

PAUL VELLUET,
B.A. Hons, B.Arch. Hons, M.Litt., R.I.B.A., I.H.B.C.
CHARTERED ARCHITECT
CONSERVATION, DEVELOPMENT AND PLANNING
9, BRIDGE ROAD, ST MARGARET'S, TWICKENHAM, MIDDLESEX, T.W.1. 1.R.E.
e-mail: paul.velluet@velluet.com; telephone: 020 8891 3825; mobile: 077 64 185 393

GARAGES OF 14, HAMPSTEAD HILL GARDENS, LONDON, N.W.3.

A CRITICAL ASSESSMENT OF THE URBAN DESIGN AND HERITAGE ASPECTS OF THE PROPOSED DEVELOPMENT OF THE SITE OF TWO, EXISTING GARAGES LOCATED WITHIN THE CURTILAGE OF NO. 14, HAMPSTEAD HILL GARDENS, ADJACENT TO NO. 12, HAMPSTEAD HILL GARDENS, WITH A NEW HOUSE COMPRISING BASEMENT, GROUND AND TWO UPPER STOREYS – CAMDEN COUNCIL APPLICATION REFERENCE 2021/1564/P



The application-site showing nos. 18/20 and 14/16, Hampstead Hill Gardens on the LH side and no. 12, Hampstead Hill Gardens on the RH side,, with the entire flank elevation of no. 14, Hampstead Hill Gardens fully visible

JUNE, 2021

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I. INTRODUCTION

I.1 This assessment has been prepared by chartered architect, Paul Velluet, on behalf of the owner-occupiers of no. 12, Hampstead Hill Gardens, in support of their objections to the application for Planning Permission (Council reference 2021/1564/P) for the development of the site between nos. 12 and 14, Hampstead Hill Gardens, presently forming an integral part of the curtilage of no. 14, with a new house comprising basement, ground, and two upper storeys. This assessment is based on viewing the application-site and its setting from the street and from the adjoining property at no. 12, Hampstead Hill Gardens; from viewing the other properties in Hampstead Hill Gardens and other nearby properties in this part of the Hampstead Conservation Area; on reviewing the drawings and other documentation submitted in support of the application; and on relating these matters to the relevant national, London-wide and local planning policies. Particulars of Paul Velluet's qualifications and experience are appended at the end of this assessment.

I.2 This assessment concludes that:

- The proposed development - by virtue of its height, bulk, external design and its substantially infilling the existing gap between nos. 12 and 14, Hampstead Hill Gardens - will substantially harm the immediate settings and significance of those properties and harm the wider settings and significance of other, nearby unlisted buildings formally identified as 'Buildings which make a positive contribution (to the conservation area)' in the Council's *Hampstead Conservation Area Statement* as non-designated heritage assets;
- The proposed development – by virtue of its height, bulk, external design and its substantially infilling the existing gap between nos. 12 and 14, Hampstead Hill Gardens - will substantially harm the character, appearance and significance of the Hampstead Conservation Area as a designated heritage asset – in particular, that part of the conservation area centred on Hampstead Hill Gardens;

- Taken cumulatively, the proposals will fail to either preserve or enhance the character or appearance the Hampstead Conservation Area contrary to Section 72 of the *Town and Country (Listed buildings and Conservation Areas) Act, 1990*.
- By virtue of the substantial, potential harm that will be caused to the character, appearance and significance of the Hampstead Conservation Area as a designated heritage asset resulting from the proposed development and the absence of potential public benefits that will outweigh or balance such harm, the proposal would be contrary to Policies D1 and D2 of the *Camden Local Plan* of June, 2017; Policies H21, H22 and H43 of the *Hampstead Conservation Area Statement (and Guidelines)* of October, 2001; Policies DH1 and Policy DH 2 of the *Hampstead Neighbourhood Plan, 2018 - 2033* of October, 2018; Policies D3.D.1) and 11) and HCl.C of *The London Plan* of March, 2021; paragraphs 127.c), 193, 194, 195 and 197 of the *National Planning Policy Framework*; and the relevant guidance contained in *Camden Planning Guidance: Design* (SPD) of January, 2021, and as such should be refused.



The application-site – no. 14, Hampstead Hill Gardens to the LH side and no. 12, Hampstead Hill Gardens to the RH side, showing the existing, largely unobstructed view from the street through to the trees in the heart the site and beyond

