



Flat 6, 2 Maresfield Gardens, London, NW3 5SU

Formation of a roof terrace to provide private amenity space for the occupants of Flat 6

Design & Access / Heritage / Planning Statement

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Client:

2 Maresfield Limited

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1. Introduction

- 1.1. This combined Design and Access / Heritage / Planning Statement has been prepared on behalf of 2 Maresfield Limited and is submitted in support of an application for full planning permission for development at 2 Maresfield Gardens London, NW3 5SU (“the Site”), described as: *‘Formation of a roof terrace to provide private amenity space for the occupants of Flat 6’*.
- 1.2. The development proposed seeks to provide a modest private amenity space for the occupants of Flat 6, which at present has no private amenity space. All other dwellings in the building have good quality private amenity space in the form of a garden or balcony / terrace. The lack of any private amenity space for Flat 6 has been noted as a concern by prospective purchasers, and the value and need for private amenity space is set out in planning policy at London Plan and Local Plan levels. The importance and value of private amenity space for dwellings became clear during the recent Covid pandemic, and improving private amenity space for the future (the home ‘as a place of retreat’) is as noted above a key planning policy objective. The proposals have been carefully designed to achieve this objective without causing harm to the architectural character of the host building or the wider character and appearance of the conservation area.
- 1.3. The purpose of this statement is to describe and assess the proposed development in the context of planning policy, as well as other relevant and best practice guidance and any other material considerations. The statement explains how the proposed development is in accordance with and will deliver the objectives of such policies, and therefore represents appropriate and acceptable development for the area.
- 1.4. This statement should be read in conjunction with the associated application documents which are:
 - Completed application form
 - Completed CIL Form 1
 - Site location plan and existing / proposed architects drawings (by Pinzauer)

2. The site, surroundings, and planning history

The site and surroundings

- 2.1. The application site is located on the east side of the lower part of Maresfield Gardens. Whilst the street is generally residential in character, the site is the last residential property on the east side before the change to institutional uses to the south, including the immediately adjacent St Thomas More Church (1960s modern design) and the South Hampstead High School further south.
- 2.2. Maresfield Gardens is located within the Fitzjohns and Netherall Conservation Area, the character and appearance of which is set out in the Council's Fitzjohns and Netherall Conservation Area Statement (2001) (the 'CAS'). The essence of that character is captured in the first paragraph at p.10 of the CAS which describes how *'Long views along the Avenues combine with substantially scaled properties and generous grounds to create an imposing district.'* It continues, setting out how *'Roofs are an important and conspicuous element, a development of mid-late Victorian architecture that dominates the profile of the skyline. The majority of properties are detached or semi-detached with few terraces.'*
- 2.3. No.2 Maresfield Gardens was built c.1870 as a large, detached house on a broad plot, and was until the 1960s (when the adjacent Church was built) the first building on the east side of the street, the first two houses on Fitzjohn's Avenue to the east having then benefited from generous gardens extending all the way to Maresfield Gardens.
- 2.4. Today it is a part 3-part 2 storey building with accommodation at roof level and is recognised in the Fitzjohn/Netherhall Conservation Area Statement as making a positive contribution to the character and appearance of the Conservation Area. Built in the purple-toned brick that is widely found in the area, no.2 differs significantly from the adjacent group of original semi-detached buildings to the north. It is not only detached, but broader in the main part of the building, and then made further so by virtue of a recessed coach house attached to the south side.

Planning history

2.5. The application site has a long and protracted planning history, and it is not necessary to reproduce this in full. Below we have identified the most recent relevant planning permission at the site, which is the latest of a series of amendments to a permission that allowed an additional storey of accommodation at the building and use as 6 residential units.

2.6. Planning permission was granted, on 9th July 2021, for development described as:

'Variation of condition 1 (approved plans) of planning permission 2015/6894/P dated 24/08/2016 (as amended by 2020/2719/P dated 12/10/2020) (for Variation of condition 3 (approved plans) of planning permission 2014/6313/P dated 30/03/2015 for: 6 residential units - addition of one storey at second floor level with replacement roof level accommodation above, alterations to Coach House (summary), NAMELY for the erection of bin and utilities store to front garden, alterations to railings above coach house, and air source heat pump acoustic enclosure to rear garden'.

