



Planning, Design, Access and Heritage Statement on behalf of

Dr. S. Michie

**Regarding the retention of the existing roof
terrace at:**

**106 Highgate Road, Fitzroy Terrace,
London, NW5 1PB**

February 2017

Drawing and Planning Ref: HIRFT



1.0 INTRODUCTION



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- 1.1 Drawing and Planning Ltd. have been instructed by Dr. S. Michie to prepare a Planning, Design, Access and Heritage Statement in support of a retrospective planning application and an application for listed building consent regarding the retention of the existing roof terrace at 106 Highgate Road, Fitzroy Terrace, London, NW5 1PB.
- 1.2 This application seeks to regularise the alterations undertaken to the roof of the property. It will be demonstrated that the proposed works are not harmful to the historic significance of the building or host terrace and that the character and appearance of the wider area together with the amenity of neighbouring occupants are not harmed by the existing arrangements.
- 1.3 In recognition of the terrace's Grade II listed status and the application site's location within a Conservation Area, this statement addresses the impact of the works on the building's Grade II listing and overall setting of this mid-terrace property.
- 1.4 The application follows the withdrawal of application nos. 2016/2430P and 2016/2519/L, which proposed various alterations to the property, to include a consideration for part retrospective works.
- 1.5 This revised application now looks to separately address the works already undertaken at the property and as such, this application is submitted in response to the Council's suggestion that existing and proposed matters are handled separately.
- 1.6 This 'Planning, Design Access and Heritage Statement' is submitted in support of the application and is pursuant to Article 9 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. This application should be read in conjunction with the submitted forms and the accompanying drawings.
- 1.7 The proposal endorses the relevant Central Government Guidance contained within the National Planning Policy Framework (NPPF) as well as the relevant policies taken from the London Plan 2016. At a local level, the works were considered alongside the Camden Local Development Framework Core Strategy, Local Development Framework Camden Development Policies 2010 and a suite of Supplementary Planning Documents and Conservation Area Appraisals.



2.0 SITE AND AREA ANALYSIS



2.1 The application building is a four storey late C18 Victorian terrace with basement and rear extension. The property is located on the eastern side of Highgate Road. The property serves as one dwelling and is one of 6 terrace houses that are Grade II listed. The listing details are shown below and are taken from Historic England's records. The application site also falls within the confines of the Dartmouth Park Conservation Area which is within the administrative boundaries of the London Borough of Camden.

2.2 A general site location map highlighting the approx. location of the application building is located opposite and is accompanied by the OS extract below taken from the Historic England website. Land levels rise from west to east with the property benefitting from a basement at the rear.

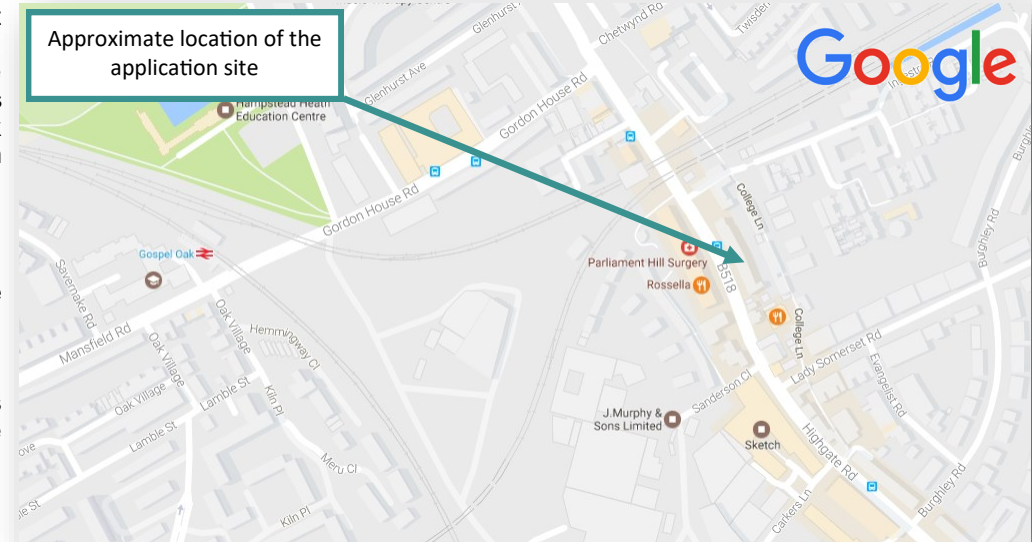
2.3 The application plot has an area of approx. 103 sq.m. An extract from the Camden Policy Map is located on page 9 of this statement which confirms that the site falls within the defined Urban Area and the Dartmouth Park Conservation Area. The associated CA appraisal confirms the following about the listed terraces:

