

**59b Oseney Crescent
London Borough of Camden
NW5 2BE**

Planning Design & Access and Heritage Statement

14th July 2015
Ref: 0521/07/2015

Executive summary

We have been commissioned collate a planning, design and access and heritage statement in advance of proposed development at 59b Oseney Crescent. It is proposed to convert the existing side return roof on the first floor rear elevation into a roof terrace. The roof faces away from the street and the wall of the side return visible from the street would not be modified. The existing roof of the rear extension would be removed, this constitutes a partial demolition of a non-listed asset in a Conservation Area.

This desk-based study planning, design & access and heritage issues and assesses the impact of the proposed scheme on designated and undesignated heritage assets on and within the immediate vicinity of the site.

It is considered that the proposal meets the requirements of national and local planning policy and advice, with particular reference to Camden Design Policies DP24 (Good Design), DP26 (Managing Impact) and Camden Planning Guidance 1 – Design Section5 (Ensuring the provision of amenity space).

In heritage terms, potential impacts considered by the report comprise:

- **Bartholomew Estate Conservation Area:** *Within which the site sits and which has potential for its character to be impacted upon by the proposed development.*
- **Removal of part of the roof of 59b Oseney Crescent:** *This element of the non-designated asset is considered to make a neutral contribution to the character of the area.*

There is one Listed Building and several locally listed properties within the vicinity of the site, although these are thought to not have any potential for impacts beyond those on the Conservation Area and only the latter is directly addressed here.

The proposed scheme is thought to have a neutral impact on the heritage significance of the designated asset and minimal impact on that of the non-designated asset. It is thought that the scheme represents a beneficial upgrading of the building and on balance represents a neutral impact on the asset overall. The proposal takes appropriate steps to preserve its significance.

The proposal is well designed, in context and sustainable. The presumption in favour of development as per the provisions of NPPF 2012 is claimed.

No further archaeological work is recommended in connection to the proposed development.



Fig 1 Site location

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Site Plan shows area bounded by: 529368.2893, 184932.2893 529509.7107, 185073.7107 (at original scale of 1:1250) The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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1 Introduction

1.1 Origin and scope of the report

- 1.1.1 We have been commissioned to produce a planning, design & access and heritage statement in advance of proposed development at 59b Oseney Crescent. It is proposed to convert the existing side return roof on the first floor rear elevation into a roof terrace. The roof faces away from the street and the wall of the side return visible from the street would not be materially modified.
- 1.1.2 The existing roof of the rear extension would be removed, this constitutes a partial demolition of a non-listed asset in a Conservation Area.
- 1.1.3 The roof terrace is proposed as timber decking, and would include 2 elements of glass roof light of circa 1 metre by 1 metre to increase the natural lighting on the landing between the ground and first floors, which is currently window-less.
- 1.1.4 This desk-based study assesses planning, design and access issues and the impact of the scheme on built heritage assets (standing buildings). It forms an initial stage of investigation of the area of proposed development (hereafter referred to as the 'site') and may be required in relation to the planning process in order that the local planning authority (LPA) can formulate an appropriate response in the light of the impact upon any known or possible heritage assets. These are parts of the historic environment which are considered to be significant because of their historic, evidential, aesthetic and/or communal interest.
- 1.1.5 The assessment has been carried out in accordance with the requirements of the National Planning Policy Framework (NPPF) (DCLG 2012, 2014; see section 10 of this report) and to standards specified by the Institute for Archaeologists (IfA Oct 2012/Nov 2012), English Heritage (2008, 2011), The Institute of Historic Building Conservation and the Greater London Archaeological Advisory Service (GLAAS 2014).
- 1.1.6 Note: within the limitations imposed by dealing with historical material and maps, the information in this document is, to the best knowledge of the author, correct at the time of writing. Further archaeological investigation, more information about the nature of the present building(s), and/or further proposals for redevelopment may require changes to all or parts of the document.

1.2 Aims and objectives

- 1.2.1 The aim of the assessment is to:
- Provide a justification for the proposals in planning terms
 - Consider the design and access implications of the proposal
 - identify the heritage assets or parts of heritage assets that may be affected by the proposals;
 - describe the significance of such assets, as required by national planning policy (see section 9 for planning framework and section 10 for methodology used to determine significance);
 - assess the likely impacts upon the significance of the assets arising from the proposals; and
 - provide recommendations for further assessment where necessary of the historic assets affected, and/or mitigation aimed at reducing or removing completely any adverse impacts upon built heritage assets and/or their setting.