2.7. The development permitted has been completed and is in the process of marketing for sale.

3. Planning policy context

- 3.1. A summary of the legislation and policy relevant to the consideration of the application is provided in this section.

Statutory Provisions

- 3.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that when making any determination under the Planning Acts, that determination should be made in accordance with the Development Plan unless material considerations indicate otherwise.
- 3.3. Section 72 of the Planning and Conservation Act 1990 requires that the local planning authority, in exercising their planning functions within conservation areas, pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

National Planning Policy Framework (2021)

- 3.4. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The NPPF is an important material consideration in decision-making.
- 3.5. Section 12 (Achieving well-designed places) shows that the Government attaches great importance to the design of the built environment, stating that *"Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities"*.
- 3.6. Section 16 (Conserving and enhancing the historic environment) sets out how heritage assets should be conserved in a manner appropriate to their significance and that great weight should be given to the asset's conservation.
- 3.7. Paragraph 206 of the NPPF states that Local Planning Authorities should look for opportunities for new development within Conservation Areas and within the setting of heritage assets to enhance or better reveal their significance. It continues to set out that proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

- 3.8. Annex 2 of the NPPF defines significance as the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence but also from its setting.

The London Plan (2021)

- 3.9. The London Plan is the Spatial Development Strategy for Greater London. It sets out a framework for how London will develop over the next 20-25 years and the mayor's vision for Good Growth. The mayor's policies include securing high-quality housing and conserving heritage assets in a manner appropriate to their significance.
- 3.10. Policy D6 (Housing quality and standards) sets out in terms of *Private outside space* a minimum of 5sqm of private outdoor space for 1-2 person dwellings and an extra 1sqm for each additional occupant, with a minimum depth and width to the space of 1.5m. The supporting text for Policy D6 at para 3.6.9 sets out how the use of roof areas for private outside space is encouraged, and table 3.2 (v) states that '*private amenity space for each dwelling should be useable and have a balance of openness and protection, appropriate for its outlook and orientation*'.

Camden Local Plan (2017)

- 3.11. Policy A1 of the Local Plan (Managing the impact of development) sets out that the Council will seek to ensure that the amenity of communities, occupiers and neighbours is protected. The factors to be considered include visual privacy, outlook; sunlight, daylight and overshadowing; artificial lighting levels; and impacts of the construction phase.
- 3.12. Policy D1 of the Local Plan (Design) states that the Council will seek to secure high-quality development and will require that development respects local context and character; preserves or enhances the historic environment and heritage assets in accordance with policy D2 Heritage; comprises details and materials that are of high quality and complement the local character and preserves strategic and local views.

- 3.13. Policy D2 of the Local Plan (Heritage) states that the Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas.
- 3.14. Concerning development in conservation areas, policy D2 sets out that to maintain the character of these areas, the Council will take account of conservation area statements, appraisals, and management strategies when assessing applications within conservation areas. The Council will:
- a) *require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area;*
 - b) *resist the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a conservation area;*
 - c) *resist development outside of a conservation area that causes harm to the character or appearance of that conservation area; and*
 - d) *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.*

Supplementary Planning Guidance

- 3.15. A range of supplementary guidance is published by the London Borough of Camden, providing useful information on how the Council considers higher-level policy objectives should operate in practice.
- 3.16. The Design CPG (2021) states that the Council will only permit development within conservation areas that preserves and where possible, enhances the character and appearance of the area. The Home Improvements CPG (2021) is also directly relevant. In the subsequent chapter of this statement, the relevant part of the CPGs is set out in relation to the development proposal. The guidance also states that materials should form an integral part of the design process and should relate to the character and appearance of the area, particularly in conservation areas or within the setting of listed buildings. The Amenity CPG (2021) provides guidance on key amenity issues within the borough, primarily in relation to Local Plan Policy A1. Key relevant considerations for this development include overlooking together with privacy and outlook.

