



Planning • Heritage
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Heritage Statement

59 Maresfield Gardens

Hampstead

London

NW3 5TE

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59 MARESFIELD GARDENS, HAMPSTEAD

1.0 INTRODUCTION

This report has been prepared by CgMs on behalf of Ms Stefanie Drews and LOM Architecture and Design. It considers proposals to demolish and erect a residential property on the site of 59 Maresfield Gardens in Hampstead, north London.

59 Maresfield Gardens is located in the London Borough of Camden, 1.5 km to the south of Hampstead Heath, in the sloping and largely residential area to the south of Hampstead, between Finchley Road (A41) to the west and Fitzjohn's Avenue (B511) to the east. The building forms the northern most dwelling in a terrace of three properties that were designed and built on vacant land in c.1955. The terrace occupies a sunken site on the western side of Maresfield Gardens, with both the ground floor of the existing building and garden level approximately one storey below street level. The two southern most dwellings in the terrace are owned and occupied as one building.

Although the property is unlisted and therefore not considered a heritage asset at either a local or national level, it falls within the central western portion of the Fitzjohns and Netherhall Conservation Area (first designated as such in 1984 and was subsequently extended in 1988, 1991 and again in 2001).

The terrace is considered to be at odds with the general character and appearance of the Conservation Area, which is dominated by large semi-detached or detached houses with generous gardens, as well as a number of modern individual villas. The Fitzjohns and Netherhall Conservation Area Statement SPD (2001) describes the three properties as being *"a mid 1950s two storey terrace, on a sunken site that has little relationship with the surrounding area"*.

Any proposals intended for the study site therefore have the potential to impact upon the character and appearance of the aforementioned Conservation Area and remain within the remit of Camden Council when considering applications for consent.

The site has been subject to a number of applications for redevelopment in recent years to provide a single family dwelling. The most significant of these were submitted in 2012 (ref: 2012/6795/P) and 2013 (ref: 2013/7897/P).

- Application 2012/6795/P was for the demolition and replacement of the existing dwelling on site with a four bedroom house with a double basement, lower ground, ground and first floors. The application was initially refused by the Council, but was allowed on appeal on 20th October 2015.

- Application 2013/7987/P was for a smaller dwelling replacement dwelling comprised of three storeys plus basement. At planning committee on the 6th November 2014 the application was given a resolution to grant.

It is apparent from the previous applications that the Council has no objection the principle of a replacement dwelling on site, but is concerned at the scale of the basements and the building work required in terms of effects on the area, and the amenities of nearby residents. Though it was allowed on appeal, the Council considered the 2012 application to be overdevelopment, whilst the impact of the 2013 application was considered to be acceptable at planning committee.

Fundamentally, these decisions confirm that the Council does not consider the loss and replacement of the building itself to be harmful to the significance of the Conservation Area.

The proposals outlined as part of this document and associated application, therefore seek to follow on from the above, the aim being the demolition and erection of a new revised high quality dwelling on the site of number 59 Maresfield Gardens.

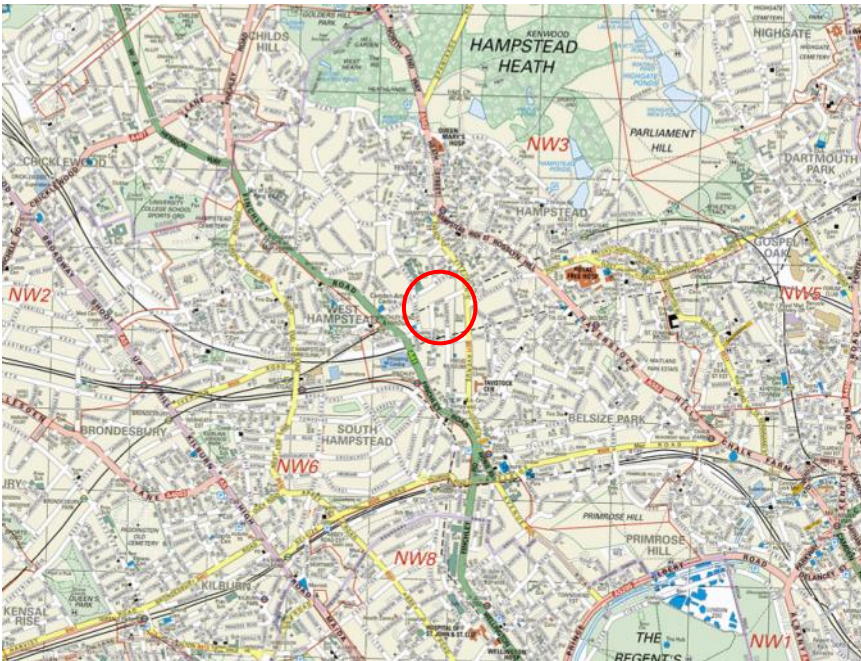


Figure 1: Site location marked in red. NTS. Source: OS Mapping (2013).



Figure 2: Site location marked in red. NTS. Source: LOM Architecture and Design (2015).



Figure 3: View of 59 Maresfield Gardens from street level. Source: Site visit (29.11.2013)

1.0 INTRODUCTION

In the interest of providing a replacement dwelling of the highest quality design that will meet the needs of the applicant's family and have an acceptable impact on the amenity of neighbouring dwellings, the applicant now submits an application that expands on the 2013 scheme but does not develop to the site to the extent consented under the 2012 proposal.

The scheme proposed is for a sunken, high quality, four bedroomed dwelling on lower basement, upper basement, lower ground, ground and first floor levels. This would be contained within the existing building footprint and all above ground massing and appearance remains substantially the same as the previous scheme (Ref: 2013/7897/P), with the physical and visual break between existing and new buildings providing a transition between existing and contemporary architectural styles. Established building lines are maintained and importantly the height of the proposed building adheres to the ridge height of the existing terrace.

As set out in the Design & Access Statement, the latest proposal represents a middle ground between the two previous applications, with the basement reduced from that approved under application 2012/6795/P but larger than 2013/7897/P, which has a resolution to grant. Further detail on the revised design can be found in the accompanying Design and Access Statement.

In support of these proposals, this document presents a summary of the relevant legislative framework and planning policy at both national and local levels, with particular reference to policies that relate to proposals within Conservation Areas. A historical and architectural appraisal of the significance of the study site and surroundings has informed an assessment of the impact of the proposals in order to assist those involved in considering these applications, specifically with regard to aspects concerning consent requirements for demolition and development in Conservation Areas.

N.B this Heritage Statement should be read in conjunction with all documentation supplied as part of the wider application.

2.0 LEGISLATIVE AND PLANNING POLICY FRAMEWORK

2.1 LEGISLATION, NATIONAL PLANNING POLICY AND GUIDANCE

The current policy regime identifies, through the National Planning Policy Framework (NPPF), that applications should consider the potential impact of development on Heritage Assets. This term includes both designated heritage assets, which possess a statutory designation (for example listed buildings, conservation areas, and registered parks and gardens), as well as undesignated heritage assets.

Legislation

Legislation regarding buildings and areas of special architectural and historic interest is contained within the Planning (Listed Buildings and Conservation Areas) Act 1990.

The relevant legislation in this case extends from Section 16 of the 1990 Act which states that in considering applications for listed building consent, the local planning authority shall have special regard to the desirability of preserving the Listed Building or its setting or any features of special architectural or historic interest which it possesses.

Section 66 further states that special regard must be given by the authority in the exercise of planning functions to the desirability of preserving or enhancing Listed Buildings and their setting.

According to Section 69 of the Act a Conservation Area (CA) is an “area of special architectural or historic interest the character and the appearance of which is desirable to preserve or enhance”. It is the duty of Local Authorities to designate such areas and to use their legal powers to safeguard and enhance the special qualities of these areas within the framework of controlled and positive management of change.

Further to this Section 72 of the 1990 Act states that in exercising all planning functions, local planning authorities must have special regard to the desirability of preserving or enhancing the character and appearance of Conservation Areas. Further provisions are detailed in Section 74 of the Act.

National Planning Policy

National Planning Policy Framework (NPPF), (March 2012)

The National Planning Policy Framework (NPPF) was published on 27 March 2012 and sets out the Government’s planning policies for England and how these are expected to be applied. It has purposefully been created to provide a framework within which local people and Local Planning Authorities (LPAs) can produce their own distinctive Local and Neighbourhood Plans which reflect the needs and priorities of their communities.

When determining Planning Applications the NPPF directs LPAs to apply the approach of presumption in favour of sustainable development; the ‘golden thread’ which is expected to run through the plan-making and decision-taking activities. It should be noted however, that this is expected to apply except where this conflicts with other policies combined within the NPPF, inclusive of those covering the protection of designated heritage assets, as set out in paragraph 14 of the NPPF.

Within section 7 of the NPPF, ‘Requiring Good Design’, Paragraphs 56 to 68, reinforce the importance of good design in achieving sustainable development by ensuring the creation of inclusive and high quality places. This section of the NPPF affirms, in paragraph 58, the need for new design to function well and add to the quality of the area in which it is built; establish a strong sense of place; and respond to local character and history, reflecting the built identity of the surrounding area.

Section 12, ‘Conserving and Enhancing the Historic Environment’, Paragraphs 126-141, relate to developments that have an effect upon the historic environment. These paragraphs provide the guidance to which local authorities need to refer when setting out a strategy for the conservation and enjoyment of the historic environment in their Local Plans. This should be a positive strategy for the conservation and enjoyment of the historic environment and should include heritage assets which are most at risk through neglect, decay or other threats. It is also noted that heritage assets should be conserved in a manner appropriate to their significance. The NPPF further provides definitions of terms which relate to the historic environment in order to clarify the policy guidance given. For the purposes of this report, the following are important to note:

- Heritage asset. This is ‘a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions’. These include designated heritage assets and assets identified by the local planning authority.