2 Planning, Design and Access

2.1 Planning justification

- 2.1.1 This document is submitted in support of a full application which seeks planning permission for the creation of a roof terrace on the rear extension at 59B Oseney Crescent, London, NW5 2BE. The remainder of the flat will also be subject to internal refurbishment work, which will include the improvement of the energy efficiency of the property in particular in the rear extension, but these works will not require formal planning permission. The document will assess the proposal against national and local planning policy which will justify and support the development to which this application relates (See Section 8)
- 2.1.2 The site comprises a three storey residential terrace property currently arranged as two separate residential dwellings with a common entrance.
- 2.1.3 The property dates from the late 19th century (circa 1873), built of brick and slate with details in stucco. It has white timber framed sash windows and period features including a front portico and ornate windows etc. The details and uniform proportions are replicated along the terrace.
- 2.1.4 The property faces directly onto Oseney Crescent, effectively to the north. It has a small front garden, and approximately 10m of rear garden surrounded by fences. This space is only accessible by the lower flat; 59A.
- 2.1.5 The property and its five neighbouring properties are residential houses of a similar size and scale. They have been extended to the rear through one or two storey rear extension of significant depth, four of them covered with pitched roofs and two of them with flat roofs.
- 2.1.6 The application site is located within a residential area a short distance from Kentish Town road and from other services and facilities.

2.2 Design

AMOUNT OF DEVELOPMENT

- 2.2.1 Planning permission is sought for the creation of a roof terrace on an existing rear extension. The proposed terrace would have a footprint of approx. 15m².

LAYOUT

- 2.2.2 The proposed terrace would be a decked area over an existing rear extension, in replacement of the current roof, accessed via a replacement door from landing level between the first and second floors. The terrace would not be materially visible from the street as the terrace is facing away from the street and the existing external of the rear extension wall at the southern boundary will be retained to limit its visibility and to prevent overlooking arising to surrounding windows and gardens. A few rows of reclaimed bricks and coping stones will be added on the southern and eastern boundaries of the terrace to create a small parapet, further preventing overlooking.

SCALE

- 2.2.3 The proposed scale of development is small and related to human proportions, in keeping with the town house scale of the building.

APPEARANCE

- 2.2.4 The proposed terrace has been designed as a discreet transformation of the roof, with minimal visual impact from the public realm. The enclosure to the terrace on two sides would comprise a black painted steel handrail in keeping with the Victorian style of the building and a few rows of reclaimed bricks and coping stones to create a small parapet.

SUSTAINABILITY

- 2.2.5 The site is in a sustainable location, near to shops, services and public transport. The proposed development will respect the character of the conservation area and internal works will be carried out to the highest standard of finish and performance. The works overall will greatly improve the energy efficiency of No59b and improve the liveability of the dwelling. It is considered that the proposal is sustainable in the terms of the NPPF (see below) and a presumption in favour of the development should apply.

2.3 Access and Accessibility

- 2.3.1 The front door of the existing house does not have level access and no works to this part of the house are proposed. The proposed terrace would be reached through a replacement door at the level of the landing between the first and second floors. All those able to manage the existing stairs would be able to access the terrace area.

2.4 Amenity

- 2.4.1 Amenity needs to be considered in terms of the area, neighbouring property and the application property itself.
- 2.4.2 In terms of the area in general, the impact on public amenity is restricted to considerations of aesthetics. The site will not be materially visible from anywhere in the local public realm. It is therefore considered that the impact will be negligible.
- 2.4.3 The terrace is designed to minimise any impact of overlooking and it will be no higher than the existing pitched roof and ridge parapet, therefore will not overbear in either direction. The handrail will be set back by 0.3 meter from the edge of a small parapet wall to reduce overlooking. Planting along the handrail and the retention of the end half-gable wall will further minimise any opportunity for inadvertent overlooking.
- 2.4.4 There is no evidence that roof terraces create any more noise or disturbance than any other piece of residential outdoor space. The size of this one would preclude all but a modest number of people at any one time, and the weather precludes year-round use of any such facility.
- 2.4.5 In terms of the property itself, local policy (see section 8 below) and the Mayor's housing standards advice ('Parker Morris Plus') seek to achieve amenity space to a level for all dwellings, in pursuit of health and well-being; the Mayor's advice sets a minimum recommended outdoor space of 5sqm for an apartment.
- 2.4.6 There is no doubt that the addition of outdoor space will render the property more amenable for the inhabitants and better facilitate the use of the apartment as a family dwelling. Clearly area and neighbour amenity needs to be respected, but it is considered that this modest proposal will represent a reasonable balance.

