



48 Mornington Terrace, Camden

APPEAL STATEMENT

THA Ref: 2017/5084(b)
December 2017

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Cover: 48 Mornington Crescent

Qualifications and Experience

1.0

- 1.1 My name is Mark Sanderson, presently Director of *The Heritage Advisory*, an independent historic environment consultancy I have operated since March 2013.
- 1.2 Following completion of a Bachelor of Arts (Hons) in the History of Architecture and Design at De Montfort University (1998-2001), I undertook a Master of Arts in Architectural Conservation, also at De Montfort (2002-4).
- 1.3 My professional career in the historic environment began in 2000 as an archaeologist for Coventry Archaeology, and then in 2002 I moved to Boston Borough Council as Planning Officer (Conservation).
- 1.4 In 2004 I joined multi-disciplinary consultancy CgMs's London office to work UK-wide as a Historic Buildings Consultant, before joining Tynedale Council in 2006 as Senior Conservation Officer.
- 1.5 I then joined Rolfe Judd Planning and Architecture, London, as Senior Built Heritage Advisor in 2007, before setting up New Historic Environment Consulting in the same year; a heritage consultancy I operated across the southeast until August 2010.
- 1.6 Following this, I went on to join Museum of London Archaeology (MOLA) as Regional Project Manager in London and the south of England, before being promoted to Lead Consultant (Built Heritage) at MOLA in September 2012.
- 1.7 Between 2010 and 2015, I was visiting lecturer for Portsmouth University's MSc in Historic Building Conservation. I am a full member of the Institute of Historic Buildings Conservation.
- 1.8 I have over 16 years' experience of built heritage, conservation, design and archaeology. I have worked on a high number of proposals, involving a wide variety of historic buildings and areas, throughout the UK.
- 1.9 I have been involved in the appeal site in an advisory capacity since June 2015 and am fully conversant with the history and material of this.

Background to the Appeal

2.0

- 2.1 This *Appeal Statement* has been undertaken on behalf of Mr. & Mrs. Luke Chandresinghe. The appeal pertains to 48 Mornington Terrace, Camden (**Figure 1**).



Figure 1: Location (Google)

- 2.2 48 Mornington Terrace comprises merely one component part of wider designation, Grade II listed 26-52 Mornington Terrace (designated 1974, **Figures 1 & 2, Appendix 1**).
- 2.3 The collective nature of this designation emphasises the group, rather individual value of its buildings. The list description for nos. 26-52 Mornington Terrace reads as follows:

'Terrace of 27 houses. Mid C19. Yellow stock brick with rusticated stucco ground floors. Slate mansard roofs and dormers. Formerly symmetrical terrace; projecting central houses (Nos. 33-38) and northern end houses (Nos 50-52), southern projection missing. 3 storeys, attics and semi-basements; central and end houses 4 storeys and semi basements. 2 windows each. Stucco porticoes with pilasters carrying entablature; fanlights and panelled doors, some with nail-head ornament. Entrance to No.52 in side portico. Ground floor sashes of Nos 26, 27, 29, 31, 32 & 40 with margin glazing. Stucco fluted Ionic pilasters mark division of houses rising through 1st and 2nd floors to carry entablature at 3rd floor level (except Nos 46 & 49), formerly with balustraded parapet. Recessed, architraved sashes to upper floors; 1st floor with console bracketed cornices and continuous cast-iron balcony. INTERIORS: not inspected. SUBSIDIARY FEATURES: attached cast-iron railings flanking steps to doorways and geometrical railings to areas.'



Figure 2: 48 Mornington Crescent (centre)

- 2.4 The appeal site is also located at the west of *Camden Town Conservation Area* (**Figure 3**) first designated on the 111186 and further extended in 1997.
- 2.5 A *Conservation Area Appraisal and Management Strategy* for this designation was adopted on the 041007. At p.4 of the appraisal, a general *summary of special interest* is provided, as follows:

'The Camden Town Conservation Area can be divided into two sub areas of distinctly different character, a busy commercial and retail area, and, a quieter more formal residential area.

The commercial sub area consists of a traditional wide shopping street linking the busy junction at Mornington Crescent to the eclectic and lively town centre at the heart of Camden Town. The focus of Camden Town is Britannia Junction which acts as a hub and an important interchange, with busy, noisy, dynamic and diverse characteristics. This retail and commercial area is powerfully urban in character with few openings between the continuous building lines and an absence of public open spaces and soft landscaping. Within this part of

the Conservation Area there are two underground stations, an array of banks, restaurants, street markets, shops and stalls, signs and vehicles all existing within an historic architectural streetscape. The buildings reflect the diverse and changing architectural styles over the last two hundred years. Terraces of flat fronted early to mid 19th century houses now fronted by shops, mid Victorian stucco terraces, Victorian Gothic buildings, late Victorian and Edwardian red brick parades four and five storeys high with decorative gables, imposing banks, places of entertainment and public houses occupying key focal sites, and 20th century buildings all contribute to the wide ranging variety of architectural styles.

To the east, the backs of the retail premises on Camden High Street are accessed by cobbled mews which today are still largely in commercial use. Beyond the commercial interests are areas of late 18th and early 19th century residential development while to the west of the High Street narrow passage-ways link through to quiet tree line streets forming the residential sub-area. These streets of stock brick and stucco terraces date from the early to mid 19th century and are more consistent in character, and are in marked contrast to the dynamic, busy commercial frontages.

The Conservation Area has a high proportion of 19th century buildings both listed and unlisted, which make a positive contribution to the historic character and appearance of the Conservation Area. There is an overall 19th century architectural and historic character and appearance throughout’.

- 2.6 This Appeal Statement responds to Enforcement Notice EN14/0974 (dated 101117) issued by the London Borough of Camden under Section 171 A (1) (a) of the Town and Country Planning Act 1990 (as amended by the Planning and Compensation Act 1991).
- 2.5 With this notice it is alleged that, without the benefit of planning permission, ‘The unauthorised erection of a black metal and glass outbuilding in the rear garden’ has been implemented.

