

**26 Netherhall Gardens  
London NW3**

**HERITAGE STATEMENT**



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## **1 INTRODUCTION**

- 1.1 This Heritage Statement has been prepared in support of the applications for planning permission and conservation area consent for the demolition and redevelopment of no. 26 Netherhall Gardens (referred to as 'The Site') to provide a new development of 5 flats ('Proposed Development'), in the London Borough of Camden (LB Camden).
- 1.2 The report considers the contribution of no. 26 Netherhall Gardens to the significance of the Fitzjohn's Netherhall Conservation Area in light of national and local heritage policy and guidance, the wider heritage context and the recent Appeal Decision ref: APP/X5210/W/16/3145922 for a similar scheme at this Site
- 1.3 The report sets out the following:
  - Relevant national and local heritage policy and guidance.
  - A description of the Site and its heritage and townscape context.
  - An assessment of the significance of the Fitzjohn's Netherhall Conservation Area and the contribution of the buildings on Site to this.
  - An assessment of the architectural, urban design and townscape quality of the Proposed Development.
  - An assessment of impact of the Proposed Development on heritage significance in light of Appeal Decision for appeal ref: APP/X5210/W/16/3145922 at this Site.
  - Conclusions.

## 2 HERITAGE PLANNING POLICY AND GUIDANCE

- 2.1 This section contains an overview of aspects of national, London-wide and local planning policies and guidance that are relevant to the consideration of heritage matters.

### National Planning Policy Framework (March 2012)

- 2.2 The National Planning Policy Framework (NPPF) sets out the Government's economic, environmental and social planning policies for England. Taken together, these policies articulate the Government's vision of sustainable development, which should be interpreted and applied locally to meet local aspirations.
- 2.3 Section 12 of the NPPF deals with conserving and enhancing the historic environment. It applies to the heritage-related consent regimes under the Planning (Listed Buildings and Conservation Areas) Act 1990, plan-making and decision-taking.
- 2.4 Heritage assets are defined in Annex 2 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).'*
- 2.5 The NPPF requires an applicant to describe the significance of any heritage assets affected by a proposal, including any contribution made by their setting (para 128). It goes on to say that *'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.'*
- 2.6 In paragraph 131, the NPPF identifies three key factors local authorities should take into account in determining applications:
- *'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.*
- 2.7 Paragraph 132 states that in assessing impact, the more important the asset, the greater the weight should be given to its conservation. It notes that significance can be harmed or

lost through alteration or destruction of the heritage asset or development within its setting.

- 2.8 The setting of a heritage asset is defined in Annex 2 as *'the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.'*
- 2.9 Paragraph 134 states 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.

***Planning Practice Guidance, March 2014***

- 2.10 The national Planning Practice Guidance (PPG) was launched by the Government on the 6th March 2014 and provides a web-based resource in support of the NPPF. Following public consultation on a 'beta' version ending on 9th October 2013, the PPG has been amended to include greater emphasis on the importance of bringing brownfield land into use and issuing more robust guidance with regards to flood risk.
- 2.11 Following its launch, a number of previously published planning guidance documents have been cancelled and are detailed within the Written Ministerial Statement titled 'Making the planning system work more efficiently and effectively', also dated 6th March 2014.
- 2.12 The PPG includes a section entitled '*Design*'. This explains, inter alia, the importance of good design, the planning objectives that good design can help to achieve, the qualities of a well designed place, and how buildings and the spaces between them should be considered.
- 2.13 The planning objectives of design are stated to include promoting, inter alia, local character; safe, connected and efficient streets; a network of green spaces and public places; and cohesive and vibrant neighbourhoods.
- 2.14 In terms of the qualities that contribute to a well designed place, the PPG states that a well designed place should:
- *"Be functional;*
  - *Support mixed uses and tenures;*

- *Include successful public spaces;*
- *Be adaptable and resilient;*
- *Have a distinctive character;*
- *Be attractive; and*
- *Encourage ease of movement".*

2.15 The PPG identifies the following considerations which may be relevant in terms of how buildings and the spaces between them should be considered:

- *"Layout - the way in which buildings and spaces relate to each other;*
- *Form - the shape of buildings;*
- *Scale - the size of buildings;*
- *Detailing - the important smaller elements of building and spaces; and*
- *Materials - what a building is made from".*

2.16 The PPG includes a section entitled '*Conserving and enhancing the historic environment*'. This considers the factors that should inform decision taking about developments that would affect heritage assets. It notes that *"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"*.

## **Regional planning policy**

### **The London Plan – Spatial Development Strategy for Greater London, 2016**

2.17 The London Plan is '*the overall strategic plan for London, setting out an integrated economic, environmental, transport and social framework for the development of London over the next 20-25 years.*' The policies most relevant to townscape, conservation and visual assessment are contained in Chapter Seven 'London's Living Places and Spaces'. The London Plan was updated in March 2016 to include the Minor Alterations to the London Plan (MALP).

2.1 Policy 7.4 expands on the theme of local character and states that '*Development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings*'.

- 2.1 Policy 7.6 on architecture states that *'Architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape. It should incorporate the highest quality materials and design appropriate to its context.'* It goes on to set out a list of requirements of new buildings and structures including, inter alia, that they should be *'of the highest architectural quality'*; they should *'be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm'*; they should include details and materials that *'complement, not necessarily replicate'* local architectural character; they should not cause *'unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings'* which is said to be particularly important for tall buildings; and they should *'optimise the potential of sites'*.
- 2.2 Policy 7.8 'Heritage Assets and Archaeology' states that *'Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural details.'*

### Local planning policy

#### ***Camden Core Strategy and Development Policies, 2010***

- 2.18 The Core Strategy and Development Policies documents, which form part of the LDF, were adopted on 8 November 2010. The Core Strategy, along with other LDF documents, will replace the existing UDP.
- 2.19 The Core Strategy sets out the key elements of the Council's planning vision and strategy for Camden. **Policy CS14** seeks to promote high quality places and to conserve the heritage of Camden
- 2.20 Development Policies document sets out additional planning policies that the Council will use when making decisions on planning applications.
- 2.21 **Policy DP24 Securing high quality design**, seeks to ensure the highest possible standards so that new development contribute to providing a healthy, safe and attractive environment. This includes the consideration of:
- character, setting, context and the form and scale of neighbouring buildings;
  - careful integrated of architectural detailing into a building;
  - use of materials of an appropriately high quality;
  - ensuring visual interest at street level, with entrances and windows used to create active frontages and all buildings; and,

- places meeting the highest practicable standards of access and inclusion.
- 2.22 Promoting good design is not just about the aesthetic appearance of the environment, but also about enabling an improved quality of life, equality of opportunity and economic growth. Design should respond creatively to its site and its context and take into account the pattern and size of blocks, open spaces, gardens and streets in the surrounding area (the ‘urban grain’). The Council acknowledge innovative design can greatly enhance the built environment and that within areas of distinctive character, development should reinforce those elements which create the character.
- 2.23 **Policy DP25** seeks to conserve the heritage of Camden. Development affecting conservation areas should take account of conservation area statements and will only be permitted if it preserves and enhances the character and appearance of the area. The council will resist the demotion of unlisted buildings that make a positive contribution to the character or appearance of a conservation area.