- 3.17. The Fitzjohns/Netherhall Conservation Area Appraisal and Management Strategy (March 2001) (“the CAS”) is published as supplementary guidance and is of relevance to the application. As noted above and as further explored below, the CAS identifies No. 2 Maresfield Gardens as a building that makes a positive contribution to the character and appearance of the conservation area.
- 3.18. The draft Fitzjohns/Netherhall Conservation Area Character Appraisal & Management Plan (December 2021) has been through a 6-week consultation process from Monday 7th February to Sunday 20th March 2022. Whilst the draft guidance provides an up-to-date review of the Conservation Area, the document remains in a relatively early stage of the consultation process, therefore limited weight has been attached.

4. Assessment of proposed development

Introduction

- 4.1. The proposed development has been carefully crafted to provide external private amenity space for the occupants of the third-floor unit (Flat 6) in the form of a modest sized roof terrace (14sqm). The terrace has been carefully designed to respect the architectural character of the existing building and the character and appearance of the conservation area, making use of an existing flat 'valley' area between the two roof pitches.
- 4.2. A careful analysis of neighbouring properties and their character, together with other successfully approved and built schemes for the formation of roof terraces to similar buildings found within the same conservation area in recent year, has also been undertaken.
- 4.3. The proposed development is assessed in this section against the relevant planning policy and guidance, together with any other material considerations. The Assessment is structured around the key planning policy considerations, and due to the nature of the proposals focuses upon matters of design, heritage impact, and neighbouring amenity.

Principle of development

- 4.4. The formation of a roof terrace in this location is well established within Maresfield Gardens as well as the wider conservation area, and is therefore considered acceptable in principle, subject to other planning matters of design, heritage, and neighbouring amenity impacts, all of which are assessed below in this section.
- 4.5. In addition, the creation of external private amenity space for a self-contained residential dwelling which otherwise has no access to private amenity space is in principle a form of sustainable development that finds support at the heart of the NPPF, London Plan and Local Plan policies. The *Home Improvements CPG (2021)* provides specific supplementary guidance upon how balconies and terraces can be appropriately added to existing dwellings, and as set out below this guidance has been following in the shaping of the proposals. The recent Covid pandemic has placed even greater emphasis on the value of private amenity space for occupants of flats in urban areas,

providing a vital place of retreat and enjoyment for those who otherwise have no access to any private outdoor space.

Design

Background

4.6. Policy D1 of the Local Plan (Design) states that the Council will seek to secure high-quality development and will require that development respects local context and character; preserves or enhances the historic environment and heritage assets in accordance with policy D2 Heritage; comprises details and materials that are of high quality and complement the local character and preserves strategic and local views.

4.7. These considerations have all been taken into account in the formulation of the proposals and are represented in the proposals submitted that:

- respect local context and character, by following the established pattern of roof terraces found in the Conservation Area and by remaining subservient to the host building through scale, location, and form
- employs details and materials of discernibly high quality, appropriate to local character
- and in doing so thereby preserves the Conservation Area

Further description and analysis of the design proposed is provided in the table below, following the examples of comparable terraces.

Local context and examples

4.8. Below we have provided a series of examples found along Maresfield Gardens and the immediate area to provide context to the approaches taken in terms of design, siting and general arrangement.



Full width and depth roof terrace located at No.19 Maresfield Gardens with painted black metal balustrade



No. 31 (far left) and 27 (far right) Maresfield Gardens both include roof terraces located above eaves level within the roof zone



No.10 (left) and 12 (right) Fitzjohn's Avenue – these terraces on the side wings are both visible from street level but positioned so as not to dominate the principal elements of the roofscape.