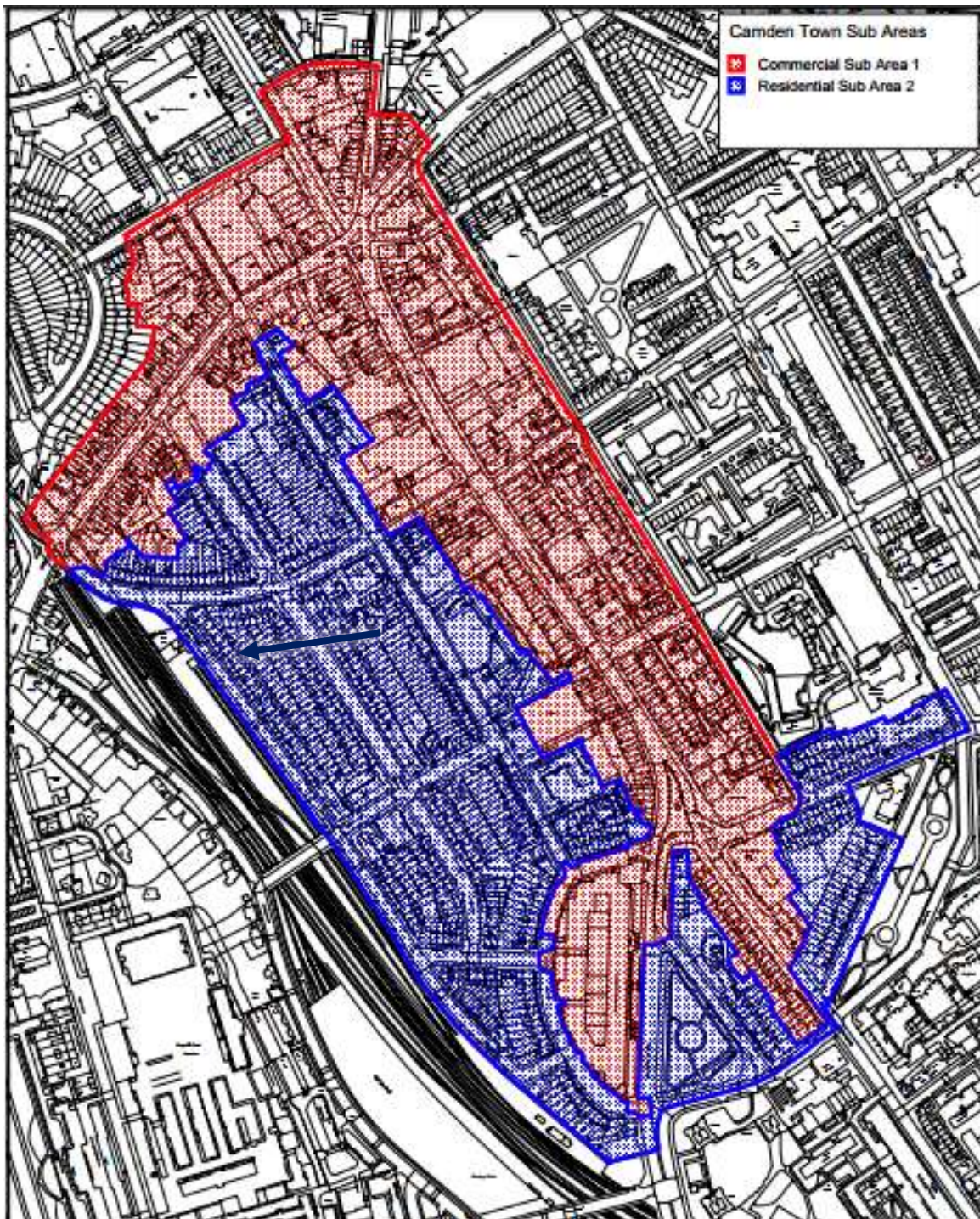


Figure 3: Camden Town Conservation Area (London Borough of Camden)

- 2.6 Ostensibly, the reason for issuing the notice is as follows:

'The development, by reason of its design, material, scale, bulk and location, has a detrimental impact on the character and appearance of the Camden Town conservation area, on the appearance and setting of the host grade II listed building and on the setting of the wider terrace of listed buildings. As such the proposal is contrary to policies D1 (Design) and D2 (Heritage) of Camden's Local Development Plan 2017.

The Council do not consider that planning permission should be given because planning conditions could not overcome these problems.'

- 2.7 The Appeal Statement therefore focuses upon perceived detriment arising from the implementation of the outbuilding upon the designated historic environment of the locale, and its associated lack of accordance with local policy.
- 2.8 I first visited the appeal site in June 2015 and subsequently provided advice to the owner of the property and other agents.

The Site & Environs

3.0

- 3.1 As noted, the appeal site forms merely one component part of wider, listed 26-52 Mornington Terrace, designated Grade II in 1974 (**Figure 4**; see above/**Appendix 1**).

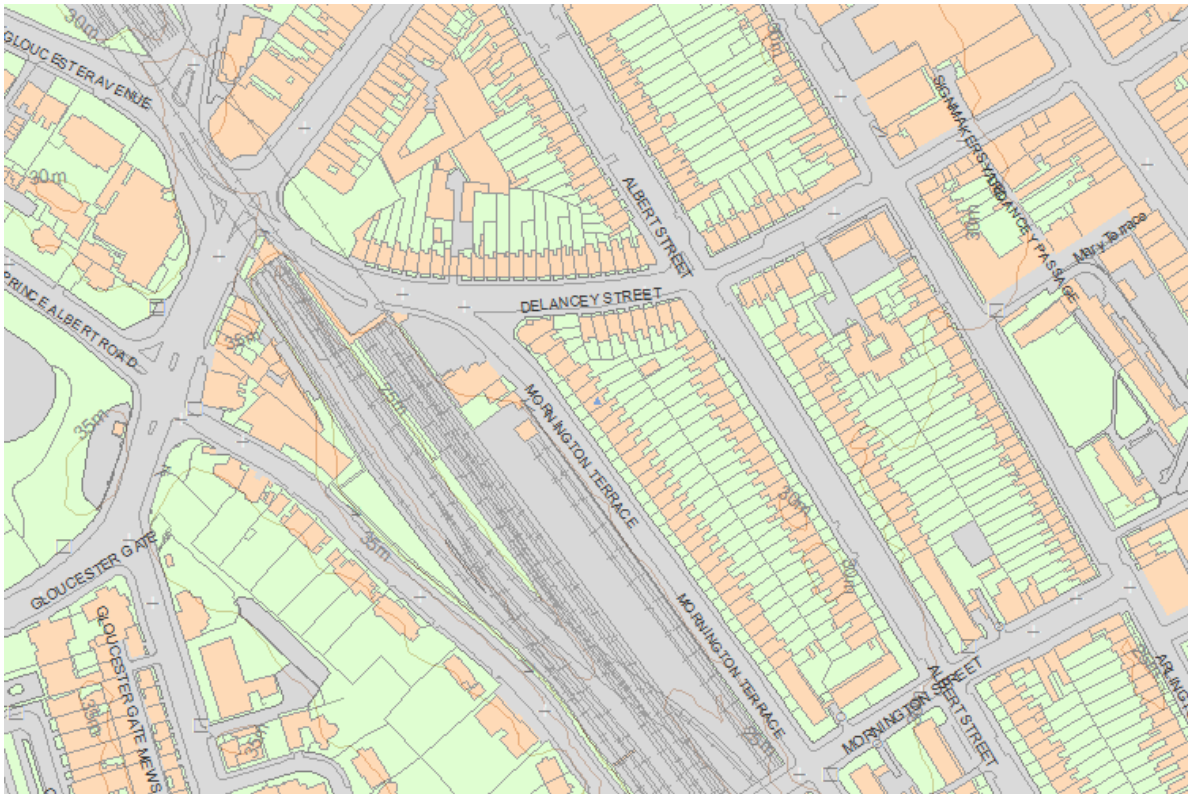


Figure 4: Designation Location (Historic England)

