

Donald Insall Associates

11 Primrose Hill Road

Heritage Report
for Mr Olusegun Osoba

July 2016

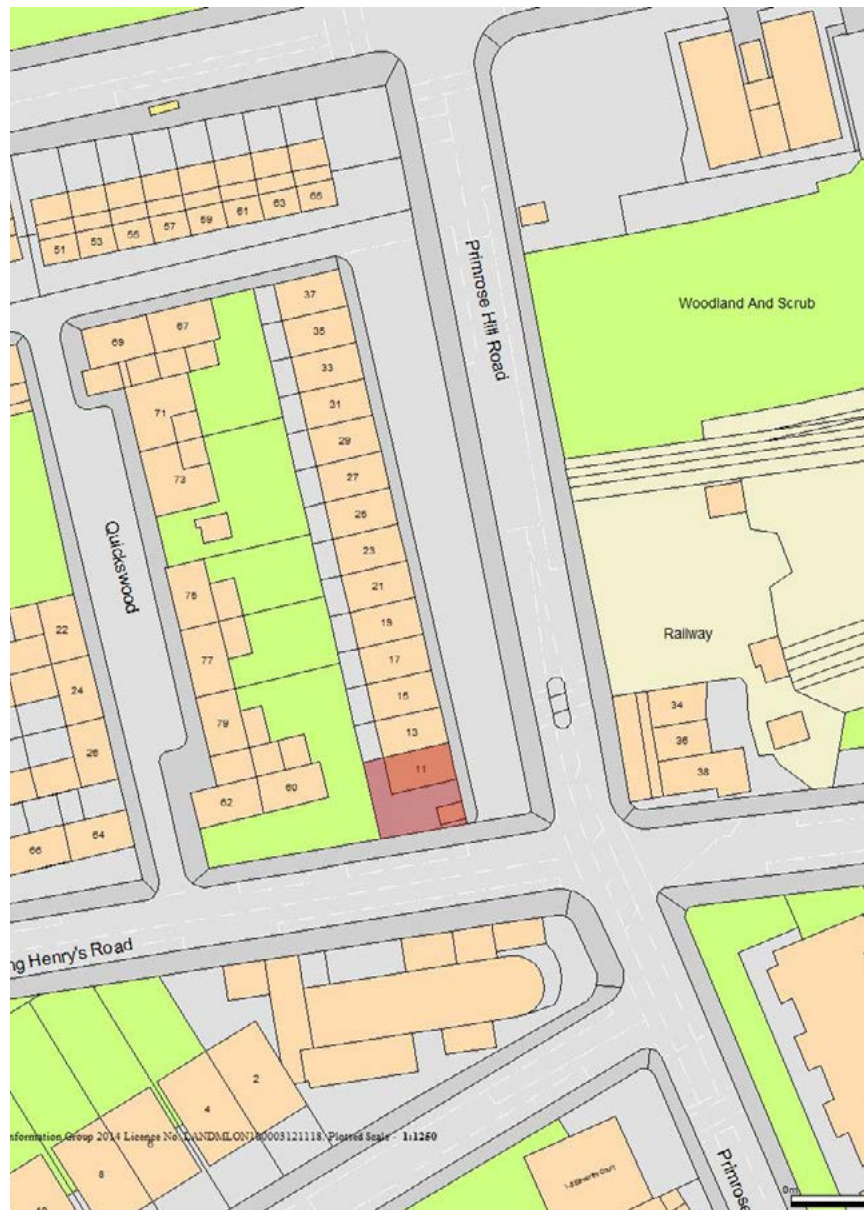


Chartered Architects and Historic Building Consultants

11 Primrose Hill Road

Heritage Report


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Ordnance Survey map with the site marked in red.
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 **KING HENRY'S
ROAD** NW3



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Donald Insall Associates was commissioned by Mr Olusegun Osoba, in April 2016 to assist them in the preparation of proposals for 11 Primrose Hill Road, London, NW3 3DG.

The investigation has comprised historical research, using both archival and secondary material, and a site inspection. An illustrated history of the site with sources of reference and bibliography, is in Section 2; the site survey findings are in Section 3. The investigation has established the significance of the building, which is set out below. Section 4 provides a justification of the scheme according to the relevant planning policy and guidance.

1.2 The Building and its Legal Status

The building is a four-storey, end-of-terrace house dating from the 1960s that forms part of the Chalcots Estate. It is unlisted and is not within a conservation area. It does, however, lie on the boundary of the Elsworthy Road Conservation Area in the London Borough of Camden. The building is within the setting of the Church of St Mary the Virgin (Grade II), and is opposite the Primrose Hill Tunnels - portals to the mainline railway tunnel underneath Primrose Hill - which are Grade II*-listed. The Elsworthy Road Conservation Area Appraisal and Management Strategy (2009) identified notable views and landmarks within the area, specifically noting the view west along King Henry's Road and the views from Primrose Hill Road to the Church of St Mary. The statutory list description of St Mary the Virgin is included in Appendix I and a summary of the conservation area statements provided by the local planning authority is in Appendix II, along with extracts from the relevant planning policy documents.

The Planning (Listed Buildings and Conservation Areas) Act 1990 is the legislative basis for decision-making on applications that relate to the historic environment. Sections 66 and 72 of the Act impose a statutory duty upon local planning authorities to have *'special regard to the desirability of preserving listed buildings, their settings or any features of special architectural or historic interest which they possess; and to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas'*.

In considering applications for planning permission, local authorities are also required to consider the policies on the historic environment set out in the National Planning Policy Framework. At the heart of the Framework is *'a presumption in favour of sustainable development'* and there are also specific policies relating to the historic environment. The Framework requires local authorities to *'recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance'*. The Glossary to the National Planning Policy Framework defines a heritage asset as:

A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated

heritage assets and assets identified by the local planning authority (including local listing).

The Framework, in paragraph 128, 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.

Section 1.3 of this report – the assessment of significance - meets this requirement and is based on the research and site surveys presented in sections 2 and 3, which are of a sufficient level of detail to understand the potential impact on the proposals.

The Framework also, in paragraph 132, requires that local planning authorities, when considering the impact of a proposed development on the significance of a designated heritage asset, should give '*great weight ... to the asset's conservation*' and that '*the more important the asset, the greater the weight should be*'. The Framework goes on to state that:

... 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.

Section 4 of this report provides this clear and convincing justification.

The Framework requires that local planning authorities categorise harm as either '*substantial*' or '*less than substantial*'. Where a proposed development will lead to '*substantial harm to or total loss of significance*' of a designated heritage asset, the Framework states, in paragraph 133, that:

... 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.

Where a development proposal will lead to '*less than substantial harm*' to the significance of a designated heritage asset, the Framework states, in paragraph 134, that:

... this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

1.3 Assessment of Significance

11 Primrose Hill Road was designed by Dennis Lennon & Partners in c1966 and was probably built in the late 1960s as part of Phase I of the Chalcots Estate, Hampstead. The estate was a major redevelopment project, initially led by private developers, of five tower blocks – Dorney, Bray, Burnham, Taplow and Blashford – and terraced houses. The house at 11 Primrose Hill Road was designed as one of the terraced house types, planned to be arranged around the towers on Adelaide Road, King Henry's Road and Primrose Hill Road. The houses were altered by the private developers who built them which had the effect of diluting the estate's concept and altering its overall composition. Subsequent additions and alterations have further decreased its unified appearance. The tower blocks themselves were refurbished in 2008, which altered their character significantly. Despite the alterations, the estate does retain a visual congruence throughout. While having some very limited local interest as part of the post-war development of the area, 11 Primrose Hill Road has no broader architectural or historic significance.

Elsworthy Road Conservation Area

The urban layout of the Chalcots Estate is very different from the large 19th century houses on the opposite site of the road which form the northern boundary of the Elsworthy Conservation Area. The buildings within the Conservation Area are predominantly mid- to late- Victorian and Edwardian and comprise terraced and semi-detached townhouses and some detached villas set in spacious plots, which together form a leafy 'garden suburb' adjacent to the open spaces of Primrose Hill. Their styles typify the prevailing architectural fashions of their time; from the mid-Victorian villas on Avenue Road, to the townhouses of the mid- to late- Victorian period and the freer later Victorian and Edwardian houses.

Opposite the site, at the corner of King Henry's and Primrose Hill roads is the Church of St Mary the Virgin, which is Grade II-listed and located within the Elsworthy Road Conservation Area. The church is in the Early French Gothic style, of red brick; a distinctly different material from the remainder of the area and it has powerful presence at the corner of Primrose Hill Road and King Henry's Road.

No.11 Primrose Hill Road makes a contribution to the setting of the adjacent conservation area through its set back position which leaves a green, open space at the junction. This is consistent with the character of King Henry's Road, including those parts within the conservation area.

1.4 Summary of Proposals and Justification

These proposals are described in the Undercover Architecture drawings and the Design and Access Statement which form the basis of this application and are discussed in detail in Section 4. In summary, the proposals comprise the erection of a single-storey side extension and the replacement of rooflights to No.11 Primrose Hill Road.

Two previous schemes, submitted in July 2014 [Ref 2014/4514/P] and December 2014 [Ref 2014/7856/P] for the erection of an end of terrace single family dwelling house were refused planning permission and were dismissed at appeal for the following reasons:

'[The development would] harm the character and appearance of the area, as well as the Elsworthy Conservation Area. This would be in conflict with Policy CS14 of the Camden Core Strategy 2010-2025 (CS) (2010) which seeks to deliver high quality places and conservation of heritage through high standards of design that respect local context and character, particularly in relation to conservation areas; and Policies DP24 and DP25 of the DP which have similar objectives and specifically resist development outside of conservation areas that would cause harm to its character and appearance.'¹¹

The present proposal described in this planning application is materially different from the previous schemes. It meets the criteria for sustainable development as defined by the *National Planning Policy Framework*. Similarly, it meets the objectives of the London Borough of Camden's local plans and policies and answers the concerns about the original scheme raised by the Planning Inspector in his Appeal Decision. For these reasons, the scheme should be welcomed in design and heritage terms.

Historical Background

2.1 Development of the Chalcots Estate

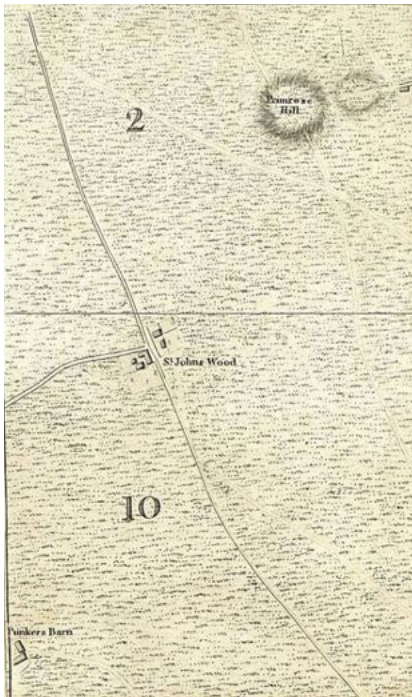


Plate 1. Carey's New and Accurate Plan of London and Westminster of 1795

The manor of Chalcots consisted of 243 acres of land in the southern part of Hampstead and was granted to Eton College in 1449. The estate remained mostly farmland until the 19th century. Carey's *New and Accurate Plan of London and Westminster* of 1795 shows Primrose Hill; to the east are two small properties, and to the south a cluster of properties at St John's Wood (Plate 1). In 1811 there were only six houses on the whole estate.²

In the mid-1820s, prompted by the building boom to the south near Regent's Park, Eton College appointed John Shaw as surveyor and plans for semi-detached villas on half-acre plots were drawn up. However no speculator was attracted, partly because the market was temporarily saturated and partly because the construction of the London & Birmingham Railway through the centre of the estate reduced the desirability of the area. Eton College initially objected to the impact the railway had on their new housing development and were unwilling to lose any building land to railway tracks.³ This necessitated the construction of the 'Primrose Hill Tunnels' by the railway company beneath the land owned by the college. The northern portal was built in 1837, whilst the southern portal dates from 1879. The college even went so far as to dictate the classical appearance of the tunnel mouth (these structures are now Grade II*-listed, see Appendix I).