3 Commentary on Policy

3.1 Policy Framework

- 3.1.1 Please see Section 9 for a selection of the relevant policies.
- 3.1.2 There are 2 principle aspects: Planning, mostly to do with amenity and detailed design; and impact on heritage asset(s).
- 3.1.3 We consider that the proposal meets fully the requirements of Camden Development Policy DP24 *Securing high quality design* especially paras. a) character, setting, context and the form and scale of neighbouring buildings; b) the character and proportions of the existing building; c) the quality of materials to be used; and h) the provision of appropriate amenity space.
- 3.1.4 There will be no material impact on amenity in terms of the public realm; views and/or vistas.
- 3.1.5 The proposal complies with the requirements of Policy DP26 - *Managing the impact of development on occupiers and neighbours* especially the factors of paras. a) visual privacy and overlooking; b) overshadowing and outlook; c) sunlight, daylight and artificial light levels; g) the inclusion of appropriate attenuation measures; h) an acceptable standard of accommodation in terms of amenity space; and k) outdoor space for private or communal amenity space, wherever practical.
- 3.1.6 The amenity space has been designed to limit noise and disturbance of other occupiers not to unacceptably reduce the privacy of other occupiers and neighbours as per para 26.12.
- 3.1.7 The element of the rear elevation to be removed makes no palpable contribution to the character of the CA and therefore there should be no general presumption in its retention, nor any resistance to its replacement.
- 3.1.8 The roof and structure itself is largely late C20th and therefore there is no issue with its removal on heritage fabric grounds.
- 3.1.9 The scheme would go ahead as one contract should it be approved therefore there will be no gap between the removal of the roof and the implementation of the replacement terrace, thereby ensuring the integrity of the remainder of the structure.

4 Heritage Statement

4.1 Area Development

- 4.1.1 Oseney Crescent is within the Bartholomew Estate Conservation Area (CA).
- 4.1.2 An appraisal and statement for the Bartholomew Estate Conservation Area was prepared by LBC and adopted in 2000 (CA Statement). This concluded that the area in general was built over a relatively short period of time, commencing in the 1850s, for the Christchurch Estate (Oxford), managed by one Mr Philip Hardwicke. In character terms, the area has retained much of its integrity; the strong historic freehold has, it is thought, helped in this regard.
- 4.1.3 The prevailing character of the area is residential, with unity of scale and materials, frontages set back defined garden areas and stepped accesses. There is one listed building – Church of St Luke with St Paul (Grade II, 1867 – 1869, by Basil Champneys), several locally listed buildings and an Archaeological Priority Area to the west of the CA.
- 4.1.4 Oseney Crescent is in ‘sub-area 1’ of the CA; the part of the group in which the site lies was the last part of the estate to be built (circa 1873). The CA Statement states that Oseney Crescent contrasts with the formal grid pattern of the remainder of the CA; the northern part (opposite the application site) was partly destroyed in the Blitz and then redeveloped post-war (hence being omitted from the CA). The overall scale is 3 storeys; the main visual focus of this part of the CA is the Church. There is no public open space and there are few street trees. Rear gardens tend to be limited. Views of the rear of the crescent are, for the most part, not available from the public realm.
- 4.1.5 The terrace south of the northern ‘arm’ of the crescent, including 59, was subject to general blast damage at the same time as the northern part was hit, but the buildings were capable of repair, and indeed were restored.
- 4.1.6 During the 1970s and 1980s the area was under pressure for conversion of the 3 storey elements into flats and apartments (as at No. 59). This, according to the CA Statement, has in turn lead to a number of other development pressures, including roof extensions, changes to profiles and rear/side extensions.

4.2 The site

- 4.2.1 The building is a three storey residential terrace property currently arranged as two separate residential dwellings with a common entrance.
- 4.2.2 Although the terrace including 59B is not locally listed it is identified in the CA statement at pages 18 & 19 as making a ‘*positive contribution*’ to character.
- 4.2.3 The application site comprises the existing roof area of an earlier rear extension, part of the upper apartment of the 2 dwellings, No 59b.
- 4.2.4 The original dwelling was subdivided in 1974 (see Figs 1 & 2). The roof to be removed was substantially replaced during conversion works in the 1970s and as such it is not considered that there will be any impact on heritage fabric.

