

Grounds for Appeal

2 Cannon Place, London

May 2018

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Section A. Grounds for Appeal

These Grounds of Appeal have been prepared on behalf of Parti Architects following the notification from the London Borough of Camden that planning application 2018/0847/P was refused planning permission on 13 April 2018.

The application was for the erection of a single-storey side extension at basement level to 2 Cannon Place, London. The sole reason for refusal was given to be:

The proposed development, by reason of its detailed design, particularly the form, proportions and windows of the proposed side extension, is considered to appear dominant and detracting from the host building and surrounding Hampstead conservation area. The application is therefore contrary to policies D1 and D2 of the Camden Local Plan 2017, CPG1 of the Camden Planning Guidance, and the Hampstead Conservation Area Statement.

The Grounds for Appeal are:

1. Disagreement that the proposed development, by reason of its detailed design, particularly the form, proportions and windows of the proposed side extension, appears dominant and detracting from the host building and surrounding Hampstead Conservation Area.
2. Disagreement that the application is contrary to policies D1 and D2 of the Camden Local Plan 2017, CPG1 of the Camden Planning Guidance, and the Hampstead Conservation Area Statement.
3. Disagreement that the application is contrary to the National Planning Policy Framework.

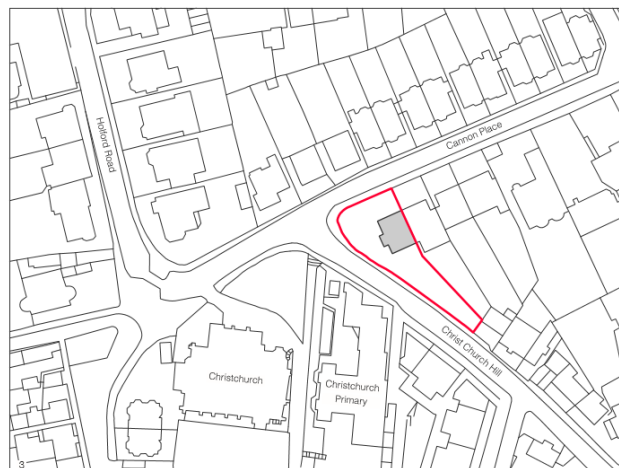
The author of the Grounds of Appeal is Kristian Kaminski BA (Hons), MA, IHBC, FSA. Following training as an architectural historian he acquired a broad range of experience while working in the Heritage Protection Department of English Heritage. Following this he worked as the Senior Conservation and Urban Design Officer for the London Borough of Lambeth, the Conservation Advisor for the Victorian Society and as Deputy Team Leader of the Design and Conservation Team for the London Borough of Islington. He is an elected Fellow of the Society of Antiquaries (FSA) and a full member of the Institute of Historic Building Conservation (IHBC). He is Built Environment Expert for the Design Council / Commission for Architecture and the Built Environment, a trustee of Pitzhanger Manor and Gallery Trust and sits on the committee of SAVE Britain's Heritage.

Section B: Detailed Evidence Supporting the Grounds for Appeal

1. Site Description and the Heritage Assets

2 Cannon Place is a mid-19th century semi-detached villa in a classical / Italianate style comprising of three-storeys over basement with attic. It has a rusticated stucco raised ground-floor with gault brick upper floors, sash windows and entrance portico comprising of two Doric columns. The house is located on the south side of Cannon Place on the corner of Christchurch Hill and forms part of a pleasing group of mid-19th century semi-detached villas and other historic buildings. The house has a sizeable front, side and rear garden. The side and rear garden is enclosed by a brick wall and fencing as well as being heavily planted so that it is screened from the street. Consequently, there are limited public views of the side and rear garden.

2 Cannon Place is within the Hampstead Conservation Area and within the setting of three GII listed buildings: 1 Cannon place, Christ Church and Christ Church School.



Above, site plan



Above, 2 Cannon Place

2. The Heritage Assets: Assessment of Architectural and Historic Significance

The Government's national planning policies on the conservation of the historic environment are provided in Section 12 (Conserving and enhancing the historic environment) of the NPPF. 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

2 Cannon Place is within the Hampstead Conservation Area and within the setting of three GII listed buildings: 1 Cannon place, Christ Church and Christ Church School.



Above, the listed buildings

Hampstead Conservation Area

Hampstead was designated a conservation area (with North End, the Elms, Vale of Health, Downshire Hill) on 29 January 1968. It has been extended numerous times since, these being on 1.10.77, 1.4.1978, 1.6.1980, 1.6.85, 1.11.1985, 1.2.1988 and 1.11.1991.

Hampstead Conservation Area has architectural and historic significance due to its large collection of historic buildings and spaces, many with important historic associations with persons of note. The Hampstead Conservation Area Statement describes the history of the area as such:

HISTORY TO 1700

Hampstead stands on London's 'Northern Heights' which were formed in the last Ice Age. The Heights, sand and pebble-capped hills, stretch from West Hampstead to

beyond Highgate. The hill at Hampstead offered natural advantages to early settlers and the subsequent history of Hampstead's development is permeated throughout by three recurring factors - its topography, the Heath and the attraction of its clean air and water. Palaeolithic remains have been found in the southern part of the area and West Heath has been identified as an important Mesolithic site. The Romans may have built a road across the Heath to St Albans, but there is no firm evidence for this despite the discovery in 1774 of Roman pottery in Well Walk.

The name derives from the Anglo-Saxon 'Hamstede' (meaning homestead). The Domesday Book showed 'Hamstede' as a small farm. The manor was given to the monastery at Westminster by King Ethelred the Unready, which he confirmed in a charter of AD986. In the middle ages the manor had a village with a parish church and was owned successively by the Knights Templar and the Knights Hospitaller. It would appear, however, that the monks only came to Hampstead in force in 1349 to escape the Black Death.

Following the dissolution of the monasteries by Henry VIII ownership of the manor changed again, passing into the hands of Sir Thomas Wroth in 1551, Baptist Hicke (later Lord Campden) in 1620, the Earl of Gainsborough in 1690, Sir William Langhorne in 1707 and then, by marriage, to the Maryon (later Maryon Wilson) family. None of the lords of the Manor lived in Hampstead.

From the beginning of the 17th century Hampstead began to attract wealthy people from London, especially lawyers, merchants and bankers, who were drawn by the advantages of its elevated position, and the absence of resident landed aristocracy. Protestant dissenters, forbidden to preach within five miles of Charing Cross, also came. It has been suggested that this was the beginning of Hampstead's reputation for free thinking. During the Great Plague, Hampstead was inundated with people fleeing from London and there is a tradition that the lawyers had to hold court under the trees which became known as Judges Walk because all other accommodation was taken.

1700 – 1800

In 1698 the Gainsborough family gave six swampy acres east of the High Street to 'the poor of Hampstead' and The Wells Trust was established to develop the chalybeate springs as a spa. A Pump Room and a large Assembly Room were built at the source in Well Walk and the waters were also bottled at the Lower Flask Tavern in Flask Walk for sale in the City. The monumental drinking fountain in Well Walk at the foot of Wells Passage commemorates the spa, as the first Pump Room and Assembly Room were located on the opposite side of the road. The spa stimulated development of this part of Hampstead and villas and boarding houses were built to accommodate temporary residents. A number of these houses built in the 1700s survive. More modest cottages sprang up along Flask Walk. The spa enjoyed a brief revival in the 1730s, with a new Long Room and Ball Room built beside Burgh House. But the spa's proximity to London attracted too many lower-class visitors and Hampstead Wells did not remain fashionable for long. When Queen Anne died in 1714, other springs in Kilburn and pleasure gardens in Belsize had become established and the spa was in decline. The Long Room and Ball Room were converted into houses. Bombed in the war, they were demolished in 1948 to make way for The Wells House.

