



Design & Access, Planning and Heritage Statement

12 Mabledon Place, London, WC1H 9AZ

Erection of roof extension

December 2018

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1 Executive Summary

1.1 Executive Summary

- 1.1.1 This application seeks planning and listed building consent for the erection of a roof extension at 12 Mabledon Place, London, WC1H 9AZ.
- 1.1.2 The proposed design is compatible with the local area and will not have any significant impact on the listed building or Conservation Area.
- 1.1.3 The proposed development will not have any additional impact on the amenity of neighbours and there are no technical impediments to the granting of planning permission.
- 1.1.4 On balance, the proposed development is compliant with all levels of planning policy.
- 1.1.5 The development will achieve a sustainable development.

2 Introduction, Purpose and Development Proposals

2.1 Introduction

- 2.1.1 This statement represents a Planning, Heritage and Design & Access Statement submitted in support of the planning and listed building consent applications for the erection of a roof extension (the 'proposed development') at the Grade II Listed 12 Mabledon Place, London, WC1H 9AZ (the 'site').

2.2 Purpose

- 2.2.1 Planning law¹ requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 2.2.2 The Courts² have determined that it is enough that a proposal accords with the development plan when considered as a whole. It is not necessary to accord with each and every policy contained within the development plan. Indeed, it is not at all unusual for development plan policies to pull in different directions.
- 2.2.3 The position was also clarified by Patterson J in *Tiviot Way Investments Ltd v Secretary of State for Communities and Local Government and Stockton-on-Tees BC [2015] EWHC 2489 Admin*) at paragraph 31:

I do not accept, lest it be thought to establish the proposition, that the case of Hampton Bishop (supra) establishes that a breach of one key policy was sufficient to find conflict with the development plan as a whole.

- 2.2.4 The Planning & Compulsory Purchase Act 2004 defines the Development Plan for the purposes of this assessment process as the strategy for the region in which the site is located and development plan documents, taken as a whole, which have been approved or adopted for the area.
- 2.2.5 The purpose of this statement is therefore to identify Development Plan policies that are relevant in the assessment of the development proposals. Then to determine if the proposals conflict with their provisions and if they do, to determine whether there are material considerations which outweigh such conflict.
- 2.2.6 This statement has also been prepared to illustrate the process that has led to the formulation of the proposed development and to explain and justify the adopted approach to both design and access.

¹ Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990

² See for example *Laura Cummins and London Borough of Camden, SSETR and Barrett Homes Limited [2001]*; *R. v Rochdale MBC ex parte Milne [2000]* & *City of Edinburgh Council v. Secretary of State for Scotland [1997]*

2.2.7 This statement should be read in conjunction with the other submitted planning application documents which include the application Form and proposed floor plans and elevations.

2.2.8 This statement and the associated documents confirm that the development is in accordance with relevant national, strategic and local plan policy and as such, in accordance with Section 70(2) of the Town and Country Planning Act 1990 and Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning permission could be contemplated.

2.3 Development Proposals

2.3.1 The proposed development is described as:

The erection of a roof extension to create 2 additional rooms

2.3.2 The proposed additional rooms will increase the number in the property from 6 to 8 HMO rooms.

2.4 Supporting Documents

2.4.1 The application is accompanied by the following documents:

- Application Form and Certificate A;
- This Statement;
- Site Location Plan;
- Drawings:
 - 0403/A/01/01 Existing and Proposed Plans
 - 0403/A/01/02 Existing Elevations
 - 0403/A/01/03 Proposed Elevations
 - 0403/A/01/04 Existing and Proposed Section
 - 0403/A/01/05 Site and Block Plan

3 Site Location, Description and History

3.1 Site Location and Description

- 3.1.1 The site is located on the western side of Mabledon Place close to the junction with Cartwright Gardens and comprises a two storey (plus basement) hostel with a flat roof.
- 3.1.2 The property is significantly lower than neighbouring properties including the Grade II Listed 27-44 Cartwright Gardens which backs on the property.
- 3.1.3 To the rear the property contains a communal garden for the use of the occupants.