Aside from some small-scale building fronting Haverstock Hill, the estate barely developed in the 1830s, despite Eton's ambitious plans. Their proposals for the southern part of the estate were scuppered when the Crown acquired the land, and designated Primrose Hill as a public open space in 1842.⁴ John Shaw the younger (1803-70) succeeded his father as surveyor in 1832 and drew up a general plan in 1840. William Wynn, an early developer of Haverstock Hill, had built 41 houses by 1842, both

Plate 2. 1871-5 OS Map

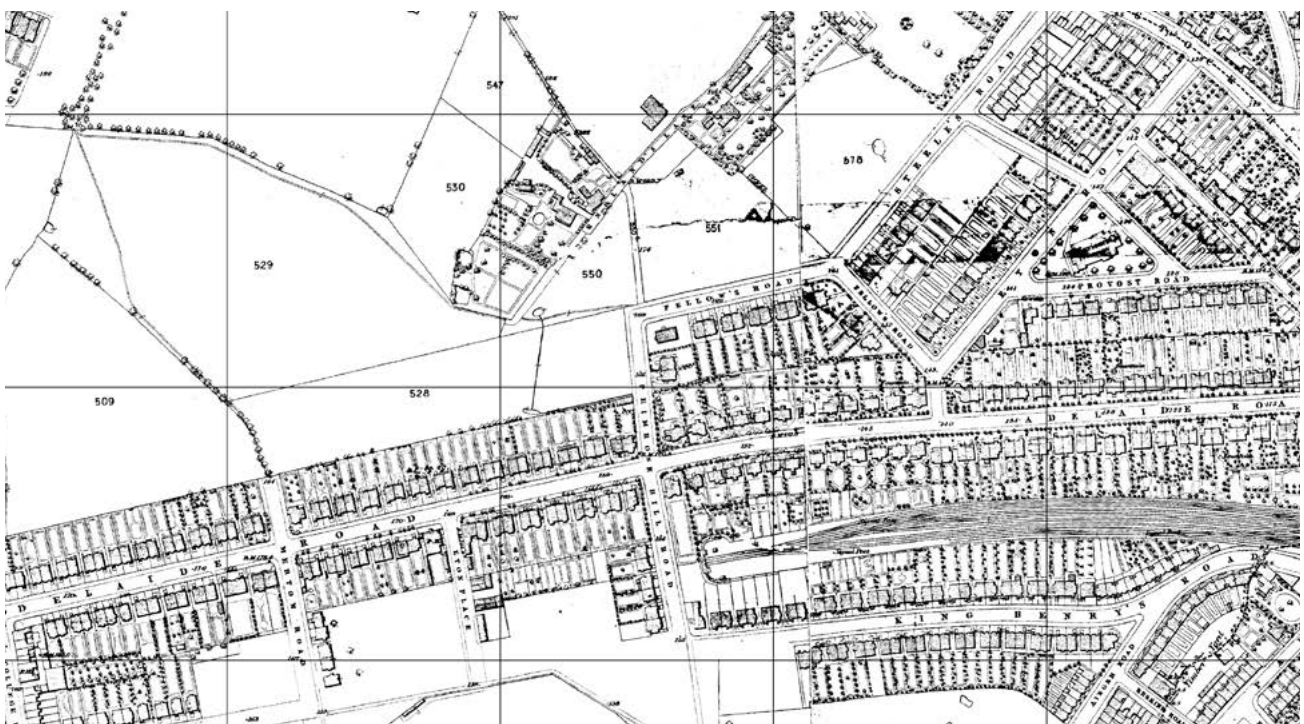




Plate 4. c1906 View of the Church of St Mary the Virgin

on Haverstock Hill and part of Adelaide Road. Between 1845 and 1852, Samuel Cuming built 104 houses along Adelaide Road, Provost Road and Eton Villas.⁵ In 1856, Cuming continued development at the western end of the estate. Primrose Hill Road was planned by Cuming in 1858 as a connection between England's Lane, the northern boundary of the estate, and Regent's Park Road to the south. Development of the estate continued under the control of Shaw's successor George Pownall. By the 1870s, a house at No 11 Primrose Hill appears to have been completed, a detached villa set within a good-sized garden (Plate 2).

To the south was the Eton & Middlesex Cricket Ground, which was moved in 1879. Elsworthy Road started from Primrose Hill Road at the southern edge of the estate, where the Church of the of St the Virgin Mary the Virgin (1872) and 35 houses (1875-81) were built.

The Ordnance Survey map from 1896 shows that Primrose Hill Road continued in an arc to link up with Regent's Park Road to the south (Plate 3). William Willet the elder and his son were responsible for a great number of houses developed on the estate during the latter half of the century. By 1913 building was complete throughout the Chalcots estate.

Following the First World War, many large houses were converted to flats or institutions. In 1918-19 Bedford College acquired houses in Adamson Road, which after 1925 became a hall of residence. In 1927 Eton Avenue housed the London Academy of Music, Hampstead Ethical Institute, and the London Society for Teaching and Training the Blind.⁶ In 1930 the whole area remained classified as middle-class and wealthy, with small areas occupied by 'unskilled labourers above the poverty line' in Bridge Road and King's College Road at either end of Adelaide Road.⁷

During the 1930s large blocks of upmarket flats were erected. Elsworthy Court was built on the corner of Primrose Hill Road and Elsworthy Road

Plate 3. 1896 OS Map

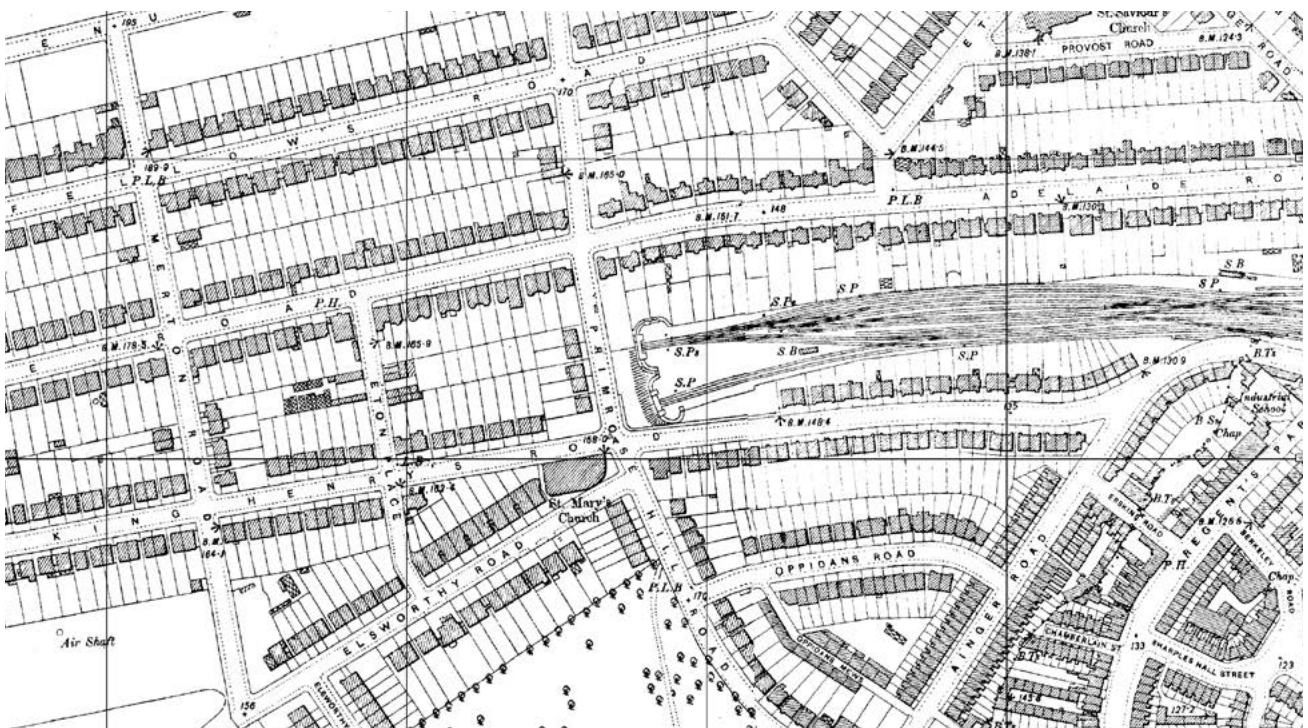




Plate 5. London County Council Bomb Damage Maps 1939-45

in 1937. When the initial leases along Haverstock Hill, Eton Road and Adelaide Road began to fall in the 1930s, villas in their long gardens were replaced by six-storeyed, five-wing brick blocks in neo-Georgian style.⁸

2.1.1 Parish Church of St Mary the Virgin

In 1865 two Hampstead businessmen opened a home for destitute boys in Regents Park Road. Services were held in its church in nearby Ainger Road, which it soon outgrew. Land at the corner of Elsworthy and Primrose Hill Roads was acquired from Eton College and the church was built 1871-72, to designs by Michael P Manning, a member of the congregation. It was constructed by the Dove Brothers. During the construction, the London and North Western Railway Company began tunnelling work under the north west corner of the church, causing damage to the building.⁹ The church was opened for worship on 2nd July 1872.

The design is in the Early French Gothic style, constructed in red brick with slate roofs. Its principal features are its apsidal-ended sanctuary, plate tracery rose window and lancet windows. In c1891-2 the south aisle and chapel were added; these were smaller than Manning intended as part of the site had been sold off.¹⁰ The interior has wagon roof to nave and transept, whilst the chancel and south-east chapel are vaulted. Its columns are topped with stiff leaf capitals. The building contains a number of works by local artists, including stained glass by Clayton and Bell and C.E. Kempe, enamelwork by Henry Holiday, reredos and pulpit by G.F. Bodley (1895), and oak seating by Temple Moore.¹¹ The building was partially restored in 1974 and an extension was added in c2006 in order to provide disabled access (Plates 11 and 12).

2.2 Post War Redevelopment

The area was badly damaged during the Second World War. Plate 5 shows the damage caused to the east side of Fellows, King Henry's, Oppidans and Adelaide roads, whilst to the west of Primrose Hill Road, damage appears to be less extensive, being limited to minor blast damage. In 1945 Camden Borough Council agreed the compulsory purchase of a 2-acre bombed site bounded by King Henry's Road and Oppidans Road. This was developed in 1951 with council flats in five- and seven-storeyed blocks designed by Douglas & Wood, named Primrose Hill Court. Constable House (1953-4), on Adelaide Road was designed by Louis de Soissons. Further council developments were undertaken from 1954, in the Fellows Road estate, located off Adelaide and Primrose Hill roads.¹²

2.3 Chalcots Estate

The largest post-war redevelopment scheme in the area was named the Chalcots Estate and plans were published in 1964, and again in 1966, for a 34.5-acre redevelopment centred on Adelaide Road, between Winchester Road on the west and Primrose Hill Road on the east. There were to be 635 flats in tower blocks and 388 houses, which were to be generally 3- to 4-person. Phase 1 was to include the building of two tower blocks, with a projected cost of £200,000,000.¹³ Eton made 5 acres in the



Plate 7. Model, Dennis Lennon & Partners. Architectural Review January 1966, p40

north available to the council for terraces and tower blocks. The designers of the scheme, appointed in 1963, were Dennis Lennon & Partners in consultation with S. A. G. Cook, the Borough Architect. Building started at the west end in 1965 on blocks of 23 storeys, called Dorney, Bray, Burnham, and Taplow after villages near Eton. One block, Blashford, was in the east. Plans at the LMA and RIBA Archive show worked up designs for the low rise flats and houses surrounding the tower blocks (Plates 6-8), by Dennis Lennon & Partners. Private developers built these properties, on the southern part of the estate, grouped around new roads and closes off King Henry's and Fellows roads. The blocks at the Chalcots Estate were originally designed for high-rent private occupancy, but they were subsequently bought by Camden Council, let to slum-cleared tenants.¹⁴

The London Borough of Camden refurbished the Estate in 2002. In 2004, the Chalcots Estate was put forward for Conservation Area status but without success.¹⁵ It currently remains undesignated, lying just outside the Elsworthy Road Conservation Area.