Church Row was constructed in the 1720s. By the time the first detailed map of the area by John Roque was published in 1746 the village had a population of over 1400, compared with 600 a century before. Much of the street pattern that exists today is

recognisable in Roque's map. Also useful is the Manor Map and Field Book of 1762 that lists all the major properties of the period. The mediaeval parish church (the Church of St John, Church Row) was rebuilt in 1747 to accommodate the increasing population, and in 1799 it became necessary to construct a larger workhouse in New End, which developed into New End Hospital. By 1801, Hampstead's population had grown to 4,300.

1800 - 1875

By the early 19th century a number of large houses had been built in and adjacent to the centre of the village and on either side of the High Street there were also dense areas of working class cottages. The Hamlets of North End and Vale of Health had also grown up. Frognaal and New End had become physically part of Hampstead Village. Many of the large houses still survive, including Fenton House, Old Grove House, Frognaal Grove, Burgh House, Cannon Hall, Romney's House etc, but most of the poorer areas have been swept away.

During the early 19th century Hampstead village spread downhill with the development of stuccoed villas and terraces in Downshire Hill and John Street (now Keats Grove). Oak Hill Park was laid out in 1851 with a number of Italianate villas. Similar large houses also appeared in West Hampstead and Belsize Park around this time but, while London expanded rapidly outwards in all directions, development of Hampstead Heath itself was checked by vigorous resistance to the plans of Sir Thomas Maryon Wilson, the lord of the manor. Development of Finchley Road brought urban development closer to Hampstead when the turnpike was built by Colonel Eyre of the Eyre estates connecting St John's Wood to Finchley in 1827. The road went through Maryon Wilson land. Maryon Wilson then tried to obtain a Private Act of Parliament to enable him to develop both his farmlands and a section of the Heath between Hampstead Ponds and The Vale of Health. The threat this posed to the Heath became the focus of a wider campaign to protect the commons around London. Sir Thomas refused to compromise and as a result was prevented from developing any of his lands. In retaliation, he exercised his rights over the Heath by selling vast quantities of building sand from the ridge along Spaniards Road, which has left a permanent mark on the topography of this area, and in 1866 he decided to build himself a house near Whitestone Pond. This plan was challenged in the courts, and proceedings dragged on until 1869, when Sir Thomas died. His heir, Sir John, was more amenable to negotiation and gave up his manorial rights for £45,000 in 1871. The Heath was saved - and the restrictions that had prevented development of the other lands around Hampstead were removed. The Heath and Hampstead Society, founded in 1897 as the Hampstead Heath Protection Society, played a major role in preserving the Heath and its expansion from its original 200 acres to today's 800 acres. The Society continues today to carry on its conservation and amenity protection roles on the Heath and for the townscape of Hampstead Village.

In 1875 the contract for Fitzjohns Avenue was let (see Fitzjohns/Netherhall Conservation Area Statement) and a number of prominent architects such as Norman Shaw built houses there for fashionable artists in the Queen Anne style. These confirmed Hampstead's avant-garde reputation and set the style for developments elsewhere in the village.

The expansion of the railways also affected the development of Hampstead, although the greatest impact was to the south west of the village. In 1837 the London and Birmingham Railway cut the first Primrose Hill Tunnel through the southern slopes. In 1860 the Hampstead Junction Railway (now the North London Line) opened stations at Edgware Road, Finchley Road and Hampstead Heath. The opening of the

Hampstead Junction Railway's station in 1860 stimulated the urbanisation of Hampstead and, together with trams and horse drawn omnibuses, brought on Bank Holidays and weekends crowds of trippers to South End Green and the Heath. South End Green was soon transformed into an important centre. A tunnel was built between Hampstead Heath Station and Finchley Road and Frognal Station in 1860 that lies beneath Hampstead Hill Gardens. The Midland Railway opened another station in Finchley Road in 1868, and the Metropolitan and St John's Wood Railway opened another in 1879, rebuilt to accommodate the Bakerloo Line in 1939. The first Roman Catholic Church in Hampstead, St Mary's in Holly Place was built in 1816 by the followers of a French priest who had settled in Hampstead during the French Revolution. Two years later the Baptists built a modest chapel on Holly Mount. The congregation grew steadily and moved to the present Gothic chapel in Heath Street in 1861. The Unitarian Chapel on Rosslyn Hill was completed in the following year. The congregation of the established church was also growing rapidly; St John, Downshire Hill was built in 1823, Christ Church, whose fine spire is such a prominent landmark, opened in 1852 and St Stephen's, Rosslyn Hill followed in 1871.

1875 - 1900

The development of the village created a warren of alleyways, tenements and cottages that lay between Church Row and the High Street. After several years argument it was decided to demolish these slums, extend Heath Street to meet Fitzjohns Avenue, and widen the northern part of the High Street (which was then little more than fifteen feet wide). These improvements were completed in 1888 at a cost of £120,000, shared between the Hampstead Vestry and the Metropolitan Board of Works. The new streets lined with four storey red brick shops and Model Dwellings transformed the centre of Hampstead and many regretted the loss of a picturesque, but unsanitary, part of the old village.

Around New End a number of Victorian municipal buildings were constructed. The Hampstead parish workhouse was enlarged in 1849 (by HE Kendall Jnr) in New End. The infirmary block (1869-71) was added following the Workhouse Infirmary Act of 1867 that required the provision of separate accommodation for sick and able-bodied paupers. A block of 30 artisans flats (New Court) was built in 1854. The second earliest surviving example of artisans flats for the "deserving poor". In 1888 Public Baths was built in Flask Walk. In 1905 New End School was built, designed by TJ Bailey.

The parade of shops along South End Road was built in the 1880s and 1890s. In the same period streets of modest middleclass terraced houses filled in all the undeveloped land between South End Green and Hampstead. In 1875 Carlisle House, which stood back from the High Street where Willoughby Road now runs, was sold off for building. Over the next 15 or 20 years its extensive grounds were developed into Willoughby Road, Rudall Crescent, Denning Road, Carlingford Road, Kemplay Road and Worsley Road (now Pilgrims Lane), lined with three and four storey terraced houses typical of late 19th century developments. Gayton Road and Crescent were developed in the 1870s on land that had been used for 40 allotments. Willow Road and the southern part of Christchurch Hill were developed at the same time in a similar style.

20TH CENTURY

More prestigious houses continued to be built on the western slopes around Frognal and Fitzjohns Avenue in a variety of inventive arts-and crafts styles, gradually becoming more conventionally neo-Georgian as the 20th century progressed. A

number of striking modern houses were built in the 1930s around Frognaal and in Willow Road that defied convention, and the Hampstead tradition of avant-garde architecture established in the 1870s, continued through the 20th century.

After the Second World War both private and public housing attempted to fit sensitively into Hampstead. During the 1960's the Borough of Camden's housing programme affected the periphery, at Dunboyne Road, Alexandra Road and Branch Hill. In the 1970's the south of the village became a favoured location for famous architect's houses, and on a smaller scale in-fill development occurred within the village. Finally West Heath saw the encroachment of a number of large houses during the 1980's and 1990's.

The Hampstead Conservation Area Statement places 2 Cannon Place within a 'sub area' known as the 'Christchurch area' which is described as:

The intricate network of lanes and narrow alleyways built on the complex slopes of the land to the east of Heath Street dates from the early 18th century through the 19th century. Except for Christchurch Hill and New End Square, the main streets and spaces run more or less along the contours, linked by narrow footpaths, steps and lanes running down the slopes to connect differing street levels. This network is punctuated by small and irregularly shaped spaces of great charm, such as Hampstead Square, New End Square, Mansfield Place and Stamford Close. The area contains an extraordinary variety of building types, ages and styles, ranging from tiny cottages of all ages, grand 18th century houses, Victorian tenements and substantial villas to 20th century council flats and small private houses.

