals in Paragraphs 76 to 78. These are that:

- It sustains or enhances the significance of a heritage asset and the contribution of its setting;
- It reduces or removes risks to a heritage asset;
- It secures the optimum viable use of a heritage asset in support of its long term conservation;
- It makes a positive contribution to economic vitality and sustainable communities;

- It is an appropriate design for its context and makes a positive contribution to the appearance, character, quality and local distinctiveness of the historic environment;
- It better reveals the significance of a heritage asset and therefore enhances our enjoyment of it and the sense of place.

5.14 Paragraph 111 of the Guide sets out the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990 that local planning authorities when making decisions must 'have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses' and 'pay special attention to the desirability of preserving or enhancing the character or appearance' of a conservation area.

London Plan (March 2015)

5.15 The London Plan 2011 was consolidated with further alterations in March 2015. Policy 7.8 deals with Heritage Assets and Archaeology. This states that:

London's heritage assets and historic environment, including listed buildings, registered historic parks and gardens and other natural and historic landscapes, conservation areas, World Heritage Sites, registered battlefields, scheduled monuments, archaeological remains and memorials should be identified, so that the desirability of sustain and enhancing their significance and of utilising their positive role in place shaping can be taken into account.

Development should incorporate measures that identify, record, interpret, protect and, where appropriate, present the site's archaeology.

Development should identify, value, conserve, restore, re-use and incorporate heritage assets, where appropriate.

Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.

5.16 The commentary attached to the policy includes the following:

‘Heritage assets such as conservation areas make a significant contribution to local character and should be protected from inappropriate development that is not sympathetic in terms of scale, materials, details and form. Development that affects the setting of heritage assets should be of the highest quality of architecture and design, and respond positively to local context and character outlined in the policies above.

When considering re-use or refurbishment of heritage assets, opportunities should be explored to identify potential modifications to reduce carbon emissions and secure sustainable development. In doing this a balanced approach should be taken, weighing the extent of the mitigation of climate change involved against potential harm to the heritage asset or its setting.

Camden Council’s Local Development Framework

- 5.17 Camden Council adopted its Core Strategy and Development Policies on 8 November 2010. Core Strategy Policy CS14 deals with ‘Promoting high quality places and conserving our heritage’ and says:

‘The Council will ensure that Camden’s places and buildings are attractive, safe and easy to use by:

- a) requiring development of the highest standard of design that respects local context and character;
- b) preserving and enhancing 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;
- c) promoting high quality landscaping and works to streets and public spaces;
- d) seeking the highest standards of access in all buildings and places and requiring schemes to be designed to be inclusive and accessible;
- e) protecting important views of St Paul’s Cathedral and the Palace of Westminster from sites inside and outside the borough and protecting important local views’.

- 5.18 The commentary to the policy says:
‘Our overall strategy is to sustainably manage growth in Camden so it meets our needs for homes, jobs and services in a way that conserves and enhances the features that make the borough such an attractive place to live, work and visit. Policy CS14 plays a key part in achieving this by setting out our approach to conserving and, where possible, enhancing our heritage and valued places, and to ensuring that development is of the highest standard and reflects, and where possible improves, its local area’
- 5.19 It goes on to say
‘Development schemes should improve the quality of buildings, landscaping and the street environment and, through this, improve the experience of the borough for residents and visitors’
- 5.20 Regarding Camden’s heritage, the Core Strategy refers to Policy DP25 in Camden Development Policies as providing more detailed guidance on the Council’s approach to protecting and enriching the range of features that make up the built heritage of the borough.
- 5.21 Policy DP25 is as follows:

Conservation areas

In order to maintain the character of Camden’s conservation areas, the Council will:

- a) take account of conservation area statements, appraisals and management plans when assessing applications within conservation areas;
- b) only permit development within conservation areas that preserves and enhances the character and appearance of the area;
- c) prevent the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a conservation area where this harms the character or appearance of the conservation area, unless exceptional circumstances are shown that outweigh the case for retention;
- d) not permit development outside of a conservation area that causes harm to the character and appearance of that conservation area; and
- e) preserve trees and garden spaces which contribute to the character of a conservation area and which provide a setting for Camden’s architectural heritage.