2.4 11 Primrose Hill Road

The site plan for the Chalcots Estate dating from 1966 (Plate 8), shows the layout of the low-rise terraced flats and houses and the location of No 11 Primrose Hill Road located within 'Block 32' (marked No C12 on the plan). The blocks of low rise flats and houses facing King Henry's Road were arranged in an irregularly staggered formation, set at a slight angle from the road. No 11 was designated a house type – 'C' – designed by Dennis Lennon & Partners. Original drainage plans of the terraced houses on Primrose Hill Road (Nos. 11-37) have been traced in Camden Local Archive (Plates 9a-c). They show three-storey houses, with Kitchen, Family Room and Garage on the ground floor, a 'Flexible Room' and Lounge on the first and two bedrooms, two bathrooms and a built-in wardrobe on the second floor. Pop-ups on the roof contained water tanks. Elevations of the Patio Houses (Plate 10), which line Fellow's Road, show that there were changes to the designs as-built, presumably altered by the developer's in-house architect. The houses today all have UPVC windows.

2.5 The Architect

Dennis Lennon & Partners

Denis Lennon (1918-1991) was educated at the Bartlett School of Architecture UCL. During the Second World War, he served in the Royal Engineers. In 1940, he escaped as a POW and returned almost instantly to active service, being stationed in France, North Africa and Italy. He was awarded an MC and his final rank was Major. After the war, in 1946, he was articled to Maxwell Fry's office. Following this, he was the Director of Rayon Industry's Design Centre. In 1950, Dennis Lennon was awarded a CBE. He started private practice the same year and in 1963 established a partnership with Bernard Wiehahn. Lennon, as designers go, has been remarkably free from controversy in his architectural work, which may be characterised as having reflected rather than forged the stylistic conventions of its era.¹⁶

Lennon was, however, renowned as an interior designer, having created designs for: the interior of HMS Elizabeth II and QE2 Cunard; executive offices for Shell International Petroleum and Vickers Ltd; hotel interiors including a refurbishment of the Ritz; shops for Jaeger and Bally; London Steak Houses; and stage sets for Glyndbourne and Royal Opera House. His architectural projects included an office tower in Southern Rhodesia, a housing estate for London Merchant Securities, the Chalcots Estate (1965-70), The Arts Club at 40 Dover Street (c1974) and Harrow School Dining Hall (c1975).

2.6 Sources

London Metropolitan Archives

Building Act Case File for the Chalcots Estate

Camden Local Archives

Drainage Plans

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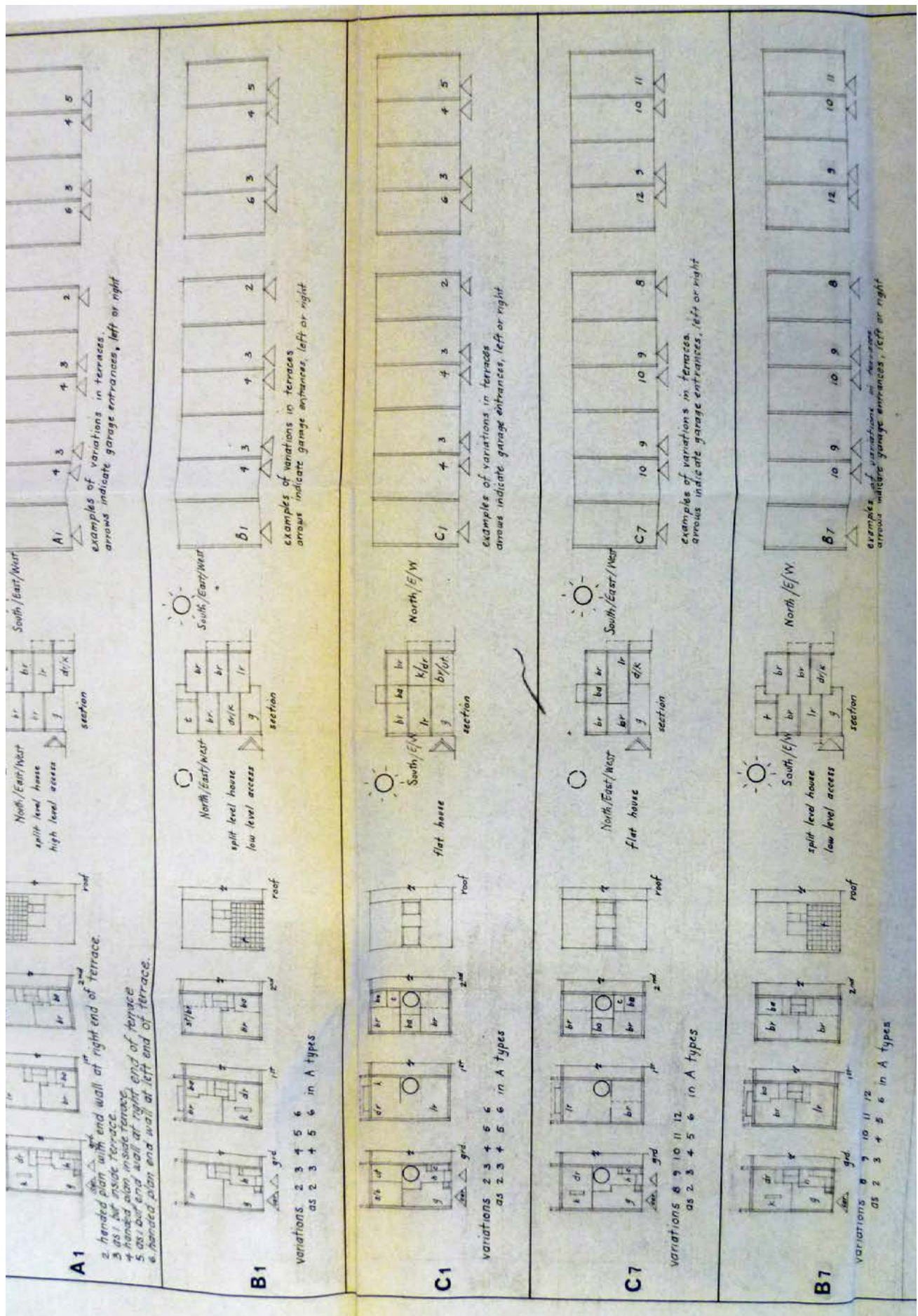


Plate 6. Low-rise House Types 1963, Dennis Lennon & Partners. London Metropolitan Archive