No. 29 Fitzjohn's Avenue (left) and the neighbouring building to the right both have multiple level rear balconies including an inset balcony at roof level

- 4.9. As can be seen roof terraces tend to be focused to the rear of the properties to ensure no immediate impact to the front elevation as seen within the streetscape, however, the example at No.19 Maresfield Gardens includes a roof terrace that covers the entire footprint of the roof, with visible balustrading from the street. We consider the minor intervention provided for by metal balustrading when viewed within the streetscape to sit comfortably. The examples above at 10 and 12 Fitzjohns Avenue demonstrate how a carefully located roof terrace can form a minor and subservient element within the roofscape visible in the principal elevation, without dominating the overall architectural character of the roof level of building.
- 4.10. Other examples of and approvals for roof terraces at final roof level (i.e. above eaves level) within Conservation Areas in Camden can be readily found, including examples such as:

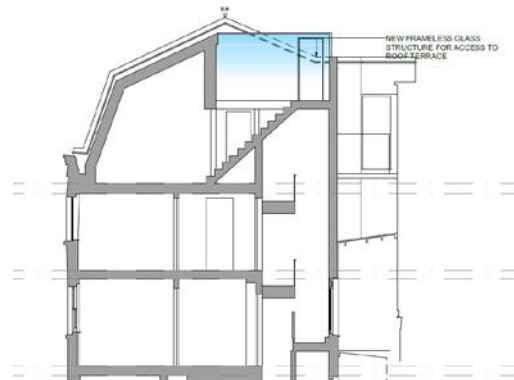
- 42 Hampstead Grove, NW3



- The Old Court House, North End Way, NW3 (Listed Building)



- 14 Charlotte Street, W1 – where planning permission was granted in May 2022 for a roof terrace at final roof level (ref 2021/6259/P) – see extract from approved section drawing below



The proposal

4.11. The proposed roof terrace has taken design cues from examples found within the immediate and wider area, and has also been formulated and guided by the recently adopted *Home Improvements CPG (2021)*. Section 2.2.3 – *Balconies and terraces* provides a directly relevant framework for assessment of the proposals. The proposed terrace has been assessed against the relevant part of the CPG below.



The Site – front / principal elevation to Maresfield Gardens – the proposed roof terrace is not visible due to set-back location behind existing front roof plane – see Proposed Site Section 001_10 for confirmation

Home Improvements CPG (January 2021)	Assessment of proposed roof terrace
Be subordinate to the roof slope being altered, and roof form overall;	The terrace proposed is to be located on an existing area of flat roof, located centrally between two large pitched roofs with gable ends. The terrace, both in terms of quantum of floorspace (14sqm), together with overall roof form the terrace will be subordinate.
Preserve the roof form and complement the elevation upon which they are to be located;	<p>The terrace proposed is to be located on an existing area of flat roof, set back on each side from the roof margins by more than 5m to front and rear. The terrace is focussed to the rear of the building to avoid competing with the front façade when viewed from vantage points along Maresfield Gardens. As demonstrated in the visualisations provided, together with Proposed Site Section 001_10:</p> <ul style="list-style-type: none"> - the terrace and associated railings will not be visible in adjacent views of the property from Maresfield Gardens - to the rear, the railings will be visible from the lower parts of the garden, but appear as a minor element within the roof valley and visually relate to the terraces / railings already present on the rear elevation
In case of pitched roofs, be set in within the roof slope, when possible;	The terrace proposed is to be located on an existing area of flat roof situated between the slopes of the two pitched roof elements of the building, and behind an existing front roof plan, and

	is therefore set discretely within the overall roof composition
Should maintain the existing parapet height;	There are no alterations to the existing parapet height proposed.
Handrails and balustrades should be set back behind the line of the roof slope or parapet	The balustrades proposed are set well back from the edge of the roof by more than 5 metres to both front and rear.
<p>Carefully consider materials for enclosure:</p> <ul style="list-style-type: none"> ◦ For traditional buildings, metal railings are preferred as they integrate well with the building's character, are more resilient, require low maintenance, support plants growth; ◦ Glass balustrades could be appropriate for modern buildings with thin frames, or frameless; note they can generate sun reflection, are difficult to maintain clean, and do not support plants growth. ◦ Timber balustrades could be appropriate at lower levels; ◦ Raised parapets could contribute to shading where necessary and have different patterns, such as hit and miss brick pattern. 	<p>The proposed terrace includes metal railings which provide consistency (both material and colour) with railings found to both front and rear elevation and the surrounding area</p> <p>Not applicable. No glass proposed.</p> <p>Not applicable.</p> <p>Not applicable. The terrace proposed uses an existing area of flat roof within a valley.</p>
The design of the balcony should take into account the risk of creating climbing opportunities for burglars;	<p>Considering both height and façade composition to both the front and rear we do not foresee the ability for burglars to climb or scale the building</p> <p>The roof terrace will be accessed via an openable rooflight that is locked internally.</p>

