



# Heritage Statement

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Site location: X  
527385, Y 184761

July 2022 | Project Ref 8298A

HCUK Group is a multi-disciplinary environmental practice offering expert advice in archaeology, heritage, landscape, arboriculture, and planning. We began life as Heritage Collective LLP in 2010, before becoming Heritage Collective UK Limited in 2014. Finally, in 2020, we became HCUK Group Limited.



Project Number: 8298A

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# 1. Introduction

**1.1** This Heritage Statement has been prepared by HCUK Group on behalf of Stuart Horwich, who is applying for planning permission to demolish an existing artist’s studio building and replace it with a new house at site location: X 527385, Y 184761.

**1.2** The application site is within the Belsize Conservation Area, designated by Camden Council in March 1973. In 2002 Camden Council adopted the Belsize Conservation Area Statement, which explains the character and appearance of the area. There are no other relevant heritage assets.

**1.3** The site is located between the gardens of houses fronting Belsize Grove, Primrose Gardens and Belsize Park Gardens. Current access to the application site is via a walkway to the north of 57 Primrose Gardens.

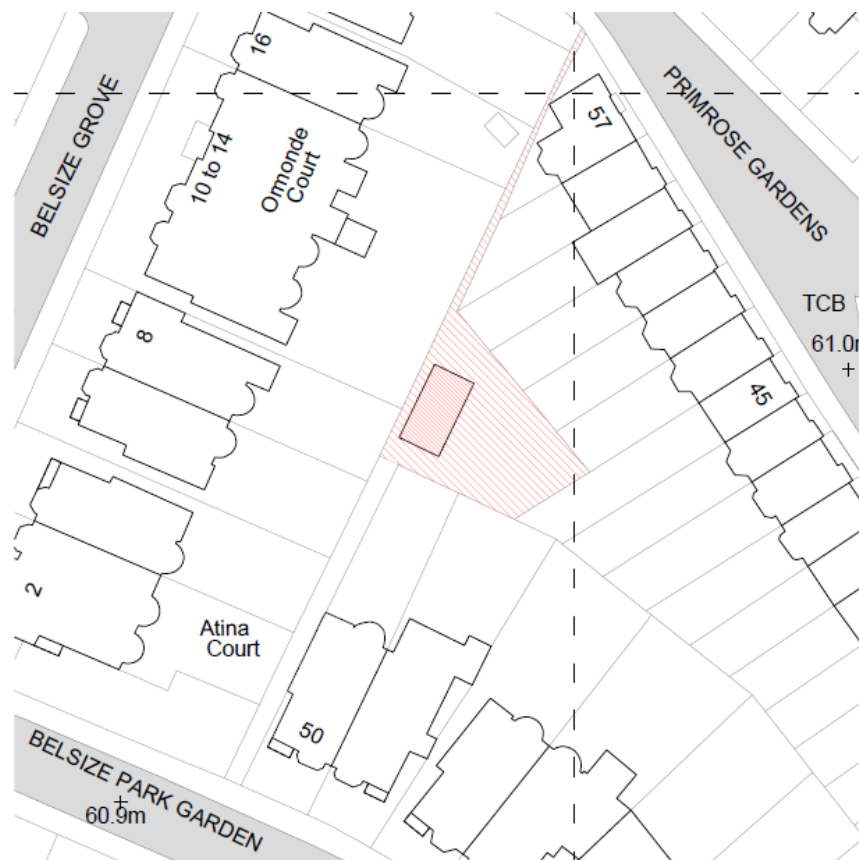


Fig. 1: Site Location Plan

**1.4** The applicant, via his agents, LBMV Architects has had pre-application discussions with Camden Council. Written feedback dated 10<sup>th</sup> March 2022 states that of the two options for a new home proposed, option 1 was preferred and could preserve the character and appearance of the Belsize Conservation Area. This was for a two storey building (one whole storey was to be below ground).

**1.5** What is now proposed is a single storey building providing three bedrooms and living accommodation across two wings, joined by a central service core. The building is to be highly contemporary with sloping green roofs with pitches designed in different directions to create an interesting and entirely unique roof form. The height of the proposed building is to be lower than the existing studio while the footprint is greater.