### **The Camden Local Plan Submission Draft 2016**

- 2.2 The Camden Local Plan is currently in draft form and, when adopted, will replace the current Core Strategy and Camden Development Policies documents. The Camden Local Plan will cover the period up until 2031, and will aim to help the delivery of the Council’s vision for Camden.
- 2.3 **Policy D1** on ‘design’ states that development in the borough should respect local context and character, and preserve heritage assets in accordance with Policy D2. It also notes that the development must preserve significant and any protected views. This policy notes that the borough is sensitive to the development of tall buildings, and tall buildings must relate to their surroundings, both at street level and within the skyline, and should take into account *“the historic context of the buildings surroundings”* and *“the relationship between the building and hills and views”*.
- 2.4 **Policy D2** on ‘heritage’ aims to preserve and enhance heritage assets and their settings. It aims to ensure no loss or harm comes to any heritage assets, by ensuring no harm is caused to the character and appearance of the conservation area, and resisting *“development that would cause harm to significance of a listed building through an effect on its setting”*.



### ***Supplementary Planning Documents and guidance***

2.24 The **Camden Planning Guidance 2006** gives additional advice and information on how the Council will apply the planning policies in the Camden UDP 2006, including those policies relating to development within conservation areas.

2.25 The **Fitzjohns Netherhall Conservation Area Character Appraisal and Management Plan** (referred to as the 'Appraisal') was adopted in February 2001. This document describes the character and appearance or significance of the Conservation Area and sets out a management strategy for its future and is referred to in the following sections of this report. It identifies the following:

- specific views including those in "*both direction along Netherhall Gardens, at southern end towards to no. 6*" (page 21)
- most houses in the conservation area as being 'positive contributors', including no. 26 Netherhall Gardens (page 31); and
- Netherhall House, the building in the rear garden of no. 34 and loss of boundary walls and front garden planting in general as negative features (page 21).

### **Other guidance**

2.26 The EH document, 'Understanding Place: Conservation Area Designation, Appraisal and Management' (2011), suggests a number of questions to assess the value of an unlisted building to the significance of a conservation area.

*"Is it the work of a particular architect or designer of regional or local note?  
Does it have landmark quality?"*

*Does it reflect a substantial number of other elements in the conservation area in age, style, materials, form or other characteristics?"*

*Does it relate to adjacent designated heritage assets (DHA) in age, materials or in any other historically significant way?"*

*Does it contribute positively to the setting of adjacent designated heritage assets?"*

*Does it contribute to the quality of recognisable spaces, including exteriors or open spaces with a complex of public buildings?"*

*Is it associated with a designed landscape e.g. a significant wall, terracing or garden building?"*

*Does it individually, or as part of a group, illustrate the development of the settlement in which it stands?"*

*Does it have significant historic association with features such as the historic road layout, burgage plots, a town park, or landscape feature?*  
*Does it have historic associations with local people or past events?*  
*Does it reflect the traditional functional character or former uses in the area?*  
*Does its use contribute to the character or appearance of the area?*  
*Degree to which its historic form and values have been eroded?"*

### **3 THE SITE AND ITS HERITAGE CONTEXT**

- 3.1 The Site lies on the east side of the central run of Netherhall Gardens, in the Fitzjohn's Netherhall Gardens Conservation Area in Hampstead. Netherhall Gardens runs northwards up hill between the busy Finchley Road (A41) and the northern end of Fitzjohn's Avenue (B511). Hampstead Village lies some 900 m to the north and Swiss Cottage about 1km to the south. Finchley Road is a well served bus route and the Finchley Road and Frognal London Overground Station is located nearby.
- 3.2 Netherhall Gardens changes directions twice along its route. It has a broadly east-west alignment for a short run from Finchley Road, before turning north to run up hill and then turn east to join Fitzjohn's Avenue. Along the longer central run, Netherhall Way provides a link with Frognal to the west and Nutley Terrace runs broadly east, across Maresfield Street and Fitzjohn's Avenue, to Daleham Gardens.

#### **History of the development of the area**

- 3.3 Hampstead Manor (originally in the ownership of Westminster Abbey) descended to the Maryon family from Sir William Langhorne (a cousin) who had bought it in 1707. There were two parts to the estate around Hampstead village; Manor Farm (the main estate) with 350 acres in the vicinity of Finchley Road; and East Park to the east of East Heath (now part of Hampstead Heath)<sup>1</sup>.
- 3.4 Finchley Road and Avenue Road were laid out in 1826 following an Act of Parliament instigated by Colonel Henry Samuel Eyre. During the following years large houses and institutions were built along these new routes and fashionable upper middle class suburbs developed in the surrounding areas in the second part of the 19th century.
- 3.5 When Sir Thomas Maryon Wilson (the then owner of the estate) died in 1827 and his will divided it between his two sons, but limited their ability to build on the land. A long legal battle ensued and it is not until the death of one of the brothers in 1869 that the Hampstead Heath Act of 1871 led to East Park becoming public property and part of the Heath in 1886, and to houses beginning to be developed on the rest of the estate, which included Netherhall Gardens and the surrounding area<sup>2</sup>.

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<sup>1</sup> The Fitzjohn's Netherhall Conservation Area Character Appraisal and Management Plan, page 6

<sup>2</sup> ibid

- 3.6 Fitzjohn's Avenue was seen as the principal grand planning gesture in the area. Harper's magazine described it as one of the "noblest streets in the world" in 1883<sup>3</sup>. The surrounding area was built up at the same time but the adjoining streets were not as grand. They all had large building plots and were developed with grand detached or semi detached houses.
- 3.7 The Survey of London notes that east of Finchley Road spacious houses were built, mostly in the 1880s, on the former Belsize farmlands on either side of Fitzjohn's Avenue including 13 houses in Netherhall Terrace (later Gardens) built from 1879 to 1888.<sup>4</sup> Netherhall was the name of a property of the then lord of the Manor's family, Maryon Wilson<sup>5</sup>.
- 3.8 Pevsner notes two buildings on Netherhall Gardens, no. 50 built in 1878 as a single house for the artist Edwin Long by Norman Shaw (Shaw designed the nearby no. 6 Ellerdale Road for himself); and no. 6, at the southern end (1882-83) for the artist Thomas Davidson, by the architects Batterbury and Huxley<sup>6</sup>. Sir Edward Elgar lived from 1911-21 at Severn House (designed by Norman Shaw and demolished in 1938), and a plaque at no 42 commemorates this. Sidney and Beatrice Webb (social scientists and political reformers) lived at no. 10 Netherhall Gardens for a short time after their marriage<sup>7</sup>.