Consider spaces for planters within your balcony for screening and enhancement;	Noted. There is space within the proposals for potted plants or planters to be added by future occupants for enjoyment, but they are not required for screening.
When deemed necessary, privacy screens should be made of natural materials and allow plants to grow on them; plants act like a sound barrier, provide shade and lower air temperature;	Considering the location, the set back, together with the two large roof forms either side of the proposed terrace we do not consider privacy screens to be necessary in this case.
Be located at the rear of properties to ensure no impact on the streetscene and wider area;	The terrace is located towards the rear section of the roof plan to avoid impact on the street scene and wider area, as shown on Proposed Site Section 001_10
Be set back from roof's margins;	The proposed terrace is set back from the roof's margins as shown on Proposed Site Section 001_10 and Proposed Roof Plan 001_12.
For balconies as part of a roof extension within a valley roof, the front and rear parapet of buildings should be retained and balustrades to sit behind them;	The proposed terrace does not form part of a roof extension.
When deemed necessary, privacy screens should be no less than 1.8m in height, made of natural materials and support plants to grow on them.	Privacy screens are not considered necessary due to the existing roof form providing shelter / enclosure and the set back position.

4.12. As demonstrated in the assessment above against the relevant detailed criteria, the proposed roof terrace has been designed in accordance with the design criteria and key considerations outlined within both Local Plan Policy D1 and guidance provided for within the Home Improvements CPG (2021) and the design CCPG (2021).

Heritage

- 4.13. Policy D2 of the Local Plan (Heritage) follows NPPF policy and states that the Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas.
- 4.14. Concerning development in conservation areas, policy D2 sets out that to maintain the character of these 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.*
- 4.15. The character and appearance of this part of the CA is rooted in the imposing scale of detached and semi-detached houses set in generous plots upon tree-lined avenues, with street facades and roofscape displaying a varied but coherent architectural language, with fine detailing.
- 4.16. No.2 Maresfield Gardens (including the significant redevelopment works which included the insertion of a new floor at third floor level and replacement roof that postdate the assessment and publication of the CAS) continues to contribute well to that character and appearance through a combination of its siting, broad presence to the street, materials, and gabled roof profile, together with the presence of a number of mature trees within the front garden area enclosed by a brick boundary wall. It has a particular role to play in the townscape as a starting point and termination – a 'bookend' - for the residential character upon the east side of the street.

- 4.17. There are no important views in Maresfield Gardens identified within the CAS, however, localised views towards the building - taking into consideration the potential visibility of the terrace proposed - have been undertaken and an assessment provided below.
- 4.18. As identified within the assessment provided above in the *Design* section the development has been designed to not impact adversely on the identified character and appearance of the existing building. The siting of the terrace has been intentionally set back to ensure a barely discernible presence when considering both the front façade and within views from the immediate streetscape – an assessment of which is provided below.



View east towards 2 Maresfield gardens from pavement opposite – terrace / railings not visible due to set back and existing roof form



Oblique view towards 2 Maresfield Gardens north-eastward from pavement opposite - terrace / railings not visible due to set back and existing roof form



Oblique view towards 2 Maresfield Gardens south-eastward from pavement opposite - terrace / railings not visible due to set back and existing roof form

4.19. Looking first to the front elevation - as can be seen views towards the roofscape of 2 Maresfield Gardens are largely focused and direct the onlooker to the projecting elements provided by the double pitched roof – including

both a commanding gable end (right) followed by the retreated dormer (left). The gently sloping central section is very much a secondary component and is limited within views. The central ridge indicates the beginning to the flat section of roof to which the roof terrace is located beyond. Further confirmation of this view is provided in Proposed Site Section 001_10.