*Fig. 2: View of Existing south-east elevation of Artist's Studio (photo courtesy of LBMV Architects)*

## 2. Relevant Planning Policy Framework

**2.1** The decision maker is required by section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the character or appearance of a conservation area when exercising planning functions. The decision maker must give considerable importance and weight to the desirability of preserving the significance of the conservation area, and there is a strong presumption against the grant of permission for development that would harm its heritage significance.<sup>1</sup> This duty also applies to listed buildings.

**2.2** For the purposes of this statement, preservation equates to an absence of harm.<sup>2</sup> Harm is defined in paragraph 84 of Historic England's Conservation Principles as change which erodes the significance of a heritage asset.<sup>3</sup>

**2.3** The significance of a heritage asset is defined in the National Planning Policy Framework (NPPF) as being made up of four main constituents: architectural interest, historical interest, archaeological interest and artistic interest. The assessments of heritage significance and impact are normally made with primary reference to the four main elements of significance identified in the NPPF.

**2.4** The setting of a heritage asset can contribute to its significance and is defined in the NPPF as follows:

*The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.*

**2.5** The NPPF requires the impact on the significance of a designated heritage asset<sup>4</sup> to be considered in terms of either "substantial harm" or "less than substantial harm" as described within paragraphs 201 and 202 of that document. National Planning

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<sup>1</sup> Barnwell Manor Wind Energy Limited v East Northamptonshire District Council and others [2014] EWCA Civ 137. This principle has recently been confirmed, albeit in a lower court, in R (Wyeth-Price) v Guildford Borough Council.

<sup>2</sup> South Lakeland v SSE [1992] 2 AC 141.

<sup>3</sup> Conservation Principles, 2008, paragraph 84.

<sup>4</sup> The seven categories of designated heritage assets are World Heritage Sites, Scheduled Monuments, Listed Buildings, Protected Wreck Sites, Registered Park and Gardens, Registered Battlefield and Conservation Areas, designated under the relevant legislation.

Practice Guidance (NPPG) makes it clear that substantial harm is a high test, and case law describes substantial harm in terms of an effect that would vitiate or drain away much of the significance of a heritage asset.<sup>5</sup>

**2.6** Paragraphs 201 and 202 of the NPPF refer to two different balancing exercises in which harm to significance, if any, is to be balanced with public benefit.<sup>6</sup> Paragraph 18a-020-20190723 of National Planning Practice Guidance (NPPG) online makes it clear that some heritage-specific benefits can be public benefits. Paragraph 18a-018-20190723 of the same NPPG makes it clear that it is important to be explicit about the category of harm (that is, whether paragraph 201 or 202 of the NPPF applies, if at all), and the extent of harm, when dealing with decisions affecting designated heritage assets, as follows:

*Within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated.*

**2.7** Paragraphs 199 and 200 of the NPPF state that great weight should be given to the conservation of a designated heritage asset when considering applications that affect its significance, irrespective of how substantial or otherwise that harm might be.

**2.8** Camden Council Local Plan 2017 includes policy D2 Heritage and policy D1 Design, both relevant to this application. Policy D2 requires development within conservation areas to;

*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*

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<sup>5</sup> Bedford Borough Council v SSCLG and Nuon UK Limited [2013] EWHC 4344 (Admin).

<sup>6</sup> The balancing exercise was the subject of discussion in City and Country Bramshill v CC SLG and others [2021] EWCA, Civ 320.

*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.*



## 3. Background and Development

### 3.1 The relevant planning history for the site is:

- 29746/C: The erection of a bungalow or dwelling house on the land at rear of No. 57, Primrose Gardens, Hampstead. **Refused 09/06/1953.**
- 27696: Erection of a single-storey painting studio and summer house. **Granted 29/03/1979.**
- 37071: Renewal of planning permission dated 29th March 1979 for the erection of a single storey painting studio and summer house. **Granted 12/04/1984.**

### Historic Development

### 3.2 According to the Belsize Conservation Area Statement (BCAS) the area was originally designated because:

*...Belsize Park is an area of large scale, imposing semi-detached Victorian Villas of distinct yet uniform appearance. They show elaborate and consistent architectural detail and within the designated boundary there is little to detract from the unity of appearance. Belsize Village is also an area of considerable charm, the particular character of the village being one of the main justifications for designation...*

### 3.3 The application site is within sub-area 5 and adjacent to sub-area 1 as defined by the BCAS. Nos. 50-56 Belsize Park Gardens and Nos. 1-57 Primrose Gardens are identified as making a positive contribution to the character and appearance of the area.