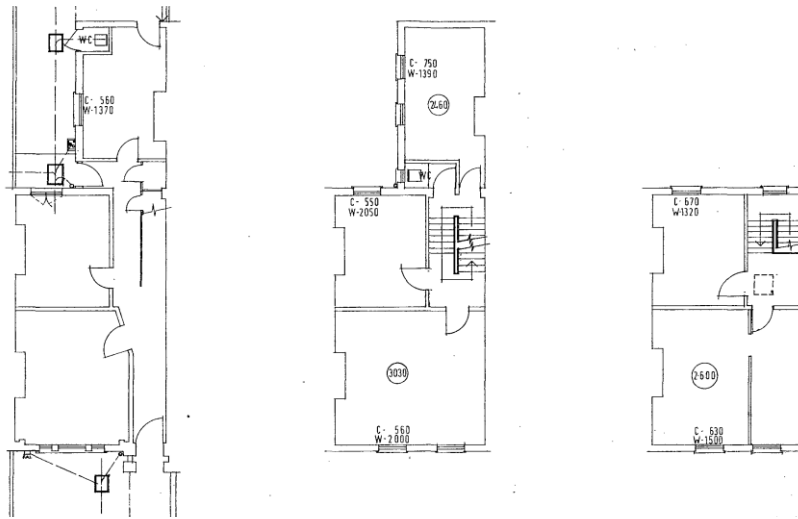


Fig 2 Original floor plans courtesy of LBC website - Not to scale

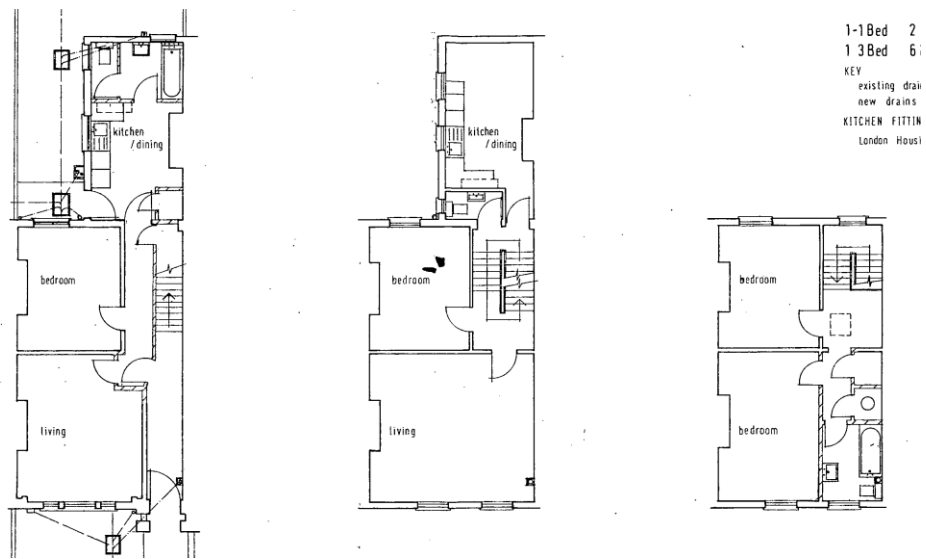


Fig 3 Conversion scheme 1974 courtesy of LBC website - Not to scale

Interior

- 4.2.5 Internal alterations are proposed in tandem with the terrace; these do not require planning consent and are therefore not described.

Exterior

- 4.2.6 Proposals are described below. The impact on the public view of the building will be minimal.

Planning

- 4.2.7 The only planning history for the site itself is the 1974 conversion approval (See below).
- 4.2.8 In the recent past there has been approval for loft conversion at No 43 (2015), extensions to the rear and works to the roofs various other properties in the vicinity.