Severn House (demolished)



No 50 Netherhall Gardens

<sup>3</sup> 'Hampstead: Frognal and the Central Demesne', A History of the County of Middlesex: Volume 9: Hampstead, Paddington (1989), pp. 33-42. URL: <http://www.british-history.ac.uk/report.aspx?compid=22635&strquery=netherhall> Date accessed: 16 May 2013

<sup>4</sup> ibid

<sup>5</sup> London Encyclopaedia; 2010: B Weinreb, C Hibbert, J Keay & J Keay, page 576

<sup>6</sup> Buildings of England London 4: North; 1998: Pevsner and Cherry, pages 236 - 237

<sup>7</sup> The Fitzjohn's Netherhall Conservation Area Character Appraisal and Management Plan, page 7

- 3.9 Most of Netherhall Gardens had been built up by 1896, but as seen in the map below there were a couple of empty plots. More land remained undeveloped to the east along Maresfield Gardens. Since then all the plots in Netherhall Gardens have been built on, and there has been further infill development.



Figure 1: Ordnance Survey Map 1896



## The Site

- 3.10 No. 26 Netherhall Gardens dates from the later part of the 1800s. It is a 4 storey house with an exposed basement / lower ground floor, and a steeply pitched roof with two large dormers (to the front). It is built in brown stock brick with red brick dressings and a clay tile roof. The chimney stacks have been cut back, and those to the north lost. The front door, with bracketed porch hood, is reached by a complicated arrangement of steps that has been altered and extended since the house was built.



Front elevation

- 3.11 The principal elevation is effectively 4 bays wide but this is muddled by the pattern of varied fenestration of different widths and styles. It includes a first floor oriel window on corbel brackets which sits uncomfortably immediately below the eaves (with some stucco decoration which matches that on the dormers), and varied casement and sliding sash windows; those to the northern most bay are small utilitarian openings to bathrooms. The window openings have rubbed red brick arches and there are moulded brick string courses between the ground and first floors and at eaves level (which follow around the return elevations). The facade is also cluttered by external cable runs, waste water pipes, meter cupboards, security bars and signage relating to the parking area.

3.12 Historic maps show how the building and its relationship with its Site have evolved, and provide an indication of how the site topography may have changed since the house was built. This explains the top-heavy and ill-proportioned appearance of the house today. The 1896 Ordnance Survey map shows a continuous narrow lightwell to the basement level and a shorter run of stairs to the front door. This is confirmed by a drainage plan of 1909 which also shows a separate short flight of steps from the footway to the front garden.

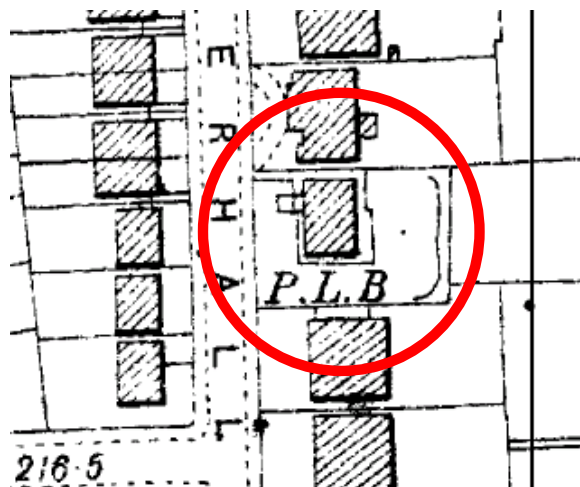


Figure 2: No. 26 (marked with red circle) 1896 Ordnance Survey map  
Crown copyright and Landmark Information Group limited 2013. All rights reserved

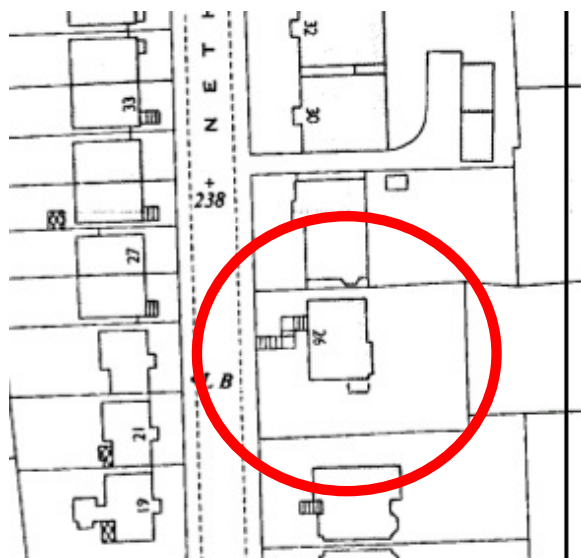


Figure 3: No. 26 (marked with red circle) 1954 Ordnance Survey map  
Crown copyright and Landmark Information Group limited 2013. All rights reserved

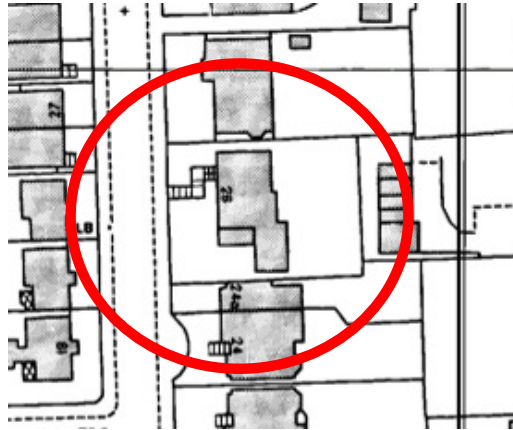


Figure 4: No. 26 (marked with red circle) 1971 OS map  
Crown copyright and Landmark Information Group limited 2013. All rights reserved

- 3.13 The steps to the front door were extended (and a garage added within the main building) in 1930 (as indicated in the drainage plans records, see appendix 1) as can be seen in the 1954 Ordnance Survey map. This is likely to have involved significant excavation of the front garden to allow car access. The concrete lintel of the garage opening is visible today to the bottom right of the main part of the elevation, the opening now occupied by a metal casement window. It would appear more of the site was excavated as part of the works to build the side extension in 1958, as can be seen in the 1971 Ordnance Survey map, which included a lower ground floor garage.



No. 26 Netherhall Gardens with visible southern flank and the 'gap' seen from the street



- 3.14 The highly visible south flank wall is plain with five narrow windows and the visible chimney breasts. Strangely, that to the north which is not really visible in street views includes more features and has better detailed, rubbed brick window arches (suggesting it may have been the intention to build another house to the south). There is a modern side extension and garage (1950s) and large area of hard standing in the area of excavated front garden.

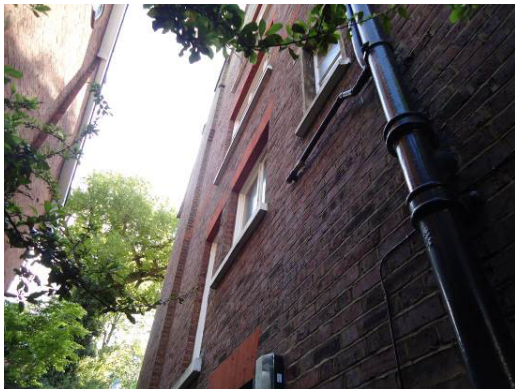


Side extension and garage



Steps to front door

- 3.15 The rear elevation plays no role in the streetscene. It is typical of the period and whilst it has a more ordered appearance it is unremarkable it lacks grandeur. It has been altered since built and there are a number of flues and waste water pipes visible today.