- 3.1.4 The property is a Grade II Listed building with a statutory listing address of 'Number 12 and attached railings, 12, Mabledon Place'.
- 3.1.5 The property was listed on 14th May 1974 and the listing description states that:

CAMDEN

TQ2982NE MABLEDON PLACE 798-1/89/1094 (West side) 14/05/74 No.12 and attached railings

GV II

Terraced house. Early C19. Stucco with rusticated ground floor. 2 storeys and basement. 2 windows. Segmental-arched ground floor openings in shallow recesses. Doorway with cornice-head, fanlight and panelled door. 1st floor with square-headed, recessed casements and cast-iron balcony. Cornice and blocking course. INTERIOR: not inspected. SUBSIDIARY FEATURES: attached cast-iron railings with urn finials to areas.

Listing NGR: TQ2999482634

3.1.6 The property is also located within the Bloomsbury Conservation Area.

3.2 Planning History

3.2.1 No planning history of the property has been identified on the Council's Planning Register.

4 Development Plan Context, Designations and Material Considerations

4.1 Development Plan Context and Designations

4.1.1 The Development Plan context in Bloomsbury is provided by the London Plan (2016) and the Camden Local Plan (2017) along with the Policies Map.

4.1.2 The Policies Map confirms that the site is not allocated for any particular land use but is within the Bloomsbury Conservation Area.

4.2 Relevant Development Plan Policies

4.2.1 The London Plan is strategic in nature and therefore the majority of the policies are not relevant to the proposed development.

4.2.2 However, from a review of the Development Plan it is considered that the following policies are relevant to the determination of the application.

Issue	London Plan	Local Plan
Principle of Development		Policy G1 Delivery and location of growth
Design	Policy 7.4 Local Character Policy 7.6 Architecture	Policy D1 Design
Heritage	Policy 7.8 Heritage assets and archaeology	Policy D2 Heritage
Residential Amenity	Policy 7.6 Architecture	Policy A1 Managing the impact of development

4.2.3 These are discussed in more detail below where relevant.

4.3 Material Consideration – National Planning Policy Framework

4.3.1 The Government’s National Planning Policy Framework (July 2018) (the ‘Framework’) is a material consideration in the assessment of development proposals. The Framework confirms that the purpose of the planning system is to contribute to the achievement of sustainable development.

4.3.2 The Framework confirms that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways:

- *an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

- *a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and*
- *an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

4.3.3 The Framework emphasises that these objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged.

4.3.4 The Framework confirms that at its heart is a presumption in favour of sustainable development and that for decision taking this means approving development proposals that accord with an up-to-date development plan without delay.

4.3.5 In terms of design, the Framework confirms that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

4.3.6 Planning decisions are required to ensure that developments:

- *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*

- *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁶; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

4.3.7 Paragraph 130 advises 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 and the way it functions. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.

4.3.8 Paragraph 131 confirms that in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

4.3.9 In terms of Heritage Assets the Framework states at paragraph 185 that local planning authorities should take into account:

- *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- *the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;*
- *the desirability of new development making a positive contribution to local character and distinctiveness; and*
- *opportunities to draw on the contribution made by the historic environment to the character of a place.*

4.3.10 Paragraph 189 confirms that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

4.3.11 Paragraph 192 states that in determining planning applications, local planning 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.*

4.3.12 Paragraph 193 states that 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.

4.3.13 Paragraph 194 confirms that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

4.3.14 Paragraph 195 states that 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.*

4.3.15 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.

4.3.16 In addition, the Framework considers at paragraph 202 that Local Planning Authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the dis-benefits of departing from those policies.

4.3.17 In summary, the Framework seeks to ensure that proposals affecting a Heritage Asset first make an assessment of the impact of the proposal on the significance of the asset and should be granted if there is no harm to the significance. 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 there are substantial public benefits that outweigh that harm or loss.

4.3.18 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.

4.3.19 An assessment of the Framework in terms of design and heritage confirms that the proposed development is consistent with national planning policies and this provides further support for the proposed development.