“Nos 98-108 (Fitzroy Terrace) is an elegant terrace (listed) with mansard roof, dating from the early C19 with three storeys and semi-basement (unusual entrance level) occupying tight plot widths. Although not visible from the road, the terrace has an unusual, attractive rear elevation.”

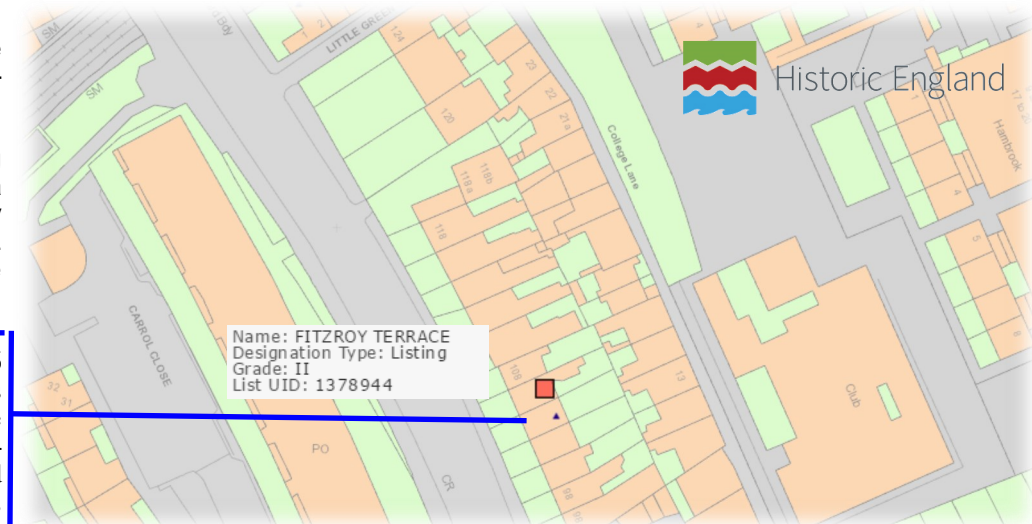
2.4 The application follows applications refs: 2016/2430/P and 2016/2519/L both of which were voluntarily withdrawn by the applicant to pursue matters separately. However, unlike the previous application, this application proposes retention of the roof terrace as existing, which has been in situation from as far back as the mid-1980's. An application involving other works to the rear is submitted concurrently.

2.5 The application building in general is typical of a London Victorian terrace, carrying original features such as its front parapet wall. Originally these buildings had a butterfly roof however properties have benefitted from using the void for amenity purposes. The roof terrace is accessed via an external sited roof hatch. Photographs of the works and views of the subject building from various vantage points are shown on page 5 of this statement.

TQ2885NE: HIGHGATE ROAD (East side) Nos.98-108 Fitzroy Terrace. Terrace of 6 houses. Late C18, altered and repaired. Believed to have been built to house servants of the Fitzroy family. Yellow stock brick with red brick dressings; central name plaque. 3 storeys and semi-basements. 2 windows each except No.98 with 1. Semi-basement openings mostly segmental-arched; doors mostly part-glazed. Round-arched 1st floor sashes with gauged red brick heads and intersecting tracery; main entrances formerly at this level. 2nd and 3rd floor, gauged brick flat arches to recessed sashes. Coped parapet. Interiors noted to retain good original features.



Extract from Bing maps to highlight the general location of the application site.