- Significance. The value of a heritage asset to this and future generations because of its heritage interest. This interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting.

The NPPF advises local authorities to take into account the following points when drawing up strategies for the conservation and enjoyment of the historic environment. These considerations should be taken into account when determining planning applications:

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

Paragraph 126 of the NPPF states that 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.

In order to determine applications for development, Paragraph 128 of the NPPF states that LPAs should require applicants to describe the significance of the heritage assets affected and the contribution made by their setting. Adding that the level of detail provided should be proportionate to the significance of the asset and sufficient to understand the impact of the proposal on this significance.

According to Paragraph 129, LPAs should also identify and assess the significance of a heritage asset that may be affected by a proposal and should take this assessment into account when considering the impact upon the heritage asset.

Paragraph 130 adds that 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.

2.1 LEGISLATION, NATIONAL PLANNING POLICY AND GUIDANCE

Paragraphs 132 to 136 consider the impact of a proposed development upon the significance of a heritage asset. Paragraph 132 emphasises that when a new development is proposed, great weight should be given to the asset's conservation and that the more important the asset, the greater this weight should be. It is noted within this paragraph that significance can be harmed or lost through the alteration or destruction of the heritage asset or by development within its setting.

Paragraph 134 advises that where a development will cause less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Paragraph 135 notes that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. Adding, 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.

Paragraph 136 stipulates that 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.

In addition, Paragraph 137 notes that 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. Adding, 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.

Paragraph 138 importantly clarifies that not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. Adding, 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.

The NPPF therefore continues the philosophy of that upheld in PPS5 in moving away from narrow or prescriptive attitudes towards development within the historic environment, towards intelligent, imaginative and sustainable approaches to managing change. English Heritage defined this new approach, now reflected in the NPPF, as 'constructive conservation'. This is defined as 'a positive and collaborative approach to conservation that focuses on actively managing change...the aim is to recognise and reinforce the historic significance of places, while accommodating the changes necessary to ensure their continued use and enjoyment.' (Constructive Conservation in Practice, English Heritage, 2009).

National Guidance

National Planning Practice Guidance, (NPPG), (2014)

This guidance has recently been adopted in order to support the NPPF. It reiterates that conservation of heritage assets in a manner appropriate to their significance is a core planning principle.

It also states, conservation is an active process of maintenance and managing change, requiring a flexible and thoughtful approach. Furthermore, it highlights that neglect and decay of heritage assets is best addressed through ensuring they remain in active use that is consistent with their conservation.

Importantly, the guidance states that if complete, or partial loss of a heritage asset is justified, the aim should then be to capture and record the evidence of the asset's significance, and make the interpretation publically available.

Key elements of the guidance relate to assessing harm. It states, an important consideration should be whether the proposed works adversely affect a key element of the heritage asset's special architectural or historic interest. Adding, it is the degree of harm, rather than the scale of development that is to be assessed. The level of 'substantial harm' is stated to be a high bar, that may not arise in many cases. Essentially, whether a proposal causes substantial harm will be a judgment for the decision taker, having regard to the circumstances of the case and the NPPF.

Importantly, it is stated harm may arise from works to the asset or from development within its setting. Setting is defined as the surroundings in which an asset is experienced, and may be more extensive than the curtilage. A thorough assessment of the impact of proposals upon setting needs to take into account, and be proportionate to, the significance of the heritage asset and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it.

Overview: Historic Environment Good Practice Advice in Planning

The PPS5 Practice Guide was withdrawn on 25 March and has been replaced with three separate Good Practice Advice in Planning Notes (GPA's) published by English Heritage (now Historic England). *Historic Environment Good Practice Advice in Planning Note 1 (GPA1): The Historic Environment in Local Plans* provides guidance to local planning authorities to help them make well informed and effective local plans. This was published on 25 March 2015. *Good Practice Advice in Planning Note 2 (GPA2): Managing Significance in Decision-Making* was published on 27 March 2015. This document includes technical advice on the repair and restoration of historic buildings and alterations to heritage assets to guide local planning authorities, owners and practitioners and other interested parties. Published on the 25 March 2015, *Good Practice Advice in Planning Note 3 (GPA 3): The Setting of Heritage Assets* replaces English Heritage's previous guidance which was published in 2011. The Good Practice Advice in Planning Notes are intended to assist councils, owners, applicants and practitioners implement the historic environment policies in the NPPF and the related guidance in the Planning Practice Guidance.

In accordance with the NPPF, the first three adopted GPA's emphasise that the information and assessment work required in support of plan-making, heritage protection, applications for planning permission and listed building consent should be proportionate to the significance of the heritage assets affected and the impact on the significance of those heritage assets.

At present, there are some gaps in the guidance formally provided by the PPS5 Practice Guide. It is hoped that these gaps will be filled by the emerging *Good Practice Advice in Planning: Note 4: Enabling Development and Heritage Assets*, and the two Historic Environment Advice Notes entitled *Conservation Area Designation, Appraisal and Management (HEA 1)* and *Making Changes to Heritage Assets (HEA 2)*, for which the consultation process finished on 17 April 2015. If, as predicted, these documents are adopted in 2015, the resultant suite of advice notes will completely replace the guidance set out in the former PPS5 Practice Guide. Each of the adopted Good Practice Advice in Planning Notes outlined above are detailed further overleaf.

2.1 LEGISLATION, NATIONAL PLANNING POLICY AND GUIDANCE

Historic Environment Good Practice Advice in Planning: Note 1 (GPA1): The Historic Environment in Local Plans (March, 2015)

This advice note focuses on the importance of identifying heritage policies within Local Plans. The advice stresses the importance of formulating Local Plans that are based on up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area, including the historic environment, as set out by the NPPF. The document provides advice on how information about the local historic environment can be gathered, emphasising the importance of not only setting out known sites, but in understanding their value (i.e. significance). This evidence should be used to define a positive strategy for the historic environment and the formulation of a plan for the maintenance and use of heritage assets and for the delivery of development including within their setting that will afford appropriate protection for the asset(s) and make a positive contribution to local character and distinctiveness.

The document gives advice on how the heritage policies within Local Plans should identify areas that are inappropriate for development as well as defining specific Development Management Policies for the historic environment. It also suggests that a heritage Supplementary Planning Document (SPD) in line with paragraph 153 of the NPPF can be a useful tool to amplify and elaborate on the delivery of the positive heritage strategy in the Local Plan.

Historic Environment Good Practice Advice in Planning: Note 2 (GPA2): Managing Significance in Decision-Taking in the Historic Environment (March, 2015)

This document provides advice on numerous ways in which decision-taking in the historic environment could be undertaken, emphasising that the first step for all applicants is to understand the significance of any affected heritage asset and the contribution of its setting to its significance. In line with the NPPF and PPG, the document states that early engagement and expert advice in considering and assessing the significance of heritage assets is encouraged. The advice suggests a structured staged approach to the assembly and analysis of relevant information and is as follows:

1. Understand the significance of the affected assets;
2. Understand the impact of the proposal on that significance;
3. Avoid, minimise and mitigate impact in a way that meets the objectives of the NPPF;

4. Look for opportunities to better reveal or enhance significance;
5. Justify any harmful impacts in terms of the sustainable development objective of conserving significance and the need for change;
6. Offset negative impacts on aspects of significance by enhancing others through recording, disseminating and archiving archaeological and historical interest of the important elements of the heritage assets affected.

The advice reiterates that heritage assets may be affected by direct physical change or by change in their setting. Assessment of the nature, extent and importance of the significance of a heritage asset and the contribution of its setting at an early stage can assist the planning process in informed decision-taking. The document sets out the recommended steps for assessing significance and the impact of development proposals upon it, including examining the asset and its setting and analysing local policies and information sources. In assessing the impact of a development proposal on the significance of a heritage asset the document emphasises that the cumulative impact of incremental small-scale changes may have as great an effect on the significance of a heritage asset as a larger scale change. Crucially, the nature and importance of the significance that is affected will dictate the proportionate response to assessing that change, its justification, mitigation and any recording which may be necessary.

Historic Environment Good Practice Advice in Planning: Note 3 (GPA3): The Setting of Heritage Assets (March, 2015)

This advice note focuses on the management of change within the setting of heritage assets. This document is an update to guidance previously published by English Heritage (The Setting of Heritage Assets 2011) in order to ensure that it is fully compliant with the NPPF and is designed in order to aid practitioners with the implementation of national policies and guidance relating to the historic environment found within the NPPF and PPG. The guidance is largely a continuation of the philosophy and approach of the 2011 document and does not present a divergence in either the definition of setting or the way in which it should be assessed.

As with the NPPF the document defines setting as ‘the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve’. Setting is also described as being a separate term to curtilage, character and context. The guidance emphasises that setting is not a heritage asset nor a heritage designation and that its importance lies in what it contributes to the significance of the heritage asset.

It also states that elements of setting may make a positive, negative or neutral contribution to the significance of the heritage asset.

While setting is largely a visual term, with views considered to be an important consideration in any assessment of the contribution that setting makes to the significance of an asset, setting, and thus the way in which an asset is experienced, can also be affected by other environmental factors including noise, vibration and odour, while setting may also incorporate perceptual and associational attributes pertaining to the asset’s surroundings.

