

28 Redington Road
London NW3

Heritage Statement

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Consultancy for the
Historic Built Environment

KMHHeritage

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1 Introduction

- 1.1 This report has been prepared to support an application by The Linton Group for the redevelopment of 28 Redington Road, London, NW3.

Purpose

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

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

Notes on research, analysis and sources

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

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

Author

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

a specialist qualification in urban and building conservation.

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

2 The site and its context

The Development of Redington Road

- 2.1 In the early 19th century much of this part of Hampstead was farmland owned by the Maryon Wilson family. In 1829 Thomas Maryon Wilson became embroiled in an unsuccessful battle to develop parts of his 365 acres to the west of Hampstead and more controversially on parts of Hampstead Heath, east of the village. His attempts to build on the Heath resulted in a legal battle to protect common land all over London and in effect prevented the development in the first half of the 19th century of his other lands in Hampstead. That included the land on which Redington Road was eventually built. Nearby property at Oak Hill Park was laid out for house building early as 1851 (see Figure 1).¹
- 2.2 After Thomas Maryon Wilson's death in 1869, the family gave up attempts to build on the Heath and in 1872 sold the land to the Metropolitan Board of Works (MBW). The embargo on developing their other lands north of Belsize Park was lifted and they started to sell off the fields in plots large enough to build about six houses to speculators and builders. The main influence in shaping the estate was F.J. Clark, Maryon Wilson's land agent who advised the family to build the main roads and sewers and to control developments with strict covenants'.² Redington Road (curving from Frognal to West Heath Road) was laid-out around 1875 when Clarke applied to the MBW for 'the formation of a new street 40' wide, out of Frognal, to be named Redington Road'.³ The new street was built up very slowly - the first houses at the south-east

¹ B. Cherry and N. Pevsner, *The Buildings of England, London 4: North* (2001) pp. 230

² 'Hampstead: Frognal and the Central Demesne', *A History of the County of Middlesex: Volume 9: Hampstead, Paddington* (1989), pp. 33-42

³ Camden Local Studies and Archive Centre, *Hampstead Borough Council Mins.*, 7 Oct. 1875

(Frognal) end of the road being built in the 1870s, but further north some plots were not covered until the 1930s.



Figure 1: OS Map of 1894-6, early houses in large plots on the SE section of Redington Road

- 2.3 Just to the north, Oak Hill Park (owned by the Neave family) had been laid out about 1851 and it is likely that if Thomas Maryon-Wilson had not been so stubborn about building on the Heath, the family lands would have also been developed in the middle of the 19th century and covered with tall white stucco villas like those built at Oak Hill Park and in Belsize Park to the south.⁴
- 2.4 The delay in building until the 1870s meant that Redington Road was developed in a much more eclectic and interesting way, involving many different builders and architects who worked there over a period of fifty years. Today it remains a well-preserved late 19th and early 20th century residential street - as prosperous today as when it was built. Building materials include the use of red brick, rough cast, clay tile roofs and hanging tiles and dormer and sash windows. The slopes and changes in

⁴ B. Cherry and N. Pevsner, *The Buildings of England, London 4: North* (2001) p. 230

level in the landscaping and the large verdant gardens of the houses add much to the character of the area.

- 2.5 Some of the earliest houses built in Redington Road were designed by fashionable Victorian architects and included the semi-detached pair at Nos. 2 & 4 by Philip Webb (1876), and the ‘Gothic style’ former vicarage to St John at Hampstead at No. 6 (1875-6) by T.K. Green. No 12, (*Wellesley House*) dating from 1877-8, is an old-fashioned Italianate style house and in 1887, No. 35 (*Redington Lodge*) by Horace Field was built. At No. 16 (shown on the map in Figure 1, close to Oak Hill House) was the distinctive *One Oak* of 1889 by Arthur Mackmurdo. This fine Arts and Crafts house was extended in 1927 by local architect Maxwell Ayrton to add a studio. As late as 1894-6 (see Figure 1) only eight houses had been built on Redington Road, but building progress quickened as the 20th century dawned. The road was exclusive and, like the houses in nearby Frognal, Redington Road was occupied in late Victorian and Edwardian times by the rich, artistic and fashionable. Among those who lived there were the sculptor Sir Hamo Thornycroft (1850-1925) and Sir Owen Williams, engineer who (at different times) occupied No. 16 and John Lewis (1885-1928), the store owner who had built *Spedan Tower* (now demolished) by 1889.⁵
- 2.6 Redington Road is a place where the transition from late Victorian to Edwardian architecture can be clearly observed within a single street. A particularly interesting house is No. 66 Redington Road (*The Wabe*) designed by Dr William Garnett, an education advisor to the LCC in an eccentric style, for himself.⁶ It exhibits the hung-tile, red brick quasi-Arts and Crafts style with huge neo-Georgian bulk. From the turn of the 20th century many of the houses built in Redington Road were the work of the developer G.W. Hart and designed by his estate architect,