OS Map - Historic England

Aerial Photography



Aerial photograph outlining the location of application site and surrounding area taken from Bing maps

Photographic Analysis



A view of the existing terrace



A view looking towards the rear



The rear edge of the existing terrace



The existing railings situated to the front



The as existing front elevation



A view looking in a southerly direction from the existing roof area



The neighbouring valley roof form



A view from the rear of the property

3.0 PLANNING POLICY CONTEXT



National Planning Policy Framework (NPPF)

3.1 The National Planning Policy Framework (NPPF) document sets out the Coalition Government's most up-to date vision for future growth. At the heart of the document is a presumption in favour of sustainable development. In the opening paragraph the Minister for Planning identifies that:

“The purpose of planning is to help achieve sustainable development.”

3.2 Paragraph 17 of the NPPF sets out the core planning principles. Of particular relevance to the proposed development the document states that Council's must look to:

“always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;

take account of the different roles and character of different areas, promoting the vitality of our main urban areas

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”

3.3 Paragraph 58 states that local planning policies and decisions should aim to ensure developments optimise the potential of sites in order to accommodate development. Paragraph 59 of the NPPF concerns design, and notes the following:

“Local planning authorities should consider using design codes where they could help deliver high quality outcomes. However, design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout and access of new development in relation to neighbouring buildings and the local area more generally”.

3.4 Chapter 7 is titled 'Requiring good design' and sets out that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute to making places better for people. Paragraph 60 recognises that:

“Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.”

3.5 Paragraph 126 is the opening paragraph to Chapter 12 which expands on the conservation and enhancement of heritage assets. This section sets a clear strategy to Local Planning Authorities to ensure that the following principles are taken into account when LPAs define strategies for their historic environments and in doing so should take into account:

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

3.6 Paragraph 186 states that **“Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development.”** Paragraph 187 goes insofar as to state that **“Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible.”**



GREATERLONDONAUTHORITY

REGIONAL PLANNING POLICY

The London Plan 2016

- 3.7 The London Plan provides the Spatial Development Strategy for Greater London.
- 3.8 Policy 7.2 is entitled 'An Inclusive Environment' and stipulates that:
- “applicants for planning permission should demonstrate their commitment to achieving high quality inclusive design, how their proposals ensure an accessible environment, how they have engaged with users (including for example organisations of disabled and older people) and the processes used to achieve these.”***
- 3.9 Policy 7.4 Local Character states that development should provide a high quality design response that has regard to:
- “a) the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass;***
b) contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area;
c) is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings;
d) allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area”
- 3.10 Policy 7.6B states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy and overshadowing.
- 3.11 Policy 7.8 deals with heritage assets and archaeology with part 'd' being the most relevant component of this policy which states:
- “Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.”***

LOCAL PLANNING POLICY

Local Development Framework Core Strategy

- 3.12 Policy CS1 refers to making efficient use of land and in particular stipulates that development will be resisted if it is found to make inefficient use of Camden's limited land. In addition to this there is also a requirement to ensure that development makes full use of the site, taking into account the quality of design, its surroundings, sustainability, amenity, heritage, transport accessibility and any other considerations relevant to the site.
- 3.13 Policy CS5 is entitled '*Managing the impact of growth and development*' and encourages high quality and sustainable developments. There is also emphasis on protection of people who live and work in the borough with development needing to reflect the characteristics and requirements of local communities together with protecting and enhancing our environment and heritage.
- 3.14 Policy CS9 places focus on achieving a successful Central London where point 'D' acknowledges that neighbour amenity is an important consideration.
- 3.15 Policy CS14 sets out the criteria for promoting high quality spaces and conserving the borough's heritage. Development should look to apply the highest standard of design that respects local context. There is a duty to preserve and enhance the borough's heritage assets in addition to applying the highest standards of access in all buildings.

Statutory provisions

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that: ***‘In considering whether to grant planning 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 [...]’.***



Local Development Framework Camden Development Policies 2010

- 3.16 The following policies were identified as being the most pertinent when assessing development of this kind. The original concept of the proposal has a firm affiliation with the key policy sentiments to ensure that the scheme strikes a clear balance with the borough's requirements for new development.

DP24 (Securing high quality design)

DP25 (Conserving Camden's heritage)

DP26 (Managing the impact of development on occupiers and neighbours)

- 3.17 Policy DP24 is entitled '*Securing High Quality Design*' the policy is highlighted in full below:

"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."**

- 3.18 Policy DP25 deals with development in both Conservation Areas and Listed Buildings. The consensus for both forms of assets will be ensure that development preserves and/or enhances. In the interest of listed buildings the Council 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 or its setting.