This document provides guidance on practical and proportionate decision making with regards to the management of proposed development and the setting of heritage assets. It is stated that the protection of the setting of a heritage asset need not prevent change and that decisions relating to such issues need to be based on the nature, extent and level of the significance of a heritage asset, further weighing up the potential public benefits associated with the proposals. It is further stated that changes within the setting of a heritage asset may have positive or neutral effects. It is stated that the contribution made to the significance of heritage assets by their settings will vary depending on the nature of the heritage asset and its setting and that different heritage assets may have different abilities to accommodate change within their settings without harming the significance of the asset and therefore setting should be assessed on a case-by-case basis. Although not prescriptive in setting out how this assessment should be carried out, noting that any approach should be demonstrably compliant with legislation, national policies and objectives, English Heritage (Historic England) recommend using the ‘5-step process’ in order to assess the potential affects of a proposed development on the setting and significance of a heritage asset, with this 5-step process continued from the 2011 guidance:

1. Identification of heritage assets which are likely to be affected by proposals.
2. Assessment of whether and what contribution the setting makes to the significance of a heritage asset.
3. Assessing the effects of proposed development on the significance of a heritage asset.
4. Maximising enhancement and reduction of harm on the setting of heritage assets.
5. The final decision about the acceptability of proposals.

2.1 LEGISLATION, NATIONAL PLANNING POLICY AND GUIDANCE

The guidance reiterates the NPPF in stating that where developments affecting the setting results in ‘substantial’ harm to significance, this harm can only be justified if the developments delivers substantial public benefit and that there is no other alternative (i.e. redesign or relocation).

Conservation Principles, Policies and Guidance (English Heritage, 2008)

Conservation Principles outlines English Heritage's approach to the sustainable management of the historic environment. While primarily intended to ensure consistency in English Heritage's own advice and guidance through the planning process, the document is commended to local authorities to ensure that all decisions about change affecting the historic environment are informed and sustainable.

This document was published in line with the philosophy of PPS5, yet remains relevant with that of the current policy regime in the emphasis placed upon the importance of understanding significance as a means to properly assess the effects of change to heritage assets. The guidance describes a range of heritage values which enable the significance of assets to be established systematically, with the four main 'heritage values' being: evidential, historical, aesthetic and communal. The Principles emphasise that *‘considered change offers the potential to enhance and add value to places...it is the means by which each generation aspires to enrich the historic environment’* (paragraph 25).

Emerging Guidance

As noted previously, a number of key emerging documents are yet to be adopted to fill the guidance gaps left by the withdrawal of the PPS5 Practice Guide. Until these documents have been formally adopted, they are not considered to carry any weight. However, the consultation process for the two Historic Environment Advice Notes highlighted beneath finished on 17 April 2015 and the additional GPA entitled Enabling Development and Heritage Assets is listed as forthcoming by Historic England.

In line with the NPPF, *HEA 1: Conservation Area Designation, Appraisal and Management* emphasises that work in designating, appraising and managing conservation areas should be proportionate to the significance of the heritage assets affected and to the potential impacts on them. *HEA 2: Making Changes to Heritage Assets* seeks to promote well-informed and collaborative conservation, in recognition that change to heritage assets and their settings is only unacceptable where it harms significance without the balance of public benefit, as set out in the NPPF. As aforementioned, once adopted HEA1 and HEA2, together with the three adopted Good Practice Advice Notes set out

above and the additional forthcoming Good Practice Advice Note entitled *Enabling Development and Heritage Assets*, will provide a complete replacement of the PPS5 Practice Guide.

2.2 STRATEGIC AND LOCAL PLANNING POLICY

Strategic Policy

The London Plan (adopted July 2011 and revised March 2015)

On 22 July 2011 the Mayor of London published the London Plan which replaced the amended version of 2004. However, on 10 March 2015 the Mayor of London published the Further Alterations to the London Plan (FALP), which now replaces previously published versions of the London Plan. This remains as the strategic Development Plan for London, and Policy 7.8 ‘Heritage Assets and Archaeology’ seeks to record, maintain and protect the city’s heritage assets in order to utilise their potential within the community.

Further to this it provides the relevant policy with regard development in historic environments. It requires that developments which have an affect upon heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.

Policy 7.4 ‘Local Character’ requires new developments to have regard to the local architectural character in terms of form, massing, function and orientation. This is supported by Policy 7.8 in its requiring local authorities in their policies, to 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.

Policy 7.6 ‘Architecture’ stipulates that architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape. It should incorporate the highest quality materials and design appropriate to its context.

Essentially the London Plan encourages the enhancement of the historic environment and looks favourably upon developments which seek to maintain the setting of heritage assets.

Local Policy

Camden Council is in the process of reviewing two of the key planning documents that it uses when making planning decisions, the Camden Core Strategy and Development Policies. This is being done to make sure that these documents reflect current circumstances and help to deliver local priorities. The review will assess how existing policies are operating and if they can be made more effective. As a result they are currently under consultation until 20 December 2013. Nevertheless, the policies within these two documents remain extant.

Many local planning policies (not only those for design and conservation) can affect development with regard to heritage assets. For instance policies on sustainable development, meeting housing needs, affordable housing, landscape, biodiversity, energy efficiency, transport, people with disabilities, employment and town centres can all have an influence on development and the quality of the environment. However, policies concerned with design quality and character generally take greater importance in areas concerning heritage assets. These policies, along with other matters, will figure in the on-going management of development in the area.

The Camden Local Development Framework (LDF), which replaced the Unitary Development Plan (UDP) in November 2010, is a collection of planning documents, that in conjunction with national planning policy and the earlier noted Local Plan sets out Camden's strategy for managing growth and development in the borough. The two relevant planning documents in this case are the Core Strategy and Development Policies.

Camden Core Strategy: 2010-2025 (adopted November 2010)

The Core Strategy was adopted on the 8th of November 2010. It sets out the key elements of Camden’s vision for the borough and is a central part of the Local Development Framework (LDF). It helps define and plan for the future of the borough by: contributing to achieving the vision and objectives of the community strategy; helping partners and other organisations deliver relevant parts of their programmes; covering the physical aspects of location and land use; addressing factors that make places attractive, sustainable and successful; and by balancing the needs of residents, businesses and future generations.

Policy CS.14 ‘Promoting high quality places and conserving our heritage’ states that the Council will ensure that Camden’s places and buildings are attractive, safe and easy to use by: requiring development of the highest standard of design that respects local context and character; 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; promoting high quality landscaping and works to streets and public spaces; seeking the highest standards of access in all buildings and places and requiring schemes to be designed to be inclusive and accessible; 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.

Camden Development Policies: 2010-2025 (adopted November 2010)

Camden’s Development Policies were adopted in 2010 and set out detailed planning criteria that are used to determine applications for planning permission in the borough. In considering the merits of a planning application, the Council must therefore have regard to these Development Policies.

In this case, the relevant policy is DP.25 ‘Conserving Camden’s heritage’, which states that in order to maintain the character of Camden’s Conservation Areas, the Council will: take account of Conservation Area statements, appraisals and management plans when assessing applications within Conservation Areas; only permit development within Conservation Areas that preserves and enhances the character and appearance of the area; prevent the total, or, substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a Conservation Area, or, where this harms the character or appearance of the Conservation Area, unless exceptional circumstances are shown that outweigh the case for retention; not permit development outside of a Conservation Area that causes harm to the character and appearance of that Conservation Area; and preserve trees and garden spaces which contribute to the character of a conservation area and which provide a setting for Camden’s architectural heritage.

In addition, Policy DP.24 ‘Securing high quality design’ is also relevant in this case. This policy stipulates that 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: character, setting, context and the form and scale of neighbouring buildings; the character and proportions of the existing building, where alterations and extensions are proposed; the quality of materials to be used; the provision of visually interesting frontages at street level; the appropriate location for building services equipment; existing natural features, such as topography and trees; the provision of appropriate hard and soft landscaping including boundary treatments; the provision of appropriate amenity space; and accessibility.

2.3 LOCAL PLANNING GUIDANCE

Local Guidance

Camden Council Supplementary Planning Guidance (SPG)

Camden Council has produced a number of Supplementary Planning Guidance documents which support their main planning policy framework. These provide more specific guidance for residents and developers, and in particular provide further advice on developments which affect heritage assets. They are an additional “material consideration” in planning decisions and are consistent with the adopted Core Strategy and Development Policies. Those documents which are most relevant to this report are summarised as follows:

Camden Planning Guidance 1: Design: Section 3: Heritage (adopted April 2011 and September 2013)

The Council formally adopted the aforementioned document on the 6th of April 2011, which was subsequently updated on the 4th of September 2013 and following another statutory consultation updated on 3 September 2014 to include guidance on non-designated heritage assets (including those identified on the Local List). The document covers a range of topics, so all of the sections should be read in conjunction, and within the context of Camden’s LDF. Section 3 of the above specifically provides guidance on heritage assets, including what they are and the implications of their status and designation at local and national levels. Essentially, it sets out further guidance on how Camden Council will apply Core Strategy Policy CS.14 ‘Promoting high quality places and conserving our heritage’ and Development Policies DP.25 ‘Conserving Camden’s heritage’ and DP.24 ‘Securing high quality design’.

The guidance states that Camden has a rich architectural heritage and consequently the Council have a responsibility to preserve, and where possible, enhance these areas and buildings. Therefore, the guidance stipulates: the Council will only permit development within Conservation Areas that preserves and enhances the character and appearance of the area; that Conservation Area statements, appraisals and management plans contain more information on all the Conservation Areas; that most works to alter a listed building are likely to require listed building consent; and historic buildings can and should address sustainability.

In addition, it states that Conservation Area designation is a way to recognise the importance of the quality of an area as a whole, as well as giving some protection to individual buildings within it. Adding, Conservation Areas are not designated to stop all future development or change but to ensure that change is managed to conserve the historic significance of the area as a whole.