⁵ 'Hampstead: Frognal and the Central Demesne', *A History of the County of Middlesex: Volume 9: Hampstead, Paddington* (1989), pp. 33-42

⁶ Alastair Service, *Victorian and Edwardian Hampstead*, (1989), pp. 57-8

CHB Quennell.⁷ Hart's 'West Hampstead Estate' built between 1898 and 1914 was scattered between Redington Road and Finchley Road. Properties in Redington Road designed by Quennell include Nos. 41-49 (1907-8); Nos. 51-67 (1904-5) and Nos. 71-77 (1907-8) and No. 20 (The Red Cottage). The outbreak of the First World War slowed the development of Redington Road and another six houses were built there between 1920 and 1927, including the neo-Georgian No. 81, designed by Sir Edward Maufe in 1921. Later was Hill House (No. 87), a red-brick house 'in the style of Mies van der Rohe', designed in 1938 by Oliver Hill, with gardens by Christopher Tunnard and now converted into flats.⁸

The development of No. 28 Redington Road

- 2.7 No. 28 Redington Road was built in 1906, according to the local drainage plans.⁹ No architect for the house is known. By 1908, the first resident, JA Fellows was listed in the Hampstead Suburban Directory as being the occupant of No. 28, which was called Danehurst. The OS Map of 1914, clearly shows No. 28, with its spacious front garden, and the relatively small rear garden backing onto the spacious grounds of Oak Hill House (figure 3).

⁷ As an architect, Charles Quennell (1872-1935) was best known as a versatile designer of houses in affluent suburbs around London and weekend homes in the Home Counties. His first designs were on the West Hampstead Estate for Hart. He later built sixteen large homes at Hampstead garden Suburb before and after 1914. In 1906 he published *Modern Suburban Homes*

⁸ 'Hampstead: Frognaal and the Central Demesne', *A History of the County of Middlesex: Volume 9: Hampstead, Paddington* (1989), pp. 33-42. B. Cherry and N. Pevsner, *The Buildings of England, London 4: North* (2001) p. 231

⁹ Information from a typed chronology of 28 Redington Road in Camden Local Studies and Archives Centre, Ephemera 89.3; No drainage plan for 1906 has been found in the archives, but it was evidently there in 2000, when this list was made by Parig Digan of the Columban Fathers, who occupied the property



Figure 2: Danehurst, at No.28 Redington Road c.1950

- 2.8 Even by 1914, Danehurst extended right across the plot, with a garage on the right-hand side and an extension to the left-hand boundary, as shown in figures 2 and 3. It seems likely that the garage was not part of the original house, but was added between 1908 and 1914, during the occupation of JA Fallows.¹⁰



Figure 3: OS Map of 1914 showing the house in its original plot

¹⁰ Fallows occupied No. 28 from 1908

- 2.9 By the 1920s the owner of the house was David Arnell, a shipbroker who remained there until 1934, when the freehold house was put up for sale.¹¹ The house was sold and in July of the following year it was reported that 'Hampstead houses of the Modern type continue to be in keen demand' and that Danehurst in Redington Road had been sold.¹²
- 2.10 The purchaser was later described as an 'Indian Prince,' but was in fact Major General Rana of Nepal. The Rana family ruled Nepal as hereditary, absolute prime ministers between 1846 and 1951. The house was altered and extended when occupied by the rich Nepalese family, as when Danehurst was marketed c.1950, it had been completely and extensively 'modernised' in the Art Deco style¹³ (now long gone).
- 2.11 In 1935, LH Harington, FRIBA drew up plans for alterations and additions to No. 28 Redington Road for The Danehurst General Investment Ltd., which involved the alteration of drainage to the house and probably the creation of the rear extension wing behind the garage.¹⁴ This is shown on the OS Map of 1953 (figure 5).
- 2.12 On the first floor were four bedroom suites, while the second floor was designed as a nursery suite, with day and night nurseries, a kitchen and bathroom, plus a bedroom for the nanny. On the ground floor was a suite of reception rooms. There was separate staff accommodation and in addition, there were two chauffeur's rooms above the garage.¹⁵