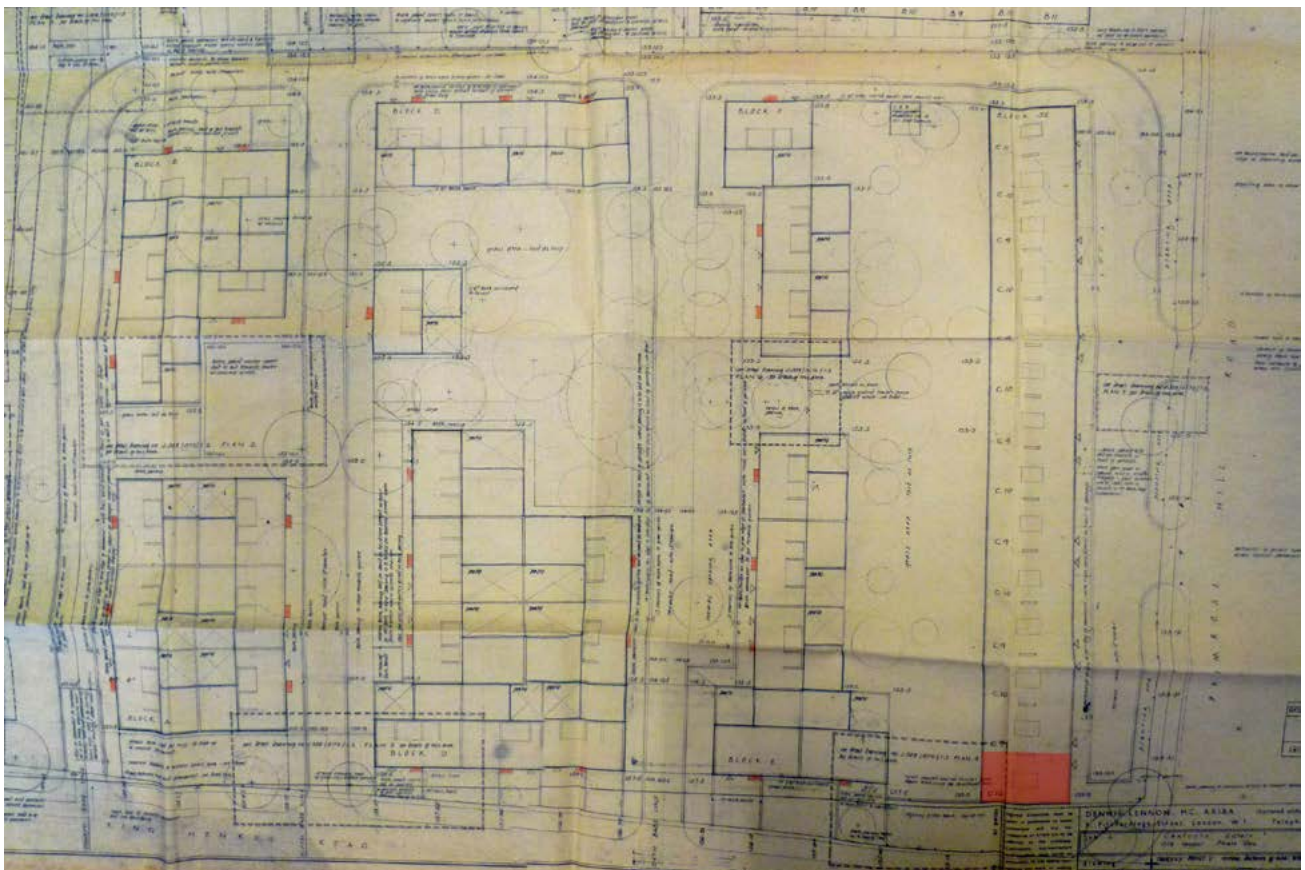


Plate 8a. Site Plan, 1966 Dennis Lennon & Partners. London Metropolitan Archive

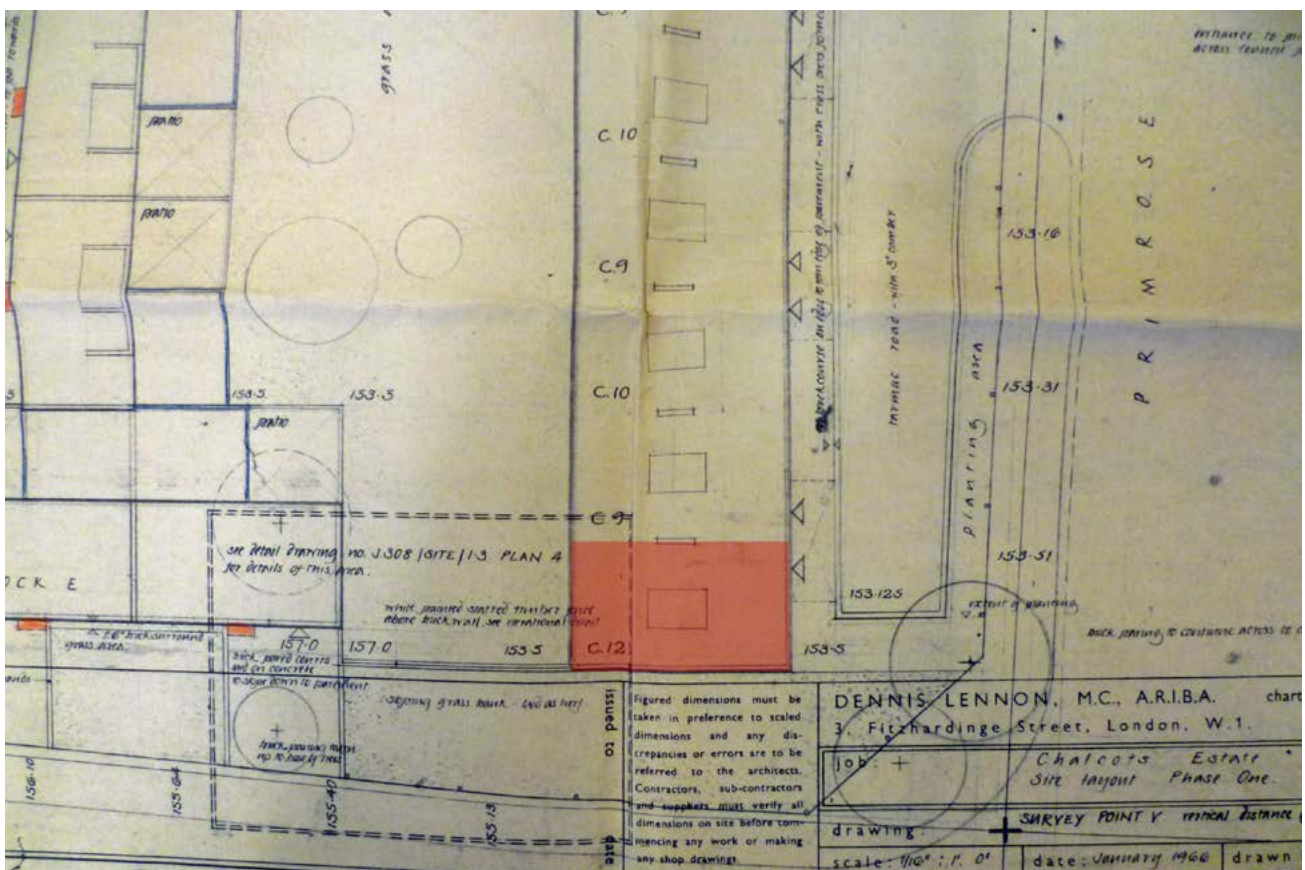


Plate 8b. Site Plan, 1966 Dennis Lennon & Partners. London Metropolitan Archive

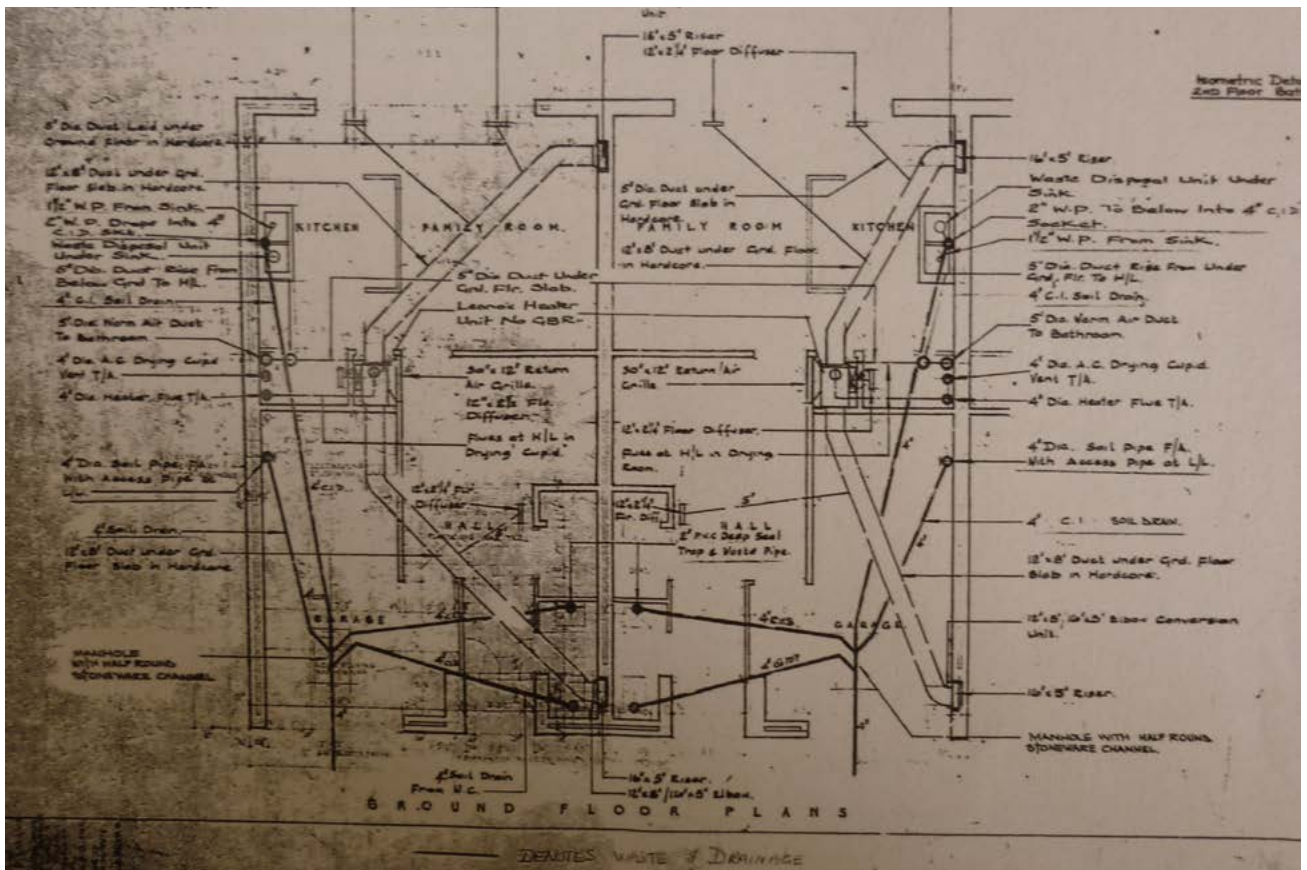


Plate 9a. Plans of House Types C for Phase I and II. 1966. Camden Local Archive

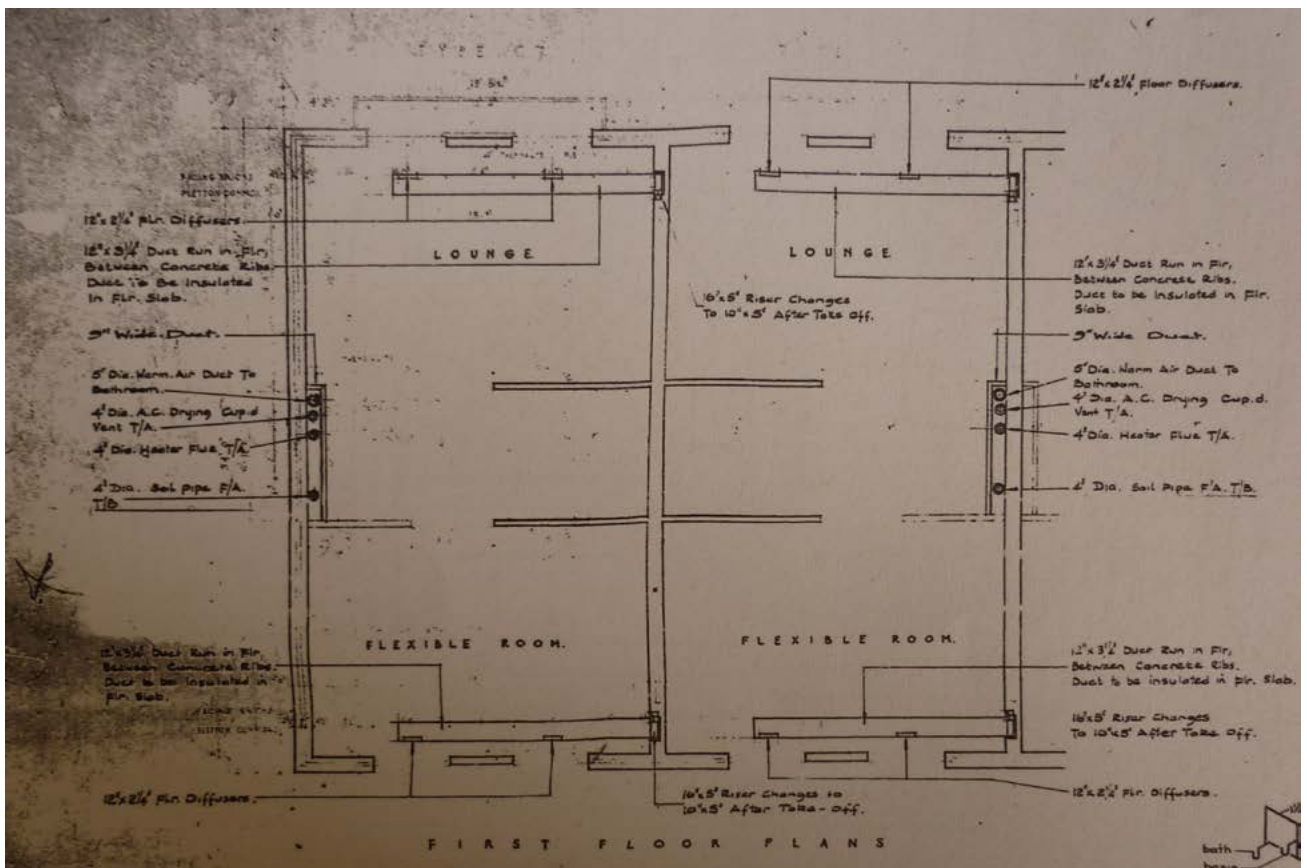


Plate 9b. Plans of House Types C for Phase I and II. 1966. Camden Local Archive

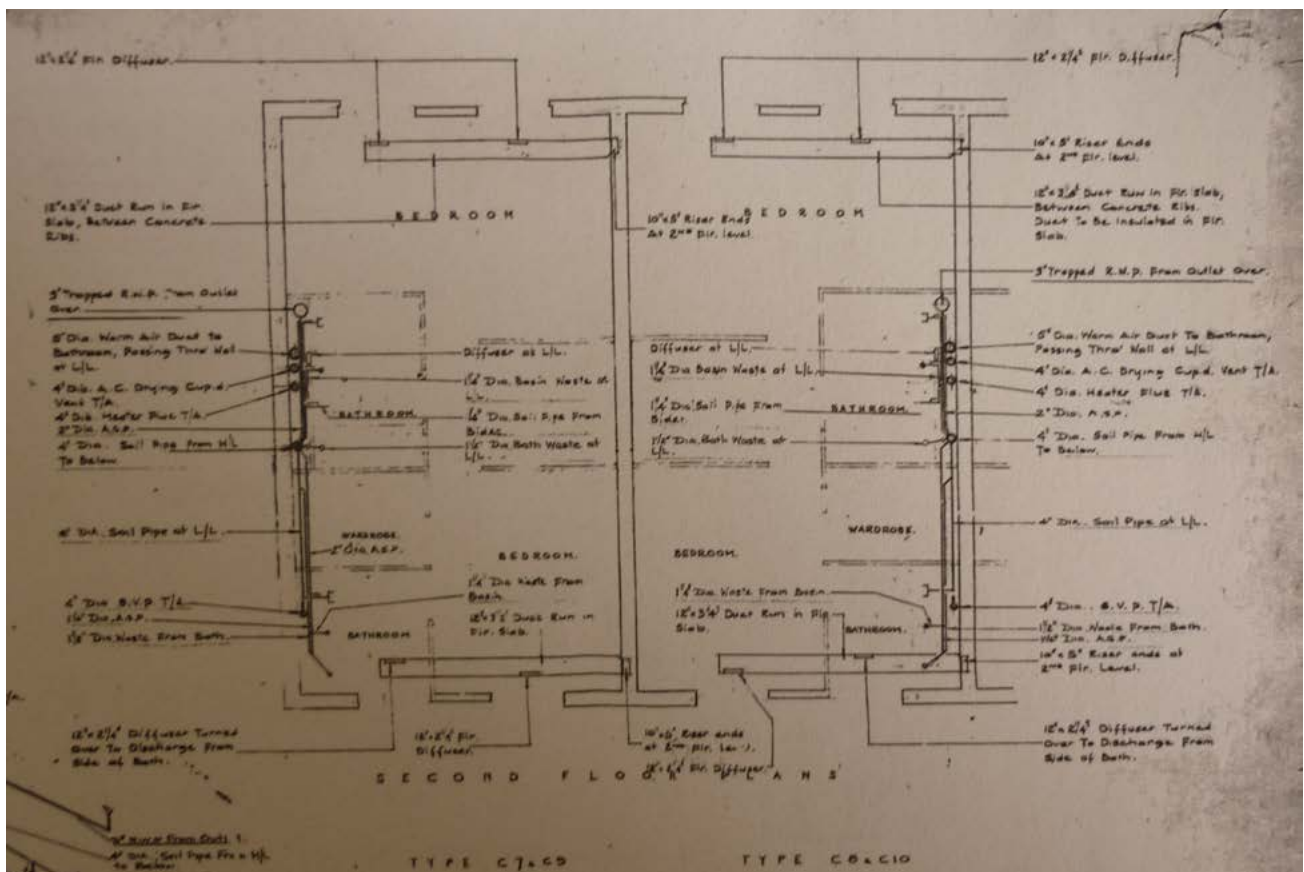


Plate 9c. Plans of House Types C for Phase I and II. 1966. Camden Local Archive

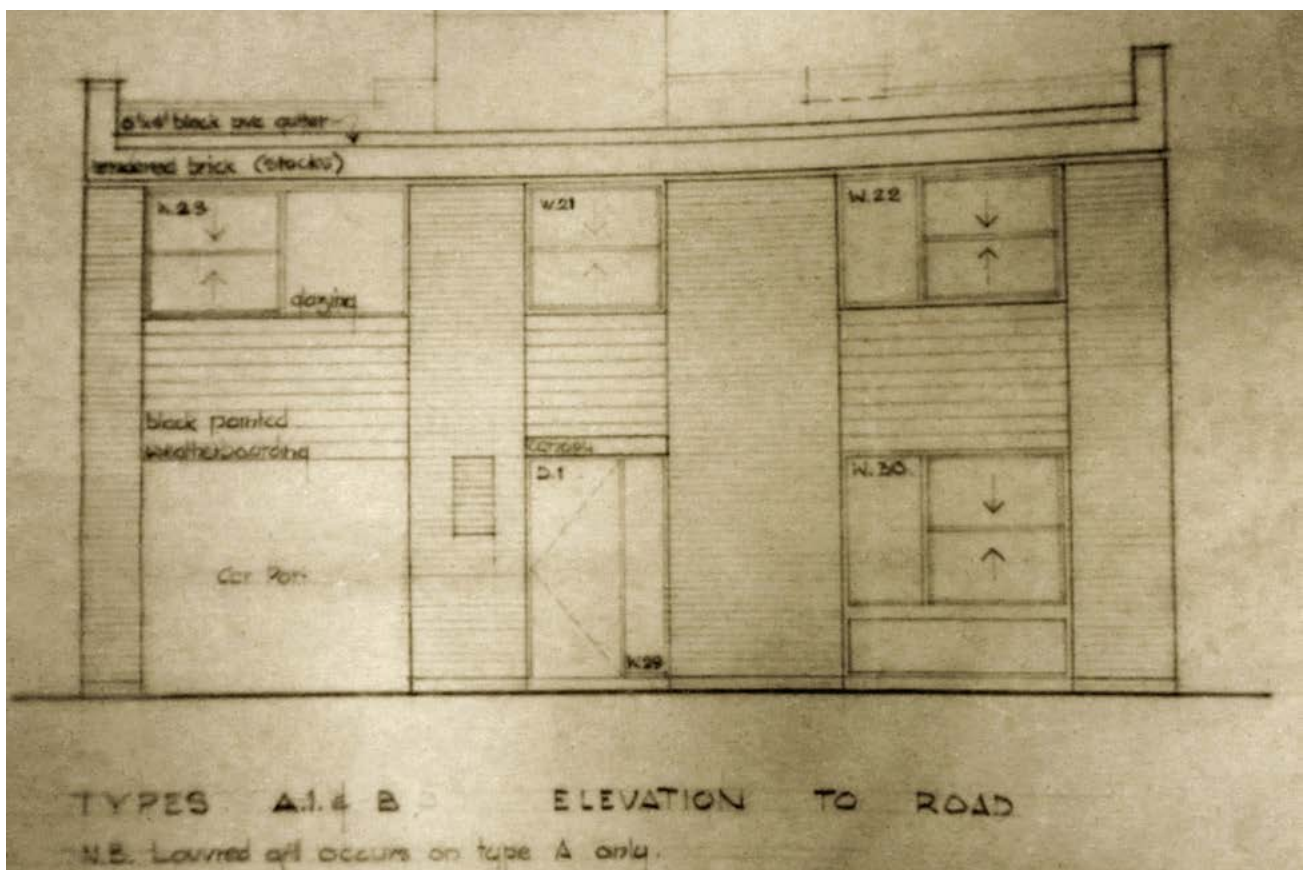


Plate 10. Elevation of House Type A and B, 1967 Dennis Lennon & Partners. London Metropolitan Archive



5. uneven pavement, Elsworthy Road Before council improvements



6. Uneven pavers at east entrance Before Construction of the St Mary Centre



Plate 11. Before and After Photographs from Margaret and Richard Davies and Associates D&A Statement.

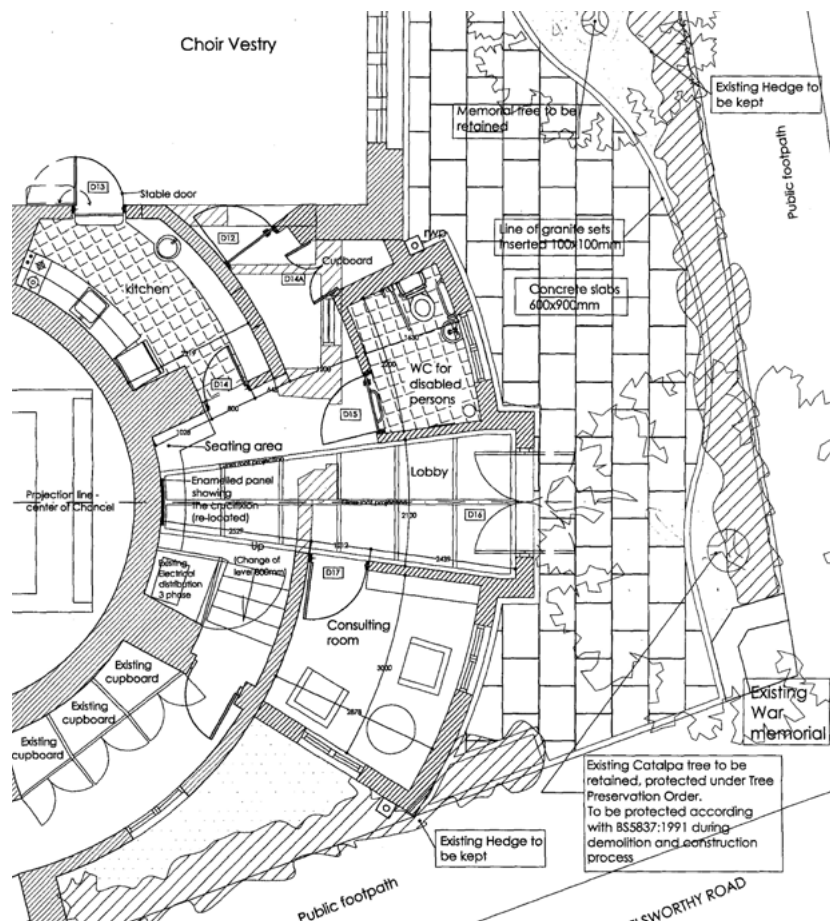


Plate 12. Drawing of St Mary the Virgin, by Margaret and Richard Davies and Associates.

3.1 The Setting of the Building and the Conservation Area Context

3.1.1 The Wider Setting

11 Primrose Hill Road is not located within a conservation area, however, the Elsworthy Road Conservation Area is located immediately to the south, the Primrose Hill Conservation Area is further to the south east, Belsize Park and Eton conservation areas are to the north. Primrose Hill Road is a leafy principal route which runs alongside Primrose Hill, terminating in the north with Belsize Park Gardens, Eton Avenue and England's Lane. The lower portion near Regent's Park Road was developed as St George's Terrace in the early 1850s. Further up the hill, the properties are mostly 20th century, with the yellow-brick Hill View and a stretch of four-storey 1970s flats, and the six-storey Whitton Estate (1970), both in red brick. Elsworthy Court (1937) is a five-storey block of flats of Neo-Georgian style, on the western side of Primrose Hill Road.

King Henry's Road is a leafy secondary route, which links up to Winchester Road in the west and Gloucester Avenue and Regent's Park Road in the east. The western portion of the road from Primrose Hill Road contains a mixture of buildings in terms of type, age and architectural style. Whilst it has this varied architectural character, it is overall characterised by its buildings being set back from the road, behind fences, walls and hedges and has an open and leafy character. The southern side of King Henry's Road is located within the Elsworthy Road Conservation Area. The buildings within this conservation area are predominantly mid- to late- Victorian and Edwardian and comprise large, terraced and semi-detached townhouses and some detached houses set in spacious plots which together form a leafy 'garden suburb' adjacent to the open spaces of Primrose Hill. Between Primrose Hill Road and Elsworthy Rise, it is mostly the rear elevations of semi-detached houses which face King Henry's