2. THE CONTEXT OF THE PROPOSALS

- 2.1 The application-site falls within the Hampstead Hill Gardens Character Zone of Sub-Area Three – Willoughby Road/Downshire Hill of the Hampstead Conservation Area. The character and appearance of the conservation area, the sub-area and the character zone are described in the Council's *Hampstead Conservation Area Statement* of October, 2001. Nos. 12 and 14, Hampstead Hill Gardens are both specifically identified as 'Buildings which make a positive contribution (to the conservation area)' in the Statement, together with nos. nos. 6, 10 to 20 (even) and 13 to 33 (odd), Hampstead Hill Gardens. Accordingly, all such buildings may be properly regarded as 'non-designated heritage assets' for the purposes of the policies set out in the *NPPF*. Nos. 1, 1a and 1b, including Studio House; nos. 2 and 2a and attached wall, railings and gate; nos. 3 and 3a; no. 4 and attached wall, railings and gate; nos. 5, 5a, 5b and attached wall and railings and gate; no. 7 and attached wall; no. 9 and attached wall, railings and gate and no. 11 and attached walls, railings and gate, are all included as statutorily listed buildings in the *National Heritage List for England* and as such may be properly regarded as 'designated heritage assets' together with the Hampstead Conservation Area for the purposes of the policies set out in the *NPPF*. Accordingly, the vast majority of the properties in Hampstead Hill Gardens are specifically identified as either designated or non-designated heritage assets – the only exceptions being nos. 4a and 4b and no. 8 - no. 8 being specifically identified in the *Statement* as a 'neutral building'. Accordingly, both the area and the individual properties within it are of considerable heritage significance.
- 2.2 Importantly, the topography and curving layout of the street and the diverse spaces between the individual properties and pairs and terraces of properties contribute positively to the settings and significance of the properties themselves and to the character, appearance and significance of the conservation area and to the particular character and appearance of the zone and sub-area.
- 2.3 Importantly too, the spaces between the properties – both those between the properties contained within the inner curve of the street and those between the properties set around the outer curve of the street - allow views to be gained from the street of the trees to the rears of the former properties and glimpses to be gained from the street of the properties in Heath Hurst Road South End Road to the rears of the latter properties. Importantly, where the gaps between the properties have been infilled in part or in whole, such infills are of only modest height and do not preclude views towards the trees or buildings beyond.
- 2.4 The gap between nos. 14 and 12, Hampstead Hill Gardens is of particular significance, for, like the wide gap between nos. 23/23a and no. 25, directly opposite, it marks the break between the tall, first-generation, stucco-faced, pairs or terraces of Italianate villas of the 1870s at the south-eastern end Hampstead Hill Gardens (nos. 14/16, 18/20, 25/27 and 29/31/33) and the lower, second and third generation, mostly brick-

faced, detached and semi-detached properties of Arts and Crafts character of the 1880s and 1890s located around both sides of the curve in Hampstead Hill Gardens (nos. 1 to 23 (odd) and nos. 2, 4, 6, 10 and 12). The only infills between such properties are single-storey or located at lower-ground and upper-ground floor levels only (as at no. 6). Importantly, the relatively recent side-extension or infill adjacent to no. 23, Hampstead Hill Gardens at no. 23a, almost directly the application-site, demonstrates how such an 'extension' can avoid infilling the original gap to any significant degree, by its modest width and height – significantly less those of the original building to which it is associated – by its architectural reticence and subservience and by the use of matching brickwork.

- 2.5 The potentially damaging impact of infilling of the gaps between buildings is clearly recognised by the Council in Policy H43 of the *Hampstead Conservation Area Statement (and Guidelines)* of October, 2001, where it is stated that:

'Normally the infilling of gaps between buildings will be resisted where an important gap is compromised or the symmetry of the composition of a building would be impaired. Where side extensions would not result in the loss of an important gap they should be single storey and set back from the front building line'

- 2.6 Whilst such sound guidance relates primarily to proposals for side-extensions, it has particular relevance to the current application proposals at no. 14a, Hampstead Hill Gardens given that the site presently forms an integral part of the curtilage of no. 14, and that the height, bulk and colouring of the proposed new building have been deliberately conceived to match those of no. 14 – as if designed as an extension.
- 2.7 Finally, the particularly generous width of the gap between the flanks of nos. 12 and 14, Hampstead Hill Gardens is of particular value and significance within this part of the conservation area, given the substantial disparity between the height, bulk, profile and architectural character of no. 12 and the height and bulk, profile and architectural character of no. 14, providing an adequate 'breathing space' between the buildings.



The wide gap between nos. 23a and 25, Hampstead Hill Gardens directly opposite the application site



Nos. 14/16, Hampstead Hill Gardens, showing the existing gap adjacent to the flank elevation of no. 18, Hampstead Hill Gardens, and the generously wide adjacent to the flank elevation of no. 12, Hampstead Hill Gardens and the views through to the trees beyond



Nos. 18/20, Hampstead Hill Gardens, showing the gap adjacent to the flank elevation of no. 16, Hampstead Hill Gardens and the generously wide gap to the rear of nos. 1/3, Pond Street and the views through to trees beyond

3. COMMENTS ON THE URBAN DESIGN AND HERITAGE ISSUES RAISED IN ECHLIN'S DESIGN AND ACCESS STATEMENT OF MARCH, 2021 AND THE HERITAGE PRACTICE'S TOWNSCAPE AND HERITAGE APPRAISAL OF JANUARY, 2021, AS SUBMITTED IN SUPPORT OF THE PROPOSALS

COMMENTS ON THE URBAN DESIGN AND HERITAGE ISSUES RAISED IN ECHLIN'S DESIGN AND ACCESS STATEMENT OF MARCH, 2020

- 3.1 Under Section 1 – Introduction, the author of the statement asserts that the proposal seeks to improve upon the existing site and its context through, *inter alia*, 'High quality, sustainable design that is sensitive to the character of the conservation area' and 'Infill of the gap between No. 12 and No. 14 creating a continuous building line along the street which reflects the scale, rhythm and character of the local area'.
- 3.2 However, as explained below, the proposed development, by virtue of its height, bulk, external design and its substantially infilling the existing gap between nos. 12 and 14, Hampstead Hill Gardens, fails to respond sensitively to the character of the conservation area – in particular, to the character of that part of the conservation area centred on Hampstead Hill Gardens. Similarly, the proposed infilling of the gap between nos. 12 and 14, by virtue of the height, bulk and external design of the new building will fail to create a continuous building-line along the street which reflects the scale, rhythm and character of the local area.
- 3.3 Under the same section, the author states that 'The scheme has been prepared based on a detailed understanding of the site and its significance within the streetscape, local conservation area and the wider borough'.
- 3.4 However, the proposed development, by virtue of its height, bulk, external design and its substantially infilling the existing gap between nos. 12 and 14, Hampstead Hill Gardens, clearly suggests that the site and its significance within the street and the conservation area have not been properly understood.
- 3.5 Under Section 2 – Site, in Sub-section 2.2 – Site photographs, in referring to the application-site, the author of the statement states that '...the low height of the garages in comparison with the taller buildings either side, creates an unsightly gap in the street scene'.
- 3.6 Contrary to such a claim, as stated in paragraphs 2.3 and 2.7 above, the spaces between the properties contained within the inner curve of the street allow views to be gained from the street of the trees to the rears of the properties. Importantly, the generously wide gap between the flanks of nos. 12 and 14, Hampstead Hill Gardens is of particular value and significance within this part of the conservation area, given the substantial disparity between the height, bulk, profile and architectural