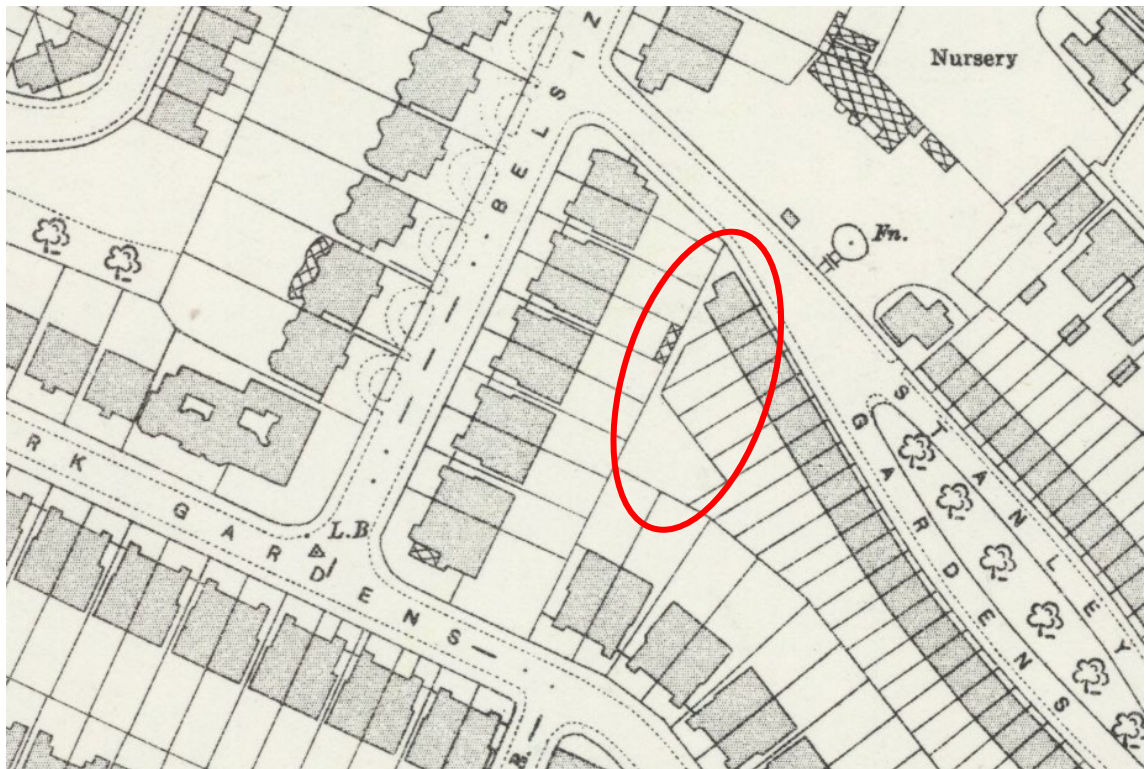
### 3.4 In 1807 the land associated with Belsize House was sold off to four developers, in eight separate parcels. Belsize House was later demolished and while there are some surviving buildings from the early 19<sup>th</sup> century the bulk of the area around the application site was developed between 1840 and 1880 with detached and semi-detached villas. Development continues in the second half of the 19<sup>th</sup> century but there has been limited change since the 1920s and the area has a well-defined 19<sup>th</sup> century character.



Fig. 3: Belsize Conservation Area boundary map

- 3.5** Belsize Park Gardens has a consistent built form of paired stucco villas, closely spaced to provide a continuous building line which is softened by street trees. While there are gaps between the buildings, they are narrow and offer glimpsed views to the rear.
- 3.6** Primrose Gardens was developed in the 1880s with an elongated oval open space between two gently curved terraces. The land on the application site appears to have always been separate from the gardens of the houses surrounding it, which

are bound on all sides by brick walls. The existing access to the application site is through the historic metal railings fronting the pavement on Primrose Gardens. This access has been in existence since at least 1912, as shown on the OS Map.