Road; these are set back from the road behind fences, walls and hedges. The Elsworthy Road Conservation Areas can be viewed from the summit of Primrose Hill. The north side of King Henry's Road is lined by houses and maisonettes of the Chalcots Estate (which date from the late-20th century). This estate is largely residential and typically comprises buildings of three-storeys, with exception of the tower blocks, all arranged in a perimeter block pattern, set back from the main roads behind small gardens and fences.

3.1.2 The Immediate Setting

Opposite the site, at the corner of King Henry's and Primrose Hill roads is the Church of St Mary the Virgin (see Appendix I), which is Grade II-listed and located within the Elsworthy Road Conservation Area. The church is in the Early French Gothic style, of red brick; a distinctly different material from the remainder of the area and it has powerful presence at the corner of Primrose Hill Road and King Henry's Road. The extension to provide disabled access in 2005 fundamentally altered the way the building addresses the surrounding streets: the main entrance to the building is now from the east off a small garden facing onto Primrose Hill Road,



Plate 14. Front Elevation of No 11 Primrose Hill Road. DIA



Plate 15. Side Elevation of No 11 Primrose Hill Road, facing King Henry's Road and the Church of Mary the Virgin. DIA



Plate 16. Church of Mary the Virgin. DIA

while the former main entrance on King Henry's Road is now a secondary entrance (see Plates 11 and 12).

The Chalcots Estate spreads out to the north and west from No.11 Primrose Hill Road. Nos.11 to 37 Primrose Hill Road form a terrace which lines the western side of the road, and a development of three-storey shops and maisonettes of a similar age is located on the eastern side (Nos.34-8). The Grade II*-listed Primrose Hill Tunnel Portals (1837 and 1879) are located opposite and to the north the site, behind Nos.34-8, but being located at a lower level are obscured from Primrose Hill Road (see Appendix I for listing description). The southern tunnel passes directly beneath the garden of No.11 Primrose Hill Road.

On the south east side of the junction is a block of flats which form part of the Whitton Estate (1970), they are set back from the road behind a strip of gardens with mature trees.

Immediately to the east of the site, there are communal gardens which are shared between residents of the houses on Primrose Hill Road and Quickswood. On King Henry's Road, these gardens are shielded from view by mature trees and are set behind a low wooden fence.

3.2 The Building Externally

The building is set on the northern corner of the junction of Primrose Hill Road and King Henry's Road. It is set behind timber fences and perimeter planting. There is a drive accessed directly from Primrose Hill Road. To the south is a small private garden, which is set slightly lower than the public highway. There are two mature trees adjacent to the garden, one on the pavement and one within the private garden. To the west are communal gardens.