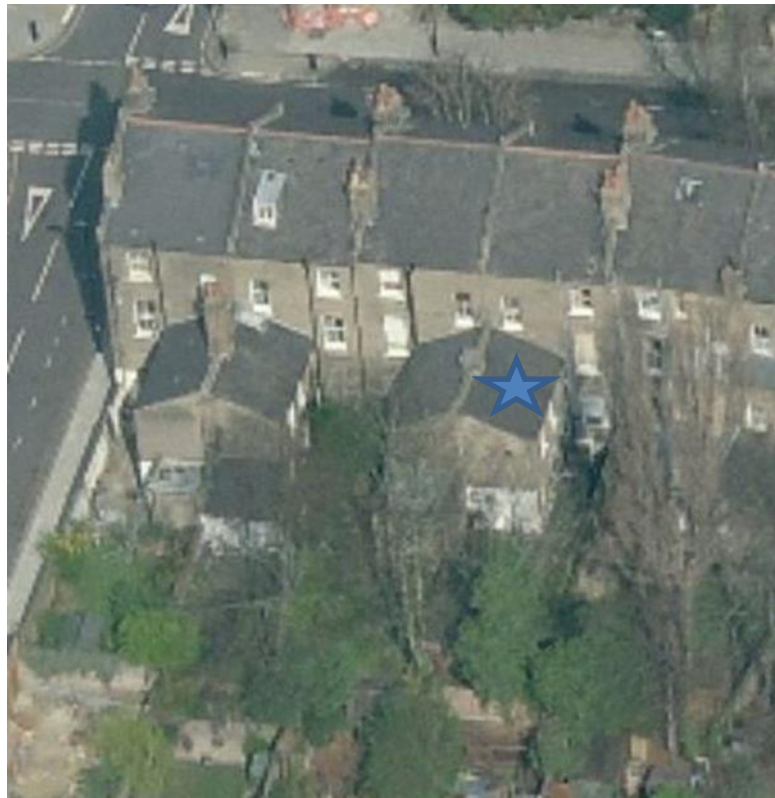


Fig 4 – Rear view (from south) supplied by applicant 2015

4.3 Heritage assets

Conservation Area

The site lies within the Bartholomew Estate Conservation Area.

Nearby listed buildings

- 4.3.1 The site is within the vicinity of a one listed building and number of other designated and undesignated heritage assets. However, there are thought to be no specific potential impacts on these assets beyond very limited effects on CA. Accordingly, only the latter will be assessed.

5 Significance

5.1 Statement of significance (see Section 10)

- 5.1.1 A Conservation area is of **high significance** as a heritage asset, but not all parts of an area are as significant as others.
- 5.1.2 A modern element (the roof to be removed) of a non-designated asset within a CA is considered, in itself, to be of **negligible significance**.
- 5.1.3 The CA Statement identifies the importance of views from the public realm; the proposed development will not be materially visible from general view. It is considered that there will be no impact on significance of the asset.
- 5.1.4 The area's historic significance will not be affected.
- 5.1.5 The area's aesthetic values will not be challenged and therefore significance will remain unaffected.
- 5.1.6 The communal value of the asset is the fact that the Conservation Area expresses a community history in its fabric and function. The development will not impact on this.
- 5.1.7 It is considered overall that the impact on significance will be neutral.
- 5.1.8 The physical impact of demolition on the significance of the non-designated asset will be minimal. The benefit to the occupants of the dwelling of it being more fit for purpose, a community benefit in its own right, will be in the positive. It is suggested that the overall impact will be **neutral** at worst; more likely a **minor positive**.

6 Proposed Development

6.1 Proposed development

- 6.1.1 The proposed development is shown on Messrs 2020 Design and Build Ltd plans submitted with the application.
- 6.1.2 It comprises the removal of part of the roof of the rear extension and the creation of a roof terrace in its place. (See Fig 4)
- 6.1.3 The proposed roof terrace has been designed in careful detail to avoid causing any impact on adjoining or adjacent properties.
- 6.1.4 The terrace is modest in size, commensurate with that of the accommodation it is to serve, thereby allowing use by a limited number of people at one time and thereby minimising any noise or disturbance. Setting back the handrail 0.3 meter from the edge of a small parapet wall, planting along the handrail and the retention of the end half-gable wall will minimise any opportunity for inadvertent overlooking.
- 6.1.5 The side return will create a space away from the street and largely invisible from the public realm.
- 6.1.6 The balustrade for the terrace has been devised as a black painted steel handrail in keeping with the Victorian style. Planting will obviate overlooking whilst not stopping any light towards the host property or adjacent ones.
- 6.1.7 The access to the terrace will be by the way of a door located on the landing between the first and second floor. The door will replace an existing sash window, with three of the four sides of the door coinciding with the existing sash. The door will be made of glass and wood, in the style of the sash window it will replace. The bottom half of the door will be hidden from view by the roof of the side return; the presence of a door will not be discernible from the public realm.
- 6.1.8 The proposed development seeks to maximize the use of the historical property and uprate it to contemporary standards.

6.2 Planning history

- 6.2.1 The planning history (as relevant to the current application) for the building, as available through the LBC website, is confined to the original consent for conversion (LPA ref: 18952 dated 13th June 1974).
- 6.2.2 There have been alterations and extensions approved between 1974 and the present at Nos. 43 (in 2015), 33D, 33B, 32, 57B, 37, 41, 57 & 59 Oseney Crescent.

7 Impact of Proposed Development

7.1 Scheme Overall

- 7.1.1 Overall, the proposed scheme is thought to have a neutral impact on the heritage significance of the CA and the building as assets. Whereas the removal of the roof element is considered to be of minimal impact on significance, the improved usability is a benefit and overall is neutral at worst; at best, minor positive.
- 7.1.2 The scheme is considered to constitute a beneficial upgrading of the building; appropriate steps have been taken to preserve the significance of designated and undesignated assets.

