

# **Heritage Statement**

**13 Netherhall Gardens, London**

**May 2020**

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## **1. Summary and Introduction**

This Heritage Statement has been prepared on behalf of Re-Creo Netherhall Gardens Ltd in support of a planning application for the extension and reconfiguration of the lower ground floor, the construction of a new basement level, soft landscaping and associated works at 13 Netherhall Gardens.

13 Netherhall Gardens is within the Fitzjohns/Netherhall Conservation Area.

The main purpose of this report is to assess the architectural and historic significance of 13 Netherhall Gardens, the conservation area, assess the impact of the proposals on that significance and determine whether the proposals comply with national policies and guidance relating to heritage assets.

It will be shown that the proposed works to 13 Netherhall Gardens will have a neutral impact / enhance the significance of the conservation area and includes public benefit. For these reasons the proposal will be seen to comply with national and local policy and guidance.

This report should be read in conjunction with the drawings.

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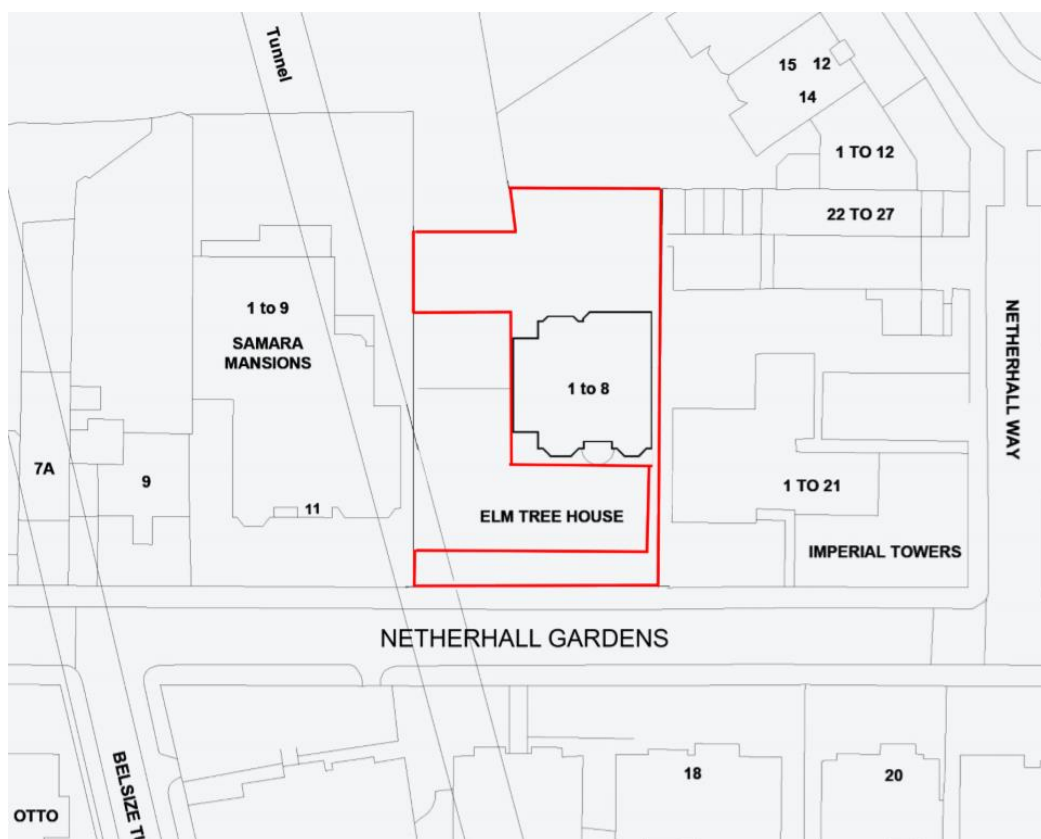
## 2. Site Description and the Heritage Assets