character of no. 12 and the height and bulk, profile and architectural character of no. 14, providing an adequate 'breathing space' between the two properties as well as providing a generous and attractive view from the street through to the trees in the heart of the site and beyond, and given that it corresponds to the generously wide gap between no. 23a and no. 25, on the directly opposite side of the street.

- 3.7 In Sub-section 2.3 – Site Considerations, under the heading 'Site opportunities', the author states that 'Both the position of the site and street frontage makes it an obvious infill site for an architecturally interesting, high quality home'.
- 3.8 However, significantly, no reference is made to the need for such an infill development to mediate in height, bulk and design between the substantially contrasting height, bulk, and design of no. 12 and those of no. 14, nor to the need to maintain views from the street of the trees in the heart of the site and beyond.
- 3.9 In the same sub-section, the author asserts that 'Development has occurred at different times over the history of the street, resulting in a mixture of architectural periods. Therefore the area is characterised by buildings of a similar scale and street presence but varying styles. A new dwelling on the site would continue the historic pattern of infill development on the street'.
- 3.10 However, in reality, the majority of properties in the street are of just two, basic scales – the three-storey-plus-basement, first-generation, stucco-faced, pairs and terrace of Italianate villas of the 1870s at the south-eastern end of Hampstead Hill Gardens (nos. 14/16, 18/20, 25/27 and 29/31/33) and the two-storey, second and third generation, mostly brick-faced, detached and semi-detached properties of Arts and Crafts character of the 1880s, 1890s and 1900s with their top (second) floors contained in gabled or dormered, steeply pitching, tiled, front roof-slopes, located around both sides of the curve in Hampstead Hill Gardens (nos. 1 to 23 (odd) and nos. 2, 4, 6 and 10/12) – some with basements. Similarly, in reality, the range of ages and styles of the majority of properties in the street is relatively limited, comprising the tall, first-generation, stucco-faced, pairs or terraces of Italianate villas of the 1870s at the south-eastern end of Hampstead Hill Gardens (nos. 14/16, 18/20, 25/27 and 29/31/33) and the lower, second and third generation, mostly brick-faced, detached and semi-detached properties of Arts and Crafts character of the 1880s, 1890s and 1900s located around both sides of the curve in Hampstead Hill Gardens (nos. 1 to 23 (odd) and nos. 2, 4, 6, and 10/12), leaving only the 1960s development at nos. 4a and 4b, the 1970s development at nos. 8 and 8b and the elegant, and very recently built no. 23a.
- 3.11 Under Section 3 – Conservation and Planning History, in Sub-section 3.1 – Conservation Area, the author of the statement states that 'the remaining properties in the street (4a – 12) are comprised of modern houses and flats which infill the area between the two periods of C19th. development'. Whilst nos. 4a and 4b and 8a may

be properly described as ‘modern houses and flats’, such a description is wholly questionable in relation to no. 6 and the pair of 1900s Arts and Crafts houses at nos. 10/12.

- 3.12 In Sub-section 3.2 – Planning History & Pre-Application Advice, the author refers to and quotes the written advice received from Camden Council’s planning officers contained in the letter of the 7th May, 2020. Most regrettably, in part, such advice is highly questionable or plainly defective.
- 3.13 Quite extraordinarily, the planning officer who wrote the letter is quoted as suggesting that ‘To the opposite side of the road is a modern 2 storey property...which doesn’t feel quite right with its context and struggles to relate to its neighbouring buildings. In light of this... it is considered that so long as the building continues to be designed to a high quality reducing its height by a storey would not benefit the streetscene. Rather a building of 3 storeys which is designed to a high quality provides the opportunity to contribute to the interest of the street which has a variety of design styles’.
- 3.14 With supreme irony, no. 23a, Hampstead Hill Gardens, to which the officer refers in the letter, is the only ‘modern’ property in the street which demonstrates how such an infill or extension can avoid infilling an original gap to any significant degree, by its modest width and height – significantly less those of the original building to which it is associated (no. 23) – by its architectural reticence and subservience and by the use of matching brickwork. Rather than being condemned by the planning officer, no. 23a should clearly have been commended as a highly relevant model for any infill development adjacent to no. 14. The suggestion made by the officer that reducing the height of the proposed development by a storey would not benefit the streetscene suggests a wholly deficient understanding of the character and significance of this part of the conservation area.
- 3.15 Quite extraordinarily too, the planning officer is further quoted as stating that ‘It is considered that the contemporary design approach which takes cues from the neighbouring Georgian (sic) Villa is most appropriate. The scale and siting of the building is considered acceptable subject to the detailed design being of a high quality’.
- 3.16 Such a statement clearly suggests that the officer has clearly mistaken the adjacent, stucco-faced, mid-to-late-Victorian, semi-detached villa – no. 14 – as dating from the period ca 1714 to ca 1811 – out by up to one hundred and fifty years - and has failed to recognise the need for the proposed infill development to mediate in height, bulk and design between the substantially contrasting height, bulk, and design of no. 12 and those of no. 14, nor to the need to maintain views from the street of the trees in the heart of the site and beyond.
- 3.17 Extraordinarily too, in stating that ‘The (materials) samples reviewed on site’ - which included ‘Winter White Linear bricks’ and ‘Dark Metal Analok 545 window-frames’ -