8 Conclusions and Recommendations

8.1 Conclusions

- 8.1.1 This desk-based study identifies planning, design & access and heritage issues and assesses the impact of the proposed scheme on designated and undesignated heritage assets on and within the immediate vicinity of the site.
- 8.1.2 It is considered that the proposal *inter alia* meets the requirements of national and local planning policy and advice, with particular reference to the NPPF 2012, Camden Design Policies DP24 (Good Design), DP26 (Managing Impact) and Camden Planning Guidance 1 – Design Section 5 (Ensuring the provision of amenity space).
- 8.1.3 In heritage terms, potential impacts considered by the report comprise:
Bartholomew Estate Conservation Area: Within which the site sits and which has potential for its character to be impacted upon by the proposed development.
Removal of part of the roof of 59b Oseney Crescent: This element of the non-designated asset is considered to make a neutral contribution to the character of the area.
- 8.1.4 There is one Listed Building and several locally listed properties within the vicinity of the site, although these are thought to not have any potential for impacts beyond those on the Conservation Area.
- 8.1.5 The proposed scheme is thought to have a neutral impact on the heritage significance of the designated asset and minimal impact on that of the non-designated asset.
- 8.1.6 It is considered that the scheme represents a beneficial upgrading of the building and on balance represents a neutral impact on the asset overall. The proposal takes appropriate steps to preserve its significance.
- 8.1.7 There will be minimum visual or other impact attendant upon the development.
- 8.1.8 The proposal is well designed, in context and sustainable. The presumption in favour of development as per the provisions of NPPF 2012 is claimed.
- 8.1.9 No further archaeological work is justified in connection to the proposed development.

8.2 Recommendations

- 8.2.1 That the development be approved.
- 8.2.2 No further archaeological or recording work is recommended.

9 Planning framework

9.1 Statutory protection

Listed Buildings and Conservation Areas

- 9.1.1 The *Planning (Listed Buildings and Conservation Areas) Act 1990* sets out the legal requirements for the control of development and alterations which affect buildings, including those which are listed or in conservation areas. Buildings which are listed or which lie within a conservation area are protected by law. Grade I are buildings of exceptional interest. Grade II* are particularly significant buildings of more than special interest. Grade II are buildings of special interest, which warrant every effort being made to preserve them.

9.2 National Planning Policy Framework

- 9.2.1 The Government issued the National Planning Policy Framework (NPPF) in March 2012 (DCLG 2012) and supporting Planning Practice Guidance in 2014 (DCLG 2014). One of the 12 core principles that underpin both plan-making and decision-taking within the framework is to 'conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations' (DCLG 2012 para 17). It recognises that heritage assets are an irreplaceable resource (para 126), and requires the significance of heritage assets to be considered in the planning process, whether designated or not. The contribution of setting to asset significance needs to be taken into account (para 128). The NPPF encourages early engagement (i.e. pre-application) as this has significant potential to improve the efficiency and effectiveness of a planning application and can lead to better outcomes for the local community (para 188).

- 9.2.2 NPPF Section 12: Conserving and enhancing the historic environment, is produced in full below:

Para 126. Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. In developing this strategy, local planning authorities should take into account:

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

Para 127. When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.

Para 128. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Para 129. Local planning authorities should 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.

Para 130. Where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision.

Para 131. 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.

Para 132: 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. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

Para 133. 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.

Para 134. 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.

Para 135. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. 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.

Para 136. Local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.

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

Para 138. 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.

Para 139. Non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.

Para 140. Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

Para 141. Local planning authorities should make information about the significance of the historic environment gathered as part of plan-making or development management publicly accessible. They should also require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

9.3 Greater London regional policy

The London Plan

9.3.1 The overarching strategies and policies for the whole of the Greater London area are contained within the London Plan of the Greater London Authority (GLA July 2011). Policy 7.8 relates to Heritage Assets and Archaeology:

A. 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 sustaining and enhancing their significance and of utilising their positive role in place shaping can be taken into account.

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

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

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

E. New development should make provision for the protection of archaeological resources, landscapes and significant memorials. The physical assets should, where possible, be made available to the public on-site. Where the archaeological asset or memorial cannot be preserved or managed on-site, provision must be made for the investigation, understanding, recording, dissemination and archiving of that asset.

F. Boroughs should, in LDF policies, seek to maintain and enhance the contribution of built, landscaped and buried heritage to London's environmental quality, cultural identity and economy as part of managing London's ability to accommodate change and regeneration.

G. Boroughs, in consultation with English Heritage, Natural England and other relevant statutory organisations, should include appropriate policies in their LDFs for identifying, protecting, enhancing and improving access to the historic environment and heritage assets and their settings where appropriate, and to archaeological assets, memorials and historic and natural landscape character within their area.