3.2.1 Front Elevation

The principal façade fronts Primrose Hill Road. The building is four storeys, including a ground floor garage; its frontage divided into two bays. The ground floor is rendered white and contains the main entrance to the left and garage door to the right. Strip clerestory windows lie above both. The spandrel band and first floor is also rendered, above the façade is brown brick. There is a strip of horizontal cladding at the centre, flanked by three-light casements at each upper floor. The façade is finished with a plain rendered cornice. Above is a stepped back fourth storey, which is rendered. This was designed to house the water tank, but has been converted. Windows are all UPVC casements.

To the left of the façade is a stepped timber fence and gate to the rear. The drive is a mixture of setts, tarmac and brick, set behind a timber fence, privet hedges and trees.

3.2.2 Rear Elevation

The rear elevation faces a communal garden, containing mature trees. The building is four storeys; its façade is divided into two bays. The

ground floor is rendered white and contains a window with overlights, and French doors into the garden; to the right is a further door. The spandrel band and first floor is rendered, above the façade is brown brick. A strip of horizontal cladding at the centre is flanked by three-light casements at each upper floor. The façade is finished with a plain rendered cornice, above are railings which contain a terrace; a rendered pier separates the terrace from the neighbouring property. Above is a stepped back fourth storey, which is rendered. Sliding French doors open out onto the terrace. Windows are all UPVC casements.

3.2.3 Side Elevation

The side elevation is blind apart from one door off-centre to the left, with a rendered spandrel band defining the first floor. The upper storeys are brown brick, divided by a large Z-shaped section of render. The fourth floor pop-up is blind, finished in render.

The house is set behind a high timber fence.

3.2.4 Roof

Flat, felted.

4.1 Description of the Proposals and their Impact on the Listed Building / Conservation Area / Heritage Assets

The proposals are for the erection of a single storey side extension at ground floor level and the replacement of three roof lights. They are described in the Undercover Architecture drawings and the Design and Access Statement which form the basis of this application.

Two previous schemes, submitted in July 2014 [Ref 2014/4514/P] and December 2014 [Ref 2014/7856/P] for the erection of an end of terrace single family dwelling house were refused planning permission and were dismissed at appeal for the following reasons:

12. 'The proposed development...would significantly erode the sense of openness in this part of the street, a prominent location at the junction with Primrose Hill Road. The remaining space between the building and the highway would be uncharacteristically small for this part of the street. Furthermore, the significant scale and height of the proposed building... would become a stark and visually intrusive feature that would undermine the character of the area that I have described. No 11 already extends beyond the front elevation of the closest houses on King Henry's Road and the proposed building would shift the built form significantly beyond the line of most other properties.'

15. 'The development would narrow views west along King Henry's Road and whilst I have had regard to the appellant's view that this would provide greater definition to the corner, it seems to me that it would serve only to erode the open character that is special to the area...views would certainly be impinged on views towards the conservation area from Primrose Hill Road in close proximity to the site.'

16. '...the site does make a contribution to the setting of the adjacent conservation area by virtue of its openness which is consistent with the character of King Henry's Road, including those parts within the conservation area. This character would be harmfully eroded by the proposed development and it cannot, therefore, be said that the development would preserve the character or appearance of the area.'

17. '...the development involved in both appeals would harm the character and appearance of the area, as well as the Elsworthy Conservation Area. This would be in conflict with Policy CS14 of the Camden Core Strategy 2010-2025 (CS) (2010) which seeks to deliver high quality places and conservation of heritage through high standards of design that respect local context and character, particularly in relation to conservation areas; and Policies DP24 and DP25 of the DP which have similar objectives and specifically resist development outside of conservation areas that would cause harm to its character and appearance.'¹⁷

The present proposal described in this planning application is materially different from the previous schemes and responds to the concerns raised by the Planning Inspector in his Appeal Decision.

No.11 Primrose Hill Road lies at the end of the terrace, at the corner with King Henry's Road. The proposed extension would adjoin the south elevation of the building. It would form an extended dining space at ground floor level, with access through to the private garden. The floor level of the proposed extension would be slightly lower than that of the rest of the ground floor, and would be accessed by five steps from the kitchen. The proposed extension is modest in size, covering a modest portion of the garden and would rise to the same height as the current timber perimeter fence where it faces King Henry's and Primrose Hill roads.

In order to ensure the new structure remains in-keeping with the host building and other buildings in the terrace, all facing materials proposed match those found elsewhere on the estate, in particular those on the same terrace. The external walls would all be brick selected and laid to match the main house and the wider Chalcots Estate. All windows and doors would be metal framed and painted and its roof would be flat with a sedum covering. The east elevation would contain a single metal-framed window. The long, south elevation would contain three almost full-height metal-framed sliding doors and adjacent would be metal-framed clerestory windows, which would wrap around to the west elevation. The west elevation, where it faces the communal garden would be similarly detailed and would continue these clerestory windows.

The proposed extension has been designed to be subservient to the main building and its materiality and detailed design have been carefully considered to respect the architectural character of the main building and the adjoining terrace. In this way, the proposed extension complies with the National Planning Policy Framework by 'responding to local character and history, and reflect the identity of local surroundings and materials' (NPPF, Clause 58). The proposed extension similarly responds to the London Borough of Camden's development policies DP24 and DP25, by responding accordingly 'the character and proportions of the existing building...'

Although the site is located on a prominent corner, the proposed extension would not be perceived from King Henry's Road or Primrose Hill Road as it would be obscured by the existing timber fence and the perimeter planting. Views from the west on King Henry's Road would similarly be obscured by the perimeter fence, as well as the border planting and trees within the communal garden. This responds to points 12, 15, 16 and 17 of the appeal.

Therefore, the proposals would preserve the openness of the corner and would have no impact on the setting of the Elsworthy Road Conservation Area or the overall character of the area. Views into and out of the Conservation Area would similarly not be effected. In views along Primrose Hill Road the extension would have no impact on the appreciation of the Grade II-listed Church of St Mary.

As the proposed extension is set away from the Grade II-listed church and would not be perceptible, it would have no impact on the special historic and architectural interest of this building or its setting. As the Grade II*-

listed tunnels are set below street level, it would similarly have no impact on the special historic and architectural interest of these structures or their setting.

The extension would be visible in private views from properties backing on to No.11 and also when seen from the communal gardens to the west. However, its modest size, largely concealed location (behind an existing fence) and appropriate facing materials would ensure that it would have no adverse impact in private views; nor would it block views out across the site.

The three existing pop-up roof lights would also be replaced with new flat-roof roof lights: one over the staircase bringing natural light into the main core of the house and two others which would bring natural light to the two new bathrooms on the second floor. These new rooflights would be almost flush with the roof and would have no impact on the setting of the conservation area and no impact on the special historic and architectural interest or the setting of the Grade II-listed church or Grade II*-listed tunnels.

4.2 Justification of the Proposals

The Planning (Listed Buildings and Conservation Areas) Act 1990 is the legislative basis for decision making on applications that relate to the historic environment. Sections 66 and 72 of the Act impose a statutory duty upon local planning authorities to consider the impact of proposals upon listed buildings and their setting and conservation areas and to have special regard to the desirability of preserving the special architectural or historic interest of listed buildings and preserving or enhancing the character or appearance of a conservation area (see Appendix II below).

New development should preserve or enhance the setting of listed buildings and the character and appearance of conservation areas. As a minimum, therefore, the impact of development on these heritage assets should be neutral to not engage the presumption within the Act against the grant of planning permission. As outlined above, the proposals would preserve the character and appearance of the Elsworthy Road Conservation Area and the setting of the listed buildings. Therefore the presumption against the grant of planning permission within the Act is not engaged. Unlike Section 66 of the Act, Section 72 does not include provision for the setting of conservation areas and therefore no statutory duty is engaged with regard to the impact on the setting of the Elsworthy Road Conservation Area, however again as outlined above, the scheme proposed would preserve its setting.

The National Planning Policy Framework states that new designs should 'respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation' (NPPF, Clause 58), and make a 'positive contribution' to local distinctiveness (NPPF Clause 131). Likewise, the London Borough of Camden's development policy DP24 states that new development should consider 'character, setting, context and

the form and scale of neighbouring buildings' and extensions should respond accordingly 'the character and proportions of the existing building...'. Camden's development policy DP25 states that the Council will 'only permit development within conservation areas that preserves and enhances the character and appearance of the area'. The present scheme is materially different from the previous scheme and as outlined in Section 4.1, addresses the reasons given by the Planning Inspector for dismissing the appeal.

4.3 Conclusion

The proposals described in this planning application meet the criteria for sustainable development as defined by the *National Planning Policy Framework*. Similarly, they meet the objectives of the London Borough of Camden's local plans and policies and answer the concerns about the original scheme raised by the Planning Inspector in his Appeal Decision. For these reasons, the scheme should be welcomed in design and heritage terms.

Church of St Mary the Virgin, Primrose Hill Road

Listed 14/05/74

Grade II

Church. 1871-2. By Michael P Manning; built by Dove Brothers. c1891-2 south aisle and chapel added. Red brick with stone dressings. Slated roofs with lugged brick eaves cornice. Early French Gothic style. EXTERIOR: 3-bay aisled nave with clerestory and north transept, apsidal-ended sanctuary and south-east chapel. Main entrances on north elevation; western entrance with gabled portico, eastern with gabled hoodmould, both with brick moulded arches having bas relief tympana. Slightly pointed lancet windows. Gabled transept with 3 arcaded windows, plate tracery rose window and 3 linked lancets in apex. Chancel has 5 plate tracery windows flanked by buttresses; west end 3 arcades windows, plate tracery rose window flanked by oculi. INTERIOR: has wagon roof to nave and transept; chancel and south-east chapel are vaulted; aisles have flying buttresses. Columns with stiff leaf capitals. Features by local artists include stained glass by Clayton and Bell and CE Kempe, enamelwork by Henry Holiday, reredos and pulpit by GF Bodley, oak seating by Temple Moore. HISTORICAL NOTE: due to the High Church practices of the first incumbent St Mary the Virgin was not consecrated until 1885. From 1901-15 the vicar, Percy Dearmer, editor of the English Hymnal and Songs of Praise, made the church a showpiece of liturgical worship and good music. His reforms included whitewashing of the original red and black interior.

Listing NGR: TQ2751184188

Primrose Hill Tunnels, Primrose Hill Road (Eastern Portals)

Grade II*

Pair of railway tunnel portals at the eastern end of the Primrose Hill Tunnels, 1837 (northern) and 1879 (southern), for the London and Birmingham Railway to designs by William Budden.

PORTALS: While the context of the Primrose Hill Tunnels has altered dramatically, the structures themselves remain largely as they were built. The northern portal is the earlier, built in 1837, of stock brick and stone with stone dressings. It has a round-arched tunnel mouth with coved reveals of rusticated voussoirs and is crowned by a heavy modillion cornice with carved lion masks. The opening is flanked by massive stone piers on vermiculated stone pedestals with long and short quoins and console bracketed hipped capitals designed to appear as ridged lead roofs. Flanking the piers are quadrant brick wing walls, also with vermiculated stone podiums, and broken by channelled stone pillars crowned by segmental pediments. The southern portal, dating from 1879, faithfully replicates the design of the original portal down to decorative detail such as the lion masks. It differs only in size, being taller than the northern portal in order to retain the land rising up to Primrose Hill.

HISTORY: The northernmost of the two Primrose Hill tunnels was completed in 1837 and was the first railway tunnel in London as well as one of the earliest in the country. The tunnel was built for the London and Birmingham Railway Company and engineered by George Stephenson and Son; the portal was designed by William Budden, Stephenson's assistant. A second tunnel, to the south, with a portal in the same design as Budden's original, was completed in 1879 following the addition of a further two tracks to the line in 1846.