Fitzjohns and Netherhall Conservation Area Appraisal and Management Strategy (adopted February 2001)

Conservation Area Appraisals and Management Strategies, such as the above, help guide decisions on the types of alterations and developments that are acceptable in these areas. They define the special character of a Conservation Area and set out the approach for its preservation and enhancement.

Generally, they include: an appraisal of the special character of the area; lists of buildings which make a positive contribution to the character and appearance of the area; lists of sites that have a negative impact on the Conservation Area, or, where an opportunity may exist for improvement of the area by redevelopment of a building, or, site; and management strategies which set out the policies and procedures for managing, monitoring and enforcing change in the area.

These documents are designed to guide residents, community groups, businesses, developers and their professional advisers in preparing planning applications for proposed developments within conservation areas. The Council use these documents during the process of assessing planning applications and works.

The following guidelines highlighted within the 2001 Fitzjohns and Netherhall Conservation Area Appraisal and Management Strategy provide the framework for development proposals in the area and should be read in conjunction with the document as a whole. The document was produced before the publication of PPS5 and the NPPF, and therefore it focuses upon character and appearance, rather than identification of the significance of the heritage asset. However, it is possible to identify the key elements of the Conservation Area and what constitutes its significance from the statement. In addition the guidelines include specific areas of focus. These are:

New Development

F/N1 states that new development should be seen as an opportunity to enhance the Conservation Area. Adding, all development should respect existing features such as building lines, roof lines, elevational design and where appropriate, architectural characteristics, detailing profile and materials of adjoining buildings.

Demolition

F/N11 states that within the Conservation Area total or substantial demolition will require consent (now included within planning consent).

F/N12 stipulates that the Council will seek the retention of those buildings which are considered to make a positive contribution to the character and appearance of the Conservation Area and will only grant consent for the demolition where it can be shown that the building detracts from the character of the area. Adding, consent will not be granted unless a redevelopment scheme has been approved which will preserve and enhance the Conservation Area.

F/N13 highlights that all applications should clearly show the extent of demolition works proposed.

Basements

F/N25 states that extending into basements will only be acceptable where it would not involve harm to the character of the building or its setting.

Trees and Landscaping

F/N28 states, all trees which contribute to the character or appearance of the Conversation Area should be retained and protected. Developers will be expected to incorporate any trees sensitively into the design of any development, and demonstrate that no trees will be lost or damaged before, during or after development.

F/N29 indicates, all the developments should have a high standard of external space (landscape) design, which should respect the character and appearance of the Conservation Area.

F/N30 notes that applications for development should take into account the possible impact on trees and other vegetation and state clearly whether any damage/removal is likely and what protective measures are to be taken to ensure against damage during and after work.

3.0 ARCHITECTURAL AND HISTORIC APPRAISAL

3.1 HISTORIC DEVELOPMENT OF STUDY SITE

The following section charts the development of the study site and immediate surroundings. This includes detailed historic map progression from the mid to late 19th century through to the early 21st century.

Early Development and the 19th Century

Hampstead began in medieval times as a small upland village, with Hampstead Manor stretching west from Hampstead to what is now known as the Kilburn High Road (once Watling Street). It belonged to Westminster Abbey and consisted of much of the best farmland in the area. Between then and the early 18th century the manor and land were sold a number of times and became privately owned by Sir William Langhorne in 1707. It subsequently descended to his cousin's the Maryon family. At this point there were two parts to the estate, the main estate being the Manor Farm with 356 acres in the vicinity of Finchley Road. The other area was the East Park, to the east of the Heath (now part of Hampstead Heath). Thomas Spencer Wilson became lord of the manor in 1777, through his wife (a Maryon) and divided the estate between his two sons prior to his death in 1821. His will limited his heir's ability to build on the land and as a result the sons could only grant short agricultural leases. This thwarted the younger of the two sons (Sir Thomas Maryon

Wilson) and his desire to develop the land for housing, following the trends in neighbouring areas, such as St John's Wood and Hampstead Village which was growing in population. The development of Finchley Road (built on Maryon Wilson land) also bought development closer when the turnpike was built by the Eyre Estates in 1827, connecting St John's Wood and Finchley.

A long legal battle in the Houses of Parliament began as Sir Thomas Maryon Wilson tried to amend the will. He encountered strong opposition to his proposal, largely due to the fear that housing located at East Park would adversely impact upon public access to the Heath. During his lifetime he made 15 attempts to get the Bill passed, all failed and both sections of the estate were kept as open land for the majority of the 19th century. Resistance to the loss of the public access to the land eventually resulted in a campaign to acquire the land, but this failed. When Sir Thomas died in 1869, his heir (brother) Sir John Maryon Wilson was willing to negotiate the sale of his manorial rights to East Park section of the estate. Subsequently, Sir John Maryon Wilson was able to grant building leases, thus the Finchley Road part of the estate was developed. East Park finally became public property in 1886 and the Manor Farm area was developed for housing, following a long legal battle, which delayed the development of this part of the Conservation Area and therefore

explains its' 1880's character and late 19th century development. Sir John agreed in 1873 to divide the estate with his son Spencer, whose portion included to newly proposed roads (Fitzjohns Avenue and Priory Road). In 1875 the contract for the development was let, road making began and bricks for buildings were sourced from brick-fields exploited on the Heath. The neighbourhood of Fitzjohns Avenue was built in the ten years after 1876. The adjacent streets were slightly less spacious than Fitzjohns Avenue itself, nevertheless each street had spacious building plots with detached or semi-detached properties. Netherhall Gardens and Maresfield Gardens were named after a manor and parish of the Maryon Wilson estate in Sussex.

Number 40 Netherhall Gardens, located directly north of the study site was built at this time, although this now features a mid 20th century single storey western extension. Numbers 43-49 (odd) and 70 Maresfield Gardens were also built at this time and are located on the to the south and north east of the study site respectively. The ability to secure long term residential leases to land encouraged greater architectural interest and private individuals commissioned architects to design and build high quality one-off buildings in the late 19th century. All buildings noted above share the aforementioned characteristics of early housing development in the area (shown in figures 4-6).

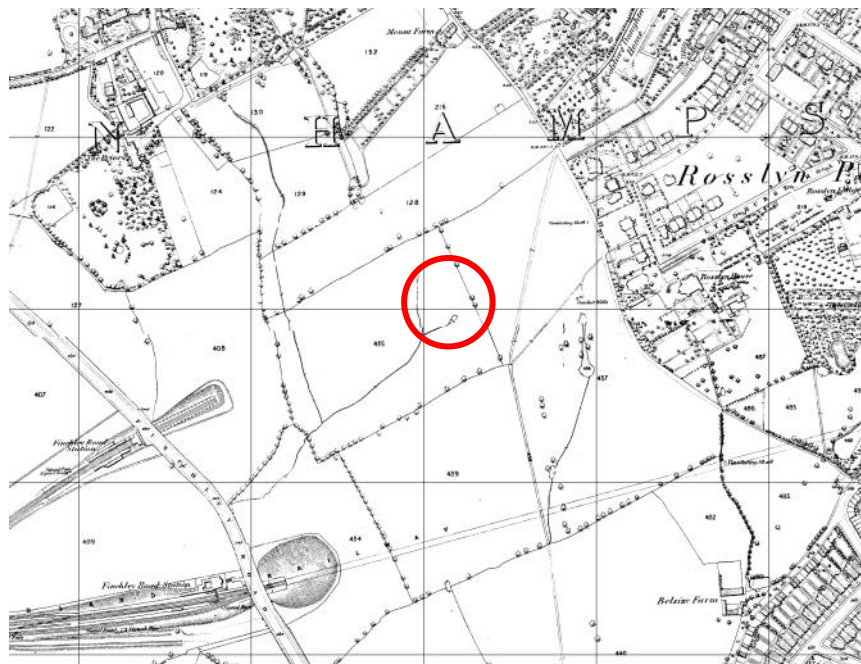


Figure 4: Extract from map of 1871-79. Source: Landmark (2013).

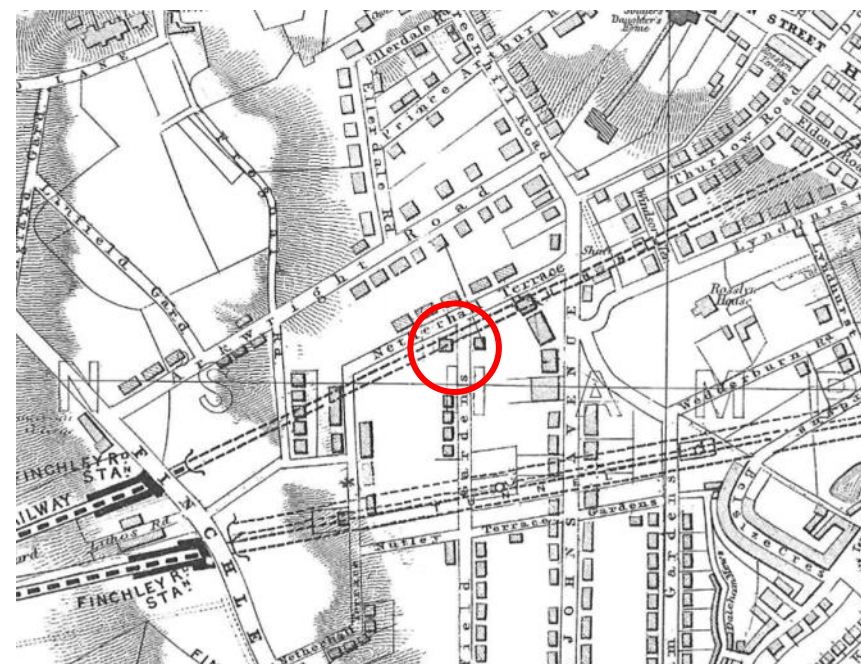


Figure 5: Extract from Bacon map of 1888. Source: Landmark (2013).