- 3.19 In the interests of neighbour amenity, policy DP26 fittingly follows on from the previous two policies. The policy asks that regard is given to visual privacy, overshadowing, outlook and light. In addition to the above, facilities for refuse, storage and recycling are also encouraged.

- 3.20 The Development Plan policies are accompanied by a suite of Supplementary Planning Guidance documents (SPGs). The following SPGs are of acknowledged importance to the proposal:

Camden Planning Guidance 2011:

- 3.21 CPG1 owing to the importance on character, design and living standards is touched upon briefly below, which specifically has a chapter on roofs, terraces and balconies. The guidance documents form a useful tool to clarify many aspects already addressed by planning policy at a local level.

Camden Planning Guidance 1: Design (CPG1)

- 3.22 Paragraph 2.9 states that good design should: **"positively enhance the character, history, archaeology and nature of existing buildings on the site and other buildings immediately adjacent and in the surrounding area, and any strategic or local views"**.

- 3.23 Paragraph 2.12 states that: **"Materials should form an integral part of the design process and should relate to the character and appearance of the area, particularly in conservation areas or within the setting of listed buildings. The durability of materials and understanding of how they will weather should be taken into consideration. The quality of a well designed building can be easily reduced by the use of poor quality or an unsympathetic palette of materials."**

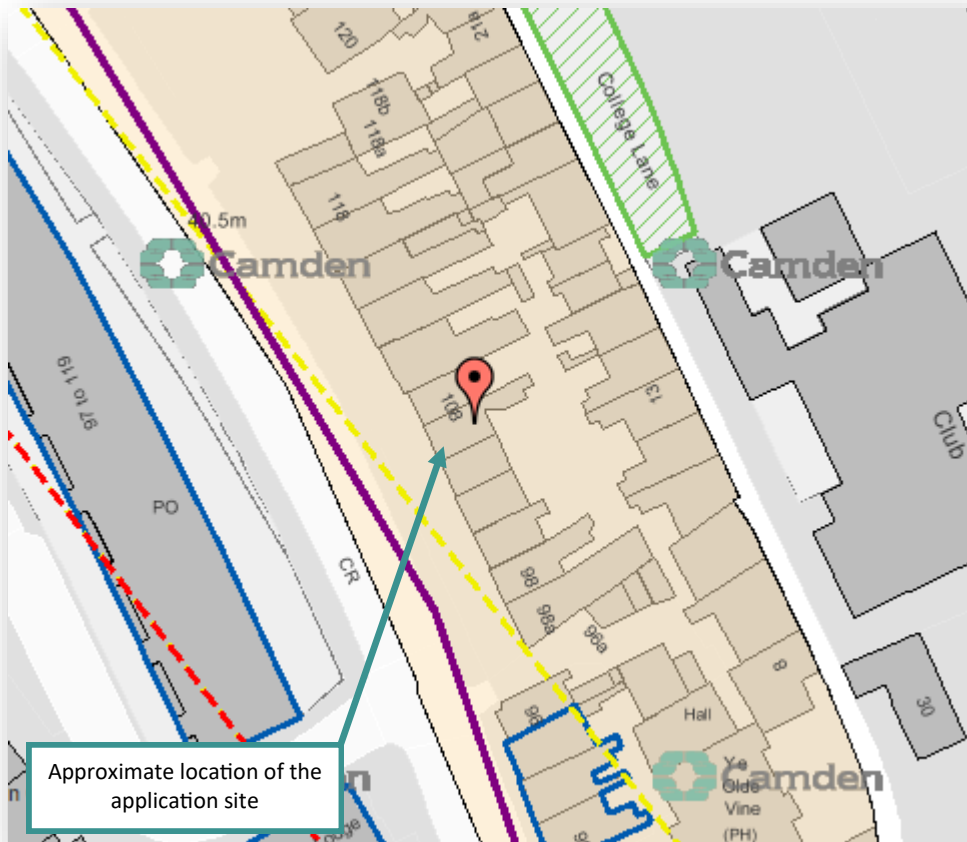
- 3.24 The document at paragraph 5.23 recognises how balconies and terraces can provide valuable amenity space but should only be accepted where its impacts can be controlled.