*Fig. 4: 1912 OS Map*



*Fig. 5: Accessway off Primrose Gardens (LBMV Architects)*

## 4. Statement of Significance

### Assessment of Significance

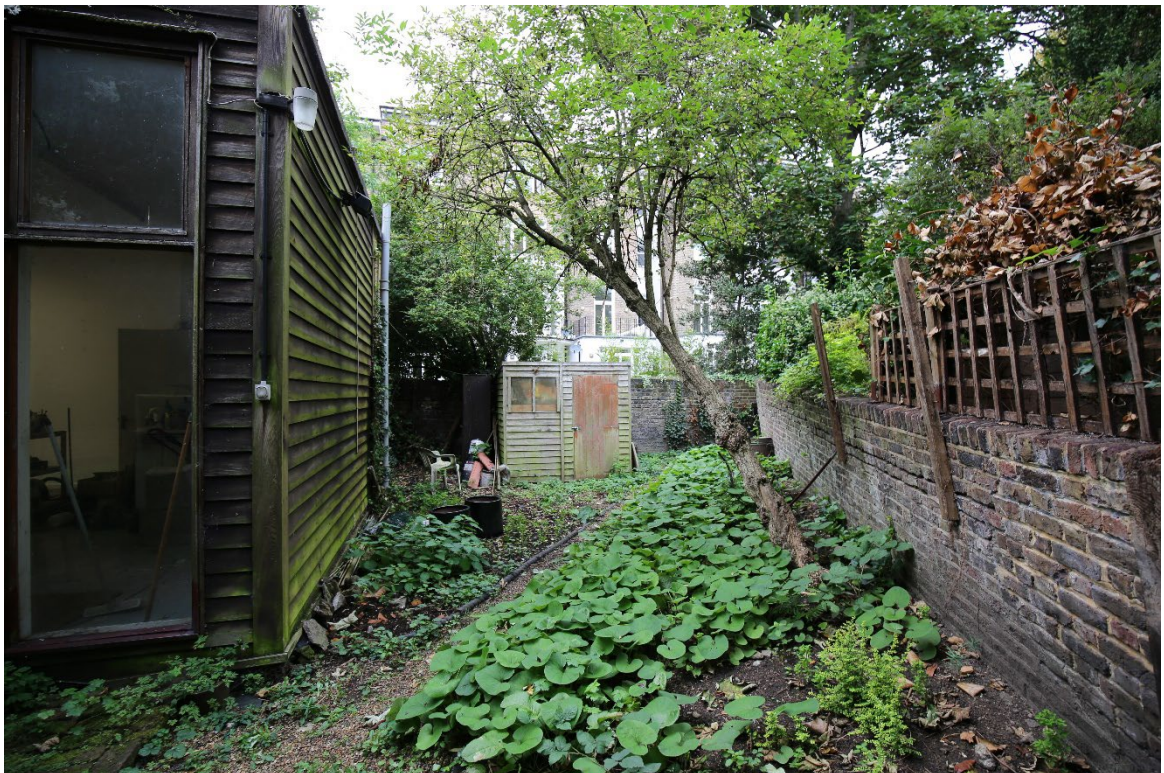
- 4.1** This chapter of the report establishes the significance of the Belsize Conservation Area in the terms set out in the NPPF.
- 4.2** The conservation area is defined by its collection of mid-19<sup>th</sup> century residential development. Not only do the surviving historic buildings contribute to its character, but the layout of the streets, gardens, open spaces (of which there are very few) and street trees all contribute to the character and appearance of the area.
- 4.3** The architectural interest is self-evident when walking around the streets within the area. Each group of buildings, although developed in a relatively short time period offers a different architectural approach to the same form of villa development, providing nuance and interest. Likewise, the street furniture and boundary treatments serve to enhance the architectural interest of the area.
- 4.4** It is also self-evident that the area has historical interest. It includes intact streets of Victorian development that has been maintained to a high standard and serves to provide a visual reminder of life during the 19<sup>th</sup> century. The addition of cars has not, to a significant extent, altered the character of the area.
- 4.5** According to the BCAS there are two archaeological priority areas within the boundary of the conservation area. This indicates that the conservation area has some archaeological interest, although it is not a clear reason for its designation.
- 4.6** Belsize does not have specific artistic interest, or at least that is not a main reason for its designation. That said there is an aesthetic and attractive quality to the built form and street layout, creating views of merit.

### Contribution of the application site

- 4.7** The application site is a back land site, never forming part of the individual plots developed in the 19<sup>th</sup> century. It does not contribute to the character or appearance of the area, being an unkept, unused piece of land which is hidden from the surrounding streets by built form or mature trees. There are glimpsed views from

the south-west between No.2 Belsize Grove and No. 50 Belsize Park Gardens through existing vegetation. Views looking toward the site are from the rear windows of the buildings backing onto the plot. These views are currently characterised by a dilapidated, timber clad artist’s studio that does not contribute to the character of the area.