13 Netherhall Gardens is a late 19th century detached house in a Queen Anne Revival / aesthetic movement style. It comprises of three-storeys over a lower ground floor (above ground to the rear) with attic. It is double fronted consisting of five bays, balanced with two gables ends of two bays each either side a central bay, but with variation in the form of the gables, one being Dutch, as well as the fenestration providing asymmetry. To the ground floor is an entrance portico, with balustrade above, and two canted bay windows either side. It is constructed of red brick, with aesthetic movement style terracotta sunflower motifs, under a slate roof. The fenestration is for the most part the original white painted timber 6/1 sash windows with some modern replacements. To the south of the house is a modern single storey side extension that undermines its architectural integrity. The house is in very poor condition, has structural problems and an Improvement Notice has been served.

To the south of the house is a large side garden and to the east a large front garden, both are hard surfaced and in poor condition. The side garden was once the site of a number of garages. The front garden is enclosed by an attractive wall with piers, red brick over blue Staffordshire engineering brick with over-burnt/rubble brick panels.

To the rear is a fairly sizeable garden which slopes away from the house and contains a substantial underground air raid shelter. The original brickwork of the house has been rendered to the rear at lower ground floor level and some original windows altered. The rear is in a particularly poor condition with sizeable buddleia's growing within the brickwork, and it is here that the structural problems are most evident.

13 Netherhall Gardens is within the Fitzjohns/Netherhall Conservation Area.



Above, site location plan

### 3. 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

13 Netherhall Gardens is within the Fitzjohns/Netherhall Conservation Area.

#### Fitzjohns/Netherhall Conservation Area Conservation Area

The Fitzjohns/Netherhall Conservation Area was designated in March 1984 and extended in 1988, 1991 and 2001.



Above, map of the conservation area



Above, Ordnance Survey Map, 1871

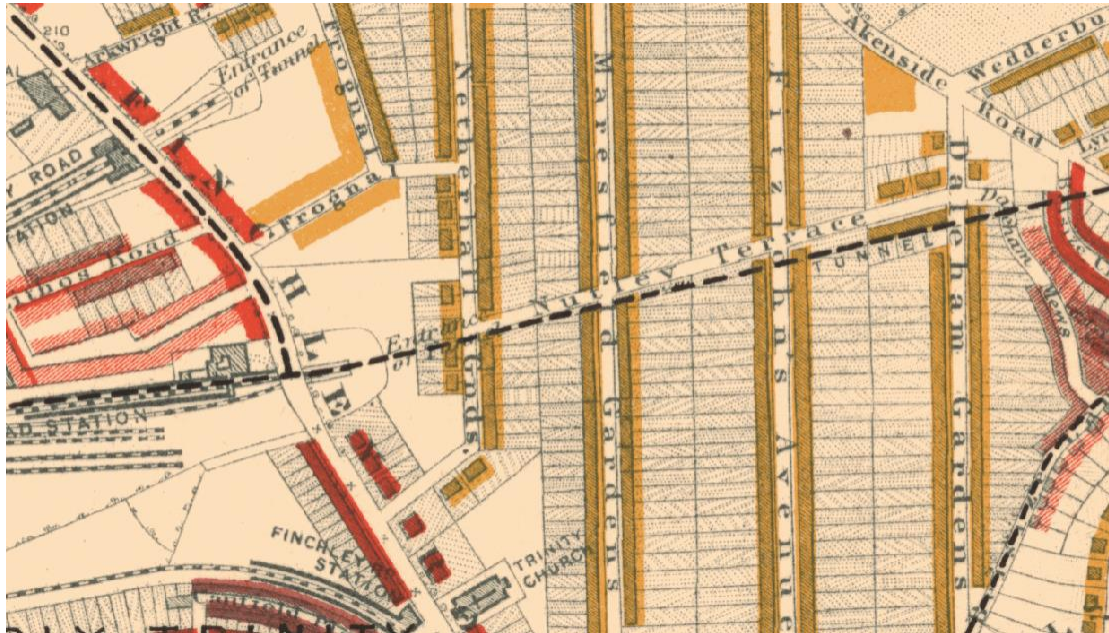
The Fitzjohns/Netherhall Conservation Area Statement describes the history of the area before its development in the late Victorian period. The appearance of the area today, however, is a result of the landowner Spencer Wilson who laid out Fitzjohn's Avenue in 1875 which led the development of the surrounding area. Fitzjohn's Avenue was designed to be 50ft wide with a 10ft pavement and was described as 'one of the noblest streets in the world' by Harpers magazine in 1883. It was planted with alternate red and white chestnuts and the houses were set back from the road with long front paths. The surrounding streets were built over the following 10 years, less spacious than Fitzjohn's Avenue but still featuring large plots with detached or semi-detached houses. A number of houses were designed by notable architects such as Norman Shaw and residents included a number of well known artists, writers and social reformers. Some of the houses were so large that letting them became difficult and by the end of the 1890s a number of girls schools opened.