- 3.2 Whilst located at the west of *Camden Town Conservation Area*, more specifically, the relevant appraisal shows the appeal site to reside within *Sub Area 2: Residential*.
- 3.3 At p.20 of the aforementioned *Appraisal*, the character and appearance of the sub area is summarised as follows:

'The residential parts of the Conservation Area are largely homogenous in scale and character, having been laid out within a period of three decades spanning the years 1820-1850. The western part of the Conservation Area comprises long residential terraces running in a north-south direction on a planned rectilinear grid (Mornington Terrace, Albert Street, and Arlington

Road) intersected by shorter terraces (Delancey Street and Mornington Street). A second pocket of residential development, originally made up of slightly grander terraces, falls south-east of the High Street (Harrington Square and Oakley Square). The area contains a large number of good examples of early/mid 19th century speculatively built terraced London houses, generally of a uniform appearance, and many statutorily listed for their special interest.

Buildings are set back from the street to make room for basement areas, or in more generous developments, for front gardens. Houses are generally three storeys raised on basements, sometimes with attic storeys, and may rise to four or five storeys to articulate a formal architectural composition. Terraces tend to end in a flank brick wall; and on street corners may have had windows and entrance doors inserted.

There is a greater sense of open space in the residential portions of the Conservation Area, in part due to the main Euston railway cutting immediately to the west but also the result of wide tree-lined streets and private front and back gardens, especially in Albert Street and Mornington Terrace. The trees and greenery of back gardens are only visible in occasional glimpses from the public realm but contribute to the nature of the western part of the Conservation Area. Views of back gardens are retained, especially where development has been kept single-storey or where gaps have been preserved. Gaps also occur at the end of terraces; these allow views to back gardens over high garden walls, introducing a welcome respite to an otherwise very urban environment and making a major contribution to the visual amenity and the character of the area. In an area lacking in open space and street trees these views into gardens with mature trees are an important element in the character and appearance of the Conservation Area.

Yellow stock brick is the predominant building material, with decoration in the form of rusticated ground floors, stucco mouldings around openings, and stucco parapet cornices. Roofs are mainly covered in natural slate, windows are mainly painted timber box sashes and doors are painted timber with moulded panels. Exceptionally, properties have projecting stucco porticos and arched head windows. Terraces are adorned with various good examples of historic ironwork. Cast-iron boundary railings are a feature of most streets, and cast-iron balcony screens in a variety of patterns accentuate the principal first floors of many residential properties, sometimes bridging two or more windows.

Although this part of the Conservation Area is dominated by early 19th century development, there are examples of 20th century residential building, many of which arise from World War

‘If bomb damage to the original 19th century terraces. Some post-war housing developments take the form of blocks of flats set in green landscaping, but others are either out of scale or character with their surroundings by virtue of layout, excessive height or use of materials.’

- 3.4 The Appeal Site can be therefore seen to be not only designated for the contribution this makes to 26-52 Mornington Terrace, but also to be clearly representative of *special interest* identified in relation to that wider designation comprising the conservation area.
- 3.5 However, by the same token, the property may also be interpreted as being relatively commonplace within the wider context of uniformity and/or homogeneity evident throughout the nearby built and/or historic environment.
- 3.6 Further to this, the listed building – at least - is known to have undergone a sustained period of degradation throughout its more recent history; a trend that can be now seen to be clearly in reverse, upon the assumption of ownership by the present occupant.
- 3.7 In contrast, more recent works of repair, restoration and refurbishment undertaken to the property more generally by the current occupant, evidence what may be interpreted as considerable investment into the property and its significance.
- 3.8 The ensuing status of the property – i.e. having achieved a degree of economic and physical stability - is commonly recognised as the best means by which to *preserve* special interest, and a matter of best conservation practice.
- 3.9 Works have also been of a consistently high quality and, whilst clearly evidencing the nature and level of aforementioned investment, wholly appropriate to the status of the Appeal Site as a Grade II listed building that is also located within a conservation area.
- 3.10 This demonstrably high quality can be seen to extend to works of new development at the Appeal Site, where it is self-evident that considered design and the requirement to *enhance* relevant designations has been an overriding objective.
- 3.11 Further to this, it is understood that the relatively obscure location of the structure in question – i.e. to the rear of both Mornington Terrace and Albert Street and set within a resulting ‘island’ of garden land – renders questions of actual impact, questionable.

- 3.12 Sited away from the public realm, the resulting impingement or effect otherwise upon either the settings of relevant listed buildings, or the wider conservation area designation, is understood to be negligible, even if positive in nature and/or of an exceptional quality.

Regulatory Framework

4.0

Legislation

- 4.1 Legislation relating to the historic environment is contained in the *Planning (Listed Buildings and Conservation Areas) Act 1990* (the Act). Of particular relevance are sections 16, 66 & 72, summarised as follows:

Concerning a listed building or its setting, the local planning authority or Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Concerning conservation areas, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

National Guidance

- 4.2 The *National Planning Policy Framework (NPPF)*, March 2012) emphasises a 'presumption in favour' of sustainable development i.e. defined by the document as 'development that meets the needs of the present without compromising the ability of future generations to meet their own needs'.
- 4.3 This 'presumption in favour' has been implemented to speed up decision making and encourage more development. As regards heritage assets, it is emphasised that their conservation under such circumstances is to be achieved 'in a manner appropriate to their significance'. Key paragraphs from the document are summarised below.
- 4.4 *Paragraph 131* states that in determining planning applications local authorities should take account of:
- 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.
- 4.5 Concerning *setting*, the *NPPF Practice Guide* states that:

'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. The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights or an ability to access or experience that setting. This will vary over time and according to circumstance.'

- 4.6 Additionally, Annex 2: Glossary of the NPPF defines the setting of a heritage asset 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'.

- 4.7 Historic England's guidance note *The Setting of Heritage Assets – Historic Environment Good Practice Advice in Planning*: 3 from July 2015, goes further, stating that:

'Setting is not a heritage asset, nor a heritage designation ... Its importance lies in what it contributes to the significance of the heritage asset. This depends on a wide range of physical elements within, as well as perceptual and associational attributes pertaining to, the heritage asset's surroundings ...

... Where the significance of a heritage asset has been compromised in the past by unsympathetic development affecting its setting, to accord with NPPF policies, consideration still needs to be given to whether additional change will further detract from, or can enhance, the significance of the asset ...

... Settings of heritage assets change over time. Understanding the history of change will help determine how further development within the asset's setting is likely to affect the contribution made by setting to the significance of the heritage asset.'

