

**PLANNING, DESIGN AND  
ACCESS AND HERITAGE  
STATEMENT**

**3 HOLLYCROFT AVENUE,  
LONDON**

*Prepared For*  
**MR. N. BRENNAN**

**8216  
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**bell cornwell**

CHARTERED TOWN PLANNERS

Bell Cornwell LLP, The Print Rooms,  
164/180 Union Street, London, SE1 0LH

0203 176 2789 | [info@bell-cornwell.co.uk](mailto:info@bell-cornwell.co.uk) | [bell-cornwell.co.uk](http://bell-cornwell.co.uk)



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## 1 INTRODUCTION

- 1.1 This Statement is written in support of an application for the enlargement of the cross over, removal of a tree and alterations to the front boundary and garden of 3 Hollycroft Avenue, London.
- 1.2 Prior to submission of this application pre-planning discussions were entered into with the Local Planning Authority under reference 2917/1909/PRE, which concluded that *“Changes to the front boundary and crossover would only be acceptable if there is no increase in onsite parking and no loss of on-street parking. The removal of the TPO protected tree would be acceptable, subject to a suitable replacement tree.”*
- 1.3 The National Planning Policy Framework (NPPF) 2012 provides the Government’s national planning policy on the conservation of the historic environment. In respect of information requirements for applications, it sets out that: *“In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance”*
- 1.4 To comply with these requirements, the remainder of this section firstly identifies the relevant designated and non-designated heritage assets within the site and its vicinity that may be affected by the current application proposals and their significance.
- 1.5 This section provides an assessment of the impact of the application proposal on the significance of the identified heritage asset in light of the statutory duties of the Planning (Listed Building and Conservation areas) Act 1990, national policy in the NPPF 2012 and the London Plan and local planning policy for the historic environment alongside all other planning policy considerations.

### **CHARACTER OF THE AREA AND SURROUNDINGS INCLUDING THE CONSERVATION AREA (THE HERITAGE ASSET)**



- 1.6 The National Planning Policy Framework (NPPF) 2012 defines a heritage asset as: *“A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest.”*
- 1.7 In this case the application site is located within Redington/Frogal Conservation Area within Sub Area Two: The “Crofts”. This is the Designated Heritage Asset.
- 1.8 The conservation area statement notes that *“The Redlington/Frogal Conservation Area occupies an area of sloping land to the west and south of the historic centre of Hampstead Village. It forms a well preserved example of a prosperous late 19<sup>th</sup> century and Edwardian residential suburb.”*
- 1.9 The NPPF also identifies that heritage assets include both designated heritage assets and assets identified by the local planning authority (including local listing).
- 1.10 No.3 Hollycroft Avenue is a semi-detached property identified as a ‘positive’ building in the Conservation Area Statement, thus identified as making a positive contribution to the historic and architectural character and appearance of the conservation area. No.3 Hollycroft Avenue is therefore a Non- Designated Heritage Asset along with its neighbouring properties (1-23 (odd), 27-41(odd), 51-53(odd), 2-18 (even) and 24-46 are all identified as making a positive contribution to the conservation area).
- 1.11 There are no statutory listed buildings within the setting of the building, nor is the building statutory listed.
- 1.12 The houses in the conservation area are noted as being *“predominantly large detached and semi-detached and display a variety of formal and free architectural styles typical of the last years of the 19<sup>th</sup> and early ears of the 20<sup>th</sup> centuries. On the whole these are built in red brick with clay tiled roofs, occasional areas of tile hanging and render and many of them have white painted small paned windows.”*
- 1.13 Mature trees and dense vegetation are also noted as forming dominant features of the street scene in many of the *“avenues”* and *“Gardens”* of the Conservation Area.