Above, Ordnance Survey Map, 1915

Charles Booth's notebook of 1898 describes Netherhall Gardens as 'picturesque and pleasant... quite modern with no hints of decay... gardens, trees, houses all modern types of

architecture... evident signs of difficulty in letting, and a few houses coming down to make way for flats'. His poverty map of 1898 describes Netherhall Gardens as 'Upper-middle and upper classes. Wealthy'.



Above, Charles Booth's poverty map of 1898

The Fitzjohns/Netherhall Conservation Area Statement summarises the character of the area:

Long views along the avenues combine with substantially scaled properties and generous grounds to create an imposing district.

Within a framework of broadly similar building types there is a mixture of architectural styles that includes neo-Gothic, classical Italianate, Queen Anne, Jacobean, Domestic Revival, Arts and Crafts/Norman Shaw. A feature of the area is the number of properties built for individual owners, (some of whom were artists) by respected architects. The range of detail includes; fine rubber brickwork, terracotta enrichments, stained glass, fine wrought iron work, Tudor-style chimney stacks, extensive tiling and tile hangings, oriel windows, stone mullions to windows, bay windows, large studio windows for artists, well-detailed front walls, gate piers, decorative tiled front paths, doorways and large porches, elevated ground floors. Roofs are an important and conspicuous element, a development of mid-late Victorian architecture that dominates the profile of the skyline. The most common types of roof are gables (various designs), pitched with dormers, shallow pitched with overhanging eaves. The majority of properties are detached or semi-detached with few terraces. The gaps between the buildings therefore provide views to the rear gardens and a rhythm to the frontage.

Throughout the conservation area the contribution of the streetscape is significant; the trees (public and private), the vegetation, the boundaries between private gardens and the street, the rear gardens. Large mature trees have a presence in nearly every view. Some roads were planted with street trees... while others rely on the profuse planting of trees and shrubs in private front gardens. Trees are an inherent and characteristic part of the conservation area. As well as appearing as

formal street tree planting they appear in front gardens, the gaps between properties and in rear gardens... The private landscape often contains significant trees, whether groups or individual specimens, contributing to the character of the area, visible from public places or perhaps from surrounding properties.

Original boundary walls are distinctive, using particular materials and details to echo the architecture behind. Although the walls and their special details and underlying design conventions give a remarkable consistency. One original element missing almost entirely from these walls is the ironwork of railings and gates, of which only traces and the odd example remains. Although not always visible from the street the rear gardens for large blocks of open land making a significant contribution to the character of the area...

The Fitzjohns/Netherhall Conservation Area Statement places 13 Netherhall Gardens within a 'sub area' known as 'Fitzjohns' which is described as:

Built predominantly over a ten year period, from the late 1870s to the late 1880s, it marks the style and pre-occupations of the 1880s. Generally the architectural influences are the Queen Anne and Domestic Revival with purple and red brick, decorative ironworks, rubber and carved brick, bargeboards and roof details.