Local Policy

- 4.8 The London Borough of Camden adopted their *Local Plan* on the 03/07/17, replacing *Core Strategy* and *Camden Development Policies* documents.

- 4.9 Of direct relevance to the matter at hand are *Policies D1 (Design)* and *D2 (Heritage)*. These may be summarised as follows:

Policy D1 Design

The Council will seek to secure high quality design in development. The Council will require that development:

- a. respects local context and character;*
- b. preserves or enhances the historic environment and heritage assets in accordance with Policy D2 Heritage;*
- c. is sustainable in design and construction, incorporating best practice in resource management and climate change mitigation and adaptation;*
- d. is of sustainable and durable construction and adaptable to different activities and land uses;*
- e. comprises details and materials that are of high quality and complement the local character;*
- f. integrates well with the surrounding streets and open spaces, improving movement through the site and wider area with direct, accessible and easily recognisable routes and contributes positively to the street frontage;*
- g. is inclusive and accessible for all;*
- h. promotes health;*
- i. is secure and designed to minimise crime and antisocial behaviour;*
- j. responds to natural features and preserves gardens and other open space;*
- k. incorporates high quality landscape design (including public art, where appropriate) and maximises opportunities for greening for example through planting of trees and other soft landscaping,*
- l. incorporates outdoor amenity space; m. preserves strategic and local views;*
- n. for housing, provides a high standard of accommodation; and*
- o. carefully integrates building services equipment.*

The Council will resist development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Excellence in design

The Council expects excellence in architecture and design. We will seek to ensure that the significant growth planned for under Policy G1 Delivery and location of growth will be provided through high quality contextual design.

Policy D2 Heritage

The Council will preserve and, where appropriate, enhance 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 and locally listed heritage assets.

Designated heritage assets

Designed heritage assets include conservation areas and listed buildings. The Council will not permit the loss of or substantial harm to a designated heritage asset, including conservation areas and Listed Buildings, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a. the nature of the heritage asset prevents all reasonable uses of the site;*
- b. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;*
- c. conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and*
- d. the harm or loss is outweighed by the benefit of bringing the site back into use.*

The Council will not permit development that results in harm that is less than substantial to the significance of a designated heritage asset unless the public benefits of the proposal convincingly outweigh that harm.

Conservation areas

Conservation areas are designated heritage assets and this section should be read in conjunction with the section above headed 'designated heritage assets'. In order to maintain the character of Camden's conservation areas, the Council will take account of conservation area statements, appraisals and management strategies when assessing applications within conservation areas. The Council will:

- e. require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area;*
- f. resist the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a conservation area;*
- g. resist development outside of a conservation area that causes harm to the character or appearance of that conservation area; and*
- h. preserve trees and garden spaces which contribute to the character and appearance of a conservation area or which provide a setting for Camden's architectural heritage.*

Listed Buildings

Listed buildings are designated heritage assets and this section should be read in conjunction with the section above headed 'designated heritage assets'. To preserve or enhance the borough's listed buildings, the Council will:

- i. resist the total or substantial demolition of a listed building;*
- j. resist proposals for a change of use or alterations and extensions to a listed building where this would cause harm to the special architectural and historic interest of the building; and*
- k. resist development that would cause harm to significance of a listed building through an effect on its setting.*

Other Relevant Guidance

- 4.10 Of equal relevance is English Heritage's (now Historic England) 2008 document *Conservation Principles: Policy and Guidance for the Sustainable Management of the Historic Environment, 2008*. At paragraph 140, this states that "*The greater the range and strength of heritage values attached to a place, the less opportunity there may be for change, but few places are so sensitive that they, or their settings present no opportunities for change*".

Historic Background

5.0

The Southampton Estate

- 5.1 The Southampton Estate (**Figure 5**) extended north between Nash's development lining the edge of Regent's Park on the west, and the Bedford and Camden Estates on the east. The centre of Hampstead Road and High Street, Camden Town, represents its eastern boundary. Mornington Crescent was constructed at the south of this and opposite Harrington Square, albeit the latter was located on the Bedford Estate.



Figure 5: The Southampton Estate, c.1840

- 5.2 Mornington Crescent (and other streets etc.) was named after Richard Colley Wellesley, Earl of Mornington and Governor General of India and older brother to the Duke of Wellington. The Crescent is first recorded in 1821. This was part-occupied by 1823 but its eventual thirty-six houses were only fully occupied by 1832. Mornington Crescent represents one of the last group of buildings characterising this earlier development of the neighbourhood.

- 5.3 Houses on Mornington Crescent comprise blocks of four storeys flanking those streets radiating from the crescent, with intermediate houses of three storeys and attics lit by dormers in mansard roofs. Nos. 1-3, 11-14 (divided by Mornington Terrace) and nos. 35 and 36 are rendered in stucco throughout. The development of Mornington Crescent coincided with the opening of Regent's Canal in 1820 before wider, more intensive growth accelerated.

Mornington Terrace

- 5.4 Among this growth, was Mornington Terrace, which with Arlington Road, Albert Street and Delancy Street, was to remain undeveloped until the growth of the railways over the 1830s. This would in turn generate increased speculative development; this being laid out on a north-south axis and assuming a planned rectilinear grid intersected by shorter terraces.
- 5.5 Mornington Terrace (**Figure 6**) was therefore closely aligned with the Euston Railway Line from its construction in 1851 and, along with Mornington Place, was subsequently truncated by the widening of the line in 1906. This also resulted in a new bridge to the terrace, springing from the adjacent Park Village East, much of which was removed in order to accommodate the new railway infrastructure.



Figure 6: The Locale, 1891, showing approximate site location

- 5.6 Mornington Terrace was originally known as Mornington Road. When constructed in 1841, Nos. 6-12 were first known as Ehrenburg Terrace, only being known as Mornington Road in 1845. Early census returns evidence the road's occupation by a middle, professional class (for example, solicitors, ministers etc.). The 1850s and 60s saw a high turnover of resident, of a decreasing status generally, and one that potentially resulted from the opening of the Euston Line in 1851 and consequently, less desirable environs.
- 5.7 By the 1880s a definitive shift toward the lower end of the social scale can be seen with an associated, much-increased occupancy (and from professional middle class to a mixed, lower-end status such as artist, photographer, upholsterer, cheesemonger's assistant etc.). One renowned example would include H.G. Wells, who was to board at No. 12 between 1895-8 with his then mistress, Amy Catherine Robbins. He is understood to have written *The Time Machine* in this period.
- 5.8 Such a scenario is borne out by census returns for No. 48 where in 1851 we see an architect, surveyor and scholar in residence at the property, along with a relatively large family and associated servants. By 1861, the household has reduced slightly, albeit the occupations of residents are already lower on the social scale or in clear transition as such (assistant keeper of records, waiter, scholar etc.). 1871 shows this trend to progress and residents then include a pianoforte casemaker, bath chair proprietor, waiter and scholar.
- 5.9 In 1881, No. 48 hosts a bootmaker, former bootmaker and gentleman's servant, but less residents generally. By 1891 the situation has changed entirely and, under the proprietorship of a Rebecca Wood, No. 48 is now a '*Lodging House*' accommodating a general servant (domestic), valuer/estate agent, foreign correspondent, two students and a civil servant.
- 5.10 This downturn toward a generally lower status and associated physical decline can be seen to continue over the early to mid-twentieth century. Such a history led to increased subdivision and associated decay and/or other impacts upon building fabric, in which – occasionally - the Council could be seen to intervene.
- 5.11 One example would include No. 17 Mornington Terrace, purchased by the Council in 1976. A subsequent scheme to subdivide was drawn up in 1977 and conversion of the single dwelling included a five-person maisonette; a one-person bedsitting room flat and a further four-person maisonette. This work was to cost £39,388.00 but is a cost noted by the associated Committee Report to be '*high, because of the very poor condition of the*