Figure 6: Extract from map of 1896. Source: Landmark (2013).

3.1 HISTORIC DEVELOPMENT OF STUDY SITE

20th Century

The maps of 1915-1955 show continued and advanced edification of the area and the relative densification of the population. Consequently, a number of infill housing sites are developed. These were both surrounding and within the earlier larger late 19th century building plots.

This densification included the continued introduction of high quality architecturally commissioned one-off properties and remained a theme of the Conservation Area in the inter-war period. This can be specifically seen in the development of number 48 Maresfield Gardens. This modernist villa was designed and constructed as an architectural one-off c.1939. This building was erected on a central plot that previously stretched between Maresfield Gardens and Fitzjohns Avenue. As shown in the maps predating 1955.

As indicated by the 1955 map, numbers 51 and 53, located to the south of the study site were also built between 1935-1955 and form another element of infilling that was experienced during this period.

Latterly number 66 located opposite the two aforementioned properties was constructed, further intensifying densities in the area and street itself. This property is later in date and as a result is not visible until the maps of 1960-1971.

The study site and associated terrace of three sunken two storey properties are first visible in the map of 1960-1971, although these properties are known to date to the mid 1950s. These were built on southern land, that once belonged to a substantial late 19th century property (40 Netherhall Gardens). This further condensed the western architectural treatment of the street. Likewise, number 46 on the lower eastern side of the street appears to be of a similar period (in both mapping, design and type).

On the eastern side of Maresfield Gardens numbers 72, 54, 52 and 50 represent late 20th and early 21st century constructions that compounded the areas' increased building population. Although, in contrast to mid 20th century densification, it must be said these modern properties, that largely date to the 1990s, offer the original grand detached feeling associated with the area in the 19th century. They provide the space and depth of individual plots and offer a modern take on the previous imposing buildings that once dominated as part of the late 19th century built heritage in the area.



Figure 7: Extract from map of 1915. Source: Landmark (2013).



Figure 9: Extract from map of 1955. Source: Landmark (2013).



Figure 8: Extract from map of 1934-35. Source: Landmark (2013).

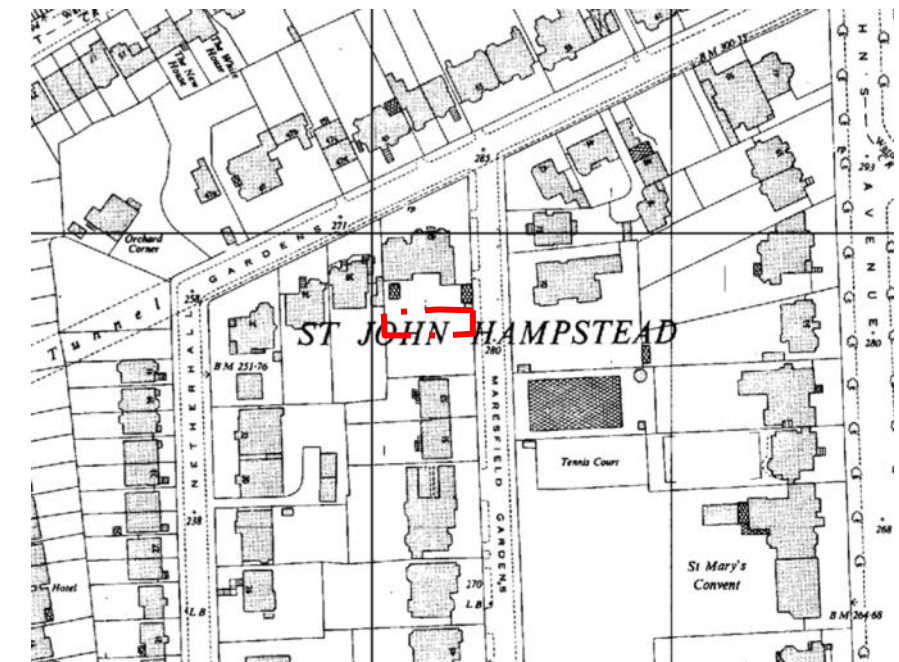


Figure 10: Further enhanced extract from map of 1955. Source: Landmark (2013).

3.1 HISTORIC DEVELOPMENT OF STUDY SITE



Figure 11: Extract from map of 1960-71. Source: Landmark (2013).



Figure 13: Extract from map of 2011. Source: English Heritage (2013).



Figure 12: Further enhanced extract from map of 1960-71. Source: Landmark (2013).

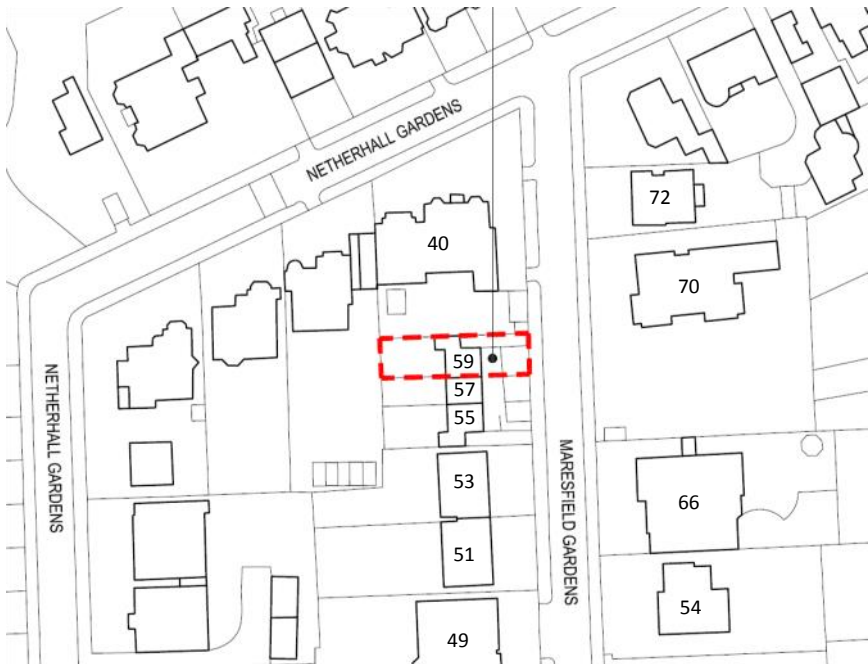


Figure 14: Extract from map of 2013. Source: LOM Architecture and Design (2013).

3.2 SITE ASSESSMENT

Overview

59 Maresfield Gardens forms the northern most dwelling in a terrace of three properties, designed and built on vacant land to the rear of 40 Netherhall Gardens in c.1955. The terrace occupies a sunken site on the western side of Maresfield Gardens, with both the ground floor of the existing building and garden level approximately one storey below street level. The two southern most dwellings in the terrace are owned and occupied as one building.

Although the property is unlisted and therefore not considered a heritage asset at either a local, or, national level, it falls within the central western portion of the Fitzjohns and Netherhall Conservation Area (first designated as such in 1984 and was subsequently extended in 1988, 1991 and again in 2001). These three properties are considered to be at odds with the general character and appearance of the Conservation Area, which is dominated by large semi-detached or detached houses with generous gardens, as well as a number of modern individual villas. The Fitzjohns and Netherhall Conservation Area Statement SPD (2001) describes the three properties as being *“a mid 1950s two storey terrace, on a sunken site that has little relationship with the surrounding area”*.

The buildings within the terrace are of no architectural merit and as aforementioned are at odds with the prevailing character and appearance of the Conservation Area. Whilst they may be considered to have a neutral, or, even negative impact on the wider Conservation Area, the terrace, due to its' sunken and inconspicuous positioning behind mature trees retains the feeling of spaciousness between late 19th century housing in the area. Nevertheless it is apparent that the buildings are of a poor quality design and a limited architectural style. Consequently, once unveiled and approached the terrace sits awkwardly within the wider built architecture of the Conservation Area.

The buildings that flank the study site and terrace are substantially larger, more prominent and in many cases, stylistically more in keeping with the Conservation Area. Each retains the individuality and architectural prominence relative to the streetscape, this helps to instil the sense of both collective and individual grandeur within the area. This can be said for properties from varying eras located in Maresfield Gardens, as well as the surrounding area. Essentially, it appears that throughout the development of the area, architectural commissions and with this architectural quality is prevalent. Sparked in most cases of individual one-off creations, that ensure less generic mass built dwellings are visible in the area.



Figure 15: Existing view of the sunken terrace from eastern side of Maresfield Gardens. Number 59 is the property to the right of the red line. Source: Site visit (29.11.2013).



Figure 16: Existing view of the sunken terrace from western side of Maresfield Gardens. Number 59 is the boarded property to the right of the red line. Source: Site visit (29.11.2013).



Figure 17: Principle northern face of late 19th century 40 Netherhall Gardens. Number 59 sits beyond the southern rear garden. Source: Site visit (29.11.2013).



Figure 18: Eastern face of late 19th century 40 Netherhall Gardens. Number 59 sits beyond the southern rear garden (to left of image). Source: Site visit (29.11.2013).

3.2 SITE ASSESSMENT



Figure 19: Existing view of the sunken terrace from Maresfield Gardens. Number 59 is the property to the right of the red line. Source: Site visit (29.11.2013).



Figure 21: 72 Maresfield Gardens, located directly to the north east of the study site. Source: Site visit (29.11.2013).



Figure 23: 66 Maresfield Gardens, located directly to the south east of the study site. Source: Site visit (29.11.2013).