9.3.2 As part of the *Revised Early Minor Alterations to the London Plan* (GLA Oct 2013), amended paragraph 7.31 supporting Policy 7.8 'Heritage Assets and Archaeology' adds 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. Enabling development that would otherwise conflict with planning policies, but which would secure the future conservation of a heritage asset should be assessed to see if the benefits of departing from those policies outweigh the disbenefits.' It further adds 'Where there is evidence of deliberate neglect of and or damage to a heritage asset the deteriorated state of that asset should not be taken into account when making a decision on a development proposal'. The Draft Further Alterations to the London Plan (GLA Jan 2014), incorporate the changes made to paragraph 7.31 but add no further revisions to the elements of the London Plan relating to archaeology and heritage.

9.4 Local planning policy

9.4.1 Following the Planning and Compulsory Purchase Act 2004, Planning Authorities have replaced their Unitary Development Plans, Local Plans and Supplementary Planning Guidance with a new system of Local Development Frameworks (LDFs). UDP policies are either 'saved' or 'deleted'. In most cases archaeology policies are likely to be 'saved' because there have been no significant changes in legislation or advice at a national level.

9.4.2 The Draft Camden Local Plan 2015 is being prepared but has some weight for decision making purposes.

9.4.3 Paragraph 7.43 on refers to Demolition in Conservation Areas, thus:

The Council has a general presumption in favour of retaining buildings that make a positive contribution to the character or appearance of a conservation area, whether they are listed or not, so as to preserve the character and appearance of the conservation area. The Council will resist the total or substantial demolition of buildings which make a positive contribution to a conservation area unless circumstances are shown that outweigh the case for retention. Applicants will be required to justify the demolition of a building that makes a positive contribution to a conservation area, having regard to the National Planning Policy Framework, Camden's conservation area statements, appraisals and management plans and any other relevant supplementary guidance produced by the Council.

9.4.4 Paragraph 7.44 goes on:

When considering applications for demolition, the Council will take account of group value, context and setting of buildings, as well as their quality as individual structures and any contribution to the setting of listed buildings. Applications must clearly show which buildings or parts of buildings are to be demolished.

9.4.5 Paragraph 7.45 states that:

Applications for total or substantial demolition in conservation areas must demonstrate to the Council's satisfaction that effective measures will be taken during demolition and building works to ensure structural stability of retained parts and adjoining structures. Before conservation area consent for demolition is granted, the Council must be satisfied that there are acceptable detailed plans for the redevelopment.

9.4.6 Until the Local Plan is finalised (currently in consultation) Camden Development Policies (2010) are the prevailing development control policy basis, refining the Core Strategy

9.4.7 The Camden Core Strategy was approved in 2010 for the period 2010-20125.

9.4.8 Policy document 'Camden Development Policies (2010)' seeks to refine the Core Strategy notably in this case:

Policy DP24 - Securing high quality design

The Council will require all developments, including alterations and extensions to existing buildings, to be of the highest standard of design and will expect developments to consider:

- a) character, setting, context and the form and scale of neighbouring buildings;*
- b) The character and proportions of the existing building, where alterations and extensions are proposed;*
- c) the quality of materials to be used;*
- d) the provision of visually interesting frontages at street level;*
- e) the appropriate location for building services equipment;*
- f) existing natural features, such as topography and trees;*
- g) the provision of appropriate hard and soft landscaping including boundary treatments;*
- h) the provision of appropriate amenity space; and*
- i) accessibility.*

9.4.9 Paragraph 24.7 states that:

Development should consider:

- The character and constraints of its site;*

- the prevailing pattern, density and scale of surrounding development;
- the impact on existing rhythms, symmetries and uniformities in the townscape;
- the compatibility of materials, their quality, texture, tone and colour;
- the composition of elevations;
- the suitability of the proposed design to its intended use;
- its contribution to public realm, and its impact on views and vistas; and
- the wider historic environment and buildings, spaces and features of local historic value.

9.4.10 Paragraph 24.23 states that:

Private outdoor amenity space can add significantly to resident's quality of life and applicants are therefore encouraged to explore all options for the provision of new private outdoor space. Gardens, balconies and roof terraces are greatly valued and can be especially important for families. However, the densely built up nature of the borough means that the provision of private amenity space can be challenging, and the Council will require that the residential amenity of neighbours be preserved, in accordance with policy DP26 - Managing the impact of development on occupiers and neighbours and Core Strategy policy CS5 - Managing the impact of growth and development.