- 4.20. It is considered that the careful siting of the proposed terrace and associated balustrade has therefore ensured that there will be no adverse impact on the contribution that the building makes to the immediate townscape or wider conservation area.
- 4.21. To the rear of the property the balustrade and terrace will be visible in some private views, but as described above in the *Design* section and illustrated in the visualisation below, the terrace will be a tertiary element of the overall composition and will visually harmonise with the existing rear elevation.



View westward (visualisation of proposed development) from within private rear garden at the Site – the balustrade to the terrace is just visible between the two gables, and is seen in the context of the existing terraces to the left and right.

- 4.22. Accordingly, we consider that the proposals would not cause harm to the Conservation Area and thereby meet the NPPF Section 16 requirements and those of the Local Plan in relation to heritage.

Neighbouring amenity

- 4.23. Policy A1 of the Local Plan (Managing the impact of development) sets out that the Council will seek to ensure that the amenity of communities, occupiers and neighbours is protected. The factors to be considered include (inter alia): visual privacy, outlook; and overshadowing. Further detailed guidance is provided in the Amenity CPG and also in the Home Improvements CPG.
- 4.24. The location of the roof terrace and its extent has been chosen to ensure no unacceptable impact upon the amenity of neighbouring occupiers, both within the Site, together with those properties found on either side.
- 4.25. The roof terrace is small in scale and set well back into the roofscape to minimise the potential for overlooking. To the front, the roof terrace has been purposely set back, avoiding utilising the full extent of the section of flat roof to avoid amenity concerns to the front of the property. To the rear, the terrace is set back from the adjacent two pitches found on either side to effectively use these as natural screens to avoid direct views of the neighbouring gardens (see drawing Proposed Site Plan 001_09 – where it is clear that views rearward from the terrace are contained by the existing roof form / ridges). Views are purposefully directed to the rear of properties fronting Fitzjohn's Avenue, which are located some 60 metres away, with significant mature trees along the garden boundary.
- 4.26. Users would most likely leave the openable rooflight access open whilst on the terrace and not stand on the other rooflight, focusing any use of the terrace in the central part where the table and chairs are indicated, away from the edges and thereby further reducing any overlooking.
- 4.27. Taking into consideration the existing arrangement of flats within the development including existing rearward looking terraces, together with the scale of the property allowing oblique views of the rear gardens of neighbouring properties, the formation of a roof terrace would not cause any undue harm in terms of overlooking of neighbouring gardens over and above the existing situation.

4.28. Through the careful design approach and features set out above, we consider that the roof terrace proposed would not materially change the existing degree of overlooking between properties in the immediate vicinity of the site, and the proposals accord with policy A1 of the Local Plan, and the guidance set out in the *Amenity and Home Improvements* CPGs.

5. CONCLUSION

- 5.1. Planning permission is sought for the for the formation of a roof terrace to provide private amenity space for the occupants of Flat 6.
- 5.2. Whilst modest in scale, the terrace will significantly enhance the living conditions available within the dwelling, making a high quality home for the owners and contributing to the improvement of the housing stock of the Borough for future occupiers in years to come. The importance and value to occupiers of private amenity space is set out clearly in the London Plan and Local Plan policies.
- 5.3. As detailed extensively within this statement the roof terrace has been carefully considered and formulated to respond to the character and appearance of both the existing building, the immediate townscape, together with the Conservation Area. The statement also examines and identifies that there will also be no unacceptable impact on the amenity of neighbouring occupiers.
- 5.4. As set out through this statement, the proposed roof terrace is considered to comply with the relevant Development Plan policies, together with those contained in the NPPF and the detailed guidance set out in Camden's various CPG's, and therefore we consider planning permission should be granted to allow the development to proceed.