Figure 20: 51 and 53 Maresfield Gardens, located directly to the south of the study site. Source: Site visit (29.11.2013).



Figure 22: 70 Maresfield Gardens, located directly to the east of the study site. Source: GSV (2013).



Figure 24: 48 Maresfield Gardens. Inter-war modernist villa built c.1939. Source: Site visit (29.11.2013).

3.3 ASSESSMENT OF HERITAGE ASSETS: FITZJOHN’S AND NETHERHALL CONSERVATION AREA

This following sections deal with the value placed upon identified heritage assets that reside within the immediate surroundings of the study site. Inclusive of this is an assessment of their setting, character and appearance.

N.B. no statutory listed buildings share inter-visibility, or, lie within the setting of the proposed development site. Please refer to the attached Greater London HER extract included in appendix A.

Fitzjohns Netherhall Conservation Area

The Fitzjohns Netherhall Conservation Area is an area of special architectural and historic interest, designated as such by the London Borough of Camden in 1984 and was subsequently extended in 1988, 1991 and again in 2001.

Being a large Conservation Area, with boundaries along major thoroughfares, and a domestic core, its character varies across its breadth. Certain areas, including the south western corner, have a rather more urban feel than the majority of the Conservation Area, and often contain institutions, schools and commercial buildings, rather than the rows of houses that predominate elsewhere. Nonetheless, the Conservation Area retains a good deal of unity and internal coherence.

The character and appearance of the area owes itself to planned phases of development, stretching from the late 19th century onwards. The Conservation Area is subdivided into two specific areas, as defined in the *Fitzjohns and Netherhall Conservation Area Appraisal and Management Strategy* (adopted in February 2001); one centred on Fitzjohns Avenue, largely speaking what was within the Maryon Wilson estate and the second around Thurlow Road, the area that was Belsize Estate.

The Conservation Area as a whole sits on ground which slopes steeply from north to south and is made up of a series of long, straight roads, intercepted with perpendicular roads which broadly follow the contours of the hillside. The area surrounding the study site (the Fitzjohns Avenue sub area) is defined as being of late 19th century origins, largely owing to the promotion of residential development on land within Hampstead Manor by the Maryon Wilson’s in the 19th and early 20th centuries. Consequently it has a residential character, dominated by red brick, late nineteenth century dwellings of three to four storeys, with generous gardens.

In summary there is no homogenous house design, but a wide range of building styles. With a mixture of architectural styles, including neo-Gothic, classical Italianate, Queen Anne, Jacobean, Domestic Revival and Arts and

Crafts influenced by Norman Shaw. The majority of the properties are detached or semi-detached, providing views to the rear gardens. An additional feature of the Conservation Area is also the number of properties built for individual owners, both in the form of late 19th century construction and the later inter-war modernist villas visible in the area.

Further to this, whilst there are no statutory listed buildings within the setting of the study site, there are a number of buildings that are identified within the *Fitzjohns and Netherhall Conservation Area Appraisal and Management Strategy* (2001) as being buildings which make a positive contribution to the Conservation Area.

The buildings are deemed notable because of their value as local landmarks, or, as particularly good examples of the local building traditions. Such buildings, whilst not statutory listed, are nevertheless important local buildings in their own right and make a positive contribution to the contribution and character of the Conservation Area.

As aforementioned, the distinct quality of the Fitzjohns and Netherhall Conservation Area and specifically the identified sub-area, is that it largely retains its’ late 19th century character. It is for this reason that the majority of buildings of this period and character make a positive contribution to the character and appearance of the Conservation Area. Additionally, there is some 20th century re-development and infill which contributes positively to the character of the area as it is today and these buildings have subsequently also been identified in the same way.

The relevant buildings within the setting of the study site are identified within the *Fitzjohns and Netherhall Conservation Area Appraisal and Management Strategy* (2001) as: 48, 70 and 43-53 Maresfield Gardens; as well as 40 Netherhall Gardens. These were identified in further detail in Section 3.1 and many are included as images in Section 3.2.

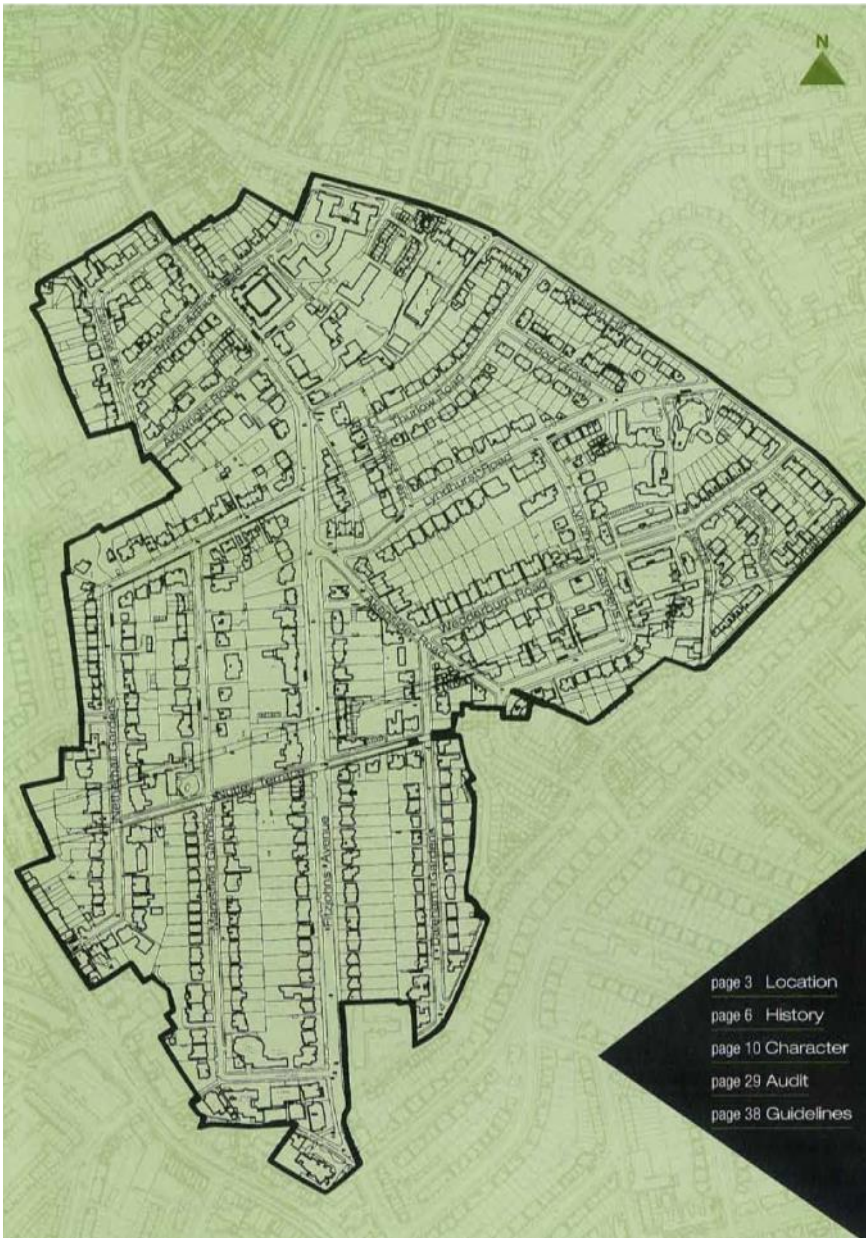


Figure 25: Fitzjohns and Netherhall Conservation Area map. Source: Fitzjohns and Netherhall Conservation Area Appraisal and Management Strategy.

4.O PROPOSALS AND ASSESSMENT OF IMPACT

4.1 PROPOSALS

This section of the report seeks to highlight the proposals for new development at the study site. It is important to note that further detailed analysis is available in the Design and Access Statement and accompanying drawings supplied by the appointed architects.

Overview

As earlier noted, the proposals outlined as part of this document and associated application, seek to follow on from previous applications. The scheme proposed is for a sunken, high quality, four bedroomed dwelling on lower basement, upper basement, lower ground, ground and first floor levels. This would be contained within the existing building footprint and all above ground massing and appearance remains substantially the same as the previous scheme (Ref: 2013/7897/P), with the physical and visual break between existing and new buildings providing a transition between existing and contemporary architectural styles. Established building lines are maintained and importantly the height of the proposed building adheres to the ridge height of the existing terrace. Fundamentally, the latest proposal represents a middle ground between the two previous applications, with the basement reduced from that approved under application 2012/6795/P but larger than 2013/7897/P, which has a resolution to grant.



Figure 26: Site location marked in red. NTS. Source: LOM Architecture and Design (2015).



Figure 27: Proposed eastern elevation (view from Maresfield Gardens). NTS. Source: LOM Architecture and Design (2015).

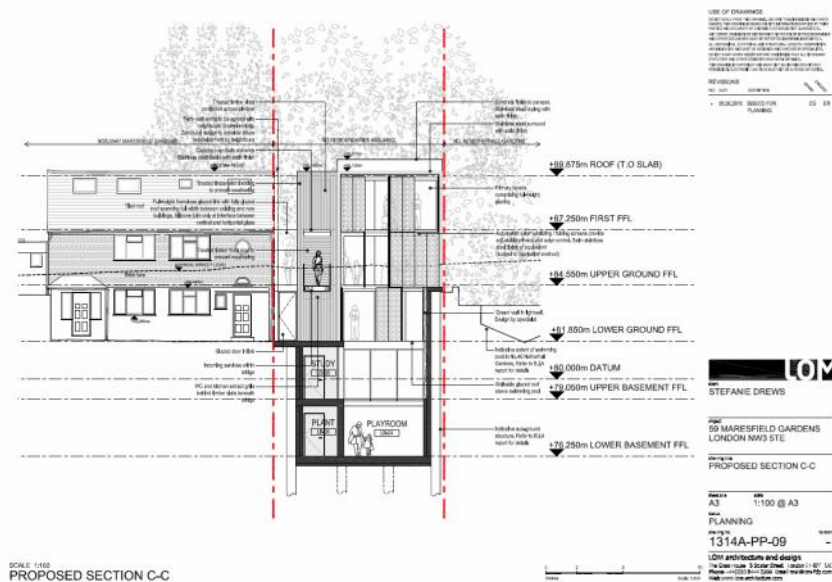


Figure 28: Proposed eastern elevation and basement section C-C. NTS. Source: LOM Architecture and Design (2015).