The road layout is almost a grid, with Fitzjohn's Avenue on the north/south axis, the prime street in terms of grandeur, scale and length. The north/south streets have some steep gradients and are crossed east/west by lesser streets...

Netherhall Gardens is described as:

The road rises from Finchley Road to nearly the top of Fitzjohn's Avenue. A very steep incline from Finchley Road gives the buildings a dramatic impact from either direction with the roof lines standing out... Most properties dates from the initial building in the 1880s and are detached... The failure to maintain soft landscaping... is regrettable for an area with such a quality of detail... On the west side are wide detached properties some with Dutch gables and a detracting amount of forecourt parking... No.11 has a more usual approach for the area with rubbed brick dressings, and sash windows with small lights at the top... No.13, front boundary wall repeats the pattern seen elsewhere in the area, i.e. orange brick with (battered) panels of over-burnt brick, Staffordshire blue courses below, stone pier caps and coping. No.15 & 17 were replaced in the early 1970s by Imperial Towers, a 1970s five storey block that has little to recommend it, in red brick and is situated too close to the frontage. The east side has larger detached properties without basements of twotwos and roof that are set back from the road. Nos. 16 and 18 were replaced in the 1990s by three red brick properties in the style of the 1880s. Careful detailing has been used but there is inevitable a different quality to the brickwork that highlights its lack of age.

In conclusion, the Fitzjohns/Netherhall Conservation Area has architectural and historic significance due to its large collection of high quality buildings dating to the 1870s and 1880s, many in a Queen Anne Revival style, many detached and set within large gardens with trees.



#### 4. The Site's Contribution to the Conservation Area

13 Netherhall Gardens has architectural and historic significance as a late 19th century detached house in a Queen Anne Revival / aesthetic movement style comprising of three-storeys over basement (sunk to the front but above ground to the rear) with attic. It is set back from the road with a large front, side and rear garden which is heavily planted and with numerous sizeable trees.

Consequently, 13 Netherhall Gardens makes a positive contribution to the significance of the Fitzjohns/Netherhall Conservation Area by virtue of its age, quality, materials and garden setting. However, this contribution is substantially undermined by:

- a modern single-storey side extension
- the poor condition of the house and structural problems
- alterations to the original fenestration
- hard surfaces / car parking to, and poor condition of, the front and side gardens
- poor condition of rear garden



Above, front elevation



Above, rear elevation

## 5. 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.

42 The historic fabric will always be an important part of the asset's significance, though in circumstances where it has clearly failed it will need to be repaired or replaced; for instance, seaside piers, constructed in timber and iron in a very hostile environment, will only survive through replication of corroded elements and mass-produced components in some C20 buildings, such as steel-framed windows, may not be simple to repair and repair would therefore be disproportionate. In normal circumstances, however, retention of as much historic fabric as possible, together with the use of appropriate materials and methods of repair, is likely to fulfil the NPPF policy to conserve heritage assets in a manner appropriate to their significance, as a fundamental part of any good alteration or conversion. It is not appropriate to sacrifice old work simply to accommodate the new.

43 The junction between new work and the existing fabric needs particular attention, both for its impact on the significance of the existing asset and the impact on the contribution of its setting. Where possible it is preferable for new work to be reversible, so that changes can be undone without harm to historic fabric. However, reversibility alone does not justify alteration; If alteration is justified on other grounds then reversible alteration is preferable to non-reversible. New openings need to be

considered in the context of the architectural and historic significance of that part of the asset and of the asset as a whole. Where new work or additions make elements with significance redundant, such as doors or decorative features, there is likely to be less impact on the asset's aesthetic, historic or evidential value if they are left in place.