North flank wall



Rear elevation

***Immediate Site context***

- 3.16 The buildings (mostly houses) in the area immediately around the Site sit close together providing a hard built edge with narrow gaps in between of typically 2 to 3m (the gap to the south of no. 26 Netherhall Gardens on site being the exception at around 11m). This is particularly noticeable opposite the Site where the run of detached and semi detached houses, nos. 19 to 34, sit closely together and almost provide the appearance of a terrace in oblique views. They have lively and well fenestrated facades, and the 2 storey red brick projecting bay windows provide a focus.



View north of nos. 19 to 34



View of houses opposite from no. 26

- 3.17 To the north and south of the Site, on the east side of Netherhall Gardens, the neighbouring large houses are set back behind the green foil of the front garden planting, including mature trees and street trees. The houses are generally sited higher than the street (due to the rise in the land north-east towards Hampstead Village) and have robust, balanced and well considered red brick facades with distinctive features such as full height bays with prominent gables.



No. 28 Netherhall gardens



No. 24 Netherhall gardens

- 3.18 The character and appearance and significance of no. 26 Netherhall Gardens is described in more detail in section 4.

## Heritage Assets

### **Conservation Area**

- 3.19 The Site lies within the Fitzjohn's Netherhall Conservation Area. The conservation area was designated on 1 March 1984 and has been extended on several occasions since. The original designation included Netherhall Gardens.

### **Listed buildings**

- 3.20 The building on Site is not listed. There are two listed buildings in Netherhall Gardens, one at the southern end and one at the northern end (neither is visible from the site).
- 3.21 **No.6 Netherhall Gardens** (British College of Naturopathy & Osteopathy) is at the southern end and was listed grade II on 18 August 1972. The list description reads as follows:

*"Detached studio house, now clinic. 1882, converted 1954. By Batterbury and Huxley. For Thomas Davidson, historical painter. Red brick with rubbed brick dressings. Hipped tiled roofs with segmental dormers, tall enriched brick slab chimney-stacks and projecting eaves. EXTERIOR: 2 storeys, attic and semi-basement, right hand recessed studio extension lower due to steeply sloping site. 4 windows plus large studio window to right. Fine rubbed brick round-arched doorcase with Ionic pilasters supporting a pediment; recessed panelled double doors with patterned fanlight, approached by a curved flight of steps. Above, a narrow segmental-arched sash having enriched apron and dated terracotta plaque above it. To left, a segmental bowed bay rising full height from the basement; 3 narrow segmental-arched sashes to each floor, ground floor having Ionic pilasters supporting an entablature, 1st floor Composite pilasters supporting an entablature, all in rubbed brick. Studio extension with wide 4-light projecting bay rising through ground and 1st floor, both floors with transom and mullion windows having small leaded panes and stained glass roundels; ground floor with enriched entablature, 1st floor with enriched panelled apron, entablature and segmental pediment. Right hand return with 2 narrow segmental-arched lights with keystones and similar glazing flanking a full-height chimney-stack."*

- 3.22 **No.50 Netherhall Gardens** is at the northern end and was listed grade II on 30 January 1976. The list description reads as follows:

*“House, with studio to north-west facade now a separate dwelling known as No.61 Fitzjohn's Avenue (qv). 1878. By Norman Shaw. Red brick. Tiled roof with tall enriched brick chimney-stacks, one rising from the ground floor, pedimented dormer and coved stuccoed eaves cornice; right hand return hipped, left hand has 2 Flemish style gables with windows flanking the studio addition. 2 storeys, basement and attic. 2 windows. Moulded brick doorcase of Doric half columns supporting a round-arch with keystone and pediment; part-glazed panelled door approached by steps. Entrance flanked by tall, narrow, segmental headed sashes with keystones and drip moulds. Central 1st floor slightly projecting 3-light transom and mullion window, central light with round-arched head; brick sill band which continues around the building. Later casement to right.”*

- 3.23 **No.61 Fitzjohn's Avenue** is attached to the above and was listed grade II on 14 May 1974.

*“Studio extension to north-west facade of No.50 Netherhall Gardens (qv), now a separate dwelling. 1878. By Norman Shaw. For E Long, RA. Altered. Red brick. Tiled gabled roof with tall rebuilt chimney-stack and dormer on return. Rectangular plan with gable end main facade. 2 storeys and semi-basement plus single storey entrance extension to right. Main facade with projecting, lead domed 5 window polygonal bay through semi-basement and ground floor; corbelled brick pillars flank windows and support deep painted timber frieze with projecting cornice and blocking course; casements with overlights with patterned leaded panes. Entrance on north side with crocketed hood. “*

#### **4 SIGNIFICANCE OF FITZJOHN'S NETHERHALL CONSERVATION AREA AND THE CONTRIBUTION OF NO. 26 NETHERHALL GARDENS**

- 4.1 This section assesses the heritage significance of the Fitzjohn's Netherhall Conservation Area and the contribution of no. 26 Netherhall Gardens to this. The assessment is proportionate to the significance of the Conservation Area, the interest of the building, and the nature and extent of the Proposed Development. It is sufficient to understand the potential impact of the proposals on heritage interest.
- 4.2 The assessment below is based on the LB Camden's Fitzjohn's Netherhall Gardens Conservation Area Character Appraisal and Management Plan (the 'Appraisal'), desk-top research, records held at the Camden Local Archives Centre and a site visit. It uses English Heritage and LB Camden guidance where appropriate (as set out in section 2 of this report).

##### **Significance of the Fitzjohn's Netherhall Conservation Area**

- 4.3 The Fitzjohn's Netherhall Conservation Area was laid out as a residential suburb with a number of grand large houses in the 1880s and 1890s. Today a number of the houses, including on Netherhall Gardens, have been converted into flats or education / education related establishments.
- 4.4 The Council's Appraisal notes that the conservation area "*spreads across the southern slopes of Hampstead, on the descent from Hampstead Village (105m above sea level to Swiss Cottage / Finchley Road (60m). The hills and their gradients play an important part in determining the area's character. Long views along the Avenues combine with substantially scaled properties and generous grounds to create an imposing district.*"<sup>8</sup>
- 4.5 These large houses were built for the upper middle classes by a variety of speculative developers or as individual architectural commissions. They tend to be closely spaced and follow a common building line set behind front gardens. Whilst the width of streets varies, the regular layout of houses, front garden planting and street trees provide a distinctive and leafy suburban character of some grandeur.
- 4.6 A variety of architectural styles can be seen including Neo-Gothic, classical Italianate, Queen Anne, Jacobean, Domestic Revival and arts and crafts. Brick predominates as the building material but a variety of finishes can be seen throughout the area including brown, yellow, grey, purple coloured bricks, stone or terracotta features or detailing, as

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<sup>8</sup> Ibid Page 10



well as tile hanging and half timber effects. There is also a variety of roof forms, clad in slate or clay tiles, some with gables or deep eaves, some with dormers, and many with bold chimneys.