appeared to be appropriate and will be secured via condition', suggests a wholly deficient understanding of the character and significance of this part of the conservation area on the part of the planning officer and of the need for facing-materials to be either matching or sympathetic to those which prevail in the area.

- 3.18 Under Section 4 – Neighbourhood Character, in Sub-section 4.1 - Building Heights, the author of the statement states that 'The area is characterised by a mixture of two, three and four storey houses'; that 'Hampstead Hill Gardens is predominantly comprised of three-storey buildings', and that 'The site itself sits between two three-storey semidetached houses', and provides a colour-keyed diagram identifying the respective properties. However, whilst the first-generation, stucco-faced, pairs or terraces of Italianate villas of the 1870s at the south-eastern end of Hampstead Hill Gardens (nos. 14/16, 18/20, 25/27 and 29/31/33) are rightly identified as comprising four storeys with lower-ground floor/basements, contrary to the author's assessment, the majority of the remaining properties in the street (nos. 1 to 23 (odd) and nos. 2, 4 and 6 and nos. 10/12) should be properly described as comprising two (sheer) storeys with their top (second) floors contained in gabled or dormered, steeply pitching, tiled, front roof-slopes – some with basements. Importantly, contrary to the author's assessment, the application-site sits between the right-hand half of the pair of tall, four-storey Italianate villas (no. 14) and the left-hand half of the pair of substantially lower, two-storey Arts and Crafts houses of the 1900s (no. 12) with their top (second) floors contained in gabled, steeply pitching, tiled, front roof-slopes.
- 3.19 Under Subsection 4.2 – Contemporary Infill Examples, only one of the seven projects cited and illustrated – that relating to no. 23a - begins to demonstrate an approach which has potential relevance to the development of the application-site; the other six clearly demonstrate projects which, by virtue of their insensitivity to context, should not be followed.
- 3.20 Under Section 5 – Design, in Sub-section 5.1 - Use, the author of the statement claims that 'The design of the proposed dwelling will be of a high quality and will protect and enhance the character of the area'. However the drawings and illustrations of the proposed development submitted in support of the application clearly suggest such a claim will not be realised.
- 3.21 In Sub-section 5.2 – Scale and massing, the author claims that 'In determining the scale of the proposed design, both the neighbourhood context and the relevant planning policies have been considered'; that 'The resulting design been developed so that is sympathetic to the rhythm, proportion, scale, massing, established lines and storey heights of the neighbouring buildings'; that the front elevation 'continues the language of the Georgian (sic) terrace run and provides architectural interest'; that 'The massing of the building has been generated from the scale of the adjacent properties and the wider street context; that the street is dominated by three

storey buildings, including the properties to either side of 14a; and that the height of the proposed design moderates between the height of the buildings at Nos. 12 and 14.

- 3.22 As noted in paragraph 3.18 above, the street is not ‘dominated by three-storey buildings’, nor can no. 12 be properly described as a three-storey property. As clearly demonstrated in the accompanying sketch, the overall height, the storey-heights and profile of the proposed development more closely reflect those of nos. 14/16 and departs massively from the effective two-storey, sheer height of nos. 10/12 and their storey-heights and profiles, and certainly fails to be ‘sympathetic to the rhythm, proportion, scale, massing, established lines and storey heights of the neighbouring buildings’. Importantly, the narrowness of the front elevation of the proposed development – in contrast to the individual and overall widths of the paired and terraced villas at nos. 14/16, 18/20, 25/27 and 29/31/33 – the proportioning of the window-openings and the narrowness of the piers on the outsides of the window-openings fail to establish any convincing rapport with the original, tall, stucco-faced villas nearby. Were the proposal to be for a side extension to no. 14 of one or two storeys in height, the narrowness of the proposed development may have been justified. However, for a stand-alone development it is wholly inappropriate.
- 3.23 In Sub-section 5.3 – Street Context, the author claims that ‘In order to respectfully integrate the proposed design into the streetscape, horizontal banding has been introduced along the front façade to reference (sic) the decorative detailing at Nos. 12 and 14’; that ‘similarly the windows have been designed to reference (sic) the size and patterning of windows at the neighbouring properties and to align with the windows at No. 14’; that ‘This creates and (sic) strong relationship with the adjoining buildings and allows the proposed building to sit comfortably within its context’; and that ‘This approach was supported by the feedback received at the pre-application stage, which deemed a contemporary design appropriate for the area and noted that the cues taken from the neighbouring Georgian (sic) villa allowed the design to integrate well with the neighbouring buildings’.
- 3.24 As clearly demonstrated in the accompanying sketch, whilst the levels of the heads and cills of the window-openings in the proposed development align with those of the window-openings in nos. 14/16, they bear little if any relationship with the levels of the heads and cills of the window-openings in nos. 10/12. Similarly, the ‘protruding window’ at upper-ground floor level in the proposed development has very little in common with the projecting, storey-height, tripartite window-bays on nos. 14/16 and 18/20. As noted in paragraph 3.16, the reference to ‘the neighbouring Georgian villa’ clearly suggests that the author – like the planning officer – has clearly mistaken the adjacent, stucco-faced, mid-to-late-Victorian, semi-detached villa – no. 14 – as dating from the period ca 1714 to ca 1811. Such an error suggests little if any understanding of the history and development of the area.