**4.8** The site is verdant in character, with grassed areas around the studio building. It has a variety of boundary treatments of either brick walls or close boarded fences in various states of repair. The land does not make any meaningful contribution to the heritage significance of the conservation area, nor does it particularly detract. It forms a neutral part of the area.



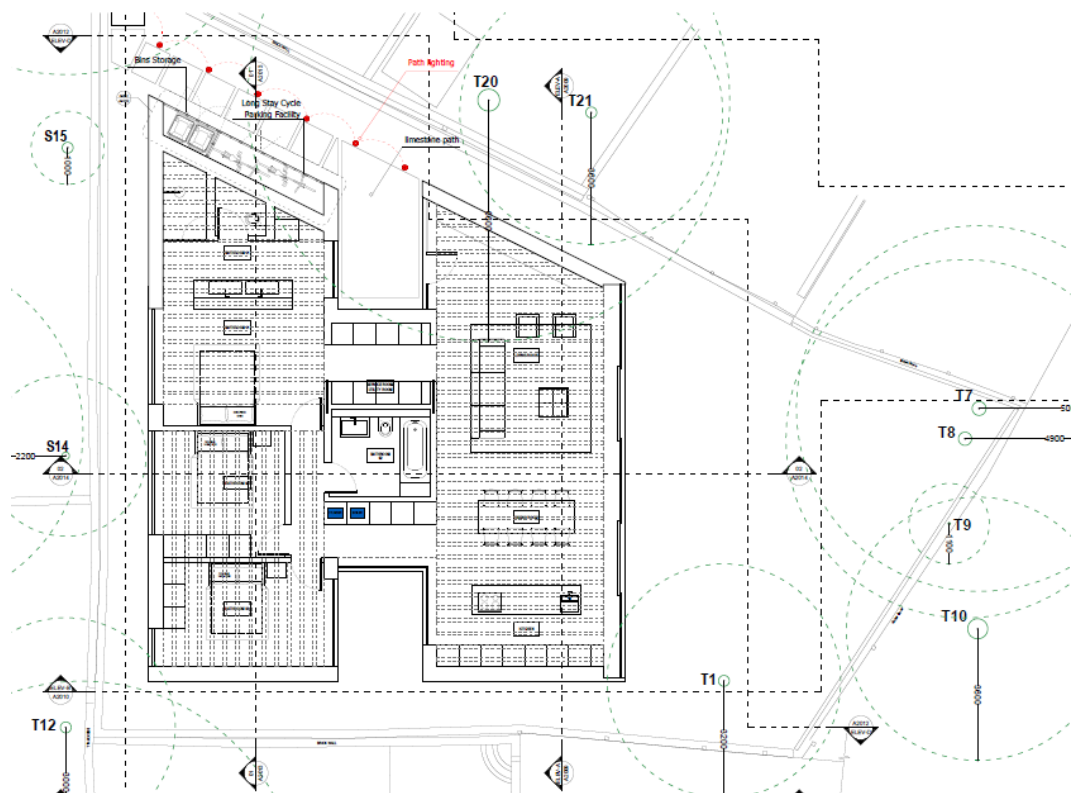
*Fig. 6: View looking toward rear of Belsize Grove houses (LBMV Architects)*

## 5. Heritage Impact Assessment

**5.1** This chapter of the report assesses the impact of the proposed development on the heritage significance of Belsize Conservation Area.

### Proposed Development

**5.2** A single storey house is proposed for the application site, replacing the existing artist's studio building and providing a high quality, contemporary addition to the conservation area. Its defining feature will be the roof scape, designed with four separate green roofs falling in different directions to provide the impression of a series of smaller garden buildings. The two principal wings will be joined in the middle by a narrow, flat roofed linking piece.



*Fig. 7: Proposed Floor Plan*

**5.3** The building has been designed to be a subtle addition to the area. Crucially it is to be lower than the existing building and to be timber clad with a curtain wall of glazing facing south-east, away from the surrounding houses which back onto the site.