The Hampstead Conservation Area Statement describes Cannon Place as:

Cannon Place The south side was built first. Cannon Hall, No.14, is an early 18th century mansion with a courtyard to the front, brown brick with red brick dressings (listed grade II*). Cannon Lodge, No.12, is a mid 18th century house (listed grade II*) and, No.10 was built as the Christ Church Vicarage. This section of the road has high brick boundary walls to the houses. Nos.2-8 are mid 19th century semi-detached villas with rusticated stucco ground floor and gault brick above, three storeys with portico and tripartite sash windows. The north side was built in the 1880s. No.1 is a detached studio house dated 1879 by Batterbury and Huxley (listed). Nos.3&5 are detached houses with two storey double bays on the front elevation, an unusual pair. Nos.7-25 are five pairs of semi-detached villas in gault brick with red brick details. Three storeys and semi-basement, with a raised ground floor and a porch with a pediment roof. The pitched roofs have overhanging bracketed eaves and a small dormer window. Nos.23&25 have unfortunately altered the roof profoundly with the introduction of a mansard. No.19 has a garage at semi-basement level which detracts from the character of the building and the group. The rear of the north side can be glimpsed from East Heath Road.

1 Cannon place

1 Cannon place has architectural and historic significance as a high quality detached studio house designed in 1879 by Batterbury & Huxley for the artist Walter Stacey. It was listed at Grade II on 14 May 1974. The list description states:

Detached studio house. 1879. By Batterbury & Huxley. For the artist Walter Stacey. Yellow stock brick with red brick bands and dressings. Tiled hipped roof with wide coved eaves and tall slab chimney-stacks. 3 storeys and basement. 2 windows and 1-window recessed bay to right. Segmental arched

doorway with wooden doorcase of pilasters carrying an entablature with tented hood disappearing behind the arch; panelled door. Gauged red brick arches to recessed sashes. 3-light canted bay windows with penthouse roofs through ground and 1st floor; 1st floor bay with radial fanlight glazing to top of central light. 2nd storey window above door with gauged and moulded red brick surround of pilasters supporting an open pediment with wreath inscribed 1879. INTERIOR: not inspected.

Christ Church

Christ Church has architectural and historic significance as an Early English style church designed by Samuel Dawkes and constructed 1850-2 with the north porch and projecting aisle designed by Ewan Christian and constructed 1881-2. It was listed at Grade II on 14 May 1974. The list description states:

Church. 1850-2 by Samuel Dawkes; 1881-2, north porch & projecting aisle by Ewan Christian. Kentish ragstone coursed rubble with Portland stone dressings. Slated roofs. Early English style. 5-bay nave, aisles and sanctuary; northern facade with 4 bay projection. Western tower with spire. East end with 4-light pointed traceried window and quatrefoil above to sanctuary and similar 2-light arrangement to aisles. Similar windows to other facades. Angle buttressed tower with two 2-light windows to each facade, parapet with finials at angles and spire having lucarnes. INTERIOR: not inspected but originally with good timber gallery (1860) by Sir Gilbert Scott, dismantled during 1960s. HISTORICAL NOTE: built when the population of Hampstead became too large for St John's, Church Row (qv) and the parish was sub-divided.

Christ Church School

Christ Church School has architectural and historic significance as a Tudor style church school designed by WG and E Habershon and constructed c.1854 and attached school houses constructed c.1857. It was listed at Grade II on 14 May 1974. The list description states:

Church school and attached school houses. School, c1854 by WG and E Habershon; houses c1857, architect unknown; both with some later C20 alteration. Yellow stock brick with stone dressings; tiled gable roofs, school house with moulded chimney-stacks and gables with stone chimney finials. Irregular group of single storey buildings in Tudor style with symmetrical pair of 2-storey school houses on west side. All with arched doorways having drip-moulds and ball flower decoration, transom and mullion windows some with traceried heads; gabled dormer windows. INTERIORS: not inspected. SUBSIDIARY FEATURES: attached cast-iron railings with urn finials and lattice box piers to gates. Christchurch School and Christ Church, Hampstead Square (qv) form a group.

3. The Site's Contribution to the Conservation Area and the Setting of the Listed Buildings

2 Cannon Place has architectural and historic significance as a mid-19th century semi-detached villa in a classical / Italianate style comprising of three-storeys over basement with attic. It has a rusticated stucco raised ground-floor with gault brick upper floors, sash windows and entrance portico comprising of two Doric columns.

The house is located on the south side of Cannon Place on the corner of Christchurch Hill and forms part of a pleasing group of mid-19th century semi-detached villas and other historic buildings.

The house has a sizeable front, side and rear garden. The side and rear garden is enclosed by a brick wall and fencing as well as being heavily planted so that it is screened from the street. Consequently, there are limited public views of the side and rear garden.

Consequently, 2 Cannon Place makes a positive contribution to the significance of the Hampstead Conservation Area by virtue of its age, quality, materials and landscaped garden setting. For these reasons it also makes a positive contribution to the setting of the GII listed 1 Cannon place, Christ Church and Christ Church School.

4. Assessment of National and Local Policy and Guidance

Planning (Listed Buildings and Conservation Areas) Act (1990)

The Planning (Listed Buildings and Conservation Areas) Act (1990) provides the primary legislation that is used to assess the impact of development proposals on listed buildings and conservation areas.

National Planning Policy Framework (NPPF) (2012)

The Government's national planning policies on the conservation of the historic environment are provided in Section 12 (Conserving and enhancing the historic environment) of the NPPF.

The NPPF makes it clear that heritage assets need to be put to appropriate and viable uses to ensure their conservation, and that intelligently managed change is necessary if heritage assets are to be maintained for the long term.

The NPPF states the following:

7. Requiring good design

59. Local planning authorities should consider using design codes where they could help deliver high quality outcomes. However, design policies should avoid unnecessary prescription or detail...

60. Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles...

63. 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.

12. Conserving and enhancing the historic environment

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 irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II 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 I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

133. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, 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:

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

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.

Historic England Advice Note 2, Making Changes to Heritage Assets (2016)

The purpose of this Historic England Advice note is to provide information on repair, restoration, addition and alteration works to heritage assets to assist local authorities, planning and other consultants, owners, applicants and other interested parties in implementing historic environment legislation, the policy in the National Planning Policy Framework (NPPF) and the related guidance given in the Planning Practice Guidance (PPG). It states:

41 The main issues to consider in proposals for additions to heritage assets, including new development in conservation areas, aside from NPPF requirements such as social and economic activity and sustainability, are proportion, height, massing, bulk, use of materials, durability and adaptability, use, enclosure, relationship with adjacent assets and definition of spaces and streets, alignment, active frontages, permeability and treatment of setting. Replicating a particular style may be less important, though there are circumstances when it may be appropriate. It would not normally be good practice for new work to dominate the original asset or its setting in either scale, material or as a result of its siting. Assessment of an asset's significance and its relationship to its setting will usually suggest the forms of extension that might be appropriate.

The Local Plan, London Borough of Camden (2017)

The Local Plan was adopted by Council on 3 July 2017 and replaced the Core Strategy and Camden Development Policies documents as the basis for planning decisions and future development in the borough.

Policy D1 Design states that:

- 7.1 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...

Policy D2 Heritage states that:

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

Designated 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.

Camden Planning Guidance 1 Design, London Borough of Camden (2018)

This provides advice and information on how Camden will apply its planning policies. It states that:

Rear extensions

4.9 A rear extension is often the most appropriate way to extend a house or property. However, rear extensions that are insensitively or inappropriately designed can spoil the appearance of a property or group of properties and harm the amenity of neighbouring properties, for example in terms of outlook and access to daylight and sunlight.