48 The insertion of new elements such as doors and windows, (including dormers and roof lights to bring roof spaces into more intensive use) is quite likely to adversely affect the building's significance. Harm might be avoided if roof lights are located on less prominent roof slopes. New elements may be more acceptable if account is taken of the character of the building, the roofline and significant fabric. Roof lights may be more appropriate in agricultural and industrial buildings than dormers. In some circumstances the unbroken line of a roof may be an important contributor to its significance.

49 New features added to a building are less likely to have an impact on the significance if they follow the character of the building. Thus in a barn conversion new doors and windows are more likely to be acceptable if they are agricultural rather than domestic in character, with the relationship of new glazing to the wall plane reflecting that of the existing and, where large door openings are to be glazed, with the former doors retained or replicated so that they can be closed.

#### The London Plan (March 2016)

The London Plan was published in July 2011 and on 10 March 2016, the Mayor adopted the Further Alterations to the London Plan (FALP). In this regard, the London Plan has been updated to incorporate the Further Alterations. It also incorporates the Revised Early Minor Alterations to the London Plan (REMA), which were published in October 2013.

Policy 7.6 of the London Plan outlines general provisions relating to architecture and its contribution to the public realm.

Policy 7.8 states:

London's heritage assets and historic environment, including listed buildings, registered historic parks and gardens and other natural and historic landscapes, conservation areas, World Heritage Sites, registered battlefields, scheduled monuments, archaeological remains and memorials should be identified, so that the desirability of sustaining and enhancing their significance and of utilising their positive role in place shaping can be taken into account.

#### 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 A5 Basements states:

The Council will only permit basement development where it is demonstrated to its satisfaction that the proposal would not cause harm to:

- a. neighbouring properties;
- b. the structural, ground, or water conditions of the area;
- c. the character and amenity of the area;
- d. the architectural character of the building; and
- e. the significance of heritage assets.

In determining proposals for basements and other underground development, the Council will require an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability in the form of a Basement Impact Assessment and where appropriate, a Basement Construction Plan.

The siting, location, scale and design of basements must have minimal impact on, and be subordinate to, the host building and property. Basement development should:

- f. not comprise of more than one storey;
- g. not be built under an existing basement;
- h. not exceed 50% of each garden within the property;
- i. be less than 1.5 times the footprint of the host building in area;
- j. extend into the garden no further than 50% of the depth of the host building measured from the principal rear elevation;
- k. not extend into or underneath the garden further than 50% of the depth of the garden;
- l. be set back from neighbouring property boundaries where it extends beyond the footprint of the host building; and
- m. avoid the loss of garden space or trees of townscape or amenity value.

Exceptions to f. to k. above may be made on large comprehensively planned sites.

The Council will require applicants to demonstrate that proposals for basements:

- n. do not harm neighbouring properties, including requiring the provision of a Basement Impact Assessment which shows that the scheme poses a risk of damage to neighbouring properties no higher than Burland Scale 1 'very slight';
- o. avoid adversely affecting drainage and run - off or causing other damage to the water environment;
- p. avoid cumulative impacts;
- q. do not harm the amenity of neighbours;
- r. provide satisfactory landscaping, including adequate soil depth;
- s. do not harm the appearance or setting of the property or the established character of the surrounding area;
- t. protect important archaeological remains; and
- u. do not prejudice the ability of the garden to support trees where they are part of the character of the area."

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.

Camden Planning Guidance, Basements, London Borough of Camden (2018)

Camden Planning Guidance for Basements was adopted in March 2018 and is intended to support the policies in the Local Plan. It states that:

1.4 The introduction to Policy A5 of the Local Plan states:

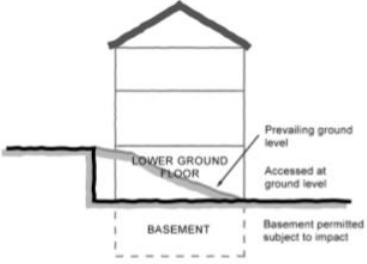
“When this policy refers to basement development this includes basements, lightwells and other underground development. ... A basement is a floor of a building which is partly or entirely below ground level. A ground or lower ground floor with a floor level partly below the ground level (for example on a steeply sloping site) will therefore generally be considered basement development. (Camden Local Plan paragraph 6.109)”

1.5 Whether a storey of a building should be considered a basement in applying Policy A5 of Camden's Local Plan is a matter of fact and degree and the Council will consider each scheme on its merits.