building’.

- 5.12 An article from the *Camden Journal* in 1978 by a Howard Hannah documents the continuing decline of the Terrace irrespective of Council involvement, and is entitled *"My Children Play in Filth and Squalor – Mum in Council Flat"*. This notes that:

"... pervading the whole block is the stench of rotten drains... Inside their two bedroom flat their efforts to improve the decoration has been thwarted by rising damp and rotten timbers. The wallpaper has been ruined and the doors keep falling off they say. "The council have told us they're not spending any money on the place because its due for demolition".

- 5.13 Camden Council's District Housing Officer at that time (a Michael Moriarty) is recorded as responding *"We are having difficulty keeping up to date with running repairs, because of a labour shortage". Mornington Buildings* (i.e. Mornington Terrace) *he said were renovated two years ago for short-life tenancies for between five and seven years."*

- 5.14 It can therefore be seen that Mornington Terrace was to suffer a general decline in status that was to similarly effect its associated condition or state of repair from relatively early on in its history. In part this may be attributable to its proximity to the railway and a number of major stations, but it is equally true that properties of this type often underwent subdivision in the capital, fairly early in their evolution.

- 5.15 This was usually representative of a general decline in status throughout a locale and one which would result in an associated degree of erosion and loss to fabric. Often, such a change in fortune has been reversed and rectified upon ensuing gentrification later in an area's history. Generally, this would not seem to be the case at Mornington Terrace until perhaps very recently, and a significant degree of erosion and loss can be seen to remain in evidence across the wider designation representing nos. 26-52.

- 5.16 However, as noted above, with no. 48, such a trend can be seen to be in clear and consistent reverse; solely due to the efforts of the present owner. Here, restorative works are of a clearly *preserving* nature, whilst new development has had a clearly *enhancing* effect.

The Heritage Asset(s)

6.0

- 6.1 As set out above, the list description for nos. 26-52 Mornington Terrace reads as follows:

'Terrace of 27 houses. Mid C19. Yellow stock brick with rusticated stucco ground floors. Slate mansard roofs and dormers. Formerly symmetrical terrace; projecting central houses (Nos. 33-38) and northern end houses (Nos 50-52), southern projection missing. 3 storeys, attics and semi basements; central and end houses 4 storeys and semi basements. 2 windows each. Stucco porticoes with pilasters carrying entablature; fanlights and panelled doors, some with nail-head ornament. Entrance to No.52 in side portico. Ground floor sashes of Nos 26, 27, 29, 31, 32 & 40 with margin glazing. Stucco fluted Ionic pilasters mark division of houses rising through 1st and 2nd floors to carry entablature at 3rd floor level (except Nos 46 & 49), formerly with balustraded parapet. Recessed, architraved sashes to upper floors; 1st floor with console bracketed cornices and continuous cast-iron balcony. INTERIORS: not inspected. SUBSIDIARY FEATURES: attached cast iron railings flanking steps to doorways and geometrical railings to areas.'

- 6.2 Otherwise, whilst its more renowned counterpart Mornington Crescent is discussed by Pevsner, Mornington Terrace is not, and as such, its more commonplace nature is to some extent confirmed.

- 6.3 However, specific to Mornington Terrace as a component part of the *Camden Town Conservation Area*, the London Borough of Camden's *Camden Town Conservation Area Appraisal and Management Strategy* from 2007 does note that:

'Forming the western boundary of the Conservation Area, Mornington Terrace has a spacious quality and benefits from panoramic views to the south and west. This is due to the Euston railway lines which have run alongside since 1851, the widening of which resulted in the demolition of a series of villas on the west side in 1902. A high brick wall with stone copings constructed at this time screens the railway cutting below. At the entrance to the Mornington Street Railway Bridge, the wall is accentuated by a pair of stone piers with lamp standards, which are listed grade II for their special interest.

The east side of the street is lined in most part by uniform terraces of brick and stucco houses erected in the 1840s. The houses tend to be taller and grander than their counterparts in streets to the east. The terrace at Nos 26-52 has a raised centrepiece rising to five storeys (Nos 33-39), accentuating the classical nature of the architecture. The bulbous cast-iron balconies at first floor level are continuous, a strong horizontal feature somewhat counterbalanced by the Ionic pilasters which run along the first and second

floors of the properties. Front gardens are of a generous depth, often with mature planting, although front railings to a sizeable number of properties have been replaced with inappropriate boundary treatments including low brick walls and hedges. The terrace ends splendidly in a different style, with Nos 53-54, a pair of Italianate houses distinguished by heavy eaves brackets and arched windows breaking through a cornice. They are jointed to Nos 55-56 on the corner of Delancey Street, also Italianate, forming a single building with canted sides. Nos 53-56 are similar to the Italianate terraces of 1845-50 found in Gloucester Crescent to the north (in the neighbouring Primrose Hill Conservation Area).

The southernmost stretch of Mornington Terrace, where it turns to join Mornington Crescent, has been renamed in recent years 'Clarkson Row'. It contains one-storey buildings originally of a light industrial nature. A car workshop survives on the south side at No 1, breaking from the predominantly residential feel of the neighbourhood. Opposite, on the north side, No 1A has been sensitively converted to residential use with careful landscaping, demonstrating that high quality design can be achieved through adaptation.'

- 6.4 There is little to contest in either account and each adequately describes Mornington Terrace and/or instances of its component structures, providing some idea of both the inherent significance of these as a listed building, and the contribution made by this to its locale and therefore wider setting or conservation area designation. It is again important to note that the collective nature of the designation in this instance emphasises the group rather individual value of the listing however.
- 6.5 Yet it is still more important to note that no mention is made of the swathe of gardens to the rear of Mornington Terrace and Albert Street, thus giving some indication of the lack of contribution made by this feature toward the *character and appearance* of the conservation area it is found *desirable to preserve or enhance*, and, by extension, toward either the *special interest* and/or *settings* of relevant listed buildings.