General principles

4.10 Rear extensions should be designed to:

- be secondary to the building being extended, in terms of location, form, scale, proportions, dimensions and detailing;
- respect and preserve the original design and proportions of the building, including its architectural period and style;
- respect and preserve existing architectural features, such as projecting bays, decorative balconies or chimney stacks;
- respect and preserve the historic pattern and established townscape of the surrounding area, including the ratio of built to unbuilt space;
- not cause a loss of amenity to adjacent properties with regard to sunlight, daylight, outlook, overshadowing, light pollution/spillage, privacy/overlooking, and sense of enclosure;
- allow for the retention of a reasonable sized garden; and

- retain the open character of existing natural landscaping and garden amenity, including that of neighbouring properties, proportionate to that of the surrounding area.

4.11 Materials should be chosen that are sympathetic to the existing building wherever possible (see also CPG3 Sustainability on Sustainable use of materials).

Height of rear extensions

4.12 In order for new extensions to be subordinate to the original building, their heights should respect the existing pattern of rear extensions, where they exist. Ground floor extensions are generally considered preferable to those at higher levels. The maximum acceptable height of an extension should be determined in relation to the points outlined in paragraph

4.10 above. In cases where a higher extension is appropriate, a smaller footprint will generally be preferable to compensate for any increase in visual mass and bulk, overshadowing and overlooking that would be caused by the additional height.

4.13 In most cases, extensions that are higher than one full storey below roof eaves/parapet level, or that rise above the general height of neighbouring projections and nearby extensions, will be strongly discouraged.

Figure 3. Side extensions



Side extensions

4.16 Certain building forms may lend themselves to side extensions. Such extensions should be designed in accordance with the general considerations set out above in paragraph 4.10. **Side extensions should also:**

- be no taller than the porch; and
- set back from the main building.

4.17 In many streets in the north of the Borough houses have mature rear gardens that can often be seen through gaps between buildings, softening the urban scene and providing visual interest. The infilling of gaps will not be considered acceptable where:

- significant views or gaps are compromised or blocked;
- the established front building line is compromised;
- the architectural symmetry or integrity of a composition is impaired;
- the original architectural features on a side wall are obscured; or
- access to the rear of a property is lost.

4.18 Where a property is located in a conservation area, reference should be made to the relevant conservation area statements, appraisals and management plans, which often identify important gaps and vistas where infilling would be inappropriate.

The Hampstead Conservation Area Statement, London Borough of Camden (2001)

The Hampstead Conservation Area Statement provides the following guidelines relevant to this application:

FRONT GARDENS/ BACKLAND/REAR GARDENS

H10 Front and rear gardens are an integral characteristic of the Conservation Area, many of which retain boundary walls/ railings and planting. Alterations to the front boundaries between the pavement and houses can dramatically affect and harm the character of the Conservation Area as the walls/railings alongside the road and within properties add to the attractive appearance of the front gardens and architectural setting of the buildings in the Conservation Area. Proposals should respect the original style of boundary and these should be retained and reinstated where they have been lost. Particular care should be taken to preserve the green character of the Conservation Area by keeping hedges. The loss of front boundary walls where it has occurred detracts from the appearance of the front garden by reducing the area for soft landscaping in this urban residential area. Furthermore, the loss of front boundary walls facilitates the parking of vehicles in part of the property, which would adversely affect the setting of the building and the general street scene. The Council will resist any further loss of front boundary walls and conversion of front gardens into hardstanding parking areas...

REAR EXTENSIONS/CONSERVATORIES

H26 Extensions and conservatories can alter the balance and harmony of a property or of a group of properties by insensitive scale, design or inappropriate materials. Some rear extensions, although not widely visible, so adversely affect the architectural integrity of the building to which they are attached that the character of the Conservation Area is prejudiced. Rear extensions should be as unobtrusive as possible and should not adversely affect the character of the building or the Conservation Area. In most cases such extensions should be no more than one storey in height, but its general effect on neighbouring properties and Conservation Area will be the basis of its suitability.

H27 Extensions should be in harmony with the original form and character of the house and the historic pattern of extensions within the terrace or group of buildings. The acceptability of larger extensions depends on the particular site and circumstances.

H28 Rear extensions will not be acceptable where they would spoil a uniform rear elevation of an unspoilt terrace or group of buildings.

H29 Conservatories, as with extensions, should be small in scale and subordinate to the original building and at ground floor level only. The design, scale and materials should be sensitive to the special qualities of the property and not undermine the features of original building.

5. The Reason for Refusal, Assessment of the Impact of the Proposals on the Heritage Assets and Compliance with National and Local Policy and Guidance

The Proposals

Planning permission is sought for:

- Erection of a single-storey side extension to 2 Cannon Place at basement level.

The Reason for Refusal

The sole reason for refusal was given to be:

The proposed development, by reason of its detailed design, particularly the form, proportions and windows of the proposed side extension, is considered to appear dominant and detracting from the host building and surrounding Hampstead conservation area. The application is therefore contrary to policies D1 and D2 of the Camden Local Plan 2017, CPG1 of the Camden Planning Guidance, and the Hampstead Conservation Area Statement.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Correspondence with The Council

The correspondence below demonstrates that the Council sought to avoid constructive discussions with the applicant and failed to adequately explain its concerns, concerns that when questioned appear to change, from the size of 'footprint, height, scale' to being 'visually at odds with the host building' and 'visually dominant'. The Council refused to take the opportunity to view the model created for the benefit of accurately assessing the impact of the design and therefore did not make its decision based on all the information available. Furthermore the Council didn't give the applicant the opportunity to amend the application before it was decided. The planning officer did not visit the site during the lifetime of the application and it is not thought that the conservation officer visited the site.

On 3 April the architect, Eleanor Hill, contacted the case officer by email, Alyce Keen stating:

...Do let us know if there is anything we can assist with. We'd also be grateful for the contact details of the design and conservation officer assigned to this application and a copy of their comments please...

On 5 April Alyce Keen replied with:

...From our review of the new proposed scheme Council does not consider the side extension to be of an appropriate footprint, height, scale or design. As previously advised in the pre-application and throughout the application process of the previous application, Council continually advised that only a side extension that is subordinate to the host dwelling and enhances the host dwelling and surrounding conservation area would be considered appropriate. Antonia and I worked closely with Oliver on the previous application to achieve an acceptable design and this is considered to be the maximum extent of a side extension that would be appropriate on this property.

I am going to proceed to refuse the current application next week in which the applicant will have the opportunity to appeal the decision...

Neither the contact details of the design and conservation officer nor a copy of their written comments provided, nor were these provided after several repeated requests prior to the decision being issued. Contrary to the decision notice which states 'the Council has sought to work with the applicant in a positive and proactive way' the Council refused to engage with the architect from the moment of first contact. It was clear on the 5 April that Alyce Keen was already resolved to refuse the application.

Alyce Keen appears to give the impression that she thinks the proposal is of a greater footprint, height and scale than the previously approved extension given that she states that this was the 'maximum extent of a side extension that would be appropriate on this property'. However, her reasoning at this early stage appears to be flawed as pointed out by the architect, Eleanor Hill, by email to Alyce Keen on 6 April:

...I don't understand how the proposal is considered not to have an 'appropriate footprint, height, scale'. This is due to the following reasons:

- The footprint is roughly the same as the approved extension (only 4sqm difference). The garden retains 90.9% of its current area*
- The height is the same as the approved extension at its highest point by virtue of its pitched roof it will have a lesser visual impact*
- In terms of the scale the volume is smaller than the approved extension*

Comparative visuals on page 23 of the Heritage Statement show this.