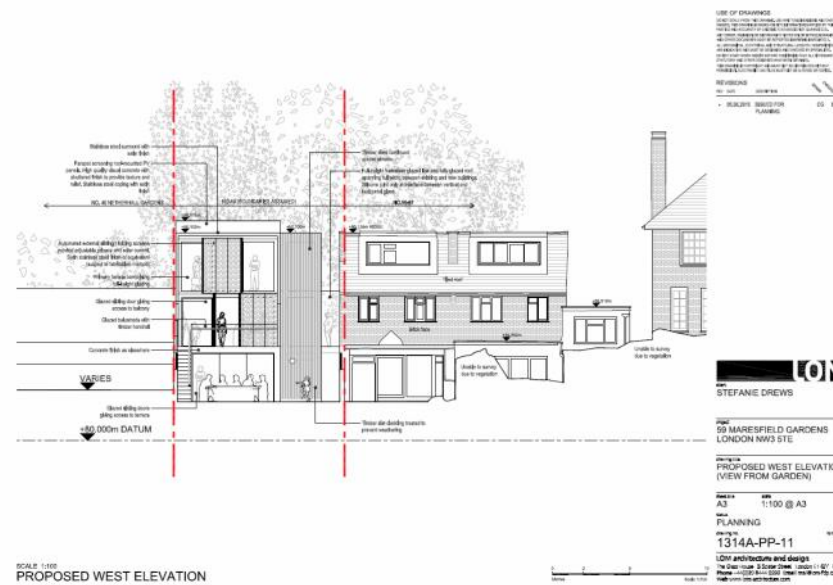


Figure 29: Proposed western elevation. NTS. Source: LOM Architecture and Design (2015).

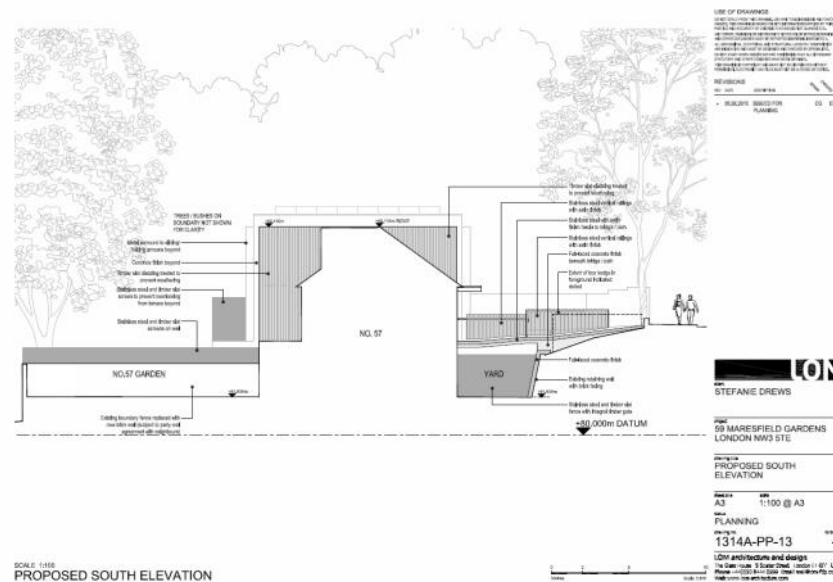


Figure 30: Proposed south elevation. NTS. Source: LOM Architecture and Design (2015).

4.1 PROPOSALS

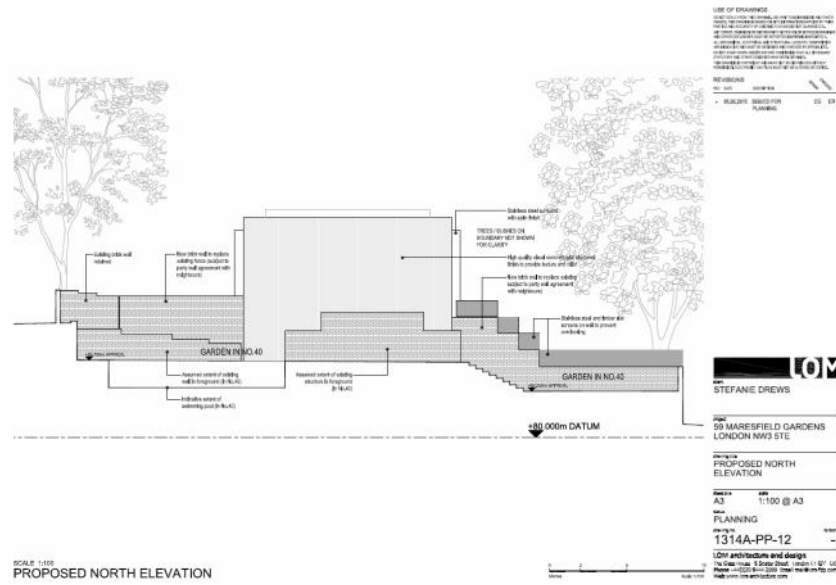


Figure 31: Proposed north elevation. NTS. Source: LOM Architecture and Design (2015).

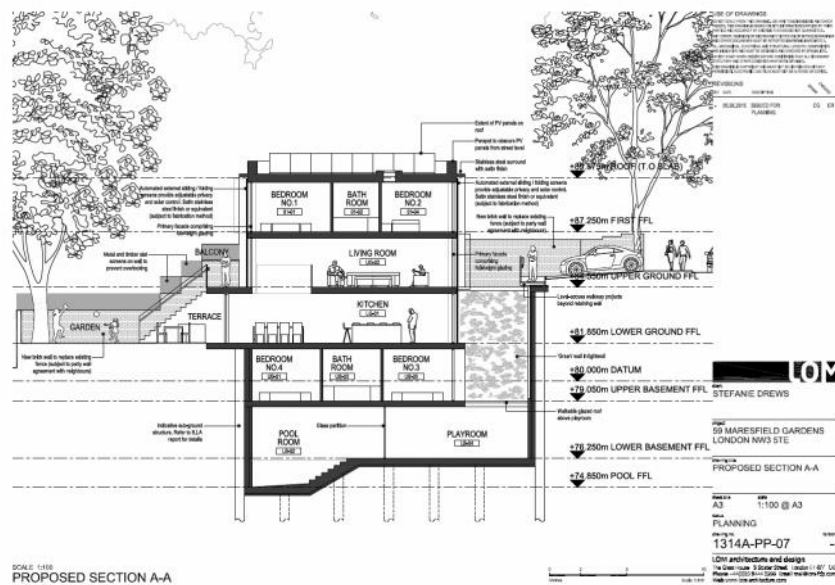


Figure 33: Proposed section A-A. NTS. Source: LOM Architecture and Design (2015).



Figure 35: Existing and proposed street elevations. Source: LOM Architecture and Design (2015).

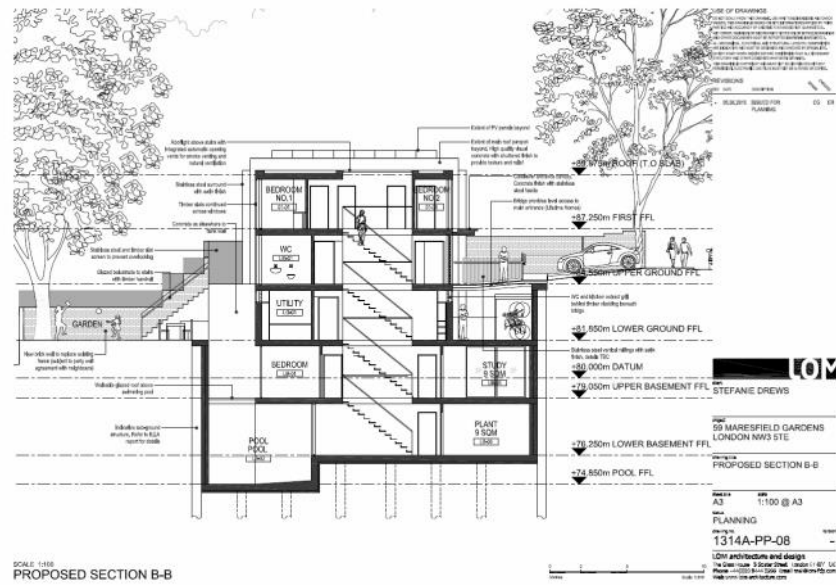


Figure 32: Proposed section B-B. NTS. Source: LOM Architecture and Design (2015).



Figure 34: Existing and proposed site sections. NTS. Source: LOM Architecture and Design (2015).



Figure 36: Proposed 3D visual of view from Maresfield Gardens. Source: LOM Architecture and Design (2015).

4.2 ASSESSMENT OF IMPACT

The acceptability of this proposal is dependent upon an assessment as to whether it will cause harm to the Conservation Area.