- 3.25 Paragraph 5.25 outlines some of the design considerations and suggests that dimensions should be sufficient to accommodate a terrace without affecting the appearance of the roof or elevation of the property without alteration to the parapet wall. It is advisable that handrails are set back and not visible from ground and should not cause overlooking of habitable rooms of adjacent properties.

Proposals Map







Camden



Approximate location of the application site

Map key

-  Designated View
-  3A.1 Kenwood viewing gazebo to St Paul's Cathedral - Right Lateral Assessment Area
-  Conservation Area
Dartmouth Park
-  Neighbourhood Plan (adopted)
Kentish Town

For more information, or if you are unable to view the map, please contact the [Forward Planning and Projects Team](#)

Extract from the Camden Policy Map

4.0 DESIGN AND HERITAGE



- 4.1 This application seeks to regularise the works to retain the existing roof terrace 106 Highgate Road, Fitzroy Terrace, London, NW5 1PB.
- 4.2 The development provides first and foremost access to the existing roof level. The area is capable of being used as a means of outdoor amenity provision to serve the property. This application in both the planning and listed building form proposes no other changes other than those already present at roof level.
- 4.3 The roof is accessed via a hatch at second floor of the property. Originally the building would have supported a butterfly roof. This roof form would have been disguised by the parapet wall to the front of the property. Much like this former design, the existing arrangement, with the terrace amenity space positioned at roof level, will be largely disguised by the existing front parapet wall. As can be seen on many terrace properties across London, it is very common for roof terraces to be incorporated to traditional Victorian London terrace houses. The terrace covers an area measuring 23.7m², with the terrace having been in situation from as far back as the mid 1980's. Whilst there is no immunity period for listed buildings, the arrangement has clearly stood the test of time which is testament to the fact that it, for an external feature, does not seriously undermine the character and setting of the building.
- 4.4 Whilst an outlook is offered, the view is no different than from the windows to the front and rear of the residential unit and is in that regard acceptable in policy terms when factoring the density characteristics of the area.
- 4.5 From a visual amenity point of view the roof terrace is considerably set back from the face of the building, by some 0.8m, allowing the roof terrace to form a relatively inconspicuous addition to the wider confines of the area. From the front elevation, the iron railings allow for any glimpsed views to perforate through. Meanwhile the painted picket style fencing to the rear, can largely only be seen from a private standpoint and does not seriously undermine the rhythm of the terrace.
- 4.6 It is suggested that the roof terrace adds to the overall diversity of the local area and such arrangements are not uncommon within London, where land is a finite resource. The size and scale of the development is appropriate to the residential use. Moreover, the fact that the roof is accessed via a hatch would indicate more than not that the roof is not and will not be accessed on a frequent basis and is more of a convenience for maintenance reasons.
- 4.7 The application site is situated within the Dartmouth Park Conservation Area and, in addition to its listing, recognition to the building's significance as a heritage asset within the borough, should be afforded weight in consideration of the application. The projecting elements of the roof terrace are considered to be most significant here as they will be visible from both a public and private amenity point of view. It is suggested that the view of most significance is from Highgate Road where the metal railing is largely obscured from view. The assessment on the ground would indicate that the proposed roof terrace will preserve what is important about the terrace. The rhythm of the terrace is influenced on the upper floors by the higher grouping of terraced properties located to the north of the property. Moreover the raised chimney stacks also form a dominant aspect of the roof level. It is on that basis suggested that the works follow the key theme of policies CS14 and DP25 where the duty to preserve or enhance are fundamentally important.
- 4.8 The alternative to this application would be restore the existing butterfly roof form. However, it is important to point out that it is this feature which was not visible from any public or private vantage point and so the significance of retaining the current arrangement should be given careful consideration in that regard.
- 4.9 In terms of layout, the terrace does not overlap over any other living arrangement other than its own living area. Noise is therefore unlikely to travel to neighbouring properties. The flooring, comprised of loose matting over the roof lining provides a buffer in terms of vibration generated by people using the terrace. In that regard the existing arrangement is unlikely to result in any significant harm, therefore complying with the key sentiments of policy DP26.
- 4.10 The following pages of this statement provide excerpts of the submitted plans to demonstrate the extent of the terrace. However, it can be concluded that the roof terrace is not an uncommon feature in other areas of London.