Assessment of Development

7.0

Site

- 7.1 Development in question comprises '*The unauthorised erection of a black metal and glass outbuilding in the rear garden*'. Whilst unauthorised, it is considered that the inherent architectural quality of the outbuilding along with the resulting enhancement this engenders as a result of its clear design value should render the structure permissible.

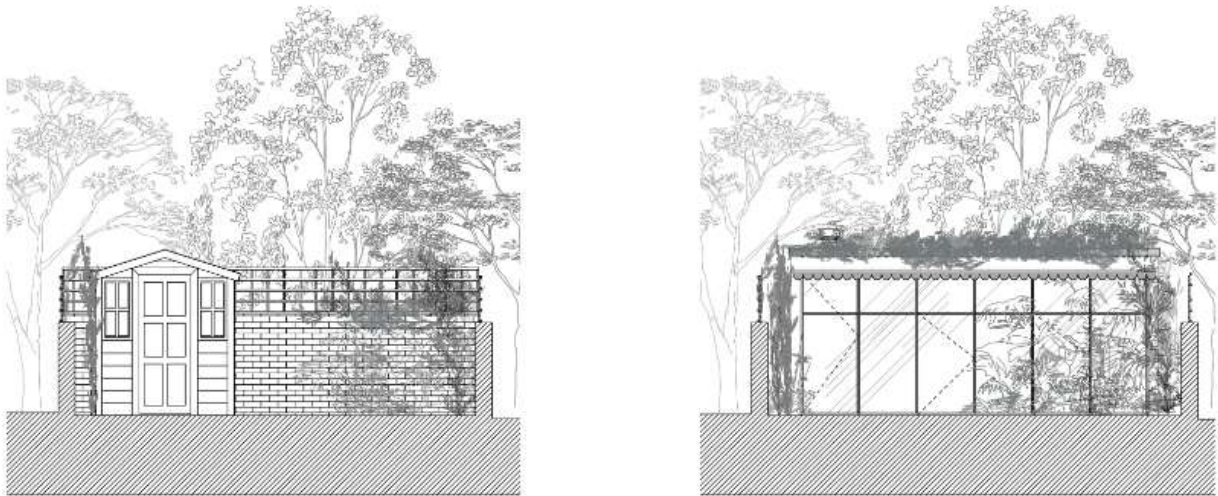


Figure 7: Former Outbuilding and Existing Outbuilding

- 7.2 In essence, the outbuilding comprises a low level, physically and visually lightweight structure set as far as possible from the host property, on the westernmost brick boundary of its curtilage. This replaced a low quality timber garden shed, which, although traditional, was of a low quality and did not serve the purposes of the family that were to inhabit the property.
- 7.3 It is to be applauded that the design of the former, non-original structure did not inform that of its successor, which went on to assume an authentically contemporary appearance, in direct response to the needs of the new occupant and its projected use. This not only improve amenity and function of the site, but also maintained legible phasing of this.
- 7.4 Visually and aesthetically, the site also went on to undergo considerable enhancement. This did not resort to unnecessary pastiche and/or maintain a commonplace or pedestrian approach to those parts of a designated site that are clearly more flexible and/or receptive to change than principal elements and their more fixed parameters.

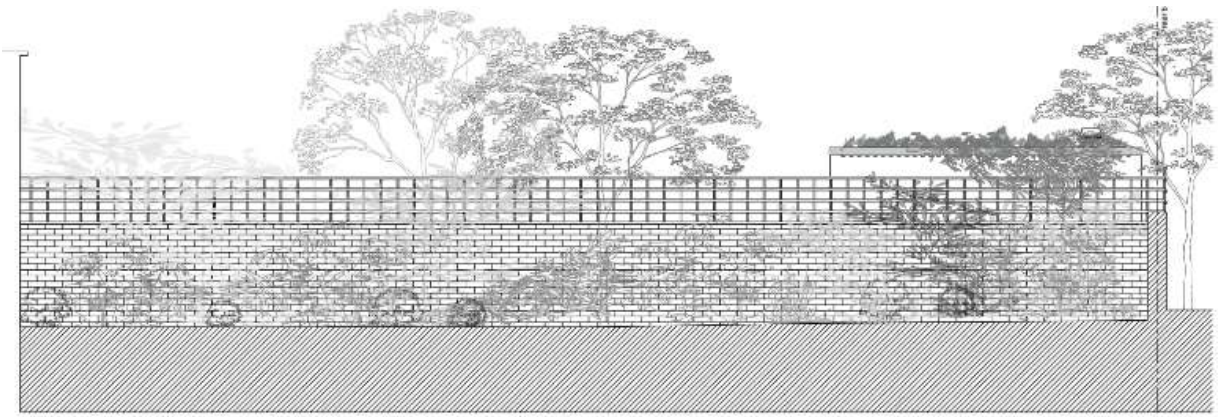


Figure 8: Side Elevation as Existing (a)

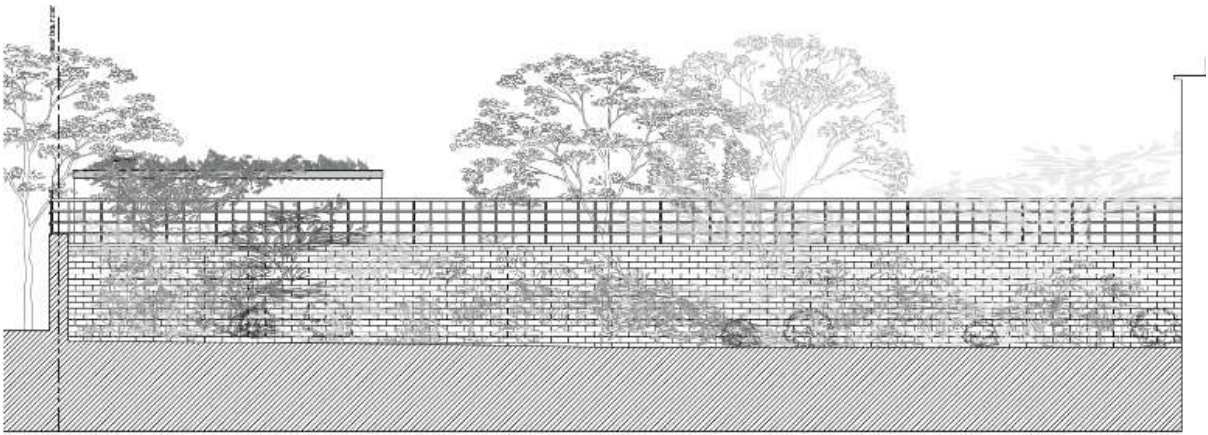


Figure 9: Side Elevation as Existing (b)



Figure 10: Rear



Figure 11: As Built, View East

- 7.5 That it is of a deeply considered approach is principally demonstrable by its integration with the garden and landscape from the outset; a dimension that was very clearly of equal significance to the building itself, and that the two are interlinked and were developed and evolved concurrently is obvious.
- 7.6 The interrelationship between the two is made still clearer by the full-width glass elevation facing onto the garden, resulting in what may be deemed a transitional façade of clean, simple lines. With maturity, the garden and outbuilding have effectively merged, rendering the balance between soft landscaping and built form less of a distinction and therefore impact.