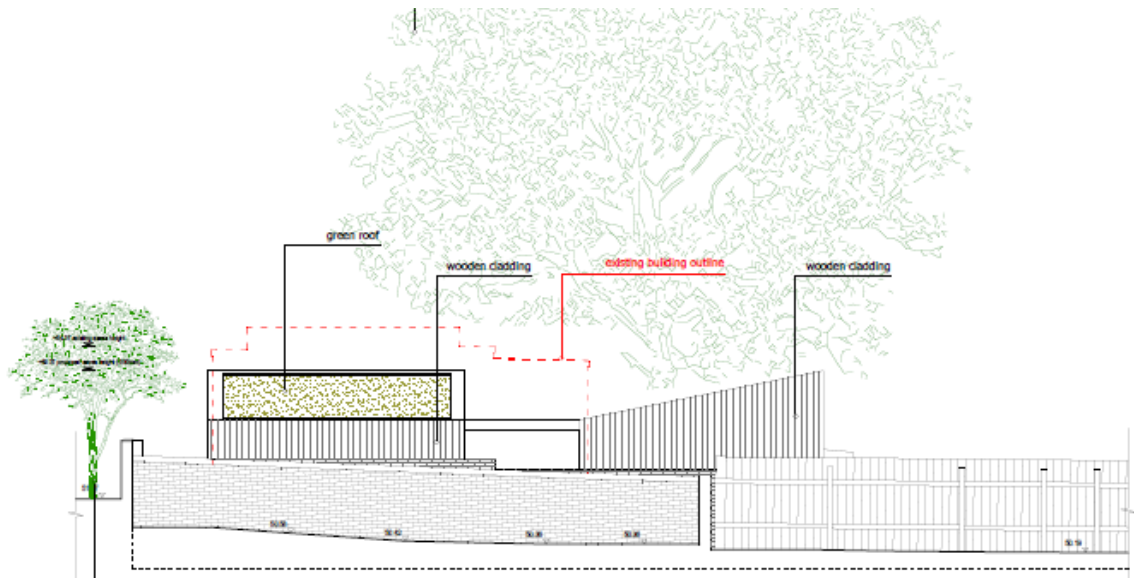


Fig. 8: Proposed south-west elevation with red dotted line indicating existing building