1.6 When identifying a basement the Council will generally consider that a basement is a floor that is predominantly under the prevailing ground level of the site.

1.7 Were a building is located on sloping land and there is a change in level across a site, a storey which is accessed at ground level at one side of the site (with no steps or ramp) will generally not be considered a basement, unless the site has been excavated to allow access to that floor.

Table 1: Policy A5 Basements, criteria f. to m. regarding the size of basement developments, provides useful visual information:

<p>g. not be built under an existing basement;</p>	<p>Refer to paragraph 1.4, above, for details on basement definitions.</p> <p><b>Sloping and excavated sites</b></p> <p>Where a building is located on sloping land and there is a change in level across a site, a floor which is accessed at ground level at one side of the site (with no steps or ramp) will generally not be considered a basement (as pictured in Figure 1, below), unless the site has been significantly excavated to allow access to that floor as shown in Figure 2, below.</p> <p><b>Figure 2. Sloping sites</b></p> 
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The Fitzjohns/Netherhall Conservation Area Statement, London Borough of Camden (2001)

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

New Development

F/N1 New development should be seen as an opportunity to enhance the Conservation Area. All development should respect existing features such as building lines, roof lines, elevational design, and where appropriate, architectural characteristics, detailing, profile, and materials of adjoining buildings...



## 6. Assessment of the Impact of the Proposals on the Heritage Assets and Compliance with National and Local Policy and Guidance

### The Proposals

It is proposed to extend and reconfigure the lower ground floor, construct a new basement level and undertake soft landscaping works at 13 Netherhall Gardens.



Above, CGI of the proposed development in cross section

### Pre-application Advice

The proposals were subject to pre-application consultation with the London Borough of Camden.

An initial on-site meeting was held on 11th April 2018 at which the initial proposals for the Site were presented to the Council's Officers.

A second pre-application meeting was held at the Council's Offices on 23rd April 2018 at which the Officers provided feedback and advice on a range of matters.

A pre-application advice letter was issued by the London Borough of Camden on 13 July 2018 (Ref: 2018/1402/PRE). It stated:

For the purposes of the current planning application, the advice summarised below relates to the basement extension only and does not include the additional elements that were subject to the pre-application consultation.

The advice letter highlighted that self-contained housing is a priority within the Borough

The advice letter noted that the proposal would not result in the creation of a two storey basement. This is due to the sloping nature of the site and the fact that the existing lower ground floor level is not subterranean to the rear. Excavation below this level is therefore not

regarded as a double height basement and this approach was considered acceptable by the Council.

Policy A5 of the Local Plan sets out prescriptive requirements for basement development proposals and in this regard, Paragraph 11.3 of the Council's pre-application advice letter stated as follows:

“Officers confirm that the basement extent would now appear to conform to clauses (h) – (l) of policy A5. The total area would be less than 1.5 x the footprint of the combined host/new build elements; 50% of the depth of the existing front and rear gardens would be retained and the basement would not extend beyond the foot print of either building by more than 50% of their depth. It is noted that to the northern boundary (adjacent to Imperial Towers) no set back is proposed to the neighbouring boundary. Given that this is currently a hard paved walk way and there is a significant drop in levels to the neighbouring site, this is not objectionable in this case as there would be no realistic potential for future growth in this location. Against the opposing side boundary (with no.11), a 2m set back has been retained. While this set away is welcomed, it would be necessary to demonstrate that such a building line would allow for the future growth of any replacement trees along this boundary to a similar height as existing in order to comply with clause (m). Similarly, from submitted plans it is not clear whether or not the basement slab would extend below the lower GF level rear terrace to the new build element (flat 10). Given that this area of the site is currently host to dense vegetation, it would be expected that characteristic boundary planting is retained in this location. Subject to full details regarding this element, it may be necessary to reduce the depth of this terrace so that planting can be retained, or a suitable depth of substrate added to this level so that the lower ground floor terrace could support mature growth along this section of the rear boundary. Any replacement trees in this location would also require adequate space and soil depth to allow for future growth to existing levels.”

