

---

**From:** Marfleet, Patrick  
**Sent:** 18 August 2015 12:34  
**To:** Planning  
**Subject:** FW: Planning Applications 2015/3576/P and 2015/3951/L

Patrick Marfleet  
Planning Officer

Telephone: 020 7974 1222

---

**From:** Rick [mailto: ]  
**Sent:** 07 August 2015 12:36  
**To:** Marfleet, Patrick  
**Cc:** Planning  
**Subject:** Planning Applications 2015/3576/P and 2015/3951/L

Patrick,

Please take the following as superceding and replacing my comments on 2015/3951/L only as these were made before I was aware that this was covered by 2 applications. Looking at 2015/3576/P, I have now been able to see the the full plans and mock ups.

As an Adjoining Occupier, I object to these applications on the grounds outlined below.

If approved these applications would cause harm to the significance of a Grade II\* listed building and this harm is not outweighed by the benefits of the proposals. They are therefore contrary to the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG).

In addition for the reasons set out below, the proposals are contrary to the Camden Core Strategy (particularly Policy CS14) and the Camden Development Policies (particularly Policy DP25).

Given the significance of the Grade II \* listed building the council should have required a Heritage Statement prepared by a qualified heritage expert.

Both applications should therefore be refused.

#### **Background**

St Mary Brookfield Church is a Grade II\* Listed Building. Camden's website states:

*"Grade I and II\* listed buildings are a small proportion (about 6% nationally) of all listed buildings. They are particularly important to the nation's built heritage as buildings of outstanding architectural or historic interest, their significance is beyond dispute."*

The church is located within the Dartmouth Park Conservation Area and the Dartmouth Park Conservation Area Appraisal and Management Statement describes the church as follows:

*"Making a major contribution to the streetscape is St Mary Brookfield Church (listed Grade II\*) perched at a high point on the corner of Dartmouth Park Road and Dartmouth Park Hill. Built in 1869-75 by William Butterfield in the Decorated Gothic style it is an imposing edifice, a landmark visible from many points."*

Any decisions on the application must therefore fully consider the 'outstanding' architectural and historic interest of the building and the 'major' contribution that it makes to the streetscape within the Conservation Area.

### **Reasons why I believe the proposals are harmful to the significance of the listed building**

The proposals would lead to the loss of historic fabric from the building through the demolition of part of a chimney on the North East elevation of the building.

The proposals would also lead to unsympathetic alterations to the building through the construction of a replica chimney on the north east elevation and extension of an existing buttress on the south west elevation of the building.

These two additions to the building will be constructed from glass reinforced plastic (GRP) or fibreglass – a cheap and unattractive material that is completely inappropriate as an addition to an exceptionally finely detailed brick and stone building.

In addition:

¶ the 2 metre extension to the buttress on the south-west elevation will make it higher and (it appears from the photomontage) wider than the corresponding buttress. It will greatly harm the symmetry, balance and visual appearance of this façade.

¶ the 0.7 metre extension to the chimney on the north east elevation of the building is also an inappropriate addition and its elongated appearance harms both the balanced composition and the visual appearance of this façade which fronts onto Dartmouth Park Hill.

The poor quality materials, the loss of symmetry and balance to both facades and the undoubted damage to the visual appearance of the building amount to harm to the significance of the listed building.

### **Does the proposed development constitute substantial harm to the listed building?**

National Planning Policy Guidance provides advice on how to assess whether or not a proposal would constitute substantial harm to a listed building. It states:

"What matters in assessing if a proposal causes substantial harm is the impact on the significance of the heritage asset.

In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. ***It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed.***

The NPPF goes on to state that:

“.....**even minor works have the potential to cause substantial harm.**”

The proposed works would harm the balance, symmetry and visual appearance of two beautifully composed and finely detailed facades of a Grade II\* listed building. There would also be a loss of historic fabric and the introduction of inappropriate and unsympathetic materials to the building. These proposals would therefore amount to substantial harm to the listed building.

#### **Conflict with the NPPF**

The National Planning Policy Framework states that:

“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. **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.”

In this case no ‘clear and convincing’ justification has been provided. I believe that the proposals will result in substantial harm to the listed building. The NPPF states that:

*“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.**”*

The NPPF continues:

*“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”.*

It is not necessary or inevitable that this equipment must be provided in this location. There are other less harmful locations in the vicinity.

The fact that the applicants are not motivated to continue to seek another less harmful location for their equipment does not equate to exceptional circumstances that justify the harm to the listed building.

Given that this equipment could be located elsewhere it cannot be claimed that the harm to the listed building is justified.

The NPPF also states that:

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal”

So even if it accepted that there is less than substantial harm to the listed building, it must be considered that the purported benefits of the scheme in terms of mobile coverage do not outweigh the harm to the listed building.

#### **Contrary to Camden's own policies**

For the reasons given above, the proposals are contrary to the Camden Core strategy particularly Policy CS14 (Promoting high quality places and conserving our heritage.) This policy states (inter alia) that:

*"The Council will ensure that Camden's places and buildings are attractive, safe and easy to use by:*

*a) requiring development of the highest standard of design that respects local context and character;*

*b) preserving and enhancing Camden's rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens."*

It is unarguable that the proposals fail to provide 'the highest standard of design that respects local context and character' and that they fail to 'preserve and enhance' Camden's heritage assets.

For the reasons given above, the proposals are also contrary to Camden's Development Policies and in particular Policy DP25 (Conserving Camden's heritage) which states (inter alia) that:

*"In order to maintain the character of Camden's conservation areas, the Council will:*

*a) take account of conservation area statements, appraisals and management plans when assessing applications within conservation areas;*

*b) only permit development within conservation areas that preserves and enhances the character and appearance of the area;*

#### **Listed buildings**

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

*f) only grant consent for a change of use or alterations and extensions to a listed building where it considers this would not cause harm to the special interest of the building; and g) not permit development that it considers would cause harm to the setting of a listed building ".*

It is unarguable that the proposals cause harm to the special interest of the building

#### **Failure to comply with the requirements set out in the NPPF/NPPG that submission of an application for a listed building should be accompanied by a proper assessment of the impact on their heritage value**

The NPPF states that:

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

The NPPG states that:

*"A clear understanding of the significance of a heritage asset and its setting is necessary to develop proposals which avoid or minimise harm. **Early appraisals, a conservation plan or targeted specialist investigation can help to identify constraints and opportunities arising from the asset at an early stage**".*

There is no evidence in the application that such assessments by a properly qualified heritage expert have been carried out.

Best Regards,

Rick Hutton.