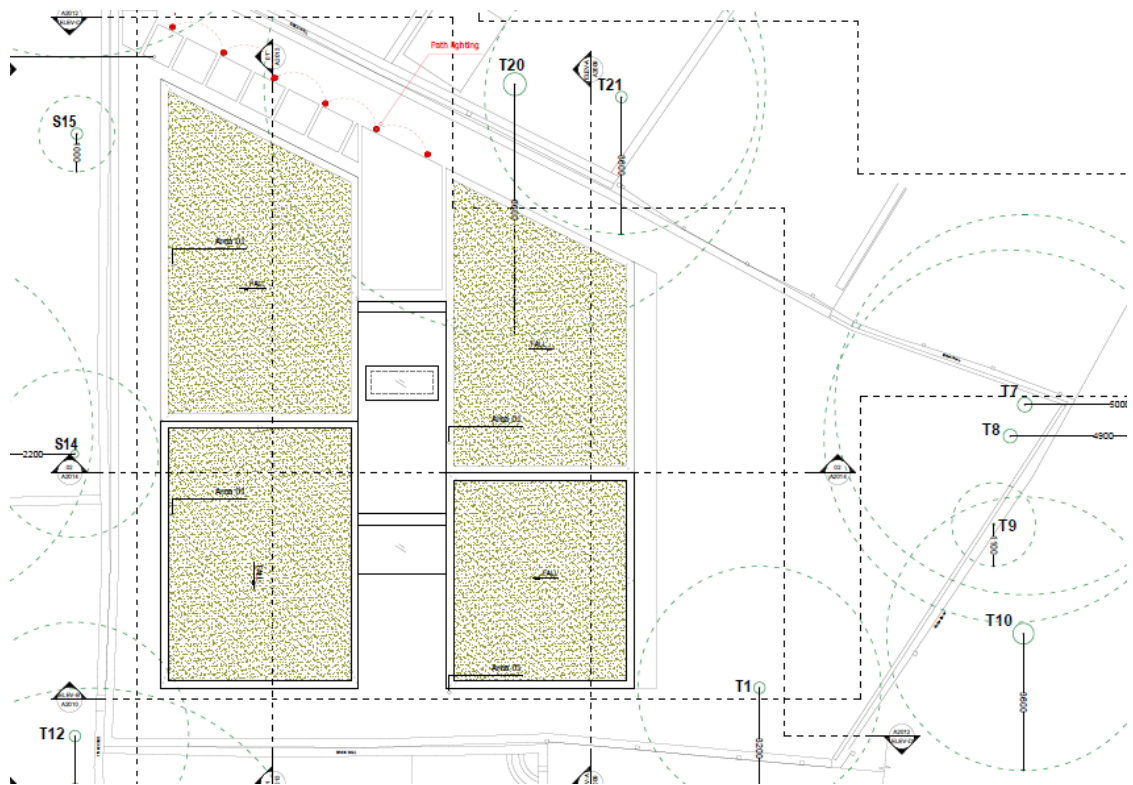


Fig.9: Proposed Roof Plan



*Fig. 10: Satellite Image showing the mature tree cover in and around the site*

**5.4** No harm will be caused to the architectural interest of the Belsize Conservation Area because the demolition of this 1970s building and replacement with a modern building will not change the historic built form or the way in which it is experienced. The development will not erode any of the special qualities of the conservation area and the glimpsed views between buildings will be preserved due to the extensive mature vegetation and the fact that the building is to be single storey.

**5.5** There will be an improvement to the general architectural character of the immediate vicinity because the proposed house is of a higher architectural quality than the studio it replaces. By introducing planted roof slopes, which are designed to hold a deep volume of planting, not just a cursory nod to a green roof, the site will retain its garden character and appear more verdant than existing. The building is designed to be specific to its context and blend with its garden surroundings to ensure the new built form is not jarring against the surrounding gardens.



- 5.6** There will be no impact on the historic, archaeological or artistic parts of the conservation area as a result of the proposed development which will all remain unchanged.
- 5.7** Pre-application discussions have served to refine the design of the proposed building and the result will be a new addition to the area which is unique, architecturally interesting but also diminutive and subordinate to the prevailing architectural character of Belsize Park. The green roofs and timber cladding are not the same as the prevailing building materials of the wider area but are entirely appropriate for this land locked plot which has no building line or other built form to adhere to.
- 5.8** The houses fronting Primrose Gardens, Belsize Grove and Belsize Park Gardens will continue to make a positive contribution to the conservation area and their relationship with the street scene, each other and their gardens will be unchanged.
- 5.9** Paragraphs 201 and 202 of the NPPF will not be engaged as no harm will arise. The duty within S. 72 of the Planning (LBCA) Act 1990 is also capable of being discharged.

## 6. Conclusions

- 6.1** Belsize Conservation Area is a high quality example of a mid-19<sup>th</sup> century suburb which retains much of its Victorian character and appearance. While opportunities for change in the built form of the area are limited, the application site provides a unique opportunity to provide an additional house in a contemporary and bespoke form.
- 6.2** The historic and architectural interest of the area is well established and coherent, with pairs of Italianate villas, with long gardens, traditional front boundary treatments and mature trees contributing to those interests. The area also has archaeological and artistic interest.
- 6.3** Through pre-application discussion and contextual analysis LBMV Architects has designed a new building that will preserve and enhance the character and appearance of the Belsize Conservation Area. In proposing a single storey house with a bespoke green roof design, the new development will assimilate into its garden context easily, and provide a subtle, yet architecturally interesting addition to the area. This is the kind of development which should be encouraged on land which would otherwise contribute nothing to the character of the area and that has never formed part of an individual property.
- 6.4** Views between the buildings will change subtly with the new built form, which will be lower than the existing artist's studio on the site. This change will not be harmful to the significance of the area. There will be no impact on the contribution the existing villas make to the area, or their group value.
- 6.5** Policy D2 of the Camden Local Plan is complied with and there will be no harm for the purposes of the NPPF. Likewise, the duty within s. 72 of the Planning (Listed Building and Conservation Areas) Act is capable of being discharged because the character and appearance of the conservation area will be preserved and enhanced.

## *Standard Sources*

<https://maps.nls.uk>

<https://historicengland.org.uk/listing/the-list>

[www.heritagegateway.org.uk](http://www.heritagegateway.org.uk)

<http://magic.defra.gov.uk>

[www.history.ac.uk/victoria-county-history](http://www.history.ac.uk/victoria-county-history)

The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 (Second Edition). Historic England (2017 edition)

Planning (Listed Buildings and Conservation Areas) Act, 1990

National Planning Policy Framework, 2021

National Planning Practice Guidance, 2019

Conservation Principles, Policies and Guidance, Historic England (2008)