- 3.25 In Sub-section 5.7 – Materials, the author seeks to justify the use of ‘a slim white (‘Winter White’) brick using a flush mortar (sic) with white Portland Stone banding’ in lieu of render, on the grounds that ‘render can be difficult to maintain and can look tired due to cracking and dirt build-up over time’. On this basis, the primary facing material of the proposed development will neither match the painted stucco finish of the original, three-storey, stucco-faced, 1870s, paired and terraced villas at nos. 14/16, 18/20, 25/27 and 29/31/33, nor the colour, texture or size of the brick used as the primary facing material for the other brick-faced properties in the street.
- 3.26 In Sub-section 5.8 – Rear Elevation, the author notes that ‘In terms of materiality and massing, the rear elevation continues the design language found on the front elevation’. In this, the design extrapolates all the fundamental deficiencies to be found in the front elevation as identified above.
- 3.27 Under Section 8 – Planning Policy, under the headings ‘Design’ and ‘Heritage’, the author of the statement, despite the fundamental deficiencies of the proposed development referred to above, claims that the proposed development complies with Policies D1 and D2 of the *Camden Local Plan*. However, anomalously, the author makes no mention of the compliance or otherwise of the proposals with other relevant policies: Policies H21, H22 and H43 of the *Hampstead Conservation Area Statement (and Guidelines)* of October, 2001; Policies DH1 and Policy DH 2 of the *Hampstead Neighbourhood Plan, 2018 - 2033* of October, 2018; Policies D3.D.1) and 11) and HCI.C of *The London Plan* of March, 2021, and paragraphs 127.c), 193, 194, 195, 196 and 197 of the *National Planning Policy Framework*, or with the highly relevant guidance contained in *Camden Planning Guidance: Design* (SPD) of January, 2021.
- 3.28 Under section 9 – Conclusion, the author of the statement, despite the fundamental deficiencies of the proposed development referred to above, claims that ‘The proposal is informed by an understanding of the significance of the site and its context and in line with the relevant local and national planning policies’ and that ‘The proposal makes a positive contribution to the streetscape and wider conservation area’. Such a claim is strongly disputed. In this connection, whilst the proposed removal of the existing garages may be seen as a potential heritage benefit, it could only contribute to the case for the development of the application-site if they were to be replaced by either the sensitive landscaping of their site or by built-development of a height, bulk and design which respected the height, bulk and design of no. 12, Hampstead Hill Gardens as well as no. 14, Hampstead Hill Gardens and the character and appearance of the Hampstead Conservation Area and sustained its significance as ‘a designated heritage asset’ and the settings and significance of the adjacent and nearby unlisted properties as ‘non-designated heritage assets’, and which maintained the amenity of the adjoining occupiers in no. 12, Hampstead Hill Gardens.

COMMENTS ON THE URBAN DESIGN AND HERITAGE ISSUES RAISED IN THE
HERITAGE PRACTICE'S TOWNSCAPE AND HERITAGE APPRAISAL OF JANUARY,
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- 3.29 In paragraph 1.3, the author states that 'Hampstead Hill Gardens is situated to the south west of Hampstead' whereas it is located to the south-east of the historic heart of Hampstead.
- 3.30 In paragraph 1.10, the author states that the conclusion of his assessment of the contribution of the application-site to the conservation area is that the existing garages 'make, at best, a neutral contribution to the Conservation Area and have a negative impact on boundary treatment and streetscape of Hampstead Hill Gardens due to the poor quality and unattractive nature of the structures'.
- 3.31 Anomalously, however, the author makes no reference at this point in his report to the particular value and significance within this part of the conservation area of the generously wide gap between the flanks of nos. 12 and 14, Hampstead Hill Gardens in which the garages are located, given the substantial disparity between the height, bulk, profile and architectural character of no. 12 and the height and bulk, profile and architectural character of no. 14, providing an adequate 'breathing space' between the two properties as well as providing a generous and attractive view from the street through to the trees in the heart of the site and beyond; and given that it corresponds to the generously wide gap between no. 23a and no. 25, directly opposite, and marks the break between the tall, first-generation, stucco-faced, pairs or terraces of Italianate villas of the 1870s at the south-eastern end Hampstead Hill Gardens (nos. 14/16, 18/20, 25/27 and 29/31/33) and the lower, second and third generation, mostly brick-faced, detached and semi-detached properties of Arts and Crafts character of the 1880s, 1890s and 1900s located around both sides of the curve in Hampstead Hill Gardens (nos. 1 to 23 (odd) and nos. 2, 4, 6, 10 and 12).
- 3.32 In paragraphs 1.16 and 4.1, the author states that 'the main matter for discussion is... the effect of the proposal on the character and appearance of the Hampstead Conservation Area and how the scheme relates to the local townscape and Hampstead Hill Gardens'. Anomalously, however, the author makes no reference at these points in his report to the need under the *National Planning Policy Framework* for the potential impact of the proposed development on the significance of the conservation area as 'a designated heritage asset' to be addressed together with the potential impact of the proposals on the immediate and wider settings and significance of those unlisted properties in the vicinity of the application-site specifically identified as 'Buildings which make a positive contribution (to the conservation area)' in the Council's *Conservation Area Statement* - namely nos. 6, 10 to 20 (even) and 13 to 33 (odd), Hampstead Hill Gardens as 'non-designated heritage assets'.