4.4 Material Consideration – Supplementary Planning Guidance

4.4.1 The supplementary guidance which is considered to be relevant includes the **Camden Planning Guidance 1 (Design)** and the **Bloomsbury Conservation Area Appraisal**.

4.4.2 However, no conflicts have been identified. This is discussed below where relevant.

5 Planning Assessment

5.1 Introduction

5.1.1 The following assessment considers the relevant Development Plan policies and material considerations identified in the preceding section and the degree to which the proposed development complies with their provisions or not as the case may be.

5.1.2 From a review of the Development Plan it is considered that the following planning issues are considered to be material to the determination of the application.

- Principle of Development;
- Impact of the proposed additions on the Listed Building and the character and appearance of the Conservation Area; and
- Impact on neighbouring amenity.

5.1.3 These considerations are summarised in turn below.

5.2 Principle of development

5.2.1 The proposed roof extension will be located within a previously developed site and will offer additional accommodation and promote a more efficient use of land in accordance with the National Planning Policy Framework and Policy G1 of the Local Plan.

5.2.2 The Camden Planning Guidance considers that additional storeys and roof alterations are likely to be acceptable where:

- *There is an established form of roof addition or alteration to a terrace or group of similar buildings and where continuing the pattern of development would help to reunite a group of buildings and townscape;*
- *Alterations are architecturally sympathetic to the age and character of the building and retain the overall integrity of the roof form;*
- *There are a variety of additions or alterations to roofs which create an established pattern and where further development of a similar form would not cause additional harm.*

5.2.3 The existing building does not form part of any terrace or group of buildings and is already significantly lower than the surrounding buildings. The proposed roof extension would still maintain subservience to the frontage on Cartwright Gardens and there would be no harm to the street scene.

5.2.4 In this respect the proposal would not conflict with the above.

5.2.5 In addition, the CPG also confirms that a roof alteration or addition is likely to be unacceptable in the following circumstances where there is likely to be an adverse effect on the skyline, the appearance of the building or the surrounding street scene:

- *There is an unbroken run of valley roofs;*

This is not relevant to the proposed development.

- *Complete terraces or groups of buildings have a roof line that is largely unimpaired by alterations or extensions, even when a proposal involves adding to the whole terrace or group as a coordinated design;*

There is no complete terrace and the building is a single standalone property surrounded by much higher properties.

- *Buildings or terraces which already have an additional storey or mansard;*

There is no existing additional storey.

- *Buildings already higher than neighbouring properties where an additional storey would add significantly to the bulk or unbalance the architectural composition;*

The building is currently lower than neighbouring properties.

- *Buildings or terraces which have a roof line that is exposed to important London-wide and local views from public spaces;*

There are no important views exposed by the existing roofline.

- *Buildings whose roof construction or form are unsuitable for roof additions such as shallow pitched roofs with eaves;*

The property has an almost flat roof and is easily suitable for an additional storey.

- *The building is designed as a complete composition where its architectural style would be undermined by any addition at roof level;*

The architectural style of the property would be maintained by the additional storey.

- *Buildings are part of a group where differing heights add visual interest and where a roof extension would detract from this variety of form;*

The building is not part of a group but the proposal would still be subservient to the buildings on Cartwright Gardens.

- *Where the scale and proportions of the building would be overwhelmed by additional extension.*

The additional storey would maintain the scale and proportion of the building and complement the character of the area.

- 5.2.6 The proposed development would not result in any harm to the roofscape of the area and would not be contrary to any guidance within the Camden Planning Guidance and therefore the principle of development must be acceptable subject to design, heritage and amenity considerations.