9.4.11 Policy DP26 - Managing the impact of development on occupiers and neighbours states:

The Council will protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity. The factors we will consider include:

- a) visual privacy and overlooking;*
- b) overshadowing and outlook;*
- c) sunlight, daylight and artificial light levels;*
- d) noise and vibration levels;*
- e) odour, fumes and dust;*
- f) microclimate;*
- g) the inclusion of appropriate attenuation measures.*

We will also require developments to provide:

- h) an acceptable standard of accommodation in terms of internal arrangements, dwelling and room sizes and amenity space;*
- i) facilities for the storage, recycling and disposal of waste;*
- j) facilities for bicycle storage; and*
- k) outdoor space for private or communal amenity space, wherever practical.*

9.4.12 Paragraph 26.12 referring to amenity space states:

Outdoor amenity space provides an important resource for residents, which is particularly important in Camden given the borough's dense urban environment. It can include private provision such as gardens, courtyards and balconies, as well as communal gardens and roof terraces. The Council will expect the provision of gardens in appropriate developments, and particularly in schemes providing larger homes suitable for families. However, we recognise that in many parts of the borough this will not be realistic or appropriate. In these locations, the provision of alternative outdoor amenity space, for example, balconies, roof gardens or communal space will be expected. These amenity spaces should be designed to limit noise and disturbance of other occupiers and so not to unacceptably reduce the privacy of other occupiers and neighbours.

9.4.13 It should be noted that there is a specific policy relating to basements and light wells, but not to terraces or roof gardens.

9.4.14 Referring to design, however, the document 'Camden Planning Guidance 1, Design' in section 5 refers to roofs, terraces and balconies thus:

(5.23) Balconies and terraces can provide valuable amenity space for flats that would otherwise have little or no private exterior space. However, they can also cause nuisance to neighbours. Potential problems include overlooking and privacy, daylight, noise, light spillage and security.

Consideration should therefore be given to the following:

- detailed design to reduce the impact on the existing elevation;*
- careful choice of materials and colour to match the existing elevation;*
- possible use of setbacks to minimise overlooking – a balcony need not necessarily cover the entire available roof space;*
- possible use of screens or planting to prevent overlooking of habitable rooms or nearby gardens, without reducing daylight and sunlight or outlook; and*
- need to avoid creating climbing opportunities for burglars.*

10 Determining significance

10.1.1 'Significance' lies in the value of a heritage asset to this and future generations because of its heritage interest, which may be archaeological, architectural, artistic or historic. Archaeological interest includes an interest in carrying out an expert investigation at some point in the future into the evidence a heritage asset may hold of past human activity, and may apply to standing buildings or structures as well as buried remains. Known and potential heritage assets within the site and its vicinity have been identified from national and local designations, HER data and expert opinion. The determination of the significance of these assets is based on statutory designation and/or professional judgement against four values (EH 2008):

- *Evidential value*: the potential of the physical remains to yield evidence of past human activity. This might take into account date; rarity; state of preservation; diversity/complexity; contribution to published priorities; supporting documentation; collective value and comparative potential.
- *Aesthetic value*: this derives from the ways in which people draw sensory and intellectual stimulation from the heritage asset, taking into account what other people have said or written;
- *Historical value*: the ways in which past people, events and aspects of life can be connected through heritage asset to the present, such a connection often being illustrative or associative;
- *Communal value*: this derives from the meanings of a heritage asset for the people who know about it, or for whom it figures in their collective experience or memory; communal values are closely bound up with historical, particularly associative, and aesthetic values, along with and educational, social or economic values.

10.1.2 Table 1 gives examples of the significance of designated and non-designated heritage assets.

Table 1: Significance of heritage assets

Heritage asset description	Significance
World heritage sites Scheduled monuments Grade I and II* listed buildings English Heritage Grade I and II* registered parks and gardens Protected Wrecks Heritage assets of national importance	Very high (International/ national)
English Heritage Grade II registered parks and gardens Conservation areas Designated historic battlefields Grade II listed buildings Burial grounds Protected heritage landscapes (e.g. ancient woodland or historic hedgerows) Heritage assets of regional or county importance	High (national/ regional/ county)
Heritage assets with a district value or interest for education or cultural appreciation Locally listed buildings	Medium (District)
Heritage assets with a local (i.e. parish) value or interest for education or cultural appreciation	Low (Local)
Historic environment resource with no significant value or interest	Negligible
Heritage assets that have a clear potential, but for which current knowledge is insufficient to allow significance to be determined	Uncertain

Report prepared by Mark Strawbridge MRTPI IHBC AfA with information provided by the clients, on behalf of **KT Planning Ltd** ©

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