In terms of design, the proposed extension is considerably smaller in scale to a form of extension that Camden Planning Guidance 1 Design (2015) suggests would be acceptable, that side extensions should 'be no taller than the porch' and be 'set back from the main building' (paragraph 4.16). The main elevations are constructed from a Gault brick to match those to the main house.

To clarify, are you saying that the additional 4sqm of footprint gives rise to such harm compared to the approved extension that it renders our proposed extension unacceptable? If so then perhaps we could look at reducing the footprint to be closer to that which has been approved in order for you to support the proposals? If not, then please can you provide us with clear reasons why the Council does not consider the proposal to have an 'appropriate footprint, height, scale or design'?...

On 10 April Alyce Keen replies by email with:

...In consultation with Council's conservation officer, Council is of the view that the revised proposal is considered to be visually at odds with the host building. In response to your points on the technical aspects of the differences between the approved and proposed extension on footprint, height and volume it is considered that rather the overall design contributes the extension appearing visually dominant, which is considered to detract from rather than complement or enhance the host building the surrounding conservation area.

Yes I acknowledge that CPG1 (Design) outlines that side extension should be no higher than the porch and setback from the building. However this paragraph also clearly references that 'such extensions should be designed in accordance with the general considerations set out above in paragraph 4.10'. In addition, this document is

purely guidance and each proposal needs to be assessed on its own merits and within its site context and constraints...

While on 5 April Alyce Keen suggested that the 'footprint, height, scale' were too large and therefore failed to be 'subordinate' she now introduces a new concern that it is 'visually at odds with the host building' and 'visually dominant'.

On 11 April the architect, Eleanor Hill, replied by email:

...I am still a little confused how the potential reason for refusal has changed from concern over footprint, height and scale to the proposal now being 'visually at odds with the host building'. It seems strange to me that an extension with a smaller volume than the approved extension, roughly the same footprint as the approved extension (only 4sqm difference), the same height at its highest point (but actually lower overall and therefore with a lesser impact due to a pitched roof) and built of brick to match the host building can be 'visually at odds with the host building'?

You mention paragraph 4.10 and this states:

"Rear extensions should be designed to:

- be secondary to the building being extended, in terms of location, form, scale, proportions, dimensions and detailing;*
- respect and preserve the original design and proportions of the building, including its architectural period and style;*
- respect and preserve existing architectural features, such as projecting bays, decorative balconies or chimney stacks;*
- respect and preserve the historic pattern and established townscape of the surrounding area, including the ratio of built to unbuilt space;*
- not cause a loss of amenity to adjacent properties with regard to sunlight, daylight, outlook, overshadowing, light pollution/spillage, privacy/overlooking, and sense of enclosure;*
- allow for the retention of a reasonable sized garden; and*
- retain the open character of existing natural landscaping and garden amenity, including that of neighbouring properties, proportionate to that of the surrounding area..."*

I cannot see how the proposed extension does not comply with all of the above. Could you please state which specific parts of paragraph 4.10 the proposed extension does not comply with in your view.

The only difference I can see between the current proposal and the approved extension is that the design is contemporary in style and not simply a rectangular box. Is it the style of the extension that the council does not like? The NPPF does say that 'Planning....decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles...'

I'm very sorry to be persistent but please can I have the contact details for Antonia and a copy of her written comments. Is it possible to have these or not?

As I'm sure you know the Planning Inspectorate advises that "The local planning authority should have constructive discussions with the applicant and, if it has any concerns, give the applicant the opportunity to amend the application before it is decided. This should help avoid the need to Appeal." I would like to see a copy of Antonia's comments so that we can fully understand the Council's concerns and we

would like to have the opportunity to discuss these concerns with her before the application is decided and amend the application if possible. We have an architectural model which we could send to you. We believe that this should aid understanding of the relationship between the proposed extension and the host building.

I would be grateful if you could delay a decision until we have all the requested information, an opportunity to show the model and discuss the design and make amendments if necessary?...

Alyce Keen replied by email on the 11 April with:

...From our discussion we are all of the view that the overall form and design is not appropriate. If Council thought there was scope to revise the design in order to achieve an acceptable scheme we would have engaged with yourselves to do so. However, in this instance Council is of the view that there isn't any scope to accept revisions. As you are aware, permission already exists for an in keeping, essentially conservatory type side extension to this fine Victorian villa. Council recommends the applicants to revert to the approved design... As for the extension of time, we don't see any benefit in agreeing an extension of time as we aren't in a position to negotiate through amendments...

On 11 April the architect, Eleanor Hill, replied by email:

The reasons for why it is not practicable or sustainable to construct the approved extension have been set out in our application documents. You say that you have considered all the information but then suggest we should revert to the approved design when we have explained why we cannot do this. Have you considered all the information?

Likewise, I have offered to meet with you and show you the model which I believe will help your understanding of the proposal. If you will not view the model before making a decision then surely that decision will not be based on all the information available.

Further, I have tried to engage with you and you say you do not wish to engage. Including the repeated requests for the written comments from the conservation officer (that have still not been provided or acknowledged).

I have also asked which specific parts of paragraph 4.10 the proposed extension does not comply with in your view and have not received a reply to this.

The Delegated Report

The delegated report expands on the reason for refusal in the following section:

3.4. The host dwelling is situated on a prominent corner site in Hampstead conservation area. Due to the dwellings layout and location on a corner, the western side elevation is prominent and clearly visible from various vantage points.

3.5. The site is adjacent to three listed buildings, Christ Church Primary School, Children's Nursery and no.1 Cannon Place. Therefore the impact of the proposal on the setting of these listed buildings is of concern.

3.6. The proposed extension is not considered secondary to the building being extended as the form results in the extension appearing overly bulky and heavy.

3.7. The proposed side extension located on the western elevation is considered to be visually at odds with the host building through the form, proportions and detailing. The tall dormer type window and asymmetrical roof form would be visually dominant and clearly visible from the western approach along Cannon Place and from the approach up Christchurch Hill.

3.8. The form and proportions of the proposal, including the individual elements of the windows and roof form, fail to respect the original design and proportions of the host building. These elements are unsympathetic and do not cohesively relate to the local character or appearance of this part of the Conservation Area.

3.9. The historic pattern of this street is of a linear arrangement. The oblique footprint of the proposed extension fails to reflect the consistent arrangement of dwellinghouses within this streetscene.

3.10. Council acknowledges that a reasonable sized garden would be retained. However, the oblique footprint of the extension projecting out into the garden at an angle is not considered appropriate in respecting the open character and relationship between the building and existing garden. This oblique footprint in combination with the form and detailed design, results in an increase to the extension's prominence and visibility.

3.11. The host dwelling has experienced various alterations including dormers to the front, rear and side. Whilst a recent permission was granted for a side extension at a similar location, its design was such that it did retain the appearance of the host building as the dominant building whereas the current proposal's detailed design, form and proportions is considered to contribute to a cumulative impact, which would fail to retain the host building as such and thereby fail to preserve or enhance the character and appearance of the conservation area. It is considered that the proposed extension would result in a less than substantial harm to the Hampstead Conservation Area.

3.12. The overall form, proportions and detailing of the proposal contributes to the extension appearing as a statement, which does not complement or enhance the host dwelling and surrounding conservation area.

While the report states that 'the western side elevation is prominent and clearly visible from various vantage points' (3.4) it fails to acknowledge that the side and rear garden is enclosed by a brick wall and fencing as well as being heavily planted so that it is screened from the street. Consequently, there are limited public views of the side and rear garden.

The report mentions that 'the impact of the proposal on the setting of these listed buildings is of concern' (3.5) yet fails to explain the impact on the listed buildings and the application was not refused on the grounds that there was harm to the listed buildings. Consequently it must be assumed that the Council is of the view that there is no harm to the setting of the listed buildings. Given that the proposed extension would be directly opposite two listed buildings, Christ Church and Christ Church School, without in the Council's view harming their setting it seems curious how the Council could be considered that there can be harm to the conservation area as a whole.