- 1.14 Specific to this application, it is identified that elements of streetscape that make a positive contribution to the conservation Area include *“original pavement materials, boundary walls and signage and particularly in the case of the Redington/Frogal area, vegetation, contribute greatly to the area’s quality, character and appearance.”*
- 1.15 Importantly the Conservation Area Statement notes that *“whilst the character and appearance of the Redinton/Frogal Conservation area is generally defined by the large red brick houses and the mature vegetation, there are in fact distinct sub areas of discernible character and appearance within the Conservation Area.”*
- 1.16 The site is located within Sub Area Two: The *“Crofts”* on Hollycroft Avenue. The Conservation Area Statement characterises this area as being more modest in scale than Ferncroft and has a more informal feel as a result plus the fact that it curves along the length and has irregularly spaced trees of varied type and age. It raises relatively sharply from Ferncroft Avenue before falling slightly to Platt’s Lane in the north-west. The roofline is a particularly important element of this avenue. The gaps between the semi-detached pairs reinforce the rise and fall of slopes and is echoed by the tall chimneys and gable end walls. Again the houses are predominantly red/orange and semi-detached incorporating areas of white painted render, tile hanging and bay gables.
- 1.17 Those elements that are identified as making a positive contribution in this Sub Area include:
- Street trees (mainly London Planes) contribute greatly to all three of the *“crofts”*
  - Pavements have red brick paving to their outer edges
  - Mature vegetation to the front of Telegraph Hill screens group of houses from the road
  - Low brick walls and hedges to most properties



## 2 PROPOSED DEVELOPMENT

2.1 The proposal entails:

- Alterations to the front boundary wall;
- Removal of a protected Tree of Heaven, including replacement;
- Widening of a cross over;
- Alterations to garden path, retaining wall and drive.

2.2 Details are provided in the accompanying drawings referenced HA Garden REVC GA 01 and 01a, REVB GA 02 and 03; and REVB EX01.



### 3 PLANNING POLICY CONSIDERATION

3.1 The main policies for consideration are set out in the London Plan, Core Strategy adopted 2010 and Development Policies adopted 2010. The site is in the Redington/Frogna Conservation Area, but it is not a statutory listed building. The Redington/Frogna Conservation Proposal Statement is therefore of relevance along with a series of Planning guidance including that relating to design.

#### **NPPF/NPPG**

3.2 What matters in assessing if a proposal causes substantial harm is the impact on the significance of the heritage asset. As the National Planning Policy Framework makes clear, significance derives not only from a heritage asset's physical presence, but also from its setting.

3.3 Whether a proposal causes substantial harm will be a judgment for the decision taker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework. In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.

3.4 A substantial majority of buildings have little or no heritage significance and thus do not constitute heritage assets. Only a minority have enough heritage interest for their significance to be a material consideration in the planning process. (NPPG)

3.5 A thorough assessment of the impact on setting needs to take into account, and be proportionate to, the significance of the heritage asset under consideration and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it.



- 3.6 Setting is the surroundings in which an asset is experienced, and may therefore be more extensive than its curtilage. All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not.
- 3.7 The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each.
- 3.8 When assessing any application for development which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change. They may also need to consider the fact that developments which materially detract from the asset's significance may also damage its economic viability now, or in the future, thereby threatening its ongoing conservation.
- 3.9 An unlisted building that makes a positive contribution to a conservation area is individually of lesser importance than a listed building (paragraph 132 of the National Planning Policy Framework).

#### **THE LONDON PLAN:**

- 3.10 **Policy 7.8** requires development to be sympathetic to the form, scale, materials and architectural detail of heritage assets.

#### **THE CORE STRATEGY**

- 3.11 **Policy CS5** requires the Council to manage the impact of growth in Camden and ensures that development meets the full range of objectives of the Core Strategy and other Local Development Framework documents with particular regard in this case to protecting and enhancing our environment and heritage and the amenity and quality of life of local





communities, and seeking to ensure development contributes towards strong and successful communities by balancing the needs of development with the needs and characteristics of local area and communities.

3.12 **Policy CS14** ensures that Camden's places and building are attractive, safe and easy to use. This is done by:

- a) Requiring development of the highest standard of design that respects local context and character;
- b) Preserving and enhancing Camden's rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens;
- c) Promoting high quality landscaping works to streets and public places
- d) Seeking the highest standards of access in all buildings and places and requiring schemes to be designed to be inclusive and accessible.....

3.13 **Policy CS15** seeks to protect trees and promotion of new trees and vegetation.

#### **DEVELOPMENT POLICIES**

3.14 **Policy DP18** notes that the Council will seek to ensure that development provides the minimum necessary car parking provision. The Council will expect development to be car free in the Central London Area, the town centres of Camden Town and other areas within Controlled Parking Zones that are easily accessible by public transport. The maximum parking of 1 space per dwelling is sought.

3.15 **Policy DP19** states that the Council will seek to ensure that the creation of additional car parking spaces will not have negative impacts on parking, highways or the environment, and will encourage the removal of surplus car parking.

