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Our Ref: JCH00215

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28th July 2017

Dear Kristina,

Re: Application ref 2017/2223/P No. 1 Boscastle Road

This letter has been written by CgMs part of RPS group on behalf of Mr. Jonathan Soloman, and we request that it is taken into consideration by Camden Council in determining the above application.

As you are aware, 1 Boscastle Road has recently been the subject of a listing application, which has now been determined. Historic England have undertaken an initial assessment of the building and the Secretary of State has decided not to add 1 Boscastle Road to the National List of Buildings of Special Architectural or Historic Interest, at this time.

Whilst the building does not embody the 'special' interest at a national level required to merit designated status, Historic England are clear that the building has local historical interest as an early example of the area's suburban development. They state that '*the house is an early and distinctively detailed villa within the street scene*' and is '*a notable building within the Dartmouth Conservation Area*'.

It is important that the decision not to list the building is not wrongly interpreted as a reason not to refuse the current planning application. The criteria and methodology for assessing whether a building is worthy of listed status, is entirely different to assessing the impact of a proposed development upon the significance of a heritage asset/s.

The building sits within, and forms a notable part of a designated heritage asset; Dartmouth Park Conservation Area. The relevant legislation in this case is set out in Section 72 of the 1990 Act, which states that special attention shall be given by the planning authority in the exercise of planning functions to the desirability of preserving or enhancing the character and appearance of conservation areas. This presumption in favour of conservation or enhancement of significance runs throughout policy and guidance at national, regional and local levels.

Paragraph 132 of the NPPF emphasises that when a new development is proposed, great weight should be given to the conservation of designated heritage assets, in this case Dartmouth Park Conservation Area, and that the more important the asset, the greater this weight should be. It states that heritage assets are irreplaceable and that any harm or loss should require clear and convincing justification. Furthermore, paragraph 134 of the NPPF advises that where a development will cause less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

Given the Secretary of State's decision, 1 Boscastle Road does not itself constitute a designated heritage asset. However, as a building of local interest it can be identified as a non-designated heritage asset. Historic England's findings that the building makes a notable contribution to the local area, concurs with the CgMs written representation dated July 2017, and the Dartmouth Park Conservation Area Assessment and Management Plan, which identifies the building as making a positive contribution to the Conservation Area, itself a designated heritage asset. As a non-designated heritage asset, paragraph 135 of the NPPF requires the effect of an application on the significance of any non-designated heritage assets to be taken into account in the determination of the application.

CgMs' written representation dated July 2017 assesses the impact of the proposals in line with the criteria and legislation mentioned above. The findings of the report and its conclusions are unaltered by Historic England's rejection of the application to list the building. The document concludes that:

...that the proposals would not preserve or enhance the Conservation Area and would directly harm it.

It is considered that the proposals will cause a very high level of harm to the significance of 1 Boscastle Road, which has been shown to have interest both architecturally and historically. The level of significance afforded by the building's location, style, construction and history should be taken into account and given the appropriate weight within the planning balance.

The proposals conflict with Camden's Core Strategy Policies CS5, CS14, Local Development Framework Policies DP24 and DP25, Camden's Emerging Plan Policies D1 and D2, London Plan policies 7.4B and 7.8D and the NPPF.

Legislation, policy, guidance and recent appeal decisions suggest that planning applications in such circumstances should be refused. The appeal between Mr & Mrs Preuveneers vs. Council of the London Borough of Tower Hamlets (APP/E5900/D/14/3001910) shows that the Council's decision to refuse a similar mansard roof extension within a Conservation Area was upheld at appeal.

Yours sincerely,



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Historic Buildings Consultant