The report argues that 'the proposed extension is not considered secondary to the building being extended as the form results in the extension appearing overly bulky and heavy' (3.6).

However, it is hard to understand how a single-storey side extension at basement level primarily constructed from brick to match the host building can appear overly bulky and heavy especially since: the footprint is roughly the same as the approved extension (only 4sqm difference); the garden retains 90.9% of its current area; the height is the same as the approved extension at its highest point by virtue of its pitched roof it will have a lesser visual impact; in terms of the scale the volume is smaller than the approved extension.

The report claims that the proposed side extension is 'visually at odds with the host building through the form, proportions and detailing. The tall dormer type window and asymmetrical roof form would be visually dominant and clearly visible from the western approach along Cannon Place and from the approach up Christchurch Hill' (3.7) and that 'the form and proportions of the proposal, including the individual elements of the windows and roof form, fail to respect the original design and proportions of the host building. These elements are unsympathetic and do not cohesively relate to the local character or appearance of this part of the Conservation Area' (3.8).

In my view the setting of the proposed side extension at an angle to the main house responds to the curvature of the site while creating a pleasing juxtaposition between the old and the new. The pitched roof provides visual interest while its construction from white concrete ensures that it blends harmoniously with the white painted stucco of the main house. The main elevations are constructed from a Gault brick to match those to the main house and reads as a continuation of a garden wall. A projecting Limestone edged window adds visual interest. The proposed materials are high quality, robust and contextual.

The report states that 'the historic pattern of this street is of a linear arrangement. The oblique footprint of the proposed extension fails to reflect the consistent arrangement of dwellinghouses within this streetscene' (3.9).

It is a matter of fact that there are a number of structures with oblique footprints within the vicinity of the site. This is a normal and expected form of development where structures respond to the irregular shape of a site due to the street pattern.



Above, structures with oblique footprints within the vicinity of the site



Above, extension with an oblique footprint to the GII listed Christ Church School directly opposite the site

The Council seems to have failed to appreciate that there is an extension to the GII listed Christ Church School directly opposite the site which has an oblique footprint.

The report argues that 'the oblique footprint of the extension projecting out into the garden at an angle is not considered appropriate in respecting the open character and relationship between the building and existing garden. This oblique footprint in combination with the form and detailed design, results in an increase to the extension's prominence and visibility' (3.10). The report asserts that 'the overall form, proportions and detailing of the proposal contributes to the extension appearing as a statement, which does not complement or enhance the host dwelling and surrounding conservation area' (3.12).

It is worth noting that no reference to the materials of the proposed side extension is included within the report. Therefore, it is assumed that the Council has no objection to the proposed materials. This is not surprising as the extension is primarily constructed of brick to match the host building.

It is clear from paragraphs 3.7 to 3.12 above that it is not the quantum of footprint, height or scale that the Council objects to. It seems to me that the Council's underlying objection to the proposed extension, which it has perhaps struggled to clearly and succinctly explain since Alyce Keen's first email of 5 April, is that it does not like the fact the extension is angled to respond to the shape of the site. It appears to me that the Council does not like the contemporary style of the proposed side extension but seeking to avoid stating this has

sought to make claims that single-storey side extension at basement level is 'dominant and detracting from the host building and surrounding Hampstead conservation area'.

The Council's approach is contrary to the NPPF where it states:

60. Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles...

63. 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.

It is also contrary to Historic England Advice Note 2, Making Changes to Heritage Assets (2016) where it states:

41 ...Replicating a particular style may be less important

There are many examples where striking contemporary additions of oblique footprints and irregular forms have been added to historic buildings, some at the highest grades. There is nothing inherently harmful to an historic building or area arising from an oblique footprint or irregular form.

Camden Council recently approved a striking two-storey roof extension of oblique footprint and irregular form to 373 Euston Road (application 2017/7079/P). The delegated report states:

This is a unique proposal which adds a characterful extension to an existing building. The extension, in the form of an auditorium, expresses its use and gives legibility and presence to the corner plot... The proposal manages a transition in scale and form to the conservation area setting whilst maintaining a constant language and materiality to the extension as a whole (8.18)

I would argue that the extension proposed to 2 Cannon Place should also be seen as a characterful addition to an existing building.



Above, 373 Euston Road, London Borough of Camden

Camden Council also recently approved the removal of the original roof form to the GII listed Coal Drops at Kings Cross and replacement with a striking roof extension of oblique footprint and irregular form.



Above, Coal Drops, Kings Cross, London Borough of Camden

Other London boroughs have approved similar schemes, for example the striking extension of oblique footprint and irregular form to the GII* listed former gunpowder store and now the Serpentine Sackler Gallery, and the extension to the GI listed V&A Museum, both in Kensington and Chelsea.

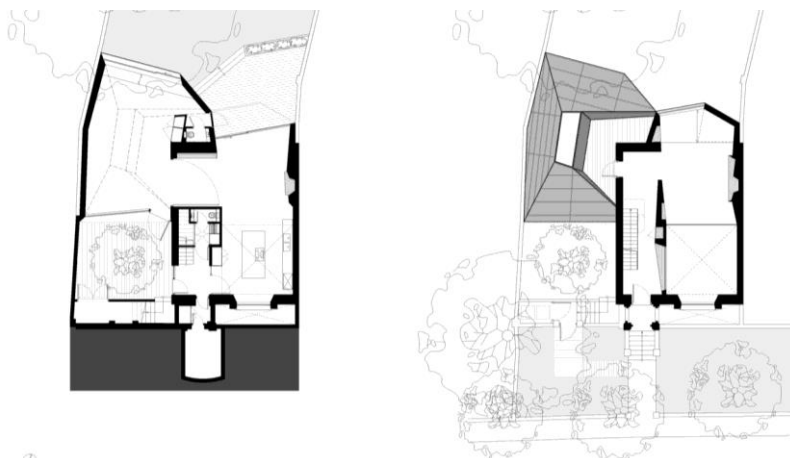


Above, Serpentine Sackler Gallery, London Borough of Kensington and Chelsea



Above, V&A Museum London Borough of Kensington and Chelsea

However, smaller domestic extensions with oblique footprints and irregular forms are also often approved within conservation areas in London. The Lens House in Canonbury Conservation Area was approved by the London Borough of Islington. It was designed by Alison Brooks Architects and is a widely celebrated project which received an RIBA Regional Award and a nomination for the 2014 Manser Medal.



Above, the Lens House, London Borough of Islington

An extension with an oblique footprint was approved by the London Borough of Haringey within Stroud Green Conservation Area.



Above, London Borough of Haringey

Planning History, The Approved Side Extension

On 8 January 2018 Camden Council granted planning permission for a side extension to 2 Cannon Place (2017/5996/P).

The reason for granting consent was:

“The host dwelling is situated on a prominent corner site in Hampstead conservation area. Due to the dwellings layout and location on a corner, the western side elevation is prominent and clearly visible from various vantage points. However, the proposed side extension is considered to be subordinate in terms of form, scale and proportions. The proposed materials for the side extension are to be stucco façade and slimline glazing. A white stucco facade is considered to be acceptable as it would be in keeping with the existing white painted render. As a result of the form, scale and materials proposed the extension is considered to complement and enhance the host dwelling and surrounding conservation area.

The new double glazed French doors to replace the existing doors at the lower ground level on the rear elevation are considered to be acceptable as they are in keeping and alignment with the floors above.

The side extension is proposed to be positioned on the western side elevation, which is adjacent to the corner junction of the highway. Therefore there would not be an adverse impact on the adjoining properties in terms of outlook, privacy and sunlight or daylight.

