

Our Ref FC/lc/17/005  
4<sup>th</sup> May 2017

For the Attention of  
Mr P Marfleet  
London Borough of Camden  
2<sup>nd</sup> Floor  
5 Pancras Square  
C/O Town Hall  
Judd Street  
London  
WC1H 9JE

By Email: [Patrick.Marfleet@camden.gov.uk](mailto:Patrick.Marfleet@camden.gov.uk)

Dear Mr Marfleet

**Town & Country Planning Act 1990 as Amended  
Flat 2, 16 Belsize Avenue London NW3 4AU  
2017/0836/P – Erection of Single Storey Side/Rear Extension at Lower  
Ground Floor Level including Side Infill Extension to Western Elevation**

The above Planning Application made by the existing owner is for proposed alterations to the *Garden Floor* self contained apartment for a contemporary family living which respects the existing period building and has no adverse impact on the Conservation Area. This is a letter SUPPORTING the principle of development.

Mrs Maighread Kilgrew is looking to extend the garden flat to the rear and side with a single storey extension, provide a roof garden for the ground floor flat and repair the existing property to the appropriate standards and also comply with the current planning policies for the area.

As a material consideration, the National Planning Policy Framework (NPPF) sets out the Government's most up to date planning policy alongside the Planning Practice Section 12 of the NPPF deals with the Conserving and enhancing the Historic Environment. Paragraph 128 states;

**In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk based assessment, where necessary, a field evaluation.**

The National Planning Policy Framework paragraphs comments in paragraph 132;

**When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are replaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade 11 listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade 1 and 11\* buildings, grade 1 and 11\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.**

The guidance then gives further direction to the weight to be attached to the assets consideration. It adds in paragraph 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.**

Para 137 comments;

**Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.**

Paragraph 137 is particularly important in that it makes clear that new development should be an opportunity to enhance or reveal the significance of the Conservation Area. The imperative under the NPPF is to assess the significance of the Belsize Conservation Area and then consider whether the development conserves that significance in an appropriate manner. Harm that is less than substantial is then to be weighed against the public benefit. The harm is either little or negligible. The site is screened by the boundary and existing foliage and planting. That planting and trees are with the applicants control. The benefits of providing improved housing stock and the economics of local building and quality of the design should be accepted. Turning to the Development Plan.

The starting point for assessing the merits of the planning application is Policy DP25 of the Camden Local Development Framework (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:**

#### **Listed Buildings**

**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. Archaeology**

**The Council will protect remains of archaeological importance by ensuring acceptable measures are taken to preserve them and their setting, including physical preservation, where appropriate.**

#### **Other heritage assets**

**The Council will seek to protect other heritage assets including Parks and Gardens of Special Historic Interest and London Squares.**

The application has received an objection to the proposal from GL Hearn, representing the resident in the garden flat at 18 Belsize Avenue. The following issues have been raised;

appropriateness of development in terms of complying with Conservation Area Policy specifically in relation to;

- Respecting the spatial character of the area, specifically with regard to views and spaces between properties
- The design quality of the proposal, and

- the 'disconnect' between upper and lower floors

In addition, the objection relates to the impact on the residential amenity of the ground floor flat at 18 Belsize Avenue.

The Conservation Area Statement ( 2003) has the following relevant policies to this application;

***BE19 New development should be seen as an opportunity to enhance the Conservation Area. All development should respect existing features such as building lines, roof lines, elevational design, and, where appropriate, architectural characteristics, detailing, profile and materials of adjoining buildings. Proposals should be guided by the UDP in terms of the appropriate uses and other matters such as density and parking standards.***

The objection states that the property is noted for its architectural merit, which is detached, alongside numbers 18 to 28 Belsize Avenue, which form part of an architectural group. The objection considers that the proposal will reduce the architectural merit of the property if the extension were built. However, the proposed extension has been sensitively designed to reflect the character, scale and proportions of the existing property and is single storey, of modest proportions at lower ground level. The views across to the rear are limited by the height of the public highway. BE 37 advises;

***BE37 There are many semi-detached and detached villas in the Conservation Area and side extensions would only be acceptable where they do not upset the character and relationship between the properties, particularly where significant and well-preserved gaps between buildings provide views through to rear mature gardens. Normally the infilling of gaps will be resisted where an important gap is compromised or the symmetry of the composition of a building would be impaired. Where side extensions would not result in the loss of an important gap they should be single storey and set back from the front building line.***

The proposal will retain the open character between the houses from public viewpoint as the extension is single storey only and at lower ground level only. There will still be views across and through the building at street level. The character of the Conservation Area will be preserved by the design of the development. The objection letter states that the 'visual hierarchy' of number 16 and 18 Belsize Avenue would be affected by the proposed extension, however,

at present, along the side boundaries are mature hedgerows and screening which fill the gaps along the ground level, which a small section of glazing would replace. This would not affect the 'visual hierarchy' between the properties in any way.

The Camden Design Planning Guidance (2011) states that; "*rear extensions should be secondary to the building extended*". The objector does not consider the proposal to be secondary to the main building. The proposed extension is single storey, at lower ground level, below the public highway on a three storey building. The proposed extension is visually minimal in relation to the street scene and could not, therefore be anything other than secondary to the main building.

The proposed design of the extension is modern, with references to the historic character of the building. The Conservation Area Statement provides guidance on design issues in relation to new development. The letter from GL Hearn does not apply the correct test for concluding that the proposal is inappropriate in the conservation area and therefore the weight given to the letter must be reduced. Similarly the Conservation Area Advisory Committee do not cogently explain how they have reached an objection and therefore, again, less weight should be attached to the comments.

Policy BE 20 states that modern development will not be resisted provided it is sympathetic to existing development within the Conservation Area.

***The Belsize Conservation Area has a variety of building types, ages and styles. Modern development has not always taken account of the area's history and its context. Development which is overtly modern will not be resisted provided it respects the layout, height and scale of existing development within the Conservation Area.***

The objection includes concern relating to the disconnect between the lower ground level and the rest of the dwelling. However, there are many examples of conservatories and additions to the ground floor that have been made to historic buildings that do not detract or separate the lower floor from the upper floors for their addition.

Finally, concern has been expressed in relation to loss of light to the ground floor flat and their side windows at 18 Belsize Avenue. The existing side path between 16 and 18 Belsize Avenue is presently well screened with trees and mature hedgerows that have been planted over the years by the resident of the garden flat at number 18.

The windows serve a non habitable room ( hallway) and as such the assessment of impact of any loss of light to this space is weighted less. The proposal will not adversely impact on the amenity of the resident of this flat to the degree that has been stated in the objection letter. Many residents of high density living are impacted by some loss of light to rooms, but less significantly if they are non habitable.

I would be grateful if the comments above could be considered.

Yours sincerely



**BA (Hons) M.Phil MRTPI**  
**Managing Director**