3.16 They will resist development that would, inter alia, harm highway safety or hinder pedestrian movement; provide inadequate sightlines for vehicles leaving the site; add



to on-street parking demand where on-street parking spaces cannot meet existing demand, or otherwise harm existing on-street parking conditions; require detrimental amendment to existing or proposed Controlled Parking Zones; create or add to an area of car parking that has a harmful visual impact.

3.17 The Council also require off-street parking to preserve a buildings setting and the character of the surrounding area; preserve any means of enclosure, trees or other features of a forecourt or garden that make a significant contribution to the visual appearance of the area; and provide adequate soft landscaping permeable surfaces, boundary treatment and other treatments to offset adverse visual impacts and increases in surface run-off. Many of the relevant matters set out above are also duplicated in **Policy DP21**.

3.18 **Policy DP24** requires all development to be of the highest standard of design. Whilst **Policy DP25** relates to Conservation Areas in part and notes that 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.



3.19 **Policy DP26** seeks to protect the quality of life of occupiers and neighbours by only granting planning permission for development that does not cause harm to amenity.

3.20 **Policy DP29** seeks to promote fair access and remove the barriers that prevent people from accessing facilities and opportunities. In doing so the Council will expect all buildings and places to meet the highest practicable standards of access and inclusion.

### **OTHER**

3.21 Other relevant Documents include the Redington/Frogna Conservation Area Proposals Statement and CPG1 (Design) and CPG6 (Amenity).

3.22 Further guidance is given in Good Practice Advice notes published by Historic England in March 2015. GPA2: *Managing Significance in Decision-Taking in the Historic Environment*, and GPA3: *The Setting of Heritage Assets* are relevant here. GPA2 emphasises the need to understand the nature, extent and level of heritage significance. GPA3 sets out a stepped approach to proportionate decision-taking: identifying heritage assets and their settings; consideration of how setting contributes to the significance of that asset; assessment of effects of that significance; exploration of ways to enhance significance or avoid harm; and documentation.

3.23 In respect of the Inspector's report on the Local Plan, this was published on 15 May 2017 and concludes that the plan is 'sound' subject to modifications being made to the Plan. While the determination of planning applications should continue to be made in accordance with the existing development plan until formal adoption, weight may be attached to the relevant policies of the emerging plan as a material consideration following publication of the Inspector's report, subject to any relevant recommended modifications in the Inspector's report.

3.24 Of particular relevance are the following policies:

- A1 Managing the impact of development
- A3 Protection, enhancement and management of biodiversity



- D1 Design
- D2 Heritage
- T1 Prioritising walking, cycling and public transport
- T2 Car-free development and limiting the availability of parking
- T4 Promoting the sustainable movement of goods and materials



## 4 POLICY CONSIDERATION AND IMPACT OF THE APPLICATION PROPOSAL.

### Heritage Assets and Trees

- 4.1 The heritage policy and guidance context for consideration of the application proposals is set out above. This should include the statutory duties of the Planning (Listed Building and Conservation Areas) Act 1990.
- 4.2 The Planning Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area, in determining applications. The meaning of preservation in this context, as informed by case law, is taken to be the avoidance of harm.
- 4.3 In accordance with the requirements of the NPPF the significance of the heritage assets of the conservation area and the positive buildings, which will be affected by the application proposal, has been described in this Statement. Consequently, the application proposals have been informed by a clear understanding and appreciation of the historical development and architectural character of Hollycroft Avenue and its surroundings, as found today.
- 4.4 Paragraph 129 of the NPPF sets out that local planning authorities should also identify and assess the particular significance of heritage assets that may be affected by proposals. They should take this assessment into account when considering the impact of proposals in order to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.
- 4.5 Importantly, Annex 2 of the NPPF defines "conservation" as the process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance. It is not a process that should prevent change where proposals, such as these, would not result in harm to the significance of the heritage assets but have the potential to deliver enhancements.
- 4.6 It is identified that the site falls within the Redington/Froggnal Conservation Area which is a designated Heritage Asset. It is evident also from the Conservation Area Appraisal



that the property is identified as a positive building in the Conservation Area and for the purposes of the NPPF would therefore be considered to be a non-designated heritage asset alongside other neighbouring properties with its setting.