In assessing the impact of the proposal upon the significance of the Conservation Area it is important to consider the following: there is no homogenous house design, but significant periods of development, as a result there are a wide range of individual high quality building styles from both the late 19th and mid 20th centuries, this indicates that the introduction of a high quality contemporary design will not be out of keeping; in addition, it is a feature of the area that there are a number of properties that are built for individual owners and this proposal therefore continues that tradition; and finally the proposal will introduce a visual break between it and the buildings' previously conjoined terraced neighbour, thereby being more consistent with the pattern of development.

As noted in the *Fitzjohns and Netherhall Conservation Area Appraisal and Management Strategy* (2001), numbers 55-59 Maresfield Gardens are viewed as being out of keeping with the general form of dwellings in the streetscene and due to the sunken plot the terrace also shares a limited relationship with the surrounding area. Making no positive contribution to the Conservation Area, save for the retention of the feeling of space between surrounding houses. The latter is largely as a result of the reduced massing of the existing terrace below street level, which is also retained in the proposals.

The Council has already accepted that the replacement of the existing dwelling with a new dwelling of a contemporary design is not detrimental to the significance of the Conservation Area. The principal difference between this proposal and the previously schemes is the size of the building's basement. Fundamentally, the current scheme has retained its façade treatment and detailing that respond to elements of the wider Conservation Area, and continues to provide a design that will create an architectural exemplar within the Conservation Area. Consequently, it is apparent that a high quality building has been designed to respond to both the Council's advice and significance of the Fitzjohns and Netherhall Conservation Area. This adheres to the cumulative aims of Policy CS.14 'Promoting high quality places and conserving our heritage' within the Camden Core Strategy and Development Policy DP.24 'Securing high quality design'.

The proposal is set at a significantly lower level to the street (Maresfield Gardens), this is observed as being lower than the predominant building form in the area, yet at the same time retains the existing height of the associated terrace (numbers 55–57 Maresfield Gardens). In relation to the nearest properties to the terrace, numbers 51 and 53 are set a full storey higher than proposed, this also prevalent when looking at additional surrounding properties, as in many cases these extend to two storeys above that of the proposed. Furthermore, the road continues to rise northwards, from number 51 through to and passing number 59, which means that proposed building is even lower relative to the street than its immediate neighbours.

The proposed replacement dwelling is situated some 14 metres from the nearest dwelling to its north, namely 40 Netherhall Gardens. This dwelling is approximately one storey higher than numbers 51 and 53 Maresfield Gardens, therefore, approximately two storeys higher than the associated terrace and proposed building at 59 Maresfield Gardens. With respect to this the proposed building will maintain existing building lines and heights of the existing study site, preserving the sense of openness created between these dwellings, safeguarding views of the trees at the rear of the site, and it will maintain and enhance the relationship between the sunken terrace and the street level. The latter of which is in line with guidance note F/N1 within the adopted *Fitzjohns and Netherhall Conservation Area Appraisal and Management Strategy* (2001).

In summary, the proposed dwelling will protect the special interest of the Conservation Area. The quality of the proposed contemporary design, compounded by and articulated with careful references to local detailing in the design of the proposed metal screen, will provide new interest in the streetscene which will result in an enhancement to the character and appearance of the Conservation Area. This adheres to Development Policy DP.24 'Securing high quality design' which encourages the provision of visually interesting frontages at street level and high quality responsive design in general.

Furthermore, the proposal complies with the Development Control Policy DP.25 'Conserving Camden's heritage', as it: takes account of the adopted *Fitzjohns and Netherhall Conservation Area Appraisal and Management Strategy* (2001), by providing additional interest in the streetscene, whilst respecting form and design diversity; preserves and enhances the character and appearance of the area through the quality of the design and references back to historic detailing; avoids the demolition of any buildings that make a positive contribution to the character or appearance of the Conservation Area (also in line with guidance note F/N12 of the adopted *Fitzjohns and Netherhall Conservation Area Appraisal and Management Strategy* (2001)); and preserves trees and garden space which contributes to the character of the Conservation Area and which provide a setting for Camden's architectural heritage. This is also in line with guidance notes F/N28 and F/N29 provided in the adopted *Fitzjohns and Netherhall Conservation Area Appraisal and Management Strategy* (2001).

It is therefore clear that the proposed dwelling will cause no harm to the significance of the Conservation Area, or, detrimentally affect its character and appearance. The proposal will in fact replace a building that has a neutral impact on the Conservation Area with one that will make a positive impact and therefore further enhance the area.

5.0 CONCLUSIONS

5.1 SUMMARY

Conclusion

This report has been prepared by CgMs on behalf of Ms Stefanie Drews and LOM Architecture and Design. It considers proposals to demolish and erect an exemplar residential property on the site of 59 Maresfield Gardens in Hampstead, north London.

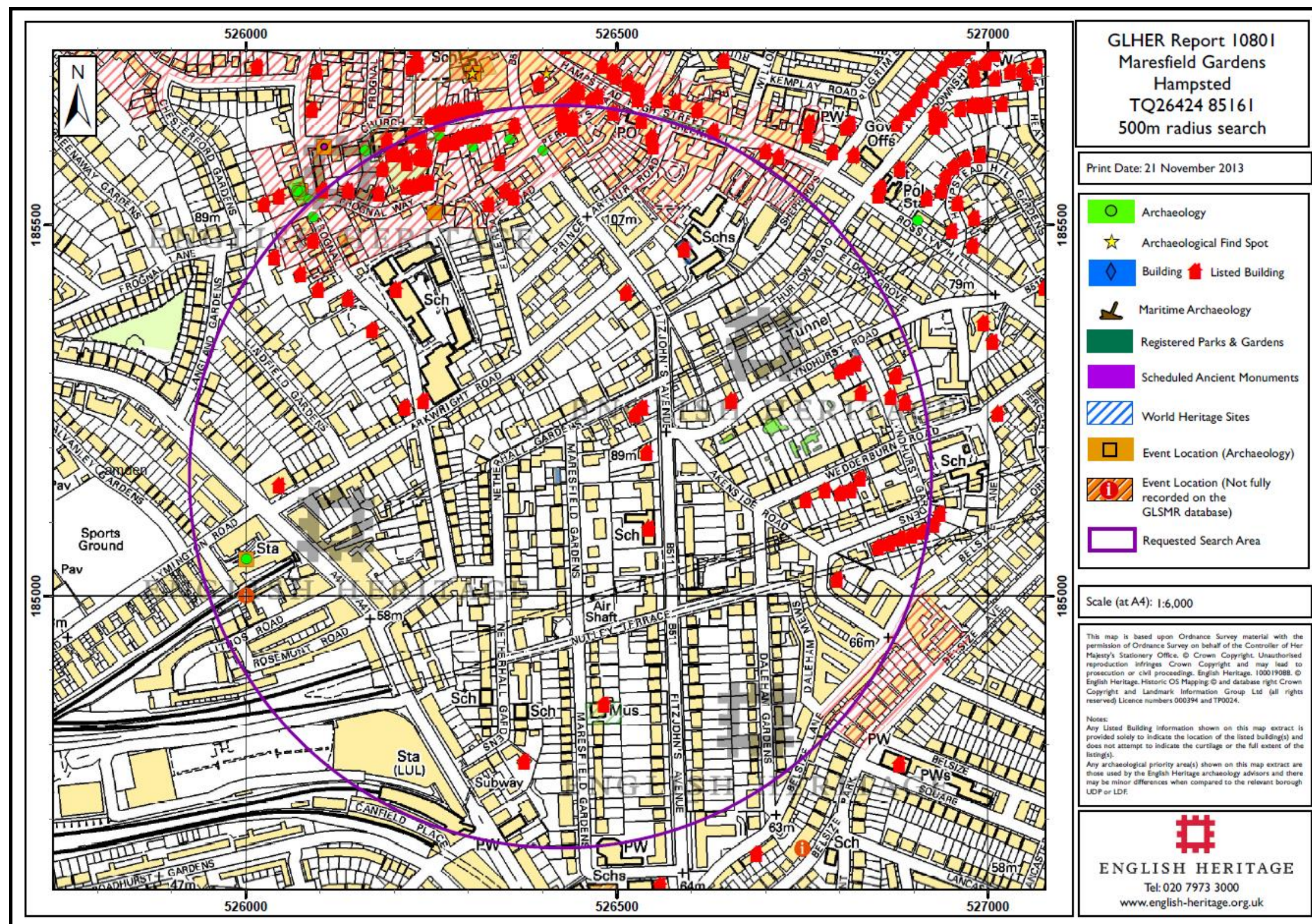
This Heritage Statement has presented a summary of the relevant national, strategic and local policy with regard to developments which affect designated heritage assets. Particular consideration has been paid to those policies which concern the management of developments which have an impact on Conservation Areas, with specific reference to significance, setting, character and appearance.

Following the analysis of the study site and surrounding heritage assets which are likely to be affected by proposals, it is considered that, whilst the proposal is capable of affecting the Fitzjohns and Netherhall Conservation Area, the proposals are viewed as presenting a significant opportunity to enhance the character and appearance, as well as the setting and significance of this area. In many respects the proposals provide the chance to improve the study site and subsequently elevate the setting of Maresfield Gardens and surrounding buildings, through the thoughtful introduction of a high quality and modern sustainable dwelling.

In summary an informed assessment of the proposals has been undertaken. This has demonstrated that the study site and surrounding area will successfully accommodate the proposals, whilst preserving and enhancing the special interest and significance of the Conservation Area.

As such, it has been found that the proposals accord with the relevant local and national planning policies as well as key supplementary guidance, therefore indicating that the proposals should be welcomed by Camden Council.

APPENDIX A: GREATER LONDON HER (N.T.S.)



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