

**MR CHRISTOPHER CZARNOCKI**

**17A BELSIZE LANE LONDON NW3 5AD**

**PLANNING, DESIGN, ACCESS AND HERITAGE IMPACT  
STATEMENT**

**OCTOBER 2021**

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## 1.0 INTRODUCTION

1. This is a Planning, Design, Access and Heritage Impact Statement in respect of a proposal to create a ground floor garden pergola above the existing rear exterior decking area. The application is accompanied by the following plans:

- 111\_F\_Location Location plan;
- EX\_GA\_161\_01 A Existing ground floor plan;
- EX\_GA\_161\_02 A Existing first floor plan;
- EX\_GA\_161\_03 A Existing second floor plan;
- EX\_GA\_161\_04 A Existing roof plan;
- EX\_GA\_161\_05 A Existing street elevation;
- EX\_GA\_161\_06 A Existing rear elevation;
- EX\_GA\_161\_08 A Existing section A-A;
- PP\_GA\_161\_01 A Proposed ground floor plan;
- PP\_GA\_161\_01 A Existing ground floor plan;
- PP\_GA\_161\_02 A Existing first floor plan;
- PP\_GA\_161\_03 A Proposed second floor plan;
- PP\_GA\_161\_04 A Proposed roof plan;
- PP\_GA\_161\_05 A Proposed street elevation;
- PP\_GA\_161\_06 A Proposed rear elevation;
- PP\_GA\_161\_08 A Proposed section A-A; and
- PP\_GA\_161\_20 A Proposed perspectives.

## 2.0 CONTEXT

### The Site

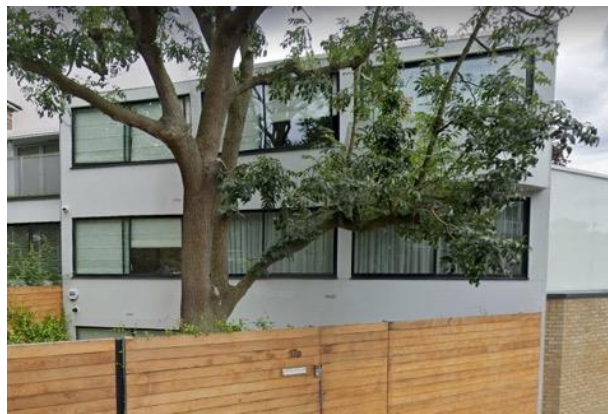
2. This is a corner site at the oblique junction of Belsize Lane and Ornan Road. It is within the Fitzjohns/Netherall Conservation Area.



3. The red line shows the extent of No. 17a:



4. It is occupied by a flat-roofed 3-storey modern house faced in pale grey tiles with a triangular side extension towards the apex of the junction.



5. It is in the Fitzjohns/Netherhall Conservation Area. The existing house is locally listed (the description says: *Two houses in a terrace of three set in gardens behind old wall, both by architect John Winter, 1971. Well proportioned three bay houses with pale grey mosaic cladding; both based on 10 ft. module but differ in height and plan; quoted in Fitzjohn's Netherhall CA statement as "elegant in their simplicity" and "where the contrast of materials and design make a positive contribution" but not included in list of buildings making a positive contribution. In modernist tradition of integrating modern houses into historic settings sensitively. Contributes to the wealth of high quality post war architect designed houses in Camden.*)
6. The trees on the site are protected by TPOs.

### Planning History

7. The Fitzjohns/Netherall Conservation Area was designated in **June 1985**.
8. In **October 1986**, the Council approved application **8601430** for a ground floor side extension that has been built.

9. In **November 1992**, the Council approved application **921306** for a first floor extension on the proposal site. This has not been built.
10. In **September 1999**, the Council approved application **PW9902425** for the erection of an additional storey above the ground floor side extension.
11. In **November 2016** the Council granted LDC application **2016/5952/P** and certified a 3m single storey rear extension to the original house was permitted development.
12. In **April 2017** planning permission was granted for the erection of single storey side extension at first floor level under application reference **2017/0894/P**.
13. In **December 2019** planning appeal **APP/X5210/W/19/3237825** was allowed for the erection of a timber boundary fence to front (west) elevation with vehicular and pedestrian gate access, intercom and mail box (retrospective).
14. In allowing the appeal the Inspector concluded at **Para 8** that: *the dwelling on the appeal site is constructed to a more modern design that contrasts with many of the other buildings within the surrounding area. Owing to this design approach, it is considered appropriate that a boundary treatment of a more modern design and style be constructed at the property. This is because it would relate to the type of architecture used within the building. Furthermore, leaving aside the fence that is the subject of this appeal, the site contains significantly sized boundary treatments. In consequence, the character of the site can be summarised as being enclosed. This character has therefore not been eroded by the fence.*

### 3.0 THE PROPOSAL

15. The application seeks consent to create a ground floor garden pergola above the existing rear exterior decking area to be used for outdoor seating in wet weather conditions. It does not involve any changes to the height or extent of the existing decking area.
16. As far as design is concerned, the proposal will match the existing rear extension by using a white render beam and single rectangular column and a glass roof. The perspectives below show the pergola complements the existing rear extension and is transparent with open sides on the rear and side (west) elevations.