The land under which the tunnel was driven was the Chalcots Estate, owned by Eton College and largely rural in 1837. The College had begun to develop the area, beginning in 1830 with Adelaide Road which now runs alongside the railway track, and were originally opposed to the railway speculators' proposals for fear of the adverse effect of the cutting on the value of the land and subsequent house leases. The College's reservations necessitated the very existence of the tunnel and determined its appearance. Unwilling to lose the building land to railway tracks, the College insisted on a tunnel, made by tunnelling and not 'cut and cover', despite the fact that the gradient of the land allowed track to be laid without one; the terms of the Act of Parliament of 1833 which gave permission for the railway stated that the tunnel should be constructed with sufficient strength for buildings to be erected at ground level. The College also demanded that the tunnel mouth should 'be made good and finished with a substantial ornamental facing of brickwork or masonry to the satisfaction of the Provost and College'. The resulting portal cost £7,000 and differed from the Western Portal which was less grand.

The tunnel became a popular attraction and, before houses hemmed in the approach, the sloping sides of the cutting provided viewing points for members of the public eager to witness the coming and going of the trains and the portal itself. The scene is depicted in a watercolour by J H Nixon, after a painting by J Cleghorn of 1837 and a lithograph by C Rosenberg.

The London and Birmingham Railway, which opened in 1838, was one of the first intercity railway lines in the world, and (after the London to Greenwich Railway of 1836) the first major railway line to be built into London. The line was engineered by Robert Stephenson and started at Euston Station. The London and Birmingham Railway was one of the most significant engineering projects of the C19 and a landmark in pioneering railway technology world wide.

A second tunnel to the south was subsequently built and became operational in June 1879. The southern portal replicated the original in all but height.

SOURCES: John C Bourne, Drawings of the London and Birmingham Railway (1839) Anthony Cooper (Ed), Primrose Hill to Euston Road, Camden History Society (1984) Penny Hatfield, The Eton College Estate, Camden History Review 17, Camden History Society (1992) K. A. Scholey, The Railways of Camden, Camden History Society Occasional Paper 4, 2002 FML Thompson, Hampstead: Building a Borough 1650 - 1964 (1974) 219-20 Christopher Wade (Ed), The Streets of Belsize,

Camden History Society (1991) Jack Whitehead, The Growth of Camden Town: AD 1800-2000 (2000) Gordon Biddle, Britain's Historic Railway Buildings (2003) 50

SUMMARY OF IMPORTANCE: As an early railway structure dating from 1837 and a part of one of the pioneering railway speculations, the London and Birmingham Railway, the northernmost Eastern Portal to the Primrose Hill Tunnel is of special historic interest. This inherent interest is considerably enhanced by the uniqueness of the tunnel's construction: it was the first railway tunnel in London; the first nationally to negotiate the issue of competing claims for the use of land in an urban context; and the first tunnel to treat one of its portals architecturally. Comparison with the Western Portals (Grade II), at the opposite end of the two tunnels, emphasises the exceptional circumstances at the eastern end of the tunnel where the Eton College Estate demanded a grand architectural set-piece: the Western Portals are of a much humbler design. The portal is also of more than special architectural interest for its proud, classical elevation which is indicative of the upmarket development Eton College hoped to undertake nearby. There are similarities in design with Brunel's portals to the Box Tunnel in the use of ashlar to imply strength, the classical features such as the treatment of the cornices and rusticated quoins, and the employment of quadrant arches to convey the sense of a grand entrance. The second portal, dating from 1879, is also of special interest for its intrinsic merit in that it represents the quick expansion of the railways in the mid-C19 and as an important component of the site.

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National Grid Reference: TQ 27566 84231

Appendix II

Planning Policy and Guidance

Planning (Listed Buildings and Conservation Areas) Act 1990

The Act is legislative basis for decision making on applications that relate to the historic environment.

Sections 66 and 72 of the Act impose a statutory duty upon local planning authorities to consider the impact of proposals upon listed buildings and conservation areas.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

in considering whether to grant permission for development which affects a listed building or its setting, the local planning authority, or as the case may be the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Similarly, section 72(1) of the above Act states that:

... with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

National Planning Policy Framework

Any proposals for consent relating to heritage assets are subject to the policies of the NPPF (2012). This sets out the Government's planning policies for England and how these are expected to be applied. With regard to 'Conserving and enhancing the historic environment', the framework requires proposals relating to heritage assets to be justified and an explanation of their effect on the heritage asset's significance provided.

The NPPF has the following relevant policies for proposals such as this:

*14. At the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking.*

The NPPF sets out twelve **core planning principles** that should underpin decision making (paragraph 17). Amongst those are that planning should:

- *not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;*
- *proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be*

made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities;

- *always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;*
- *support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy);*
- *conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;*

With regard to the **significance** of a heritage asset, the framework contains the following policies:

129. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal 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.

In determining applications local planning authorities are required to take account of significance, viability, sustainability and local character and distinctiveness. Paragraph 131 of the NPPF identifies the following criteria in relation to this:

- *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.*

With regard to potential '**harm**' to the significance designated heritage asset, in paragraph 132 the framework states the following:

...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.

Where a proposed development will lead to **'substantial harm' to or total loss of significance** of a designated heritage asset paragraph 133 of the NPPF states that:

...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.*

With regard to **'less than substantial harm'** to the significance of a designated heritage asset, of the NPPF states the following;

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

In terms of **non-designated heritage assets**, the NPPF states:

135. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balance judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

In relation to the consideration of applications for development affecting the **setting of a designated heritage asset**, paragraph 137 of the document states the following:

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.

With regards to the loss of a building (or other element) which makes a positive contribution to a **Conservation Area**, paragraph 138 states this should be treated:

...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...as a whole.

National Planning Practice Guidance

The planning practice guidance was published on the 6th March 2014 to support the National Planning Policy Framework and the planning system. It includes particular guidance on matters relating to protecting the historic environment in the section: Conserving and Enhancing the Historic Environment. The relevant guidance is as follows:

Paragraph 3: What is meant by the conservation and enhancement of the historic environment?

The conservation of heritage assets in a manner appropriate to their significance is a core planning principle. Heritage assets are an irreplaceable resource and effective conservation delivers wider social, cultural, economic and environmental benefits.

Conservation is an active process of maintenance and managing change. It requires a flexible and thoughtful approach to get the best out of assets as diverse as listed buildings in everyday use to as yet undiscovered, undesignated buried remains of archaeological interest.

In the case of buildings, generally the risks of neglect and decay of heritage assets are best addressed through ensuring that they remain in active use that is consistent with their conservation. Ensuring such heritage assets remain used and valued is likely to require sympathetic changes to be made from time to time. In the case of archaeological sites, many have no active use, and so for those kinds of sites, periodic changes may not be necessary.

Where changes are proposed, the National Planning Policy Framework sets out a clear framework for both plan-making and decision-taking to ensure that heritage assets are conserved, and where appropriate enhanced, in a manner that is consistent with their significance and thereby achieving sustainable development.

Part of the public value of heritage assets is the contribution that they can make to understanding and interpreting our past. So where the complete or partial loss of a heritage asset is justified, the aim then is to capture and record the evidence of the asset's significance which is to be lost, interpret its contribution to the understanding of our past, and make that publicly available.

Paragraph 7 states:

There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise

to the need for the planning system to perform a number of roles:

- an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;*
- a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and*
- an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.*

Paragraph 8: What is “significance”?

“Significance” in terms of heritage policy is defined in the Glossary of the National Planning Policy Framework.

In legislation and designation criteria, the terms ‘special architectural or historic interest’ of a listed building and the ‘national importance’ of a scheduled monument are used to describe all or part of the identified heritage asset’s significance. Some of the more recent designation records are more helpful as they contain a fuller, although not exhaustive, explanation of the significance of the asset.

Paragraph 9: Why is ‘significance’ important in decision-taking?

Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals

Paragraph 13: What is the setting of a heritage asset and how should it be taken into account?

The “setting of a heritage asset” is defined in the Glossary of the National Planning Policy Framework.

A thorough assessment of the impact on setting needs to take

into account, and be proportionate to, the significance of the heritage asset under consideration and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it.

Setting is the surroundings in which an asset is experienced, and may therefore be more extensive than its curtilage. All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not.

The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each.

The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights or an ability to access or experience that setting. This will vary over time and according to circumstance.

When assessing any application for development which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change. They may also need to consider the fact that developments which materially detract from the asset's significance may also damage its economic viability now, or in the future, thereby threatening its ongoing conservation.

Paragraph 15: What is a viable use for a heritage asset and how is it taken into account in planning decisions?

The vast majority of heritage assets are in private hands. Thus, sustaining heritage assets in the long term often requires an incentive for their active conservation. Putting heritage assets to a viable use is likely to lead to the investment in their maintenance necessary for their long-term conservation.

By their nature, some heritage assets have limited or even no economic end use. A scheduled monument in a rural area may preclude any use of the land other than as a pasture, whereas a listed building may potentially have a variety of alternative uses such as residential, commercial and leisure.

In a small number of cases a heritage asset may be capable of active use in theory but be so important and sensitive to change that alterations to accommodate a viable use would lead to an

unacceptable loss of significance.

It is important that any use is viable, not just for the owner, but also the future conservation of the asset. It is obviously desirable to avoid successive harmful changes carried out in the interests of repeated speculative and failed uses.

If there is only one viable use, that use is the optimum viable use. If there is a range of alternative viable uses, the optimum use is the one likely to cause the least harm to the significance of the asset, not just through necessary initial changes, but also as a result of subsequent wear and tear and likely future changes.

The optimum viable use may not necessarily be the most profitable one. It might be the original use, but that may no longer be economically viable or even the most compatible with the long-term conservation of the asset. However, if from a conservation point of view there is no real difference between viable uses, then the choice of use is a decision for the owner.

Harmful development may sometimes be justified in the interests of realising the optimum viable use of an asset, notwithstanding the loss of significance caused provided the harm is minimised. The policy in addressing substantial and less than substantial harm is set out in paragraphs 132 – 134 of the National Planning Policy Framework.

Paragraph 20: What is meant by the term public benefits?

Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework (Paragraph 7). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.

Public benefits may include heritage benefits, such as:

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting*
- reducing or removing risks to a heritage asset*
- securing the optimum viable use of a heritage asset*

Historic England: Historic Environment Good Practice Advice in Planning (March 2015)

The purpose of the Good Practice Advice note is to provide information on good practice to assist in implementing historic environment policy in the National Planning Policy Framework (NPPF) and the relate guidance given in the National Planning Practice Guide (NPPG).

Note 2 'Managing Significance in Decision-Taking'

This note provides information on:

assessing the significance of heritage assets, using appropriate expertise, historic environment records, recording and furthering understanding, neglect and unauthorised works, marketing and design and distinctiveness.

It states that:

The advice in this document, in accordance with the NPPF, emphasises that the information required in support of applications for planning permission and listed building consent should be no more than is necessary to reach an informed decision, and that activities to conserve or investigate the asset needs to be proportionate to the significance of the heritage assets affected and the impact on that significance.

In their general advice on decision-taking, this note advises that:

Development proposals that affect the historic environment are much more likely to gain the necessary permissions and create successful places if they are designed with the knowledge and understanding of the significance of the heritage assets they may affect. The first step for all applicants is to understand the significance of any affected heritage asset and, if relevant, the contribution of its setting to its significance. The significance of a heritage asset is the sum of its archaeological, architectural, historic, and artistic interest.

Paragraph 6 highlights the NPPF and NPPG's promotion of early engagement and pre-application discussion, and the early consideration of significance of the heritage asset in order to ensure that any issues can be properly identified and addressed. Furthermore, the note advises that:

As part of this process, these discussions and subsequent applications usually benefit from a structured approach to the assembly and analysis of relevant information. The stages below indicate the order in which this process can be approached – it is good practice to check individual stages of this list but they may not be appropriate in all cases and the level of detail applied should be proportionate.

- 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 Assessment of Significance as part of the Application Process

Paragraph 7 emphasises the need to properly assess the nature, extent and importance of the significance of a heritage asset and the contribution of its setting early in the process, in order to form a successful development, and in order for the local planning authority to make decisions in line with legal objectives and the objectives of the development plan and the policy requirements of the NPPF.¹⁸

8. Understanding the nature of the significance is important to understanding the need for and best means of conservation. For example, a modern building of high architectural interest will have quite different sensitivities from an archaeological site where the interest arises from the possibility of gaining new understanding of the past.