¹¹ *The Times*, 22 May 1934

¹² *The Times*, 18 Jul 1935

¹³ Camden Local Studies and Archives Centre Sale Catalogue A/01160/10/319 (28 Redington Road)

¹⁴ Camden Local Studies and Archives Centre drainage plan (28 Redington Road) 1935

¹⁵ Camden Local Studies and Archives Centre Sale Catalogue A/01160/10/319 (28 Redington Road)

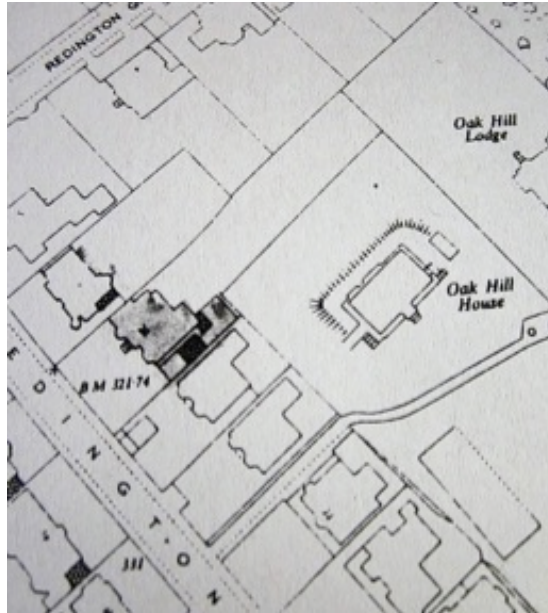


Figure 5: OS Map of 1953, showing the extended garden plot at No.28

- 2.13 Interestingly in the sale catalogue of 1950, it was stated that 'additional land and woodland at the rear may be purchased at an agreed price if the purchaser wants to enlarge the garden'.¹⁶ This evidently happened, as by the time of the OS Map of 1953, the original plot had been extended, to include a part of the former garden of Oak Hill House (figure 5). The new owner was multi-millionaire property developer Sir Ian Auld Mactaggart, 3rd Baronet (1923-1987). Mactaggart was born in Glasgow, the son of Sir John, 2nd Baronet. He was the Managing Director of The Western Heritable Investment Company, a Unionist and then a Conservative candidate at the general elections of 1945 and 1970, and Chairman of the Society for Individual Freedom.¹⁷ The Mactaggart family retained the house until c.1970.¹⁸
- 2.14 By 1972, The Missionary Society of St. Columban (generally known as the Columban Fathers) had moved to

¹⁶ Camden Local Studies and Archives Centre Sale Catalogue A/01160/10/319 (28 Redington Road)

¹⁷ <http://www.universitystory.gla.ac.uk/biography>

¹⁸ Post Office Directories

the property. The property is now vacant and in a poor state of repair.

- 2.15 Throughout the 20th century Redington Road remained a fashionable and desirable residential street, in an increasingly exclusive Hampstead. In the 1970s and 1980s a number of the architect-designed properties were recognised as architecturally important and listed. These include Nos. 2 & 4 by Webb (Grade II*); No. 6, One Oak by Mackmurdo (Grade II) and Nos. 54 & 56 (Grade II) by Quennell.¹⁹ In 1966, a modern house was built at No. 50 Redington Road on a narrow site. It was designed by Ted Levy, Benjamin and Partners and had sloping roofs stepping back from a garage.²⁰

Redington Road in the 21st Century

- 2.16 Over recent years a number of new architect-designed properties have been erected in Redington Road. Amongst the most notable are No. 6½ Redington Road by John McAslan & Partners and built in 2007 by Kearsley - a symmetrical brick and glass house set into the hillside²¹ (see figures 5 & 6). Another dramatic new addition to the streetscape is No. 27A Redington Road designed by Monahan Blythan Architects and built in 2005. The house has a copper barrel-vaulted roof and a curved staircase, visible from the street (see figures 5 & 6). In 2000, the 1937 Hill House at No. 87 Redington Road was converted into flats with a very large glass roof extension by Avanti Architects. It is said that 'the top floor, or 'lantern', is believed to be the highest domestic room in London'.²² Recently a new property has been erected at No. 14 (adjacent to the Grade II* One Oak) and elsewhere in Redington Road alterations and additions are being undertaken, including a recent major conversion of a listed building into four flats.