The existing Cherry Tree is proposed to be retained and a reasonable proportion of the garden would also be retained. A Tree Protection Plan has been conditioned to ensure the Cherry Tree will be preserved.

A consultation summary has been included with this decision that addresses the concerns raised by local residents in response to the proposed scheme. The site's planning history was taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1 (Managing the impact of development), D1 (Design) and D2 (Heritage) of the Camden Local Plan 2017.”



Above, front elevation of approved side extension



Above, rear elevation of approved side extension



Above, side elevation of approved side extension

Concerns Over the Approved Side Extension

The design of the approved side extension was substantially revised during the planning application process to respond to comments from the Council. The side extension was reduced in size and a glazed pitched roof replaced by a flat roof. The owners of the property, the Leahy's, feel that the design that was granted planning permission would result in an unsatisfactory addition to their home. It would also waste an opportunity to add an example of the highest quality contemporary architecture to the conservation area.

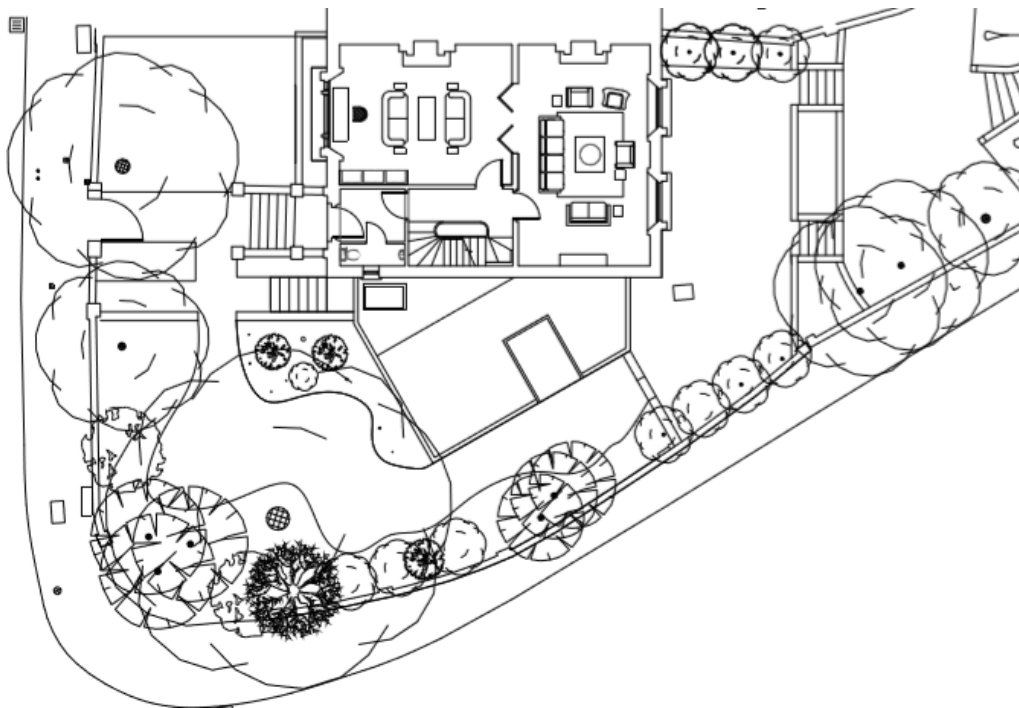
I agree that as a result of the revisions made during the planning application process the approved extension is little more than a rectangular 'box'. It would be an uninteresting addition that would fail to enhance the property or the conservation area. The design could have substantial problems in terms of lack of privacy, light pollution and overheating as a result of solar gain due to the large extent of glazing.

The Leahy's therefore commissioned PARTI architects to design an alternative proposal for a high quality contemporary addition to their home that would be free from the problems of the approved design and enhance the conservation area by virtue of its greater architectural merit. As an experienced design and conservation advisor I contributed to the design development to ensure that the design respects its context.

The Proposed Design



Proposed side extension, side elevation



Above, the proposed side extension in plan



Above, proposed front elevation



Above, proposed side elevation



Above, proposed rear elevation

Unlike the approved design the proposed side extension is a highly considered architectural response to the question of how to imaginatively extend the house in a contemporary idiom while respecting the host building and its context.

The proposed side extension is set at an angle to the main house, in doing so it responds to the curvature of the site while creating a pleasing juxtaposition between the old and the new. The pitched roof provides visual interest while its construction from white concrete ensures that it blends harmoniously with the white painted stucco of the main house. The main elevations are constructed from a Gault brick to match those to the main house and reads as a continuation of a garden wall. A projecting Limestone edged window adds a striking feature but in a subtle manner. The proposed materials are high quality, robust and contextual.

The NPPF clearly states that ‘design policies should avoid unnecessary prescription or detail’ (59) and that ‘planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles’ (60). Further it advises 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’ (63).

In addition to this the Historic England Advice Note 2, Making Changes to Heritage Assets (2016) states that when considering addition to heritage assets ‘replicating a particular style may be less important’. It advises that an addition to a heritage asset should not ‘dominate the original asset or its setting in either scale, material or as a result of its siting’.

It is clear that the NPPF and Historic England Advice Note envisage and support design approaches which compare to that of the proposed side extension. The proposed design is innovative, original and would help raise the standard of design in the area. It does not dominate the main house in terms of scale, material or as a result of its siting. The proposed side extension continues in a tradition within Hampstead for high quality contemporary design and careful juxtapositions between the old and the new. Similar extensions have been granted planning permission throughout London.

As can be seen on the comparative visuals below the proposed design is slightly smaller than the approved side extension in terms of volume. It is of same height at its highest point but will have a lesser visual impact by virtue of its pitched roof. It is of a roughly comparable footprint. It is considerably smaller in scale to a form of extension that Camden Planning Guidance 1 Design (2018) suggests would be acceptable, that side extensions should ‘be no taller than the porch’ and be ‘set back from the main building’ (paragraph 4.16).

The proposed side extension is considerably lower than the porch and adequately set back from the main building. 2 Cannon Place is a substantially sized property with a footprint of 101sqm with a sizeable garden of 446sqm. The proposed side extension is 40.5sqm which represents only a 40.1% increase in the house’s footprint and the garden retains 90.9% of its current area.

Consequently, it can be clearly demonstrated that the proposed side extension is adequately subordinate to the main house, has a negligible impact on the openness of the garden and complies with the requirements of paragraph 4.16 of Camden Planning Guidance 1 Design (2018).

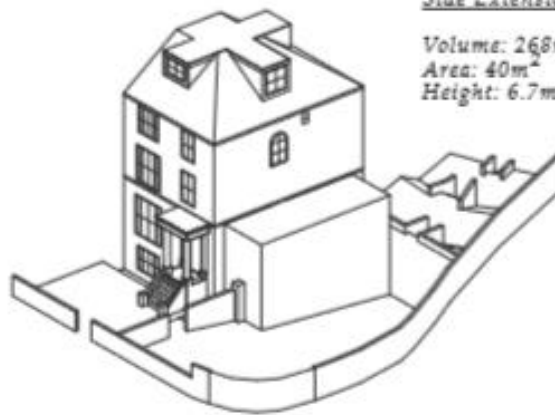
Conservatory Scheme
(Permission granted)

Volume: 146m³
Area: 36.5m²
Height: 4m



Camden Planning Guidance for
Side Extensions

Volume: 268m³
Area: 40m²
Height: 6.7m



Proposed Scheme

Volume: 145m³
Area: 40.5m²
Height: 4m



Above, a comparison between the approved scheme, the scale of extension that Camden Planning Guidance 1 Design (2015) suggests would be acceptable and the proposed scheme



Above, proposed townscape views and the proposed front elevation showing how the proposed side extension is barely visible behind the boundary wall and dense planting

The proposed design has also been assessed by two other design experts, see statements of support included in the appeal submission.