Figure 11: From No. 48 (a)



Figure 12: From No.48 (b)



Figure 13: Looking Northeast



Figure 14: Front

- 7.7 Modest and low in scale, whilst tempered in form, detail and overall appearance, the structure is generally subservient to the principal structure at 48 Mornington Terrace. It is also peripheral to the property and in turn, the wider, host designation comprising nos. 26-52 Mornington Terrace. It cannot be clearly seen from neighbouring gardens (**Figures 8, 9 & 10**).
- 7.8 Neither can it be clearly seen from the upper levels of nearby properties (**Figures 11 & 12**), given its green roof treatment along with the foliage of its surrounding landscape and overhead tree cover. For these reasons, the outbuilding cannot be viewed as affecting either the settings of relevant designations or the immediate and/or near conservation area.
- 7.9 By the same token - being located to the rear of Mornington Terrace and Albert Street, and obscure in views from any thoroughfare or building frontage - it cannot be clearly seen from the public realm and therefore the remainder of the wider conservation area remains entirely unaffected; albeit any possible impact in this regard would be wholly positive.
- 7.10 Generally, long or even medium range clear views are not possible and therefore effects upon the historic environment of the locale and its associated designations are limited. Again, where these do exist, given the high quality of the existing outbuilding and pastiche nature of its predecessor, these are only enhanced and by some not inconsiderable margin.
- 7.11 However, only short range views offer any clarity and, given the deliberate nature of planting, extremely close proximity to the structure - at the rear of the host property's garden - is necessary to achieve these (**Figures 13 & 14**). Even then, full appreciation of the outbuilding and its impact upon both its near and wider environment, is impossible.

Context

- 7.12 It is clear from the account above that a combination of high quality contemporary materials, detailing and design - particularly as regards contextual matters - has resulted in an outbuilding of some not inconsiderable architectural value; and one that has taken full account of its intensively historic context; allowing this to remain legible, whilst clearly enhancing this.
- 7.13 As such, the structure can be seen to accord with one of the principal thrusts of the *NPPF*, which more generally seeks to raise the standard of design via the planning process. Even within the document's preamble, this clearly states that:

'Our standards of design can be so much higher. We are a nation renowned worldwide for creative excellence, yet, at home, confidence in development itself has been eroded by the too frequent experience of mediocrity.'

- 7.14 At *paragraph 8*, it goes on to state that *'well-designed buildings and places can improve the lives of people and communities'*, whilst *paragraph 9* seeks to replace *'poor design with better design'*. At *paragraph 17*, one of the *Core Planning Principles* of the document is to:

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

- 7.15 Fundamentally, at *paragraph 56* and under *Section 7* entitled *Requiring Good Design*, the *NPPF* states that:

'The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.'

- 7.16 At *paragraph 58* it is advised that planning policy and decisions should *'aim to ensure that developments...are visually attractive as a result of good architecture and appropriate landscaping.'* At *paragraph 60* it is made clear that policy and decisions *'should not stifle innovation, originality or initiative'*.

- 7.17 *Paragraph 63* states that *'In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area.'* *Paragraph 64* goes on to state that:

'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area...'

- 7.18 In their decision to enforce against the unauthorised outbuilding at 48 Mornington Terrace, the London Borough of Camden have clearly chosen to ignore the wealth of advice concerning new design and offered by the *NPPF*; particularly in this instance, where the outbuilding is considered to accord, in full, with all points as these are set out above.

- 7.19 Conversely, to return briefly to *paragraph 64* and the question of poor design, it is to be questioned why the new outbuilding at no. 48 Mornington Terrace is to be enforced against, whilst that at Flat A, no. 50 was permitted by Camden (2015/1507/P), despite its very poor design quality (permitted 221015).

- 7.20 The one-page *Heritage Statement* for this application (May 2015 revision) states that:

'Our proposed addition to the rear lower ground floor is deliberately contemporary in appearance in order to provide distinction from the host structure and will enable its history to be read and understood by future generations.'

- 7.21 The very same approach has been taken with the outbuilding at No. 48 – i.e. an avoidance of pastiche and what is a clearly contemporary ethos retaining full legibility – but the difference in quality is clear and distinct if **Figure 12** is considered. Here, the two can be seen side by side with that at no. 48 proving to be without doubt the most successful design.
- 7.22 That this is the case exhibits a clear inconsistency in the approach of the LPA, the unevenness of which results in what is very plainly – although permitted – poor quality design. Whilst that at no. 48 is not applauded but enforced against, this would suggest some degree of rancor on the part of the LPA that permission was not sought, and therefore a less than balanced view.
- 7.23 The same poor result may be witnessed in relation to other applications, made for similar structures, and then permitted and/or consented by Camden. These would include developments at 94 Frognal, NW3 6XB (2014/0559/P), and Flat A, 4 Keats Grove, NW3 NRT (2010/2340/P); both of which would appear off-the-shelf products and not bespoke designs.

Regulatory Framework

- 7.24 With regard to the *Act*, it is first considered that the listed building and special interest of this would remain entirely preserved. The outbuilding is of a low impact generally and located at one remove behind buffering landscaping. The setting of this designation is enhanced by development of a high quality, as is the character and appearance of the conservation area.
- 7.25 As regards relevant national policy provided by the NPPF, the significance of relevant heritage assets would be both sustained and enhanced. Here, new development has made a positive contribution to local character and distinctiveness by virtue of its high quality, contemporary design (*paragraph 131*). Again, the setting of this has been enhanced (*paragraph 137*).
- 7.26 Turning to the LPA's reason for issuing the notice - given the account above – it is not understood how – to any degree – the development has a detrimental impact upon either the character and appearance of the conservation area; the appearance and setting of the host listed building; or setting of the wider listed terrace.
- 7.27 On the contrary, the development is found to be wholly enhancing by virtue of its intrinsic design value. It is not therefore in conflict with either *Local Plan* policy *D1 (Design)* or *D2 (Heritage)*. Via this enforcement action, the LPA have not sought to 'secure high quality design in development', but undermine such an objective.

- 7.28 With respect to resisting '*development of poor design that fails to take the opportunities available for improving the character and quality of an area*', this is clearly not the case if those applications at **paragraphs 7.19-7.23**, above are considered. Poor design would appear to be welcomed in Camden.
- 7.29 And by the same token – given the existing scenario of permitted development at no. 50, and enforcement at no. 48 - neither is it credible for the LPA to state that '*The Council expects excellence in architecture and design*', but apparently, poor, standardised design solutions that take little account of their significant surroundings, either as reference or benchmark.