9. Understanding the extent of that significance is also important because this can, among other things, lead to a better understanding of how adaptable the asset may be and therefore improve viability and the prospects for long term conservation.

10. Understanding the level of significance is important as it provides the essential guide to how the policies should be applied. This is intrinsic to decision-taking where there is unavoidable conflict with other planning objectives.

11. To accord with the NPPF, an applicant will need to undertake an assessment of significance to inform the application process to an extent necessary to understand the potential impact (positive or negative) of the proposal and to a level of thoroughness proportionate to the relative importance of the asset whose fabric or setting is affected.

Conservation Principles and Assessment

Conservation Principles (2008) explores, on a more philosophical level, the reason why society places a value on heritage assets beyond their mere utility. It identifies four types of heritage value that an asset may hold: aesthetic, communal, historic and evidential value. This is simply another way of analysing its significance. These values can help shape the most efficient and effective way of managing the heritage asset so as to sustain its overall value to society.¹⁹

Curtilage Structures

15 Some buildings and structures are deemed designated as listed buildings by being fixed to the principal building or by being ancillary within its curtilage and pre-dating 1 July 1948. Whether alteration, extension or demolition of such buildings amounts to harm or substantial harm to the designated heritage asset (i.e. the listed building together with its curtilage and attached

buildings) needs careful consideration. Some curtilage structures are of high significance, which should be taken fully into account in decisions, but some are of little or none. Thus, like other forms of heritage asset, curtilage structures should be considered in proportion to their significance. Listed buildings designated very recently (after 25 June 2013) are likely to define curtilage definitively; where this is (or is not) the case will be noted in the list description.

Cumulative Impact

28 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. Where the significance of a heritage asset has been compromised in the past by unsympathetic development to the asset itself or its setting, consideration still needs to be given to whether additional change will further detract from, or can enhance, the significance of the asset in order to accord with NPPF policies. Negative change could include severing the last link to part of the history of an asset or between the asset and its original setting. Conversely, positive change could include the restoration of a building's plan form or an original designed landscape.

Listed Building Consent Regime

29. Change to heritage assets is inevitable but it is only harmful when significance is damaged. 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 needed if it is to go ahead. In the case of listed buildings, the need for owners to receive listed building consent in advance of works which affect special interest is a simple mechanism but it is not always clear which kinds of works would require consent. In certain circumstances there are alternative means of granting listed building consent under the Enterprise & Regulatory Reform Act 2013.

Opportunities to Enhance Assets, their Settings and Local Distinctiveness

52. Sustainable development can involve seeking positive improvements in the quality of the historic environment. There will not always be opportunities to enhance the significance or improve a heritage asset but the larger the asset the more likely there will be. Most conservation areas, for example, will have sites within them that could add to the character and value of the area through development, while listed buildings may often have extensions or other alterations that have a negative impact on the significance. Similarly, the setting of all heritage assets will frequently have elements that detract from the significance of the asset or hamper its appreciation.

Design and Local Distinctiveness

53. Both the NPPF (section 7) and PPG (section ID26) contain detail on why good design is important and how it can be achieved. In terms of the historic environment, some or all of the following factors may influence what will make the scale, height, massing, alignment, materials and proposed use of new development successful in its context:

- *The history of the place*
- *The relationship of the proposal to its specific site*
- *The significance of nearby assets and the contribution of their setting, recognising that this is a dynamic concept*
- *The general character and distinctiveness of the area in its widest sense, including the general character of local buildings, spaces, public realm and the landscape, the grain of the surroundings, which includes, for example the street pattern and plot size*
- *The size and density of the proposal related to that of the existing and neighbouring uses*
- *Landmarks and other built or landscape features which are key to a sense of place*
- *The diversity or uniformity in style, construction, materials, colour, detailing, decoration and period of existing buildings and spaces*
- *The topography*
- *Views into, through and from the site and its surroundings*
- *Landscape design*
- *The current and historic uses in the area and the urban grain*
- *The quality of the materials*

Note 3 ‘The Setting of Heritage Assets’

This note provides guidance on the setting of heritage assets, which is separate to issues of curtilage, character or context.

The Extent of Setting

4. The setting of a heritage asset is the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset.

The setting of a heritage asset may reflect the character of the wider townscape or landscape in which it is situated, or be quite distinct from it. Extensive heritage assets can include many heritage assets and their nested and overlapping settings, as well as having a setting of their own. I.e. A conservation area will include the settings of listed buildings and have its own setting.

Views and Setting

5. The contribution to the setting of a heritage asset can be expressed through a wide variety of views.

6. Views which contribute more to understanding the significance of the heritage asset include:

- those where relationships between the asset and other historic assets or places or natural features are particularly relevant;
- those with historical associations, including viewing points and the topography of battlefields;
- those where the composition within the view was a fundamental aspect of the design or function of the heritage asset; and
- those between heritage assets and natural or topographic features, or phenomena such as solar and lunar events.

Even if recent unsympathetic development has affected the setting or views of a heritage asset, consideration will still be given to whether developments would further detract or enhance the significance of the asset.

Setting and the Significance of Heritage Assets

9. Setting is not a heritage asset, nor a heritage designation, though land within a setting may itself be designated. Its importance lies in what it contributes to the significance of the heritage asset, which may vary from asset to asset....Therefore, implications of development affecting the setting of heritage assets should be considered on a case-by-case basis.

Setting and urban design

The numbers and proximity of heritage assets in urban areas mean that the protection and enhancement of setting is intimately linked to townscape and urban design considerations, and often relate to townscape attributes such as lighting, trees, and verges, or the treatments of boundaries or street surfaces.

Setting and economic and social viability

Sustainable development under the NPPF can have important positive impacts on heritage and their settings, for example by bringing an abandoned building back into use or giving a heritage asset further life. However, the economic and social viability of a heritage asset can be diminished if accessibility from or to its setting is reduced by badly designed or insensitively located development.

A staged approach to proportionate decision-taking

10. Protection of the setting of heritage assets need not prevent change; indeed change may be positive, for instance where the setting has been compromised by poor development.

Local Policy

Camden's *Local Development Framework* was adopted in 2010.

LONDON BOROUGH OF CAMDEN DEVELOPMENT POLICIES (2010)

DP24 – Securing high quality design

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

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

DP25 – Conserving Camden's heritage

Conservation Areas

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

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

Listed Buildings

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

- e) prevent the total or substantial demolition of a listed building unless*

*exceptional circumstances are shown that outweigh the case for retention;
f) only grant consent for a change of use or alterations and extensions to a listed building where it considers this would not cause harm to the special interest of the building; and*

g) not permit development that it considers would cause harm to the setting of a listed building.

DP26 – Managing the impact of development on occupiers and neighbours

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

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

We will also require developments to provide:

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

LONDON BOROUGH OF CAMDEN CORE STRATEGY (2010)

CS14 - Promoting high quality places and conserving our heritage

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.*

Elsworthy Road Conservation Area Appraisal and Management Strategy

14th July 2009

The following excerpts relate to the site:

Views and Vistas

3.8 The most notable views are to and from local landmarks seen from moving around the Conservation Area. The highest point in the vicinity is the summit of Primrose Hill, one of London's royal parks, which has spectacular panoramic views of the capital over Regent's Park to the south-west, and over the Elsworthy Conservation Area to the north and north-west. In the foreground, there are views of the backs of properties along Elsworthy Road and Avenue Road. An important part of the character of the Conservation Area derives from its relationship with the higher ground of Primrose Hill, which is appreciated in views into and out of the area. Other notable views are of the residential tower blocks forming part of the Chalcots Estate north of Adelaide Road, and the of the Swiss Cottage development to the north-west.

3.9 Other notable views and landmarks within the Conservation Area include:

i) The views of the Church of St. Mary the Virgin to the west and north-west along King Henry's Road and Primrose Hill Road respectively.

The London Plan Policies (Further Alterations to the London Plan (FALP) 2015)

On 10 March 2015, the Mayor published (i.e. adopted) the Further Alterations to the London Plan (FALP). From this date, the FALP are operative as formal alterations to the London Plan (the Mayor's spatial development strategy) and form part of the development plan for Greater London.

The London Plan has been updated to incorporate the Further Alterations. It also incorporates the Revised Early Minor Alterations to the London Plan (REMA), which were published in October 2013.

Policy 7.8

Heritage assets and archaeology

Strategic

A London's heritage assets and historic environment, including listed buildings, registered historic parks and gardens and other natural and historic landscapes, conservation areas, World Heritage Sites, registered battlefields, scheduled monuments, archaeological remains and memorials should be identified, so that the

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

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

Planning decisions

- C Development should identify, value, conserve, restore, re-use and incorporate heritage assets, where appropriate.*
- D Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.*

Policy 7.9

Heritage-led regeneration

Strategic

- A Regeneration schemes should identify and make use of heritage assets and reinforce the qualities that make them significant so they can help stimulate environmental, economic and community regeneration. This includes buildings, landscape features, views, Blue Ribbon Network and public realm.*

Planning decisions

- B The significance of heritage assets should be assessed when development is proposed and schemes designed so that the heritage significance is recognised both in their own right and as catalysts for regeneration. Wherever possible heritage assets (including buildings at risk) should be repaired, restored and put to a suitable and viable use that is consistent with their conservation and the establishment and maintenance of sustainable communities and economic vitality.*

Appendix III List of Plates and Endnotes

List of Plates

1. Carey's New and Accurate Plan of London and Westminster of 1795.
2. 1871-5 Ordnance Survey Map. Promap
3. 1896 Ordnance Survey Map. Promap
4. London County Council Bomb Damage Maps 1939-45.
5. Low-rise House Types 1963, Dennis Lennon & Partners. London Metropolitan Archive
6. Model, Dennis Lennon & Partners. Architectural Review January 1966, p40
7. a-b: Site Plan, 1966 Dennis Lennon & Partners. London Metropolitan Archive
8. a-c: Plans of House Types C for Phase I and II. 1966. Camden Local Archive
9. Elevation of House Type A and B, 1967 Dennis Lennon & Partners. London Metropolitan Archive
10. Elevation of House Type A and B, 1967 Dennis Lennon & Partners. London Metropolitan Archive
11. 2005/6 Drawing of Extension to St Mary the Virgin by Margaret and Richard Davies and Associates. London Borough of Camden Planning Case File
12. 2005/6 Drawing of Extension to St Mary the Virgin by Margaret and Richard Davies and Associates. London Borough of Camden Planning Case File
13. Front Elevation of No 11 Primrose Hill Road. DIA
14. Side Elevation to King Henry's Road. DIA
15. Church of St Mary the Virgin, Elsworthy Road. DIA

Endnotes

1. Appeal Decision APP/X5210/W/15/3005758; APP/X5210/W/15/3016537, p4
2. Elrington, C R. Baker, T F T. Bolton, Diane K. Croot, Patricia E C. A History of the County of Middlesex: Volume 9: Hampstead, Paddington (1989) pp
3. English Heritage Listing Description for the Primrose Hill Tunnels; NGR: TQ 27566 84231
4. Elrington, C R. Baker, T F T. Bolton, Diane K. Croot, Patricia E C. A History of the County of Middlesex: Volume 9: Hampstead, Paddington (1989) pp
5. Op cit
6. Elrington, C R. Baker, T F T. Bolton, Diane K. Croot, Patricia E C. A History of the County of Middlesex: Volume 9: Hampstead, Paddington (1989)
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13. Architectural Review. January 1966, p40
14. Glendinning, M and Muthesius, S. Tower Block: Modern Public Housing in England, Scotland, Wales and Northern Ireland. (1994)

15. Twentieth Century Society. Listings Report. Spring 2004
16. Financial Times. 21st January 1965
17. Appeal Decision APP/X5210/W/15/3005758; APP/X5210/W/15/3016537, p4
18. Historic England. Historic Environment Good Practice Advice in Planning: Note 2 – Managing Significance in Decision-Taking (2015) p3
19. Historic England. Historic Environment Good Practice Advice in Planning: Note 2 – Managing Significance in Decision-Taking (2015) p5