5.3 Impact on the Host Property and Conservation Area

- 5.3.1 As stated above the Framework confirms that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 5.3.2 In addition, London Plan Policy 7.4 confirms that buildings, streets and open spaces should provide a high quality design response that:
- a. has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass
 - b. contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area
 - c. is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings
 - d. allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area
 - e. is informed by the surrounding historic environment.
- 5.3.3 In addition, Policy 7.6 requires buildings to be of the highest architectural quality and Policy D1 of the Local Plan requires a high quality design.
- 5.3.4 The proposed development will be of a scale which is compatible with the street scene in which it sits.
- 5.3.5 There will be no impact on the wider landscape and materials will match the existing.
- 5.3.6 Furthermore Policy 7.8 of the London Plan requires that development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.
- 5.3.7 In addition, Policy D2 of the Local Plan states that 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.

5.3.8 In addition, the policy states that 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.

5.3.9 In accordance with the NPPF it is clear that the approach in determining applications affecting a Heritage Asset is as follows:

- Assess the significance of the Heritage Asset.
- Assess the impact of the proposed development on the significance of the Heritage Asset.

Assessment of the significance of the Heritage Asset(s)

5.3.10 As stated above the Listing Description provided by Historic England confirms that the property is Grade II Listed.

5.3.11 This property which dates from early 19th Century is considered to be significant as a result of its stucco detailing with rusticated ground floor and cast-iron balcony.

5.3.12 The property sits behind the Grade II listed terrace of Cartwright Gardens and acts as a kind of subservient mews house.

5.3.13 The internal features have been extensively modified and were not inspected as part of the listing.

5.3.14 In this respect, it is clear from the above that the significance of the listed building arises from its architectural detailing and its subservience to Cartwright Gardens.

5.3.15 From an analysis of the Conservation Area it is clear that the significance of the Conservation Area is also predominately as an area of planned Georgian squares and terraces.

Assessment of the impact of the development on the significance of the Heritage Asset(s)

5.3.16 From the above it is considered that the proposal will not have any impact on the significance of the listed building.

5.3.17 Although the proposed roof extension will alter the appearance of the building and increase its height it will still be significantly lower than the adjacent buildings and retain its subservience to the terrace at Cartwright Gardens.

5.3.18 The rusticated ground floor will be maintained and the stucco appearance will be replicated at 2nd floor level in the extended property.

5.3.19 The proposed fenestration will match the existing and will match the existing Georgian architecture by providing symmetry and windows reducing in height through each storey.

5.3.20 There are no traditional features on the property which will be lost as a result of the development and as confirmed above there are no conflicts with any of the design policies.

5.3.21 In this respect, it is not considered that the proposal will cause any harm to the significance of the Heritage Asset and therefore the proposal meets the criteria as set out in the National Planning Policy Framework and the Development Plan.

5.4 Neighbouring amenity

5.4.1 Policy 7.6 of the London Plan seeks that development does not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings.

5.4.2 In addition, Policy A1 of the Local Plan seeks to ensure that the amenity of communities, occupiers and neighbours is protected.

5.4.3 The proposed extension will not result in any loss of outlook of any neighbouring properties or any overshadowing.

6 Summary and Conclusion

6.1 Summary

- 6.1.1 An assessment of the relevant planning policies in the adopted Development Plans confirms that there is no significant conflict with their provisions and that the statutory test imposed by Section 70(2) of the Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004 is met.
- 6.1.2 The National Planning Policy Framework is a material consideration in the assessment of the development proposal. An assessment of the Framework confirms that the proposed development is consistent with national planning policies and provides further support for the application.
- 6.1.3 The above confirms that:
- The principle of the development is acceptable.
 - The proposed design is compatible with the local area and will not have any impact on the listed building or Conservation Area.
 - The proposed development will not have any impact on the amenity of neighbours.
 - There are no technical impediments to the granting of planning permission.

6.2 Conclusion

- 6.2.1 In conclusion, the proposed development is considered compliant with the relevant provisions of the Development Plan. Planning law dictates that this justifies a grant of planning permission.
- 6.2.2 Assessment against the policies contained within the Framework, which is a material consideration, further confirms that the development can be considered to be a form of sustainable development and therefore benefit from the presumption in favour of sustainable development which is a golden thread running through decision-taking.
- 6.2.3 The proposal is therefore promoted on this basis and that it can be supported and receive a grant of planning permission and listed building consent.

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