In terms of car parking provision, the pre-application advice states that Officers will only support the proposals if a legal agreement is secured for the newly formed units to be car-free and not eligible for parking permits within the CPZ. In terms of cycle parking, the development would need to provide at least 27 covered, secure and fully enclosed cycle parking spaces for residents (for all 8 flats within the building). At the time, plans showed two cycle stores at basement level to provide 46 spaces which was considered sufficient, assuming that the stores were an adequate size.

In order to address concern regarding the impacts of excavation and engineering works required for the basement development, it was advised that a detailed Construction Management Plan will be required.

It was advised that the basement extent of the proposals appeared to comply with the requirements of Policy A5, and it is noted that a full Basement Impact Assessment is required and subject to an independent third-party audit.

Officers were supportive of the overall scheme in general, highlighting that “it would result in the refurbishment and preservation of a positive contributor within the conservation area which is under threat, as well as the creation of further residential units of good standard within a highly accessible area.”

## 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 Fitzjohns/Netherhall Conservation Area has been assessed above. In summary, the conservation area has architectural and historic significance due to its large collection of high quality buildings dating to the 1870s and 1880s, many in a Queen Anne Revival style, many detached and set within large gardens with trees.

13 Netherhall Gardens has architectural and historic significance a late 19th century detached house in a Queen Anne Revival / aesthetic movement style comprising of three-storeys over basement (sunk to the front but above ground to the rear) with attic. It is set back from the road with a large front, side and rear garden which is heavily planted and with numerous sizeable trees.

Consequently, 13 Netherhall Gardens makes a positive contribution to the significance of the Fitzjohns/Netherhall Conservation Area by virtue of its age, quality, materials and garden setting. However, this contribution is substantially undermined by:

- a modern single-storey side extension
- the poor condition of the house and structural problems
- alterations to the original fenestration
- hard-surfacing / car parking to, and poor condition of, the front and side gardens
- poor condition of rear garden

A planning application was registered on 2 March 2020 (Ref: 2020/0971/P) and is currently pending determination. The following works are proposed and will substantially enhance the significance of 13 Netherhall Gardens and the conservation area:

- demolition of the low-quality ground floor extension on the southern side of the existing building
- restoration of the original exterior elevations, including the repair of brickwork in accordance with the recommendations of a structural engineer
- repair to the roof and rainwater drain pipes
- removal of external rendering on lower ground floor on the western elevation (rear of the building) to restore the original brickwork
- removal of non-original windows and re-instatement of original windows
- replacement of window frames and sashes with new to match the existing.

The following works are proposed that will have a neutral impact on the significance of 13 Netherhall Gardens and the conservation area:

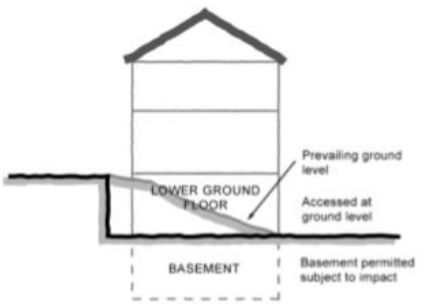
- insertion of new windows including dormer windows at third-floor level which will not be visible from public views

Overall these works will substantially enhance the significance of 13 Netherhall Gardens and the conservation area.