Tom Greenall (a qualified architect, design tutor and visiting lecturer at the Royal College of Art and the Sandberg Institute and chair of the Wandsworth Design Review Panel) makes some very relevant observations including:

...I believe the rejected scheme to be an example of outstanding and innovative design. Unlike the majority of domestic extensions, the proposed scheme has clearly been designed to respond to the site layout and garden as well as to the layout of the host dwelling. As such, the proposed extension helps make sense of the external space rather than denying it.

I also welcome the contemporary and thoughtful approach to design, which is characterised by a careful choice of materials and consideration for innovative construction processes. Unlike the consented, 'conservatory' scheme, which will act as a lantern at night time by illuminating the entire side elevation, the current proposed scheme shows greater consideration for the placement of openings. These openings frame views to the immediate garden as well as the context of the local area. This should result in an extension that is more subservient to the host dwelling and will not lead to the same level of light pollution as the glazed conservatory structure.

Similarly, the use of brick around the base of the building is a thoughtful response to both the materiality of the existing dwelling as well as to the garden wall, which—again—help to identify the extension as a 'garden room' rather than a glazed conservatory. The proposed precast concrete roof is a highly innovative feature of the design, albeit one that responds to the tone of the existing dwelling.

Will Hunter's (Founder / Director, the London School of Architecture and formerly Executive Editor of The Architectural Review) similar review concludes that:

The proposal has been derived entirely from its context and strives to be a good neighbour. It is camouflaged by a palette of materials already found on site. A modest, well-designed minimal insertion that is clearly subsidiary to the main house, it is largely concealed within its garden setting. It is the sort of thoughtful, considerate design that most contemporary architects would strive for and, in my view, it would be a welcome addition to the Conservation Area.

I concur with the views of these design experts.

Impact of the Proposals on the Heritage Assets and Compliance with National and Local Policy and Guidance

The Government's national planning policies on the conservation of the historic environment are provided in Section 12 (Conserving and enhancing the historic environment) of the NPPF. Paragraph 128 states:

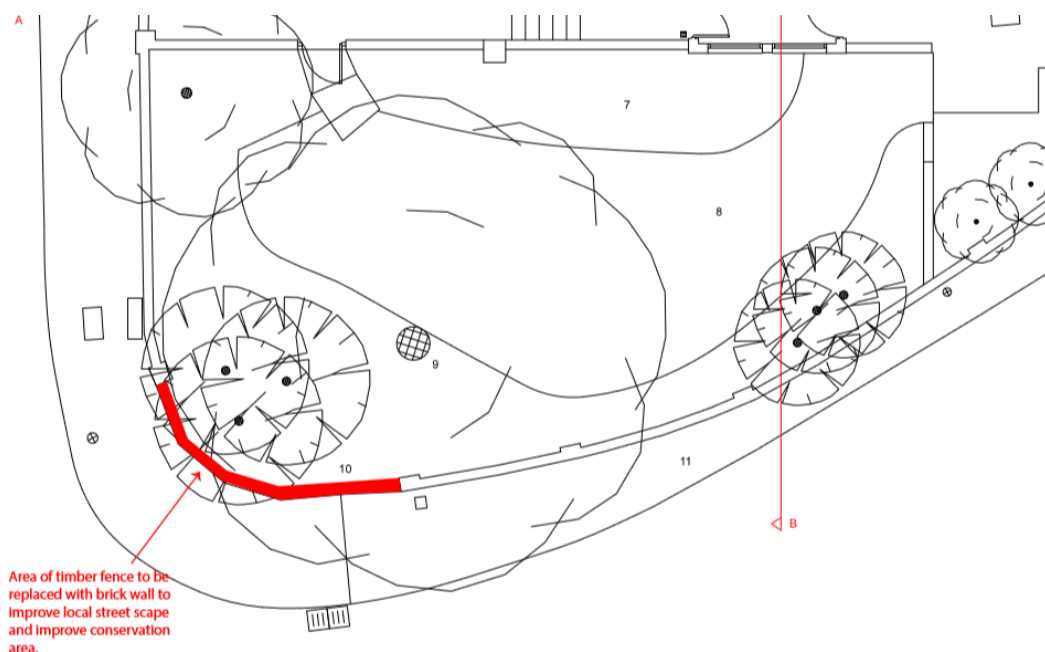
Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

The significance of the heritage assets potentially affected by the proposals have been assessed above.

As has also been demonstrated above the proposed side extension is a highly considered architectural response to the question of how to imaginatively extend the house in a contemporary idiom while respecting the host building and its context. It constructed from high quality, robust and contextual materials and is well detailed. It is adequately subordinate and relates successfully to the original house in terms scale, design and materials and has a negligible impact on the openness of the garden. Given the boundary walls and dense planting the proposed side extension will be barely perceptible from public views (see visuals on page 35).

Consequently, the proposed side extension will have a neutral impact on the significance of the conservation area and the setting of the listed buildings.

Even if it were to be considered that the proposed side extension caused some harm the appellants have submitted a drawing showing a proposal to replace a section of poor quality timber fencing to the site boundary, fronting the street, with high quality brickwork to match the historic walling either side. This would be an enhancement and a public benefit that might outweigh any harm.



The proposals have been considered against the relevant sections of national and local policy and guidance set out in Section 5 above, these being:

- National Planning Policy Framework (2012)
- Historic England Advice Note 2, Making Changes to Heritage Assets (2016)
- Policy D1 Design and Policy D2 Heritage, The Local Plan, London Borough of Camden (2017)
- Paragraphs 4.10 General principles and 4.16 Side extensions, Camden Planning Guidance 1 Design, London Borough of Camden (2018)
- Paragraphs H10 (Front gardens, backlands and rear gardens) and H26-H29 (Rear extensions and conservatories) The Hampstead Conservation Area Statement, London Borough of Camden (2001)

For the reasons discussed above the proposed works comply with national and local policy and guidance.

Section C: Summary

These Grounds of Appeal have been prepared on behalf of Parti Architects following the notification from the London Borough of Camden that planning application 2018/0847/P was refused planning permission on 13 April 2018.

The application was for the erection of a single-storey side extension at basement level to 2 Cannon Place, London. The sole reason for refusal was given to be:

The proposed development, by reason of its detailed design, particularly the form, proportions and windows of the proposed side extension, is considered to appear dominant and detracting from the host building and surrounding Hampstead conservation area. The application is therefore contrary to policies D1 and D2 of the Camden Local Plan 2017, CPG1 of the Camden Planning Guidance, and the Hampstead Conservation Area Statement.

The Grounds for Appeal are:

1. Disagreement that the proposed development, by reason of its detailed design, particularly the form, proportions and windows of the proposed side extension, appears dominant and detracting from the host building and surrounding Hampstead Conservation Area.
2. Disagreement that the application is contrary to policies D1 and D2 of the Camden Local Plan 2017, CPG1 of the Camden Planning Guidance, and the Hampstead Conservation Area Statement.
3. Disagreement that the application is contrary to the National Planning Policy Framework

Detailed evidence supporting the grounds for appeal have been provided. The main purpose of this evidence has been to assess the architectural and historic significance of 2 Cannon Place, the conservation area and the listed buildings, the impact of the proposals on that significance and determine whether the proposals comply with national policies and guidance relating to heritage assets.

The proposed side extension is a highly considered architectural response to the question of how to imaginatively extend the house in a contemporary idiom while respecting the host building and its context.

It has been shown that the proposed side extension has a neutral impact on the significance of 2 Cannon Place, the conservation area and the listed buildings. For this reason it has been demonstrated that the proposal complies with national and local policy and guidance.