- 4.7 The grid of streets on the west side of the conservation area, which includes the main route of Fitzjohn's Avenue, and Netherhall Gardens, is identified in the Council's Appraisal as sub-area 1 and is described as follows, *"built predominantly over a ten year period, from the late 1870s to the late 1880s, it marks the style and preoccupation of the 1880s. Generally the architectural influences are the Queen Anne and Domestic Revival with purple and red brick, decorative ironwork, rubbed and carved brick, bargeboard and roof details.....The road layout is almost a grid, with Fitzjohn's Avenue on the north/south axis, the prime street in the area in terms of grandeur, scale and length. The north/south streets have some steep gradients and are crossed east/west by lesser streets."*<sup>9</sup>

### ***Netherhall Gardens***

- 4.8 Netherhall Gardens conforms to the overriding character of sub-area 1.



View west along the north run



View north from outside no. 13 along central run

- 4.9 The topography is an important feature along this street (as well as other streets in the conservation area), as is how the houses relate to and sit in their plots, and the mature street and front garden trees. The Appraisal describes how the road (central run) "steepens climbing up and around towards Fitzjohn's Avenue, with the land falling away to the west"<sup>10</sup>. The houses to the east are generally in an elevated position looking down across their front gardens to the street. This has been compromised at no. 26 with the excavation of the front garden (see above).

<sup>9</sup> Ibid Page 13

<sup>10</sup> Ibid page 19

4.10 The large houses generally conform to a common layout pattern, are of similar scale and massing and share a broad palette of materials. This brings an overall cohesion to the townscape which has a distinctive grain and richness derived from the varied detailed design of houses. The Council's Appraisal notes this interesting dynamic derived from the different design of houses but the overall cohesive quality of the townscape<sup>11</sup>.

4.11 In terms of architecture Netherhall Gardens is a street of buildings of varied style and quality. There are four prevalent styles (and combinations of these); Italianate, domestic revival, Queen Anne and art and crafts. The Council's Appraisal refers to most buildings along the street individually (pages 19 to 20) and describes them as follows (the numbered bullet points below correspond to the numbered photographs on the following pages):

- 1 "The cottage has a smaller, more intimate scale like no. 7a" (black painted building in photo 6)" and opposite "No. 4 is a detached redbrick house with tile hung gable".
- 2 "No. 6 is listed (Grade II).... It is prominent in views".
- 3 "No 10 is double fronted with a triple height bay window", it notes the pleasing front garden setting and the balconies and brick columns details".
- 4 "No. 14 Otto Schiff House is dated 1885 and had a large extension built at the rear in the 1960s".
- 5 "On the west side are wide detached properties some with Dutch gables" (notes forecourt parking – detracting at no.3 and no. 5 (south Hampstead High School)
- 6 "No. 9 built in 1883 with tiled half-hipped roof".
- 7 "No. 11 has a more usual approach for the area with rubbed brick dressings, and sash windows with small lights at the top". (No. 11 is currently under hoardings but can be seen on Google street view). No. 13 is another substantial house with a distinctive stature and site presence and reference is made to its boundary wall.

Nos. 15 & 17 were replaced by Imperial Towers.

- 8 "Nos. 19 to 43 read as one group all having three storeys with basement and gable/dormer, however three are detached double fronted and five are semi-

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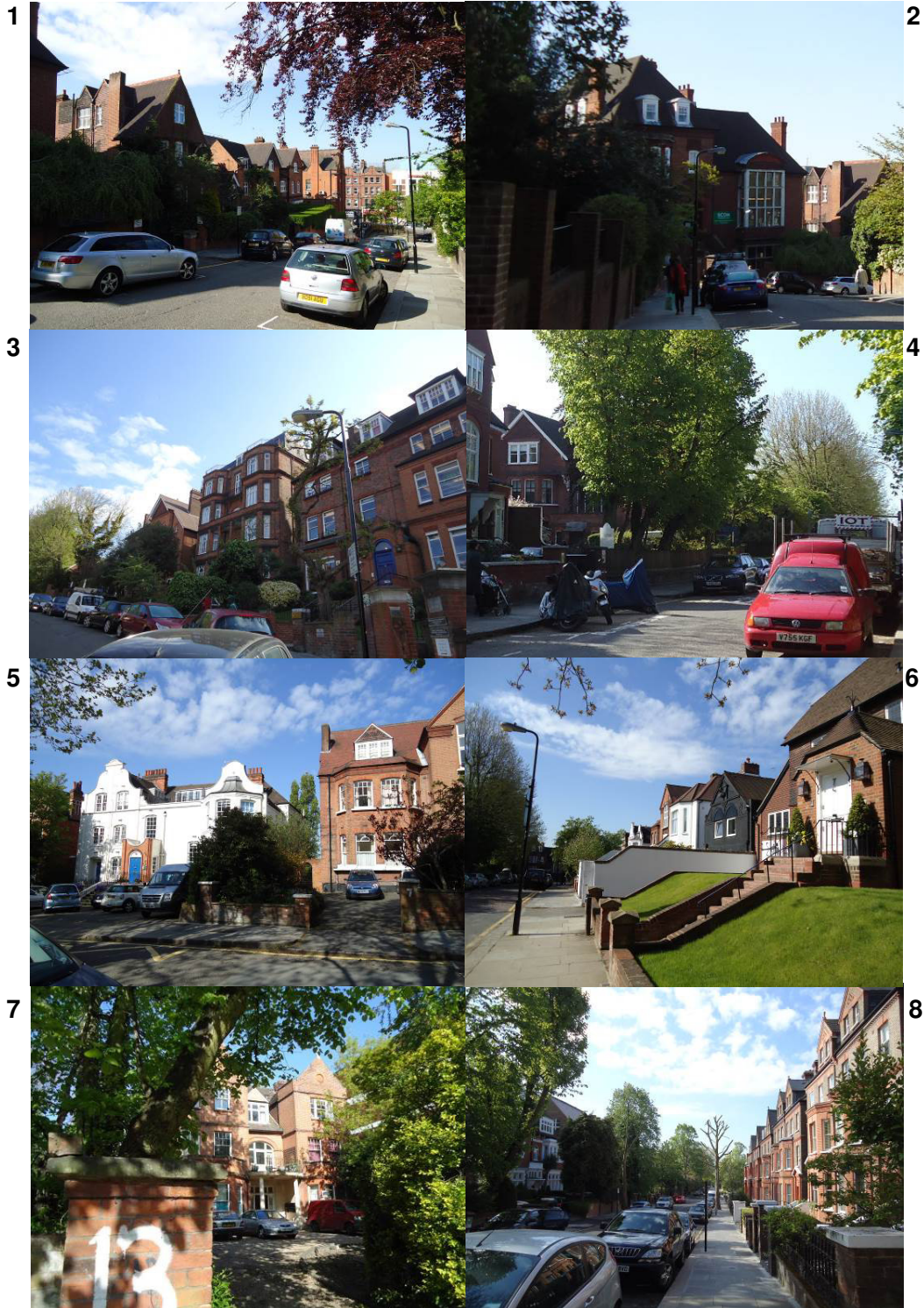
<sup>11</sup> ibid

detached properties. The latter have doorcases and pediment with rubbed brickwork”.