- 4.7 This said the Avenue, along with its tributaries within the same character area (The “Crofts”) have a variety of large houses, with varied frontages. In this regard Hollycroft Avenue is characterised as having a ‘more informal feel’.
- 4.8 The significance of the property and the impact of the proposed works therefore derives from the setting of the house within the Conservation Area and the role it plays to the diversity of the area, with the elegant residential character of that area.
- 4.9 The proposed works would see alterations to the frontage to include improvements and reinstatement of low level walls (that are not original), with irregular vegetation and hedging. Walls that are currently in a state of disrepair due to the damage caused by the Tree of heaven and materials used in their construction, namely engineering brick.
- 4.10 The proposed changes would include more appropriate materials and amount to a form of alteration that would sit comfortably within the varied streetscape, and the wider Conservation Area.
- 4.11 With regards the loss of the Tree of heaven, again due to the irregularity of the trees on the Avenue its removal is not considered to affect the significance of the Conservation Area or any associated harm to the character of the area. In its place a suitable specimen is anticipated, albeit in a different location. In this regard the Council has accepted, during pre-application discussions, that this can be secured via the imposition of a suitably worded condition.
- 4.12 To add to the planning balance, accompanying this application is a report from a structural engineer and an arboriculturalist. These demonstrate that the movement of the walls is progressive and it is therefore considered likely that the condition will worsen over time unless remedial measures are implemented. Due to the magnitude of



movements and damage observed it is not considered appropriate to carry out local repairs only.

- 4.13 Superficial repairs such as filling and strapping are unlikely to provide an effective long term solution and any replacement wall with the Tree of heaven in situ would not be practical and likely to injure tree roots. Both accompanying reports from the Structural engineer and arboriculturalist recommend removal of the Tree of Heaven. The scheme is therefore in accordance with Policy CS15.
- 4.14 In summary, there would be no harm to the significance of the building or the Conservation Area as a heritage asset. That is achieved by the design closely following that of many other properties in the area, whilst taking the opportunity to improve on the detailed appearance and allowing improvements for the occupiers of the dwelling.
- 4.15 The wider impact which the Council seeks to protect and enhance, would be enhanced within the public view and therefore the heritage impact is considered positive.

### **Highways**

- 4.16 It is important to stress that this application does not seek additional parking spaces, rather ease of access. At present 2 car parking spaces are provided to the front of the property, on existing hardstanding, via an existing crossover, located between two existing Controlled Parking Zones (CPZ's).
- 4.17 The applicant prior to the submission of this planning application applied for alterations to the crossover, which were rejected because it did not comply with criteria 'C'. the proposed crossover at that time was located within a CPZ area and it was noted that LB Camden would resist approving crossover applications if they require any amendments to a CPZ that would be detrimental to the scheme on Traffic/Parking management terms. In this case the loss of the residents parking bay to implement a crossover would be considered to have a detrimental impact on the CPZ.
- 4.18 The concern was that the proposed crossover would have resulted in a loss of on-street parking as the existing bays would have needed to be shortened in order to facilitate



the crossover extension. At that time the proposed plans showed the existing bays to remain as per existing but to create a functioning crossover the kerb lines must be moved back, in line with the proposed site entrance

- 4.19 Following this, the proposed entrance has been altered to ensure that the kerb lines are in line with the proposed entrance. This retains a suitable entrance opening to allow two cars to manoeuvre into the off-site parking spaces with greater ease and less conflict with the highway. Thereby in accordance with the promotion of fair access required under Policy DP29 and improved highway safety consistent with policies DP19 and DP21 without creating additional parking spaces on site or losing on-street parking.





## 5 CONCLUSION

- 5.1 In conclusion, the heritage significance of the property arises due to the exterior quality of the building, street trees (London Planes) and low boundary walls and the contribution to the Conservation Area. The variation that exists in the area means the changes proposed would be appropriate.
- 5.2 The works would be consistent with the objectives set out in paragraph 131 of the NPPF, namely that the significance of the heritage asset would be sustained. The works would not lead to any harm to the significance of the heritage asset, and so consistent with the guidance contained in paragraph 017 of the Planning Practice Guidance and the provisions of paragraphs 133 and 134 of the NPPF that relates to ‘harm’ to a heritage asset would not apply.
- 5.3 It is therefore concluded the works would have a positive effect upon the conservation area, whereby the loss and replacement of the Tree of heaven has been justified, consistent with the NPPF. The proposal would also be in accordance with policies relating to highway matters as there will not be an increase on on-site parking or loss of on street parking, thus no conflict with Policies CS5, CS14 and CS15 of the Core Strategy and policies CP18, DP19, DP21, DP24, DP25, DP26 and DP29 of the Development Policies.