- 3.33 In paragraph 2.2, the author states that ‘The Site forms an anomalous gap in an otherwise enclosed and fully developed streetscene’.
- 3.34 However, to the contrary, for the reasons set out in paragraph 3.31 above, the existing gap is of particular value and significance within this part of the conservation area. The fact that the significance of the gap between nos. 12 and 14, Hampstead Hill Gardens and of the corresponding gap directly opposite is not specifically identified in either the *Hampstead Conservation Area Statement* or the *Hampstead Neighbourhood Plan*, as noted by the author in paragraphs 2.5 and 4.2, simply suggests an omission on the part of those who prepared the respective documents in October, 2001 and October, 2018, rather than implying that the respective gaps possess no value or significance. Indeed, in the relevant part of the *Conservation Area Statement* addressing the Hampstead Hill Gardens Area, it is noted that ‘There are glimpses through the gaps to Heath Hurst Road and South End Road’. Importantly, too, Policy H43 in the document states very clearly that ‘Normally the infilling of gaps between buildings will be resisted where an important gap is compromised or the symmetry of the composition of a building would be impaired. Where side extensions would not result in the loss of an important gap they should be single storey and set back from the front building line’.
- 3.35 In paragraph 2.8, the author refers to the first-generation, stucco-faced villas of the 1870s at the south-eastern end of the street and states that ‘This section of road is straight with narrow gaps between the semi-detached grained (sic) villas’.
- 3.36 However, the gaps between nos. 14/16 and nos. 18/20; between nos. 25/27 and no. 23a; between nos. 18/20 and the rear of nos. 1/3, Pond Street; and between nos. 29/31/33 and the rear of no. 5, Pond Street are not unduly narrow, and that between nos. 14/16 and 18/20 clearly permits views through to the trees in the heart of the site and beyond.
- 3.37 In paragraph 2.10, the author rightly refers to nos. 10/12, Hampstead Hill Gardens as ‘a pair of Edwardian semi-detached properties’ and to their being more modestly scaled compared with the early similar buildings on the street’ and goes on to state that ‘they are of three storeys with basements’, whereas they actually comprise two, sheer storeys with their top (second) floors contained in steeply pitched, gabled and dormered clay-tiled roof-slopes.
- 3.38 In paragraph 2.11, the author states that ‘Hampstead Hill Gardens is also characterised by modern infill development’. This is a gross exaggeration. By contrast, the Council’s own conservation area statement rightly states ‘A few small modern houses and flats have been added in recent years, which although in marked contrast to the older villas do not detract from the character of the area’. The only relevant

infills comprise the properties at nos. Two-and-a-half (The Coach House), nos. 4/4a, 8/8a and 23a, Hampstead Hill Gardens.

- 3.39 In paragraph 3.13, the author states that 'To ensure the new dwelling sits harmoniously with the adjacent houses it is proposed to use similar a similar material palette in terms of colour and texture to the adjoining dwellings' and goes on in paragraph 3.15 to claim that 'The brick façade responds to the prevailing uses of brick in the detached properties to the north' and that 'The material gives the architecture a textured and tactile quality'. However, in paragraphs 3.5 and 3.14, the author refers to the proposed facing of the facades of the proposed new development with a slim, white brick using a flush mortar (sic) with white Portland stone banding in lieu of render, and suggests that 'This will result in a contemporary appearance that sits comfortably within its setting'.
- 3.40 However, as noted in paragraph 3.25 above, on this basis, the primary facing material of the proposed development will neither match the painted stucco finish of the original, three-storey, stucco-faced, 1870s paired and terraced villas at nos. 14/16, 18/20, 25/27 and 29/31/33, Hampstead Hill Gardens nor the colour, texture or size of the brick used as the primary facing material for the other brick-faced properties in the street.
- 3.41 In paragraph 3.7, the author claims that 'Care has been taken to be sympathetic to the immediate context', and that 'the stuccoed villas have been a formative reference for the project due to their vertical emphasis (sic) and proximity to the site'. However, with the exception of the sheer height of the proposed development and the alignment of the levels of the heads and cills of the window-openings, the proposed development has little in common to nos. 14/16, 18/20, 25/27 or 29/31/33, Hampstead Hill Gardens.
- 3.42 In the same paragraph, the author goes to claim that the proposed development also seeks 'to respond to development to the north in order to create an (sic) harmonious response the existing streetscape. However, there is little evidence in the submitted proposals to demonstrate the realisation of such an aim. In relation to paragraph 3.12, there is again little evidence in the submitted proposals to demonstrate the successful management of the transition in scale between the stucco villas to the south and the Edwardian houses to the north in terms of mediating between the sheer heights of nos. 14/16 and 10/12; the commonality of brick facades to the north, the consistency of tone with the nos. 14/16 and no. 12; or the diminishing scale of the windows that respects an expression of floor hierarchy. Similarly, the suggestion in paragraph 3.16 that 'The horizontal dwellings to the north are referenced (sic) with the use of Portland stone in the banding which also accent (sic) the façade in a similar manner as the corbelled brickwork string course at nos. 10-12' is far from convincing.