- 9 “Nos. 16 & 18 were replaced in the 1990s by three red brick properties in the style of the 1880s” (part of the Netherhall House complex).
- 10 “Nos. 20, 22, 24 are on a higher level than the road as well. Some have unfortunately lost their front gardens to forecourt parking”.
- 11 “The rear of no. 34 has a two storey building with garages at ground floor level that makes no contrition to the streetscape.” (photo of no. 34)
- 12 “Looking north the view is terminated by No. 45 and Orchard House; two very different 20th century buildings, but both fail to contribute to the townscape as much by the setting and landscaping as by their design.”
- 13 “No. 47 has had infill development...the sylvan setting of 47A is a pleasant surprise”.
- 14 “Nos. 49-63 is an interesting assortment of imposing detached properties on the north side of the road, elevated from the road with a variety of gable designs.... Nos. 51 & 53 have an unusual half-hipped gable”.
- 15 “The south side has four substantial houses aligned north/south and projecting forward of each other up the hill.” (referring to nos. 34 to 40).
- 16 “No. 42 and 44 are two storey 1930s buildings in Queen Anne style. Together with no. 48b&c the section has a lower roof line that now forms a particular character” (the photo is of no. 44).

4.12 The east side of the central run of Netherhall Gardens is described in general terms as having “larger detached properties without basements of two storeys and roof that are set back from the road...”. The Appraisal goes on to refer to nos. 16, 18, 20, 22 and 24 as noted above: it does not however refer to nos. 26, 28, 30 or 32. Whilst this general statement can be said to broadly apply to nos. 28, 30 and 32 it cannot be said to be the case with no. 26 with its exposed basement level, modern side extension and large gap to the south of the plot, between it and no. 24.









- 4.13 Similarly there is no specific mention of nos. 1, 1a, 2, 2a, 8 or 12 though these could be said to be the subject of the second sentence at the start of the Netherhall Gardens section, *“a very steep incline from Finchley Road gives the buildings a dramatic impact from either direction with the roof lines standing out”*.
- 4.14 There have been a number of post-war infill developments and extensions, some more accomplished in design terms than others, and some plots have been redeveloped. There has been an infill development in the rear garden of no. 34, and an extension to the rear of no.14, Otto Schiff House. Imperial Towers was built in the 1970s on the site of nos. 15 & 17, and nos. 16 & 18 were rebuilt in the 1990s in the *“style of the 1880s”* as part of the Netherhall House complex<sup>12</sup>.

#### **Contribution of no.26 Netherhall Gardens to the significance of the Fitzjohn's Netherhall Conservation Area**

- 4.15 No. 26 Netherhall Gardens is described above at paragraphs 3.10 to 3.15. In contrast to the other houses in the street it has an exposed basement level and excavated front garden area so that it appears to stand taller on its Site when compared with neighbouring buildings, and is reached by a complicated arrangement of steps. There is a single storey modern (late 1950s) side extension to the south which has the appearance of a prefabricated unit and sits above a modern garage.
- 4.16 No 26 Netherhall Gardens, along with a large number of other buildings in the conservation area, has been identified as a 'positive contributor'. Those in Netherhall Gardens include: The cottage, 1, 1a, 3-7, 7a, 9-13 (odd), 19-43,(odd), 47-55 (odd), 59-63 (odd), 2, 2a, 4, 8, 12, Otto Schiff House (original building), 20-40 (even).
- 4.17 These are defined in the Appraisal at page 30 as *“notable because of their value as local landmarks, or as particularly good examples of the local building tradition.....The distinct quality of Fitzjohn's Netherhall is that it largely retains its homogenous mid-late 19<sup>th</sup> century architectural character. For this reason, most of the 19<sup>th</sup> century buildings make a positive contribution to the character and appearance of the Conservation Area.”*
- 4.18 Whilst many of the buildings in Netherhall Gardens could be said to make a positive contribution to the character and appearance of the Conservation Area (as seen above), no. 26 Netherhall Gardens has been shown to be of limited architectural quality and interest and it is not a local landmark or a particularly good example of a local building tradition. The Council's Appraisal (in the annotated map at page 29) identify the side

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<sup>12</sup> Ibid, page 20

extension of no. 26 as a positive contributor along with the main house; we assume this is an error.

- 4.19 Architecturally, the principal elevation of no. 26 is muddled, with an inelegant and unbalanced arrangement of windows of different widths and proportions, which appear to be part of the original design intent for the house. The three northern 1st floor windows are narrow, the north-most a mean window to a bathroom, in contrast to the oriel window to the south. The ground floor windows are arranged at odds with those above, with the largest window, a tripartite casement, in the 2nd bay from the south. This uncomfortable pattern of openings in the main front wall of the house is exacerbated by the position of the two dormers above the two southern bays, which serves to further unbalance the composition (which was later compromised further by the visible basement level).
- 4.20 When considering no. 26 Netherhall Gardens, the whole is not greater than the sum of the individual parts, and two interesting windows, the use of brick and a typical porch hood, do not make a good building. It has a rather jumbled and unbalanced appearance, and falls below the prevailing architectural quality seen in the street and the conservation area.
- 4.21 The gap to the south of the main house, above the side extension, and the views it affords to the rear of buildings on Maresfield Avenue, and of the southern flank of no. 26 and northern flank wall of no. 24, is uncharacteristic of the street and the conservation area and detracts from its character and appearance and significance, as does the modern side extension.
- 4.22 The EH document, 'Understanding Place: Conservation Area Designation, Appraisal and Management' (2011), suggests a number of questions to assess the value of an unlisted building to the significance of a conservation area. They consider that any one of these characteristics could provide the basis for considering that a building may make a positive contribution to the special interest of a conservation area i.e. its significance, subject to consideration of whether or not these values have been compromised. The contribution of No. 26 Netherhall Gardens to the significance of the Fitzjohn's Netherhall Conservation Area is assessed below:

*Is it the work of a particular architect or designer of regional or local note?*

**No** – the architect of the building is not known but it appears to be the work of a speculative builder.

*Does it have landmark quality?*

**No** – it does not have the same presence as the majority of other buildings along this street. It fails to occupy the width of the plot, has a poor relationship with its Site and is of an unremarkable design.

*Does it reflect a substantial number of other elements in the conservation area in age, style, materials, form or other characteristics?*

**To a degree** – there are houses of a wide variety of designs from the 1880/90s in the conservation area. Most buildings are in brick but there is a wide variety of brick colours, detailing and finishes, as well as other decorative finishes such as tile hanging, half timbering effect, and render. This building does not exhibit any design qualities that give it special qualities, unlike the many better examples of large houses of more accomplished designs found in the conservation area and Netherhall Gardens itself. No. 26 in comparison appears underwhelming and piecemeal.