¹⁹ LB Camden, Conservation Area Statement Redington/Frognaal 20, p.14

²⁰ B. Cherry and N. Pevsner, *The Buildings of England, London 4: North* (2001) p. 231

²¹ It went on the market for £6million

²² www.avantiarchitects.co.uk



Figure 6 & 7: No. 6.5 and No. 27A Redington Road

3 Heritage significance

- 3.1 This section of the report assesses the heritage significance of 28 Redington Road and its context.

The heritage context of the site and its surroundings

- 3.2 The site is located in the Redington/Frognaal Conservation Area. The conservation area was designated in June 1985, and extended in February 1988 and June 1992. An adjustment was made to its boundary with the Fitzjohns/Netherhall Conservation Area in 2001. The most recent conservation area appraisal was published in 2004.
- 3.3 28 Redington Road is referred to twice in the conservation area appraisal: once when Nos 16-28 Redington Road are described as being ‘set back behind dense vegetation’, and again when it is identified as one of a group of buildings – Nos. 18-28 Redington Road – that make a positive contribution to the conservation area.
- 3.4 It is reasonable and fair to test this assertion by means of the kind of research that has been undertaken for this report, and also by using Historic England methodology for assessing the contribution of unlisted buildings to conservation areas. Table 2 of Historic England’s ‘Understanding Place: Conservation Area Designation, Appraisal and Management’ (25 March 2011) provides a checklist for unlisted buildings in conservation areas. The following table assesses the property against the criteria in the checklist.

Historic England/English Heritage criteria	Assessment
Is the building the work of a particular architect of regional or local value	No, the architect is not known

Historic England/English Heritage criteria	Assessment
Has it qualities of age, style, materials or any other characteristics which reflect those of at least a substantial number of the buildings in the conservation area?	Only by being different in appearance from its neighbours - the general character and appearance of the Redington/Frognaal Conservation Area is eclectic and varied, reflecting the very individual nature of its houses.
Does it relate by age, materials or in any other historically significant way to adjacent listed buildings, and contribute positively to their setting?	It cannot be said to make any contribution to the setting of any nearby listed buildings other than being a house within the street.
Does it individually, or as part of a group, serve as a reminder of the gradual development of the settlement in which it stands, or of an earlier phase of growth?	Yes: the building recalls both early suburban development and the gradual encroachment of London on previously open countryside
Does it have significant historic association with established features such as the road layout, burgage plots, a town park, or a landscape feature?	Yes, but this relationship is a function purely of how the building is positioned on its site, and is independent of its specific architectural character.
Does the building have landmark quality, or contribute to the quality of recognisable spaces, including exteriors or open spaces with a complex of public buildings?	No
Does it reflect the traditional functional character of, or former uses within, the area?	Yes
Has it significant historic associations with local people or past events?	No
Does its use contribute to the character or appearance of the conservation area	Yes – it is a predominantly domestic residential area.
If a structure associated with a designed landscape within the conservation area, such as a significant wall, terracing or a minor garden building, is it of identifiable importance to the historic design?	No – the nature of its landscape would not be substantially altered in terms of its impact on the conservation area

- 3.5 It is clear from this exercise, and from the historical analysis provided earlier, that the contribution of 28 Redington Road to the character and appearance of the Redington/Frognaal Conservation Area is limited and essentially neutral. It is a house in an area characterised by houses with a certain grain, and where houses relate to the topography and Redington Road in certain ways – by being sited in a particular relationship to the road depending on its location in the conservation area. The house is a reminder of suburban growth like every other house in the conservation area. Unlike other houses mentioned earlier – by architects such as Webb, Mackmurdo, Quennell and Hill – 28 Redington Road appears to be the work of an unknown builder.
- 3.6 The contribution that 28 Redington Road makes to the conservation area has to do with its residential typology, its massing and its siting – not with its inherent architectural quality. Even without the alterations that have occurred, described earlier, it was an average and pedestrian design in an area typified by much higher quality buildings.
- 3.7 The immediate area is typified by a variety of good quality arts and crafts inspired houses. However the overall the architectural style of 28 Redington Road lacks the quality and finesse of other nearby houses. The left hand side extension, with its flat roof is incongruous and unbalances the architecture. The majority of the windows have been replaced with uPVC, further reducing its quality, whilst the building's pebble-dash has been painted along with other elements so that any detailing that may have remained has been largely lost under thick layers of paint. Rear extensions, and possibly roof alterations have also affected its integrity. Overall, what few architectural qualities the building might have had have been undermined through change such that it now has negligible inherent architectural significance.