In addition to the above, this application proposes to extend the lower ground floor, construct a new basement level and undertake soft landscaping works at 13 Netherhall Gardens.

Paragraph 1.5 of Camden Planning Guidance, Basements, London Borough of Camden (2019) states ‘whether a storey of a building should be considered a basement in applying Policy A5 Basements of Camden’s Local Plan is a matter of fact and degree and the Council will consider each scheme on its merits’ Paragraph 1.7 states ‘where a building is located on sloping land and there is a change in level across a site, a storey which is accessed at ground level at one side of the site (with no steps or ramp) will generally not be considered a basement, unless the site has been excavated to allow access to that floor’.

Table 1: Policy A5 Basements, criteria f. to m. regarding the size of basement developments, provides useful visual information:

<p>g. not be built under an existing basement;</p>	<p>Refer to paragraph 1.4, above, for details on basement definitions.</p> <p><b>Sloping and excavated sites</b></p> <p>Where a building is located on sloping land and there is a change in level across a site, a floor which is accessed at ground level at one side of the site (with no steps or ramp) will generally not be considered a basement (as pictured in Figure 1, below), unless the site has been significantly excavated to allow access to that floor as shown in Figure 2, below.</p> <p><b>Figure 2. Sloping sites</b></p>  <p>The diagram shows a cross-section of a building on a slope. The building has a pitched roof and two main levels. The lower level is labeled 'LOWER GROUND FLOOR' and is shown to be accessed at ground level from the right side. Below this level, a 'BASEMENT' is indicated by a dashed line. The 'Prevailing ground level' is shown as a horizontal line sloping downwards from left to right. A note indicates that the basement is permitted subject to impact.</p>
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13 Netherhall Gardens is located on sloping land and there is a change in level across the site so that the rear part of the lower ground floor is at the same level of the garden. Consequently in terms of Policy A5 Basements a proposed basement under the lower ground floor should be considered to comply with the requirements of the policy. In any case only part of the proposed basement is below the existing lower ground floor. Compliance with the policy is discussed further in the Planning Statement that accompanies the application.

The lower ground floor level extension follows the footprint of the ground floor, with an addition of a sunken terrace, and therefore it remains appropriately subordinate in scale to the existing building.

The modest sized proposed basement is also appropriately subordinate in scale to the existing building.

The west facade of the basement is designed to be a vertical extension of the lower ground floor. The facade treatment proposed is therefore white render to replicate the existing lower ground floor facade, thereby respecting the character of the existing building. The existing render will be repaired and repainted.

The two flank walls of the proposed basement will be clad in vertical timber, a high quality contemporary but complimentary material, that allows the new addition to be clearly differentiated from the original building but in a way that respects it. High quality contemporary style dark timber windows are also proposed.

The proposed landscaping and planting is a high quality scheme that will provide residents with a large communal open space within the westernmost portion of the site.

There are no public views of the rear of the site and very limited private views by virtue of the topography and tree cover.

The proposed lower ground floor and basement extensions will have a neutral impact on the significance of the conservation area. However, even if it were thought that some harm were caused then this harm would be outweighed by the public benefits of the enhancements to the property described above in addition to the creation of new housing. For these reasons the proposal complies with national and local policy and guidance.

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

## **7. Conclusion**

This Heritage Statement has been prepared on behalf of Re-Creo Netherhall Gardens Ltd in support of a planning application for the extension and reconfiguration of the lower ground floor, the construction of a new basement level, soft landscaping and associated works at 13 Netherhall Gardens.

This report has assessed the architectural and historic significance of 13 Netherhall Gardens, the conservation area, assessed the impact of the proposals on that significance and determined whether the proposals comply with national policies and guidance relating to heritage assets.

It has been shown that the proposed works to 13 Netherhall Gardens will have a neutral impact / enhance the significance of the conservation area and includes public benefit. For this reason the proposal complies with national and local policy and guidance.