*Does it relate to adjacent designated heritage assets (DHA) in age, materials or in any other historically significant way?*

**No** – There are no DHAs adjacent to the Site

*Does it contribute positively to the setting of adjacent designated heritage assets?*

**No**

*Does it contribute to the quality of recognisable spaces, including exteriors or open spaces with a complex of public buildings?*

**No**

*Is it associated with a designed landscape e.g. a significant wall, terracing or garden building?*

**No**

*Does it individually, or as part of a group, illustrate the development of the settlement in which it stands?*

**Yes** – but only as much as any form of development would and not in any significant way. It is a rather poor example compared with the many grand and better designed houses in the street and conservation area.

*Does it have significant historic association with features such as the historic road layout, burgage plots, a town park, or landscape feature?*

**No** - it fails to follow the prevailing characteristic building pattern along the street with a large gap between it and the neighbouring building to the south, and a large part of the front garden has been excavated.

*Does it have historic associations with local people or past events?*

**No** - there are no known historic associations with local people or past events of significance.

*Does it reflect the traditional functional character or former uses in the area?*

**Yes** – It has the appearance of a large house but not of the high quality residences associated with the Conservation Area.

*Does its use contribute to the character or appearance of the area?*

**Yes** – in as much as any residential building would

*Degree to which its historic form and values have been eroded?*

It has undergone a significant degree of alteration since built including the substantial excavation of the front garden, which necessitated alterations and extension of the front

garden steps; conversion to provide an integral garage c.1930 (subsequent infilled with a metal frame casement window); later extension to side with a new garage and ground floor single storey extension (late 1950s with a utilitarian appearance); as well as other piecemeal alterations including to the chimneys.

- 4.23 No.26 Netherhall Gardens meets some of the EH criteria as assessed, but only to a limited degree. This is based on it conforming to the prevailing materials and scale of other houses in this residential suburb. However, it lacks architectural merit and an appropriate street presence, and fails to meet the high standards set by the other houses nearby, along this street and in the conservation area generally.

**Appeal ref: APP/X5210/W/16/3145922**

- 4.24 The contribution of no. 26 to the conservation area was considered by an Inspector at the recent appeal hearing for the refusal of the redevelopment of the Site for a scheme of a similar design to the current application (see below).
- 4.25 The Inspector found at para. 21 of the Appeal Decision (as set out in our assessment submitted with the appeal) that no. 26 did make a contribution to the character of the conservation but that this contribution was limited (as set out at para 22) *“by virtue of the setting of the original building within its plot being compromised by the later alterations including the excavation of the basement level, flat roofed extension at ground level and the unsatisfactory arrangement of steps to the front elevation, the effect of which has been to detract from the grand appearance which is characteristic of neighbouring properties. The ridge height of no. 26 being slightly higher than its immediate neighbours also detracts to a limited degree from the prevailing scale.”*
- 4.26 The Inspector went on to say at para 23 that *“the later alterations to no. 26 do not contribute positively to the conservation area and significantly detract from the positive contributor status of the original building and the wider conservation area.”*

**Summary**

- 4.27 No. 26 has features in common with other houses in the street, but when considered as a piece of architecture in its own right it fails to provide a building of interest. The composition of the principal facade is poor and lacks sophistication. The majority of the windows are mean in proportion and there is no focus or sense of order. The southern flank, visible in views northwards up Netherhall Gardens is principally a blank brick wall.

Overall no. 26 does not demonstrate a clear robust design or achieve a street presence of suitable stature.

- 4.28 No. 26 makes some contribution to the significance of the conservation area but this is limited, particularly when compared with the many other examples of houses of a more accomplished design, some by well known architects and some statutorily listed, in Netherhall Gardens and the conservation area. It is the bold scale and grand appearance of the best houses, and their relationship with their garden plots, that is of importance in defining the character and appearance of the wider conservation area. No. 26 appears mean and apologetic by comparison, in spite of its relatively large plot size, and does not sit comfortably on its excavated plot.
- 4.29 It is primarily the residential use, scale and materials of no. 26 Netherhall Gardens, reflecting those qualities prevalent in the surrounding buildings that contribute to the significance of the conservation area. These are elements that a new building on Site could contribute to the significance of the area to an equal if not better degree. A well designed replacement house would enhance the character and appearance of the conservation area.



## **5 ASSESSMENT OF PROPOSED DEVELOPMENT**

### **Description of Proposed Development**

- 5.1 The Proposed Development involves the replacement of the existing building on Site to provide a new building comprising 5 apartments, including 4 duplexes. The Site will be excavated with the ground floor of the Proposed Development sitting at pavement level. All the apartments are accessed from a circulation core via a single front door, at grade, from the front forecourt area.
- 5.2 The Proposed Development is 3 storeys high with an additional floor of accommodation within the pitched roof form. It continues the prevailing building line of the street frontage and is stepped at the rear to align broadly with the different building lines of nos. 28 to the north and 24 to the south.
- 5.3 The massing of the Proposed Development has been articulated with a principal wing with pitched roof running parallel with the street and a large gable end facing the street at the northern end. The latter has a projecting bay window to the ground and 1st floors. The southern wing has 2 storey projecting elements to the street (west), side (south) and rear (east) elevations, and two dormers in the front slope of the pitched roof (and one to the rear). The dormers match the width and alignment of the pattern of fenestration below.
- 5.4 The principal material is red brick, laid in a variety of patterns, with stone window surrounds, string course details and parapet finish. The window openings have been designed to complement those of no 28 with tall narrow lights in stone surrounds, predominantly grouped to provide wide openings with a horizontal emphasis. The windows are timber framed and painted white. The roof is finished in slate with zinc clad dormers.
- 5.5 The rationalised forecourt area will be landscaped as an integral part of the Proposed Development, with thick hedge planting around the lightwell areas, and around the retained tree.

**Planning application ref 2014/6224/P**

- 5.6 The design of the new building in the present scheme is the same as that for the scheme previously submitted as part of application ref 2014/6224/P. Whilst this application was refused planning permission, there were no reasons for refusal relating to its design or external appearance.
- 5.7 The Council were generally supportive of the design of the new building and the officer's report stated that the replacement building did have some architectural merit. It also stated that, "the use of forms such as a prominent gable, dormers and projecting bays, as well as features such as red brick, stone mullions and banding are considered acceptable and contextual within the conservation area."

**Appeal Decision ref: APP/X5210/W/16/3145922**

- 5.8 The design of the new building in the present scheme is very similar to that of the appeal scheme ref: APP/X5210/W/16/3145922. Amendments have been made to the scheme to address points raised by the Inspector relating to matters other than heritage. These are to the rear of the house and do not affect our assessment above.
- 5.9 In respect of the design of the Proposed Development and heritage considerations the Inspector found that:

"24. The replacement building would be appropriate in the street scene in terms of scale, styling and detailed design. It would respond appropriately to its context and would appear as a large detached property in keeping with other grand houses in the locality. It would respect the prevailing building line to the street frontage and the different buildings lines provided by neighbouring properties to the rear. In terms of its ridge height it would complement nos. 28 and 24, whilst a lower section to the south would respect the lower height of 24a Netherhall Gardens. I find that to a degree the proposed development would appear as a pair with no. 28.";

and went on to say:

"26. I find that the proposed development would overcome a number of the negative features of the existing development and its contribution to the conservation area including the various alterations made to the original

building. It would therefore enhance the conservation area and make a positive contribution to local character and distinctiveness.”