4 The policy context

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

The National Planning Policy Framework

- 4.2 The legislation governing listed buildings and conservation areas is the Planning (Listed Buildings and Conservation Areas) Act 1990. In March 2012, the Government published the new National Planning Policy Framework (NPPF).
- 4.3 The NPPF says at Paragraph 128 that:
- In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.
- 4.4 A description and analysis of the heritage significance of 28 Redington Road and its surroundings is provided earlier in this report.
- 4.5 The NPPF also requires local planning authorities to 'identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal'.
- 4.6 At Paragraph 131, the NPPF says that:

In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable
- communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

4.7 Paragraph 132 advises local planning authorities that ‘When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting’.

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

Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and

- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

- 4.9 Paragraph 134 says that ‘Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use’.
- 4.10 Further advice within Section 12 of the NPPF urges local planning authorities to take into account the effect of an application on the significance of a non-designated heritage asset when determining the application. It says that ‘In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset’.
- 4.11 Paragraph 137 of the NPPF advises local planning authorities to ‘look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably’.
- 4.12 Paragraph 138 says that:
- Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 133 or less than substantial harm under paragraph 134, as appropriate, taking into account the relative significance of the element affected and its contribution

to the significance of the Conservation Area or World Heritage Site as a whole.

Camden Council's Local Plan

- 4.13 Camden Council adopted its Core Strategy and Development Policies on 8 November 2010. Core Strategy Policy CS14 deals with 'Promoting high quality places and conserving our heritage' and says:
- 'The Council will ensure that Camden's places and buildings are attractive, safe and easy to use by:
- a) requiring development of the highest standard of design that respects local context and character;
 - b) preserving and enhancing Camden's rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens;
 - c) promoting high quality landscaping and works to streets and public spaces;
 - d) seeking the highest standards of access in all buildings and places and requiring schemes to be designed to be inclusive and accessible;
 - e) protecting important views of St Paul's Cathedral and the Palace of Westminster from sites inside and outside the borough and protecting important local views'.
- 4.14 The commentary to the policy says:
- 'Our overall strategy is to sustainably manage growth in Camden so it meets our needs for homes, jobs and services in a way that conserves and enhances the features that make the borough such an attractive place to live, work and visit. Policy CS14 plays a key part in achieving this by setting out our approach to conserving and, where possible, enhancing our heritage and valued places, and to ensuring that

development is of the highest standard and reflects, and where possible improves, its local area'

4.15 It goes on to say

'Development schemes should improve the quality of buildings, landscaping and the street environment and, through this, improve the experience of the borough for residents and visitors'

4.16 Regarding Camden's heritage, the Core Strategy refers to Policy DP25 in Camden Development Policies as providing more detailed guidance on the Council's approach to protecting and enriching the range of features that make up the built heritage of the borough.

4.17 Policy DP25 is as follows:

Conservation areas

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

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

5 The proposed scheme and its impact on heritage assets

- 5.1 The design of the proposed new building is described in documents prepared by Jo Cowen Architects. This section of the report assesses its effect on the heritage significance described earlier in this report.

The proposed scheme

- 5.2 The proposal is to replace the existing house with a new building housing 8 residential flats comprising basement level for on-site car parking with residential units above.
- 5.3 Since the initial pre-application submission the proposals have been further developed to address many of the comments raised by the Council.
- 5.4 The proposed building will sit on broadly the same building line as the existing. The design has also taken into consideration townscape characteristics such as ridge height and the space between existing buildings to ensure that the proposed building sits comfortably and appropriately within the existing character of the conservation area. It has an asymmetrical form that is typical of the arts and crafts and other buildings in the area
- 5.5 As well as drawing from the volumetric forms and parameters derived from the existing built environment, the design has also sought precedents from other architects and buildings in the vicinity. Considerable analysis of some of these characteristics has been carried out to best understand their nature and success and to ensure that the new building will sit as both a piece of high quality architecture in its own right, but also in the context of its neighbours.
- 5.6 The palette of materials reflects those found in the immediate vicinity of No.28. High quality brick will be the main material. Stone will be used to create the

detailing and to frame windows with the asymmetric proportions of the front bays a typical feature of the area.