Summary

8.0

- 8.1 In contrast to the views of the LPA, it is contended that by very reason of its '*design, material, scale, bulk and location*', the outbuilding has a fundamentally positive impact upon relevant heritage assets and/or their settings.
- 8.2 As a direct result of its intrinsic design quality – specifically including its *material, scale, bulk and location* – relevant listed buildings, their settings, and the conservation area is both *preserved and enhanced*.
- 8.3 The outbuilding is not therefore contrary to either legislative directives on the matter, or national planning policy on the matter, and as such, is not *contrary to policies D1 (Design) and D2 (Heritage) of Camden's Local Development Plan 2017*.

Appendix 1: List Summary, 26-52 Mornington Terrace

List Entry Summary

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

Name: NUMBERS 26-52 AND ATTACHED RAILINGS

List Entry Number: 1113144

Location

NUMBERS 26-52 AND ATTACHED RAILINGS, 26-52, MORNINGTON TERRACE

The building may lie within the boundary of more than one authority.

County: Greater London Authority

District: Camden

District Type: London Borough

Parish:

National Park: Not applicable to this List entry.

Grade: II

Date first listed: 14-May-1974

Date of most recent amendment: Not applicable to this List entry

Legacy System Information

The contents of this record have been generated from a legacy data system.

Legacy System: LBS

UID: 477545 Asset Groupings

This List entry does not comprise part of an Asset Grouping. Asset Groupings are not part of the official record but are added later for information.

List Entry Description

Summary of Building

Legacy Record - This information may be included in the List Entry Details.

Reasons for Designation

Legacy Record - This information may be included in the List Entry Details.

History

Legacy Record - This information may be included in the List Entry Details.

Details

CAMDEN

TQ2883NE MORNINGTON TERRACE 798-1/76/1157 (East side) 14/05/74 Nos.26-52 (Consecutive) and attached railings

GV II

Terrace of 27 houses. Mid C19. Yellow stock brick with rusticated stucco ground floors. Slate mansard roofs and dormers. Formerly symmetrical terrace; projecting central houses (Nos 33-38) and northern end houses (Nos 50-52), southern projection missing. 3 storeys, attics and semi-basements; central and end houses 4 storeys and semi-basements. 2 windows each. Stucco porticoes with pilasters carrying entablature; fanlights and panelled doors, some with nail-head ornament. Entrance to No.52 in side portico. Ground floor sashes of Nos 26, 27, 29, 31, 32 & 40 with margin glazing. Stucco

fluted Ionic pilasters mark division of houses rising through 1st and 2nd floors to carry entablature at 3rd floor level (except Nos 46 & 49), formerly with balustraded parapet. Recessed, architraved sashes to upper floors; 1st floor with console bracketed cornices and continuous cast-iron balcony. INTERIORS: not inspected. SUBSIDIARY FEATURES: attached cast-iron railings flanking steps to doorways and geometrical railings to areas.

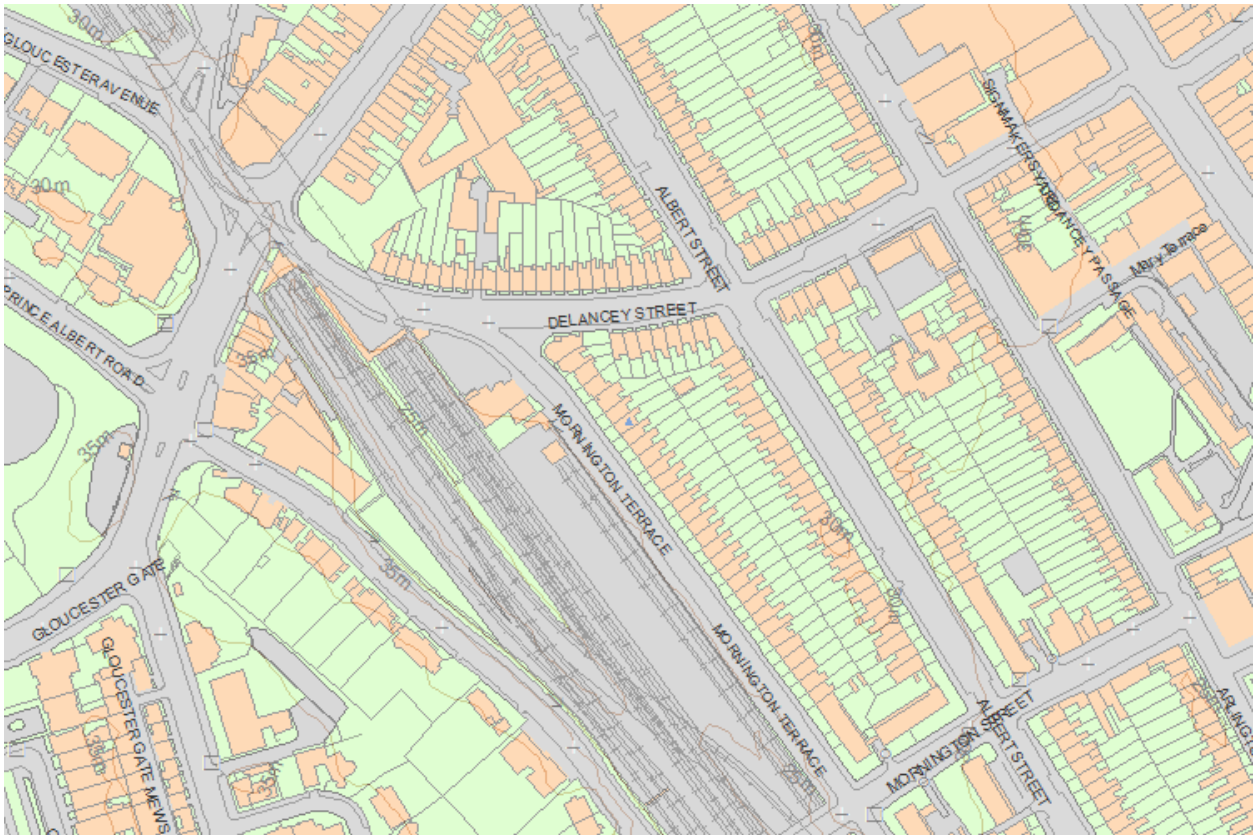
Listing NGR: TQ2881183531

Selected Sources

Legacy Record - This information may be included in the List Entry Details

Map National Grid Reference: TQ 28811 83531

The below map is for quick reference purposes only and may not be to scale. For a copy of the full scale map, please see the attached PDF - [1113144.pdf](#) - Please be aware that it may take a few minutes for the download to complete.



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