- 3.43 In paragraphs 3.18 to 3.21, the author refers to the pre-application received from the Council in May, 2020. As noted in paragraph 3.12 above, most regrettably, in part, such advice is highly questionable or plainly defective.
- 3.44 In paragraph 4.6, the author claims that ‘The proposed dwelling simultaneously respects and enhances the character and appearance of the immediate locality in a manner which responds to the surrounding (sic) context in terms of scale, mass materials, tone and rhythm’; that ‘The scheme takes its primary reference from the stuccoed villas to the south of the street, but also seeks to mediate and take account of the scale and appearance of the dwelling’s (sic) to the north through height, front building line and use of a brick façade’; and that ‘Consequently it responds and contributes to the local distinctiveness of this part of the Hampstead Conservation Area’. However, with the single exception of the front building-line, for the reasons set out above, the proposed development fails to meet any of the factors to which reference is made.
- 3.45 Finally, in paragraphs 4.7 to 4.10, the author claims that the proposals comply with the requirements of Section 72 of the *Planning (Listed Buildings and Conservation Areas) Act* and with the relevant policies in the *National Planning Policy Framework*, the *Camden Local Plan*, the *Hampstead Neighbourhood Plan* and the *Hampstead Conservation Area Statement*. However, for the reasons set out above, such a claim is strongly disputed. However, anomalously, the author makes no reference to compliance or otherwise with the highly relevant guidance contained in *Camden Planning Guidance: Design* (SPD) of January, 2021.

4. CONCLUSION

- 4.1 From a careful assessment of the immediate setting of the application-site and the surrounding part of the Hampstead Conservation Area, and from a careful assessment of the drawings and documentation submitted in support of the current application against the relevant national, London-wide and local planning policies and guidance, it is considered that:
- The proposed development - by virtue of its height, bulk, external design and its substantially infilling the existing gap between nos. 12 and 14, Hampstead Hill Gardens - will substantially harm the immediate settings and significance of those properties and harm the wider settings and significance of other, nearby unlisted buildings formally identified as ‘Buildings which make a positive contribution (to the conservation area)’ in the Council’s *Hampstead Conservation Area Statement* as non-designated heritage assets;

- The proposed development – by virtue of its height, bulk, external design and its substantially infilling the existing gap between nos. 12 and 14, Hampstead Hill Gardens - will substantially harm the character, appearance and significance of the Hampstead Conservation Area as a designated heritage asset – in particular, that part of the conservation area centred on Hampstead Hill Gardens;
 - Taken cumulatively, the proposals will fail to either preserve or enhance the character or appearance the Hampstead Conservation Area contrary to Section 72 of the *Town and Country (Listed buildings and Conservation Areas) Act, 1990*.
 - By virtue of the substantial, potential harm that will be caused to the character, appearance and significance of the Hampstead Conservation Area as a designated heritage asset resulting from the proposed development and the absence of potential public benefits that will outweigh or balance such harm, the proposal would be contrary to Policies D1 and D2 of the *Camden Local Plan* of June, 2017; Policies H21, H22 and H43 of the *Hampstead Conservation Area Statement (and Guidelines)* of October, 2001; Policies DH1 and Policy DH 2 of the *Hampstead Neighbourhood Plan, 2018 - 2033* of October, 2018; Policies D3.D.1) and 11) and HCl.C of *The London Plan* of March, 2021; paragraphs 127.c), 193, 194, 195 and 197 of the *National Planning Policy Framework*; and the relevant guidance contained in *Camden Planning Guidance: Design* (SPD) of January, 2021, and as such should be refused.
- 4.2 In addition and importantly, in October, 2020, the Council refused Planning Permission for proposals for the demolition of the existing two-storey house at no. 4b, Hampstead Hill Gardens and its replacement with a new, three-storey and basement house – Council reference 2019/5835/P. Whilst of very much lower height and bulk than the proposed development between nos. 12 and 14, Hampstead Hill Gardens, the reasons for refusal were, in part, on grounds of ‘the detrimental impact on the character and appearance of the streetscene and Hampstead Conservation Area and the setting (of) nearby grade II listed buildings’ ‘by virtue of its excessive height, bulk and scale’.
- 4.3 Given that the current application for the development of the substantially open site between nos. 12 and 14, Hampstead Hill Gardens involves proposals of substantially greater height and bulk than those on the site of no. 4b, Hampstead Hill Gardens, the current application could not be reasonably or properly recommended other than for refusal.

Paul Velluet, M.Litt., RIBA, IHBC, Chartered Architect

29th June, 2021.



The existing, generously wide gap between no. 14 and no. 12, Hampstead Hill Gardens showing the existing, largely unobstructed view from the street through to the trees in the heart the site and beyond

APPENDIX – PAUL VELLUET, QUALIFICATIONS AND EXPERIENCE

Academic and professional qualifications

- Awarded B.A. Hons and B. Arch. Hons degrees by the University of Newcastle-upon-Tyne, 1970 and 1973;
- Awarded a Master of Letters degree by the University of Newcastle-upon-Tyne for a thesis on the life and work of the distinguished cathedral and church architect Stephen Dykes Bower, Surveyor Emeritus of Westminster Abbey, 1981;
- A registered architect under the Architects' Registration Council (formerly the Architects' Registration Council of the United Kingdom) since 1974; an elected Corporate Member of the Royal Institute of British Architects since 1975;
- An elected full member of the Institute of Historic Building Conservation since 1998; and
- A member of both the Franco-British Union of Architects and the Worshipful Company of Chartered Architects;

Professional experience

- Over thirty-five years working in both private practice and the public sector specialising in building conservation and development in historic areas:

Project architect with architects Manning Clamp + Partners, Richmond, Surrey, 1972-1976; Principal Urban and Design and Conservation Officer in Westminster City Council's Department of Planning and Transportation (formerly Department Architecture and Planning), 1976-1991; Regional Architect and Assistant Regional Director, English Heritage London Region, 1991-2004; Senior Associate, Conservation and Planning, with the major Central London commercial practice HOK Architects, 2005-2011; and full-time independent consultancy, 2012 to the present. In addition to private and commercial clients, recent and current clients include:

Imperial College; Bath City Council; The City of London Corporation; the Royal Borough of Kensington and Chelsea Council; Westminster City Council; the Honourable Society of Gray's Inn; the Bedford Estate; the Grosvenor Estate; the Covent Garden Area Trust; the Hampstead Garden Suburb Trust; the Seven Dials Trust; the Environment Trust for Richmond-upon-Thames; the Brompton Association; and the Knightsbridge Association.