Listed buildings

To preserve or enhance the borough's listed buildings, the Council will:

- e) prevent the total or substantial demolition of a listed building unless exceptional circumstances are shown that outweigh the case for retention;
- f) only grant consent for a change of use or alterations and extensions to a listed building where it considers this would not cause harm to the special interest of the building; and
- g) not permit development that it considers would cause harm to the setting of a listed building.

Archaeology

The Council will protect remains of archaeological importance by ensuring acceptable measures are taken to preserve them and their setting, including physical preservation, where appropriate.

Other heritage assets

The Council will seek to protect other heritage assets including Parks and Gardens of Special Historic Interest and London Squares.

6 The proposed scheme and its impact on heritage assets

- 6.1 The design of the proposed alterations and extensions is described in documents prepared by KSR Architects. This section of the report assesses its effect on the heritage significance described earlier in this report.
- 6.2 KSR Architects were working for the Kleeman Family on their house before it was sold, so this project offers the opportunity and advantage of a continuity of approach and understanding.
- 6.3 The proposals take into account the comments raised during pre-application discussion.

The proposed scheme

- 6.4 The proposal is to retain the existing house, adding extension to the rear, side and second floor and creation of a new garage and a single level basement to provide a modern detached family dwelling and a one bedroom apartment. The scale and composition of the rear and second floor extensions have been designed to be sympathetic to the existing building and its setting and continue the existing horizontal forms and design approach.
- 6.5 The house is now 50 years old and in need of modernization and updating to function in a similar but up-to-date way to that originally conceived.
- 6.6 The proposals respect and reflect the modernist style and materials of the existing building. The design works with the horizontal forms of the existing building. In particular the fenestration in the proposed second floor have been amended to reflect the horizontal glazing panel of the lower floors. Likewise, the external vertical emphasis of the staircase at the rear has been broken up with further glazing bars.
- 6.7 The projecting wall by the front entrance in the original design (figure 8) 'draws' you into the house. The location and nature of the garage extension has been carefully designed to take its cue from this element. The ground floor plan (figure 9) shows a small return at the end of the projecting wall, giving a sense of 'mass'. In the proposed scheme, arrival at the building will feel very similar to the architect's original design. The mass of the proposed garage behind this 'arrival' wall will be largely screened by the planted living wall when viewed from the road.

- 6.8 The landscape proposals have been designed to make sure that the sylvan and informal character of the site is retained, in particular the shrubs and trees within the front garden.

Effect on heritage assets

- 6.9 The proposals will ensure that the elements of 41 Frognal that make it a positive contribution and the key elements that make up the character and appearance of the conservation area are both preserved and enhanced.
- 6.10 The design approach aims to ensure that the extensions reflect the modernist elements of the existing building while retaining its low impact in the streetscape. The approach to the building will retain and enhance the best elements of a now-tired building.
- 6.11 The primary views of the site from within the conservation area are from the road. From here, the extended building will continue to sit well within the large plot, surrounded by its mature landscape. The site will retain its sizeable – both front and rear – garden, a feature generally recognized as contributing to the character of the conservation area.
- 6.12 In following this approach the extended building will also sit comfortably adjacent to the listed buildings in Frognal Close as well as 39 Frognal.
- 6.13 Overall, the proposals will enhance both the building and its setting.

7 Compliance with policy and guidance

- 7.1 This section of the report demonstrates how the proposed scheme complies with national and local policy and guidance for the historic built environment. This section should be read with the analysis of the proposed scheme and its effects provided earlier in this report.