- ELEVATIONS AS EXISTING -



- 4.11 The general setback of the enclosure would mean that from street level the terrace is not a highly noticeable element. This is clearly the case in the photographic evidence as supplied with this application. The case officer appointed to determine the application would also have the opportunity to assess the impact on the ground.
- 4.12 It is not disputed that the picket fencing to the rear is visible. This forms the enclosure to the terrace and also provides both a privacy screen in addition to being a necessary safety balustrade. The fencing notably remains lower than the projecting chimney stacks. The photographs on page 5 which show the fencing also illustrate that with it being painted white, the fencing harmonises with the natural surroundings.

Existing front and rear elevation

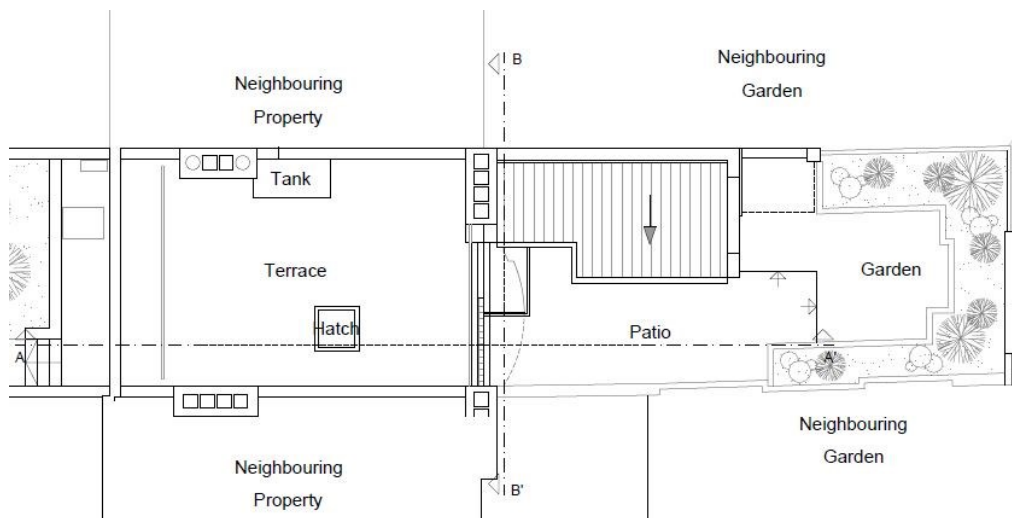
5.0 ACCESS CONSIDERATIONS



Inclusive Access

5.1 The works are exclusively tailored to the existing internal arrangement of the host building with the terrace being accessed via a hatch staircase accessed from the top floor bedroom. It is quite common for roofs in general to be accessed externally in this manner and in the reality of the situation, it is anticipated that continued use with the current access arrangement will pose no risk to safety or the amenity of the area. Moreover, it is reminded that use of the terrace will be limited, for instance during periods of particularly good weather and should be weighed against the limited garden provision located to the rear, thereby making their use somewhat weather and season dependent.

Existing terrace



The existing arrangement



6.0 CONCLUSION



- 6.1 The proposal concerns a retrospective planning application and an application for listed building consent regarding the retention of the existing roof terrace at 106 Highgate Road, Fitzroy Terrace, London, NW5 1PB. The existing roof terrace has been in situation from circa mid-1980's.
- 6.2 The proposal is considered acceptable in both visual and neighbour amenity terms, when considering the substantial length of time the terrace has been in situation. The roof terrace does not undermine the character of the property and more importantly does not adversely affect the Grade II listing of the building or its location and significance within the Dartmouth Park Conservation Area, where all key views will be maintained.
- 6.3 The development was carried out in full compliance to the relevant Central Government Guidance and Development Plan Policies contained within the London Plan 2016, the Camden Local Development Framework Core Strategy 2010 and the Local Development Framework Camden Development Policies 2010.
- 6.4 For the reasons outlined within this statement, it is requested that the Council look upon both of these applications favourably.