### **Assessment**

- 5.10 The Proposed Development is of a well considered design, based on a thorough understanding of the Site and its context. It has a distinctly residential character and will add a further layer to the rich history of large domestic buildings in the area.
- 5.11 The elevations are ordered, with a clear hierarchy. The Proposed Development will complement no. 28 to the north in terms of height and massing. Whilst not of the same detailed appearance there are clear similarities in the design including the ridge height, gable to the front elevation and the design of the fenestration. The resultant effect will be that these two buildings will appear as a pair within the street scene, as do 30 and 32 to the north, and 22 and 24 to the south. This is illustrated in the street elevation drawings in the application submission.
- 5.12 The Proposed Development will deliver townscape benefits which will enhance the character, appearance and significance of the conservation area. The purpose designed composition, which better fills the Site, will close the uncharacteristic gap that exists at present to the south of the Site (with views to the rear of houses on Maresfield Gardens above the 1960s side extension). The Proposed Development will enhance the built edge to the street and introduce a sense of continuity.
- 5.13 The Proposed Development will sit lower on the Site than the existing building, which rises above its neighbours. The new ridge line, broadly aligning with that of neighbouring buildings, and the new gable to the front elevation will enhance the skyline and roofscape. As a result the Proposed Development will sit in a more grounded fashion on the Site, and address the street in a direct and positive fashion.
- 5.14 The Proposed Development is for residential use and will provide apartments of a considerably higher quality than currently provided on Site. The scale of the development, its detailed design and use of materials reflect those qualities prevalent in the surrounding buildings that contribute to the significance of the conservation area. The new building will be of a significantly greater quality of design and finish than the existing building on Site. It will enhance the character and appearance of the conservation area.

## **6 ASSESSMENT OF EFFECT AND CONCLUSIONS**

- 6.1 The principal NPPF policy considerations in determining an application for the replacement of no. 26 Netherhall Gardens are the contribution of the existing building to the significance of the Fitzjohn's Netherhall Conservation Area and the level of harm, if any, that its loss and the redevelopment of the Site would cause to the significance of the designated heritage asset, i.e. the Fitzjohn's Netherhall Conservation Area.
- 6.2 The contribution of no. 26 to the significance of the Fitzjohn's Netherhall Conservation Area is assessed in section 4 of this report and the Proposed Development is assessed in section 5.
- 6.3 The NPPF notes that not all elements of a conservation area will necessarily contribute to its significance. There is clearly a wide range of quality of buildings (of all ages) in this large conservation area, including along Netherhall Gardens, and a corresponding wide range in terms of their contribution to the significance of the conservation area. We agree with the Council's assessment that a number of the houses along Netherhall Gardens make a positive contribution to the significance of the Conservation Area. However, we have assessed the level of the contribution of no. 26 (which the Council identify as one of the many positive contributors) to the conservation area's significance and the degree to which it can be said to be of architectural merit in its own right, to be limited, and less than many other buildings in the conservation area in general and 1 Netherhall Gardens in particular.
- 6.4 No. 26 Netherhall Gardens is unremarkable architecturally and does not conform to the more ordered and accomplished design of the grand houses along this street. The latter share more balanced elevations and features such as full height bays and decorative gables. This affords these buildings a more distinctive presence on site. No. 26 is of limited architectural interest in its own right, and such positive qualities as it possesses, as assessed above, could be equally if not better provided by a new building on site, of a higher architectural quality.
- 6.5 The gap to the south of no. 26, and the poor quality side extension, are uncharacteristic of the conservation area. These coupled with the excavated area of front garden and hard standing for car parking detract from the conservation area's character and appearance and significance.
- 6.6 It would be difficult to remedy the negative effect of the 'gap' and enhance the townscape of the street by extending (in an architecturally convincing way) the existing building. This

is a consequence of the size of the gap, the larger scale of the surrounding houses, and the design shortcomings of the existing building (as discussed above). The redevelopment of the Site as a whole would allow for a new building of high quality: one which can not only fill the gap, to the benefit of the local townscape, but also resolve the relationship of the building with its site. The Council stated in the report for application ref. 2014/6224/P that the design would be contextual within the conservation area.

- 6.7 The significance of the conservation area is derived from large, grand and imposing houses designed by architects as individual commissions. The Proposed Development will add to this, being a new building with a distinctive character of its own, that also responds positively to the prevailing characteristics of the better designed houses in the street.
- 6.8 The Proposed Development offers architecture of a high quality. It deploys a crisp modern architectural language with a limited palette of high quality materials. As set out above, it will deliver a high quality domestic building designed as a piece, and the townscape benefits that result, as explained above, will enhance the character and appearance and significance of the conservation area.

## **Conclusions**

- 6.9 No. 26 Netherhall Gardens is a building of mediocre architectural quality that has an unsatisfactory relationship with its surroundings today. It has been compromised by alterations, including the excavation of the front garden to reveal the basement level. It is the assessment of this report that no. 26 Netherhall Gardens does make some degree of positive contribution to the prevailing characteristics or significance of the Fitzjohn's Netherhall Conservation Area, but that this is limited, particularly when compared to the better examples of large houses in the conservation area. This positive contribution could be equally, if not better, provided by a replacement building on Site.
- 6.10 The Proposed Development is based on a clear understanding of the townscape and urban design character of the Site and its context, and the significance of the Fitzjohn's Netherhall Conservation Area. The character of Netherhall Gardens is derived from large houses designed as a piece, some by famous architects. The Proposed Development seeks the comprehensive redevelopment of the Site with an architect design new residential building. The Proposed Development will positively address Netherhall Gardens, with a well considered elevational design, filling in the current uncharacteristic 'gap' on Site; conforming to the prevailing ridge height of development along this part of

the street; and providing an enhanced relationship between the building on Site and the street.

- 6.11 The Proposed Development will enhance the quality of the townscape of the area and the character and appearance and significance of the Fitzjohn's Netherhall Conservation Area. There will be no effect on the setting of any listed buildings in the surrounding streets. In respect of design and built heritage considerations, it is in line with the policies and guidance on design set out in the NPPF and PPG; London Plan policies; local policies CS14, DP24 and DP25, SPDs and the Appeal Decision ref: APP/X5210/W/16/3145922.

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## **APPENDIX 1**

List of dates of drainage applications consulted at Camden Local Archives Centre

7 October 1909 - drains

3 September 1924 – internal bathrooms

10 January 1930 – drainage associated with excavation of front garden to provide access to integral converted basement garage, new steps to front door

29 September 1936 - internal bathrooms

23 January 1939 - drainage

13 June 1958 – new garage and side extension

22 January 1962 – alteration including removal of central chimney

22 March 1984 – internal bathroom alterations