The level of ‘harm’ caused by the proposed scheme

- 7.2 As outlined in Section 4, the NPPF identifies two levels of potential ‘harm’ that might be caused to a heritage asset by a development: ‘substantial harm...or total loss of significance’ or ‘less than substantial’. Both levels of harm must be caused to a *designated* heritage asset – in this instance, the listed buildings in the vicinity of the site and the Redington Frognal Conservation Area.
- 7.3 The proposed scheme does not lead to ‘substantial’ harm or any meaningful level of ‘less than substantial’ harm. As has been explained in this report and as the Design & Access Statement illustrates with views and drawings, the proposed scheme, involving a design that respects and relates to the conservation area and the setting of adjacent listed buildings, causes no meaningful harm to these heritage assets. The sensitively designed extensions will both enhance the existing building architecturally and also in terms of environmental sustainability.

The balance of ‘harm’ versus benefit

- 7.4 In any event, and even if some level of harm was to be caused by the proposals, the scheme provides a tangible public benefit in the form of providing the building with a sustainable future. This would more than outweigh what very low level of ‘harm’ if any that might be asserted to be caused by the various interventions proposed. The contribution that 41 Frognal makes to the conservation area remains intact – and enhanced – by the proposal.

The National Planning Policy Framework

- 7.5 This report has provided a description and analysis of the significance of 41 Frognal and the Redington Frognal Conservation Area, as required by Paragraph 128 of the National Planning Policy Framework.
- 7.6 In respect of Paragraph 131 of the NPPF, the scheme can certainly be described as ‘sustaining and enhancing the significance of heritage assets’. It maintains the ‘positive contribution’ that the heritage assets assessed earlier make to the historic built environment and the local area.

- 7.7 The proposed development complies with Paragraph 133 of the NPPF. It does not lead to ‘substantial harm to or total loss of significance of a designated heritage asset’, for the reasons given above. It also complies with Paragraph 134 – regarding ‘less than substantial harm’ for the reasons given in detail earlier in the previous section of this report.
- 7.8 It is our view that the alterations proposed cannot reasonably be considered to cause harm to the character or appearance of the conservation area when measured against the overall significance of the conservation area, or the setting of nearby listed buildings. The scheme strikes the balance suggested by Paragraph 134 of the NPPF – it intervenes in 41 Frognal in a manner that retains the particular contribution that it makes to the conservation area and is commensurate to its significance as a heritage asset. This balance of intervention versus significance is described in detail earlier.
- 7.9 The scheme also does the relevant things that the ‘Planning for the Historic Environment Practice Guide’ urges in its Paragraph 79. For the reasons explained earlier, the proposed development ‘makes a positive contribution to... sustainable communities’, and ‘is an appropriate design for its context and makes...a positive contribution to the appearance, character, quality and local distinctiveness of the historic environment’.

The London Plan 2015

- 7.10 The proposals comply with the heritage policies of the London Plan. The scheme identifies, values, conserves, restores, re-uses and incorporates the key elements of significance at 41 Frognal and conserves the significance of the conservation area. The proposed extensions are ‘sympathetic to the form, scale, materials and architectural detail’ of the existing house.

Camden’s Local Development Framework

- 7.11 As has been shown, and for the same reasons that are given in respect of the NPPF, the scheme would preserve *and enhance* the character and appearance of the conservation area and the setting of other listed buildings by making alterations that will not change its contribution to the conservation area, but will improve its environmental sustainability.
- 7.12 For these reasons, and those given earlier, the proposed development is consistent with Camden’s Local Development Framework policies in particular Policy DP25.
- 7.13

8 Summary and conclusion

- 8.1 The proposed scheme is respectful and well-considered and takes its cue from the existing architectural composition of the building. The proposals will significantly enhance the environmental performance and therefore sustainability of the building.
- 8.2 The effect of the works on the heritage significance described earlier is therefore positive. The works will preserve the character and appearance of the conservation area and the setting of nearby listed buildings – the sylvan setting of the house will be retained and the key elements of the architectural style of the building will remain legible and appreciable.
- 8.3 For these reasons, the proposed scheme complies with the law, and national and local policy and guidance for listed buildings and conservation areas.

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