- 5.7 Details such as impressive feature chimneys, stone balustrade, brick quoins, corbel mouldings and stone carving – all also typical of the area, have been incorporated into the design.
- 5.8 The fenestration has been carefully designed to reflect the proportions of the building and the entrance given a strong emphasis with the porch providing a distinguished feature.
- 5.9 Unlike the initial approach, the rear elevation now continues the architectural profile of a more traditional building ensuring that the overall composition has a ‘completed’ and unified style. The quality of detailing to the rear matches that of the front – and side elevations. Despite being largely unseen from the road, the design maintains the characterful pitched and gabled roof form to ensure the overall integrity of the design remains.
- 5.10 In views along Redington Road the building will remain largely hidden behind dense and mature planting. However, the design has been carefully conceived so that even when it is only glimpsed views, the architecture is of a high quality and complete. This landscape treatment (along with the other careful massing studies) will ensure that the building does not stand out from its neighbours.
- 5.11 Similar to other new buildings in the road – such as 37a Redington Road – the proposed building will contribute positively to the street and sit comfortably amongst its neighbours.
- 5.12 The landscape proposals have been designed to make sure that the sylvan and informal character of the site is retained, in particular the shrubs and trees within the front garden.

Effect on heritage assets

- 5.13 The quality of the architecture proposed is commensurate and in some cases arguably better than that which makes up the surrounding conservation area – an area whose

character and appearance consists of large individually designed residential buildings that have a broad style in common, but are otherwise each unique.

- 5.14 The scheme also sits comfortably and appropriately within an area of a certain socio-economic group and that is typified by homes for the wealthy and successful.
- 5.15 The proposals will ensure that the elements of the conservation area that give it its character are preserved and enhanced by the addition of a building of quality that has been carefully conceived to make a positive contribution in its own right through carefully considered and high quality design.

6 Compliance with policy and guidance

- 6.1 This report has provided a detailed description and analysis of the significance of 28 Redington Road and its heritage context, as required by Paragraph 128 of the National Planning Policy Framework. In addition, the report also describes how the proposed scheme will affect that heritage significance. The effect is positive, and for that reason, the scheme complies with policy and guidance.

The level of ‘harm’ caused by the proposed scheme

- 6.2 As outlined in Section 4, the NPPF identifies two levels of potential ‘harm’ that might be caused to a heritage asset by a development: ‘substantial harm...or total loss of significance’ or ‘less than substantial’. Both levels of harm must be caused to a *designated* heritage asset – in this instance the Redington/Froggnal Conservation Area.
- 6.3 The proposed scheme, in our considered view, preserves and enhances the character and appearance of the Redington/Froggnal Conservation Area, and thus complies with S.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. It does not lead to ‘substantial’ harm or any meaningful level of ‘less than substantial’ harm to any other heritage assets. The high quality and considered approach to the architecture of the new building will enhance the character and appearance of the conservation area.
- 6.4 In considering the proposed scheme for 28 Redington Road it is worth noting Historic England’s online guidance regarding ‘Legal Requirements for Listed Building and Other Consents’. Historic England points out that ‘Most of the principles that should be adhered to when making planning and other consent decisions affecting the historic environment are set out in policy and guidance. However, the law introduces some important and inescapable considerations for certain applications’.

6.5 Historic England continues:

‘When considering any conservation area consent or planning permission decision that affects a conservation area a local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of that area...

The House of Lords in the South Lakeland case decided that the ‘statutorily desirable object of preserving the character or appearance of an area is achieved either by a positive contribution to preservation or by development which leaves character or appearance unharmed, that is to say preserved.’

A development that merely maintains the status quo, perhaps by replacing a building that detracts from the character and appearance of the conservation area with a similarly detrimental building, would satisfy the statutory consideration. This is notwithstanding that the existing detrimental building presents an opportunity, when it is being redeveloped, to improve the environment.

However, in a number of ways the policies in the NPPF seek positive improvement in conservation areas. Most explicitly paragraphs 126 and 131 require that local planning authorities should take into account “the desirability of new development making a positive contribution to local character and distinctiveness”. Paragraph 9 says that pursuing “sustainable development involves seeking positive improvements in the quality of the...historic environment...”. The design policies further reinforce the objective of enhancement of an area’s character and local distinctiveness, concluding that “permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area...” (paragraph 64).