17. Views of the proposal from Ornan Road are restricted due to the existing boundary treatment.



18. The google street view camera on Belsize Lane glimpses the existing rear extension above the boundary wall however, this is a viewpoint much higher than that of a pedestrian.



19. The view from Belsize Lane is below.



## 4.0 PLANNING POLICY

### The Revised National Planning Policy Framework

20. At the heart of the NPPF is a presumption in favour of sustainable development, including contributing to protecting and enhancing our built and historic environment and conserving heritage assets in a manner appropriate to their significance. A heritage asset is a building or place etc with a degree of significance meriting consideration in planning decisions, because of its heritage interest.
21. **RNPPF Para 194** requires an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. **Para 199** states 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 and **Para 200** states any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), requires clear and convincing justification.
22. **Para 202** says that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
23. The only relevant heritage asset in this case is the Conservation Area. As explained below, the proposal has a neutral effect on it.

### Camden Local Plan

24. **Policy D1 (Design)** requires development to respect local context and character and preserve or enhances the historic environment. The pergola respects the character and proportion of the existing rear elevation and the amenity of neighbouring properties. The palette of materials for the canopy complements the existing rear extension.
25. **Policy D2 (Heritage)** requires development within conservation areas to preserve or, where possible, enhances the character or appearance of the area.
26. **Policy A1 (Managing the impact of development)** confirms that the Council will not grant permission for development that would result in harm to the quality of life for surrounding occupiers and neighbours. The proposal will have no impact on neighbouring properties in terms of privacy, outlook and natural light.

## 5.0 HERITAGE IMPACT

27. The Fitzjohns/Netherall Conservation Area is extensive. The site is within sub area 2 Rosslyn. The local heritage assets locally are:

**Designated Assets:**

- The Fitzjohns/Netherhall Conservation Area (Numbers 2-26 (even), 32,1,9-17 (odd) and 17a are identified as positive contributors);
  - Numbers 17a Belsize Lane and 40 Ornan Road (locally listed); and
  - No. 34 Belsize Lane (locally listed).
28. No 34 is a modest, self-effacing modern building behind a high wall. The proposal is too far away to affect its setting in any way.
29. The application house and its neighbour are locally listed. Camden's local list describes its importance as: *Two houses in a terrace of three set in gardens behind old wall, both by architect John Winter, 1971. Well proportioned three bay houses with pale grey mosaic cladding; both based on 10 ft. module but differ in height and plan; quoted in Fitzjohn's Netherhall CA statement as "elegant in their simplicity" and "where the contrast of materials and design make a positive contribution" but not included in list of buildings making a positive contribution. In modernist tradition of integrating modern houses into historic settings sensitively. Contribute to the wealth of high quality post war architect designed houses in Camden.*
30. **RNNPF Para 194** states any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
31. Views of the garden pergola are limited due to the enclosed nature of this site. The design reflects the property's modern appearance and will appear as a lightweight addition given its open nature. The proposal would cause no harm to the Conservation Area or the setting of the designated heritage assets.
32. The proposal preserves the existing qualities and context of the area. It preserves the character and appearance of the conservation area in accordance with **Local Plan Policy D2 (Heritage)**.
33. The proposal has been sensitively designed to ensure it respects the amenity of neighbouring properties. It has the public benefit of optimising its viable use by maximising the use of the garden to suit modern day family living requirements.
34. The influential 2008 English Heritage Report Conservation Principles, Policies and Guidance set out a framework for thinking systematically and consistently about the heritage values that can be ascribed to a place and concludes they can be grouped into four categories:
- *Evidential value: the potential of a place to yield evidence about past human activity;*
  - *Historical value: the ways in which past people, events and aspects of life can be connected through a place to the present - it tends to be illustrative or associative;*
  - *Aesthetic value: the ways in which people draw sensory and intellectual stimulation from a place; and*

- *Communal value: the meanings of a place for the people who relate to it, or for whom it figures in their collective experience or memory.*

35. The proposal does not engage any of the above as issues. It has no impact on the evidential, historical, aesthetic or communal value of the property and so has a neutral effect on the Conservation Area.

## **6.0 CONCLUSION**

36. The proposal is a sustainable development consistent with the historic environment policies in the RNPPF and the Local Plan. The Council is respectfully requested to permit the application for the reasons set out above.