- Consultant architect for major re-ordering schemes at Holy Trinity Church, Eltham and St Peter's Church, Petersfield, and major works of conservation at St Paul's Church, Wimbledon Park, London, S.W.19; and
- Formerly Inspecting Architect for St Matthias' Church, Richmond, Surrey; Holy Trinity Church, Eltham, London, S.E.9.; St Peter's Church, Petersfield, Hampshire; and St Paul's Church, Wimbledon Park, London, S.W.19.

Awards and exhibitions

- Project architect (with Manning Clamp + Partners) for the repair and restoration of no. 4, The Terrace, Richmond, Surrey - a scheme awarded *European Architectural Heritage Year (Civic Trust) Award* in 1975;
- Project architect (with Manning Clamp + Partners) for the planning and design stages for the repair of Decimus Burton's Temperate House in the Royal Botanic Gardens, Kew, Surrey - a scheme awarded a *R.I.B.A. Awards commendation* in 1983;
- Architect for projects in Richmond that have received awards and commendations under local awards schemes; and
- Exhibitor in the Architecture Room of the Royal Academy of Arts Annual Summer Exhibitions, 1975 and 1981.

Other professional engagement

Current roles include membership of:

- The Trustee Board of the Covent Garden Area Trust;
- The Trustee Board of the Garrick's Temple Trust;
- The Archdiocese of Westminster Historic Churches Committee;
- The Guildford Cathedral Fabric Advisory Committee (Chair, 2019 to the present); and
- The Guildford Cathedral Development Advisory Board.

Past roles include membership of:

- The RIBA's Awards and Planning Groups;
- The Thames Landscape Strategy Panel of the Royal Fine Art Commission;
- The Cathedrals Fabric Commission for England;
- The Cathedrals Fabric Commission's Technical Group;
- The Board of the Museum of Richmond; and
- Service as an assessor for the RIBA/Crown Estate's Annual Conservation Awards.

Academic engagement

- Former member of the Executive Committee of the Society of Architectural Historians of Great Britain;
- Current and past lecturing commitments and presentation of conference papers on listed building, conservation and access law and practice, conservation and development in Central London, church and liturgical planning, and local history, to universities and other institutions including:

The University of Cambridge; the University of Newcastle-upon-Tyne, The University of Northumbria, the University of Oxford's Department of Continuing Education; the University of Portsmouth; The Institute of Advanced Architectural Studies in the University of York; the Association for Studies in the Conservation of Historic Buildings; the Society for the Protection of Ancient Buildings; the Ancient Monuments Society; the Royal Institution of Chartered Surveyors; the First International Institute American Institute of Architects; the British Property Association; the Diocese of

London, the Diocese of Southwark; the Diocese of Truro; the Disability Rights Commission; The Centre for Accessible Environments; Disability North; The Covent Garden Area Trust; The London Society; Cambridge City Council; the Corporation of the City of London; Greenwich Borough Council; the Cross River Partnership; Urban Design London; and New London Architecture.

Contributor to various publications, journals and guidance including:

- *The Buildings of England, London 2: South* (Penguin Books, 1983); *Context: New buildings in historic settings* (The Architectural Press, 1998); *The Buildings of London, London 6: Westminster* (Yale University Press, 2003); *The RIBA National Award Winners, 2018* (RIBA Architecture and Artifice, 2018); and *100 Churches - 100 Years* (The Twentieth Century Society – Batsford, 2019).
- *The Architects' Journal*, *Building Design*, *Planning in London*, *Urban Design Quarterly*, English Heritage's *Conservation Bulletin*, *Church Building and Heritage Review*, *The Victorian – The magazine of the Victorian Society*, and *Ecclesiology Today*; and
- Diverse policy and guidance documents for Westminster City Council and English Heritage.

The consultancy

PAUL VELLUET - CHARTERED ARCHITECT is an independent consultancy specialising in the provision of professional and technical advice to property owners, prospective developers and other planning and building professionals on projects involving new development in historic areas and the conservation, alteration and extension of historic buildings, particularly at the critical pre-planning and planning stages.

Established at the beginning of 2005, the consultancy undertakes work for commercial, educational, residential, cultural, diplomatic, church, health-sector, hospitality-sector and local authority clients together with the historic London estates, historic building trusts, and local amenity and community groups.

Work undertaken by the consultancy includes:

- Research and the preparation of assessments of the architectural and historic interest and significance of historic buildings and sites;
- The drafting and submission of documentation supporting proposed development and works in relation to national, London-wide and local planning and conservation policies and guidance;
- Support for appellants and local planning authorities in Written Appeals, Informal Hearings and Public Inquiries and for property owners at Lands Tribunal Hearings; and
- Collaborative and creative engagement with local authority planning and conservation officers.