Compliance with both the statutory consideration and the NPPF policies therefore, generally speaking, requires account to be taken of the desirability of taking

opportunities to enhance the character and appearance of a conservation area. As such, whilst the South Lakeland case is still relevant to the interpretation of statute, its effect on decision making has apparently been negated in this respect by the policies in the NPPF’.

- 6.6 The key word in the final paragraph of this extract is ‘apparently’. This carefully chosen word makes it abundantly clear that it is far from certain that the South Lakeland decision has been definitively altered by the National Planning Policy Framework. One reason is that it, as a legal decision, cannot be altered without a similar decision or legislation that overturns it – policy, even national planning policy guidance, cannot overturn legal decisions such as South Lakeland. Planning decisions are ultimately made in a legal and policy context – not just in a policy context alone.
- 6.7 The implication is this: it would be extremely difficult to portray the proposed scheme at 28 Redington Road as doing anything less than maintaining the ‘status quo’ given the evident shortcomings of what exists on the site and the quality of architectural design that is present in the new proposal. In our view, it is far from obvious that a reliable assessment of ‘harm’ can be convincingly articulated in respect of the proposed scheme. It is obviously possible to make a robust and reliable case for enhancement brought about by the proposed scheme, and that case is made earlier in the report.

The National Planning Policy Framework

- 6.8 In respect of Paragraph 131 of the NPPF, the proposed scheme can certainly be described as ‘making a positive contribution to local character and distinctiveness’.
- 6.9 The proposed scheme complies with Paragraph 133 of the NPPF - it does not lead to ‘substantial harm to or total loss of significance of a designated heritage asset’. It also complies with Paragraph 134 for the reasons given in detail earlier in this report – the scheme cannot be considered to harm the conservation area, but rather

alters it in a fashion that positively enhances it with a building that is entirely consistent with the character and appearance of the other nearby buildings. It replaces a building that has been considerably altered since construction reducing its own contribution substantially.

- 6.10 The proposals offer the heritage benefits of providing a building that is entirely consistent with the quality and nature of other buildings that make up the conservation area and that will contribute positively to ensuring that it remains a high-quality suburb. It also provides the benefit of additional housing to the borough.

Camden's Local Plan

- 6.11 In positively addressing the requirements of the National Planning Policy Framework, the works also meet the policy requirements of the London Borough of Camden's Local Plan relevant to the historic built environment.
- 6.12 In terms of Core Strategy Policy CS14, the proposals have been developed with a desire to ensure the 'highest standard of design that respects local context and character' as is demonstrated in the Design & Access Statement. This includes consideration of the conservation area, landscaping and access.
- 6.13 The proposal aims to provide much needed homes in a way that 'conserves and enhances the features that make the borough such an attractive place' and to 'improve the quality of buildings, landscaping and street environment, and through this, improve the experience of the borough for residents and visitors'.
- 6.14 With regard to Policy DP25, we believe that the proposal 'preserves and enhances the character and appearance of the area'. However, we refer to the discussion in 6.4-6.7 regarding this particular policy requirement.
- 6.15 We believe that the existing building makes at best a neutral contribution to the character and appearance of the conservation area. As described earlier, the building lacked the quality and finesse of many of the houses in the

conservation area, and this has been further eroded by alteration and change.

- 6.16 The proposals preserve trees and garden spaces to ensure that the new building will sit comfortably in its established setting.

7 Conclusions

- 7.1 The proposal is for the replacement of the building that, in our opinion, makes a neutral contribution to the character and appearance of the conservation area with one that will both preserve and enhance the character and appearance of the conservation area.
- 7.2 The immediate area is typified by a variety of good quality arts and crafts inspired houses. However, the overall the architectural style of 28 Redington Road lacks the quality and finesse of other nearby houses
- 7.3 The proposal has been carefully designed to reflect and respect the architectural style, detailing and quality of the surrounding area ensuring that its bulk and mass as well as materiality is contextual.
- 7.4 The proposals have taken into consideration the comments provided following pre-application discussion and the design reflects these.
- 7.5 The effect of the proposals on the heritage significance described earlier is therefore positive. The proposals will preserve and enhance the character and appearance of the Redington/Frognaal conservation area.

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