



Appeal Decision

Site Visit made on 25 May 2021

by L Fleming BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd June 2021

Appeal Ref: APP/N5090/Y/20/3263648

31 Asmunds Place, Golders Green London NW11 7XE

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Ms Carmel Eilon against the decision of the London Borough of Barnet Council.
 - The application Ref 20/4255/LBC, dated 11 September 2020, was refused by notice dated 9 November 2020.
 - The works proposed are removal of the ground floor, rear chimney breast.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development/works would preserve the grade II listed Numbers 25 to 43 and attached garden wall and porch canopy brackets, 25-43, Asmunds Place or its setting and any features of special architectural or historic interest that it possesses and whether the scheme would preserve or enhance the character or appearance of the Hampstead Garden Suburb Conservation Area.

Reasons

Significance

3. The appeal property is a dwelling which forms part of a terrace of dwellings which is grade II listed (Nos 25 to 43 Asmunds Place) which are within the Hampstead Garden Suburb Conservation Area (CA).
4. The Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires special regard to be given to the desirability of preserving a listed building or its setting and any features of architectural or historic interest it possesses. The same act also requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. Furthermore, paragraph 193 of the National Planning Policy Framework (the Framework) states that when considering the impact of new development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
5. Nos 25 to 34 Asmunds Place was constructed in 1908 by Barry Parker and Raymond Unwin, possibly designed by Charles Wade as part of a large planned suburb. It is of brown brick in Flemish Bond, with red brick detailing and a plain tiled roof. It is u-shaped and roughly symmetrical, with chimneys stacks to alternate party walls, a large central gable, a central ground floor brick

arched passageway and a pair of hipped half dormers on each side. The CA covers a large area of over 400 hectares built to a formal plan from 1907. It is relatively low density, mainly residential interspersed with trees, open spaces and local centres.

6. Insofar as is relevant to this appeal the significance of Nos 25 to 34 Asmunds Place derives from its formal traditional architectural detailing, its symmetry and the consistency of its architectural features with other buildings in the area. The significance of the CA is founded on the formal layout and mix of uses, its historic interest as a planned community and the consistency of the architectural features of the buildings within it.

Effects on Nos 25 to 34 Asmunds Place and the Hampstead Garden Suburb Conservation Area

7. I acknowledge the chimney breast proposed for removal is plastered, painted and has no fireplace. I note the chimney breast on the first floor above would be retained as would those in the lounge and bedroom two. I also note the schemes nearby¹ where the Council has considered the removal of chimney breasts. I acknowledge the appeal property has recently been granted approval to undertake a loft conversion and other loft conversions have been undertaken in the locality.
8. However, the full details of the examples of chimney breast removal and loft conversions are not before me. In any event I am concerned with the removal of a chimney breast associated with the grade II Nos 25 to 34 Asmunds Place. Even though chimney breasts are not noted on the listing description the proposal would remove a large section of the chimney breast and original masonry which is the centre piece of the ground floor dining room and provides a clear indication that there was once a fireplace in the room. It is a common feature of four of the main rooms of the dwelling and is also a consistent feature of the other dwellings which make up the grade II listed building.
9. The chimney breasts of the listed building provide a physical and visual connection to the chimney stacks. Whilst the Council's guidance² says in the case of a listed building it is most unlikely that the removal of a chimney breast and stack would be acceptable, as these are likely to be features fundamental to the house design, this guidance does not say it is acceptable to remove a chimney breast where the stack is retained.
10. Thus, in this case, I find the removal of the chimney breast would involve the removal of significant historic fabric and a traditional architectural feature which is integral to the internal layout of the dwelling. This would erode the historic plan form, the traditional features of the listed building as well as the connection of the internal space with the chimney stack which is a significant component of the listed building's symmetry. Therefore, the proposed development/works would fail to preserve the grade II listed building and its features of special architectural or historic interest harming its significance.
11. Consequently, this harm to a traditional building within the CA, irrespective of whether it can be seen from any public area or not, particularly the loss of architectural detailing which is consistent with the details of other properties in

¹ Council Reference F/03987/14 & F/06079/13

² Design Guidance Note: 4 The Removal or Alteration of Chimney Stacks, London Borough of Barnet.

the CA would also fail to preserve the character or appearance of the CA and would harm its significance as a whole.

Planning and Heritage Balance

12. The combined harm I have identified to the significance of the designated heritage assets would be less than substantial. In which case paragraph 196 of the Framework requires it to be weighed against the public benefits of the proposals, including where appropriate, securing optimum viable use.
13. The proposals would improve the living conditions for the occupiers in terms of additional internal living space. However, these benefits are largely private and would be insufficient to outweigh the great weight I must attach to the harm I have identified to the designated heritage assets.
14. Thus, overall, I find the proposed development/works would fail to preserve the grade II listed Nos 25 to 34 Asmunds Place and would also fail to preserve or enhance the character or appearance of the CA contrary to the respective sections of the Act and the Framework.
15. For the same reasons the scheme would also conflict with the development plan, particularly Policies CS NPPF and CS5 of Barnet's Local Plan Core Strategy (2012) and Policies DM01 and DM06 of Barnet's Local Plan Development Management Policies (2012) which amongst other things seek to ensure good design and that proposals do not cause harm to designated heritage assets.

Conclusion

16. For the reasons given above and taking into account all other matters raised, I conclude that the appeal should be dismissed.

L Fleming

INSPECTOR