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Planning and Built Environment  
London Borough of Camden  
5 Pancras Square  
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**FAO Kate Henry**

20 June 2023

**Our ref: GAO/GBR/KFO/U0022724**

**Your ref: PP-12215923**

Dear Kate

**4 The Grove, London N6 6JU  
Town and Country Planning (As Amended) Act 1990  
Planning (Listed Buildings and Conservation Areas) Act 1990  
Application for Full Planning Permission and Listed Building Consent**

We write on behalf of our client, FIJPTC Limited, to apply for planning permission and listed building consent at 4 The Grove, Highgate.

The proposals seek a new summerhouse and a new swimming pool, and to sensitively restore the three vaults in the Grade II listed boundary wall. Accordingly, the below proposals are sought. These form part of wider proposals to improve the family dwelling house.

Planning Permission is sought for:

**“Replacement of greenhouse in the rear garden with a summerhouse, new swimming pool, terracing, and associated works.”**

Listed Building Consent is sought for:

**“Replacement of greenhouse in the rear garden with a summerhouse, new swimming pool, restoration of three vaults, and associated works.”**

**The Site**

No. 4 The Grove is a three storey (plus lower ground floor) semi-detached residential property located on the west side of The Grove, in Highgate. The building is a Grade II\* listed terraced house built in 1688. The house is set in the Grade II listed grounds of the former manor, Dorchester House, and contains a portion of the manor's vaulted boundary wall, which is itself Grade II listed.

The property has a small front garden and a large rear garden with a formal lawn, paving and a meadow-like garden accessed by steps adjoining the Grade II listed wall.

The house is situated adjacent to no. 3 The Grove, which is Grade II\* listed, and no. 5 The Grove, which is Grade II listed.

The surrounding area is characterised by conservation and heritage landmarks, including the Grade II listed Witanhurst Mansion to the south, and the Grade II listed Flask Public House to the east.

The house lies within the Highgate Village Conservation Area and is located within a Highgate's Archaeological Priority Area (2.8), which is allocated to Tier 2.

Further information on the Site is detailed within the Heritage Statement, prepared by JL Heritage, the project heritage consultant.

### **Relevant Planning History**

Planning permission and listed building consent have previously been granted (on 27 November 2017) to replace the greenhouse with a larger greenhouse (application references 2017/5683/P and 2017/5900/L); however, the permissions have now expired.

The officer's 'Reasons for granting' informative noted:

*"While the proposal is more modern in design than the existing, given its detachment from the host building, general seclusion and enclosure by vegetation, it is not considered to cause harm to the grade II\* house's special interest or setting, or to the conservation area".*

These applications also involved an extension to the terraced area adjacent to the new greenhouse.

Several applications have been approved for various works to various trees in the lower garden (for example ref. 2017/6771/T, granted on 18 January 2018).

### **Pre-application**

A pre-application meeting took place on Site with the Planning Officer on 30 November 2022 and the Conservation Officer on 2 February 2023.

On 16 February 2023, Camden issued its formal pre-application response letter. Pre-application advice stated the following:

- The replacement of the existing greenhouse with a summerhouse building is considered to be acceptable, in principle, in terms of the impact on the setting of the listed building and the character and appearance of the garden and wider conservation area. This is on the assumption that the summerhouse would be modest in character and height.
- It is recommended that existing materials are re-used wherever possible, both from a heritage and sustainability point of view.
- The verdant quality of the area surrounding the summerhouse should also be retained.
- The pool itself is considered to be acceptable, in principle, particularly due to its siting away from the main listed building. This is subject to the use of high quality and appropriate materials.

### **Proposals**

The proposed scheme seeks to replace the existing greenhouse in the rear garden of 4 The Grove with a summer house and install an above-ground pool. In addition, the proposals seek minor changes to the vaults within the Grade II listed garden wall. These proposals are summarised below and should be read in conjunction with the Design and

Access Statement, prepared by SODA, the project architect, and the Heritage Statement, prepared by JL Heritage, the project heritage consultant.

### *Summerhouse*

- The replacement of the existing modern greenhouse with a similarly-scaled summer house in the same location.

The proposed summer house is of modest scale and only slightly larger than the existing greenhouse. Its timber-framed design with large portions of glazing and timber shingles reference traditional glasshouses and timber outhouses and would be screened from views from the upper garden by the drop in ground level between the upper and lower gardens. Associated decking is also proposed. This decking would be in keeping with the summerhouse and the setting of the Grade II\* listed building and Grade II listed garden wall.

The lower garden is characterised by wild planting which will provide cover and screening for the summerhouse.

### *Swimming pool*

- The construction of an above-ground swimming pool, utilising an existing drop in ground level.

It is proposed to utilise the existing drop in ground level towards the rear of the existing greenhouse to construct a modestly proportioned above-ground swimming pool. This avoids any physical impacts associated with the digging of below-ground pools.

### *Vaults*

- The restoration of the vaults to reduce water ingress and create functional, dry spaces.

The existing vaults situated within the Grade II listed garden wall are currently in a poor condition and have undergone several insensitive changes within the 20th century.

This proposal seeks to sensitively restore the vaults and improve their overall condition. Water ingress would be reduced using a masonry injection system, in which a flexible gel membrane would be injected between mortar joints in the brick into the backfill behind the brickwork. This gel fills any voids within the backfill and reduces the flow of water towards the rear of the brick. The brickwork would then be gently cleaned and repointed with lime mortar, leaving no trace of the process.

The brickwork would remain fully exposed and there would be no visual change to its appearance.

It is also proposed to remove the existing wooden doors to the vaults, which are not historic and are in very poor, rotten condition, and replace them with new versions of an identical style. New metal-framed glazed doors would then be fitted to the inner end of the threshold to allow the spaces to be used in colder weather. These glazed doors would only be visible from outside when the traditional wooden doors are open.

Existing services within the vaults have been installed haphazardly and are not sympathetic to the character of the structure. Therefore, these proposals also seek to reduce the visual impact of these additions and LED up-lights would be installed at the edge of the modern screen floor.

### **Legislation**

Statute regarding the heritage environment is relevant to this application. The site's historic fabric has been carefully considered in the development of the proposals having regard for the statutory legislation set out below.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that local planning authorities should pay special regard to the desirability of preserving a listed building or its setting or any features of historic or architectural interest which it possesses when considering applications.

Section 72 of the same Act states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

### **Local Development Framework**

The London Borough of Camden's Local Development Framework comprises of the following planning policy documents: the London Plan (2021), the Camden Local Plan (2017) and the Highgate Neighbourhood Plan (2017).

Guidance within the National Planning Policy Framework (2021), 'Home Improvements' Camden Planning Guidance ('CPG') (2021), 'Amenity' CPG (2021), 'Trees' CPG (2019) and the Highgate Conservation Area Appraisal and Management Strategy (2008) are material considerations against which proposals have been assessed.

### **Planning Considerations**

#### Heritage and Design – Policy Context

In considering the provisions of the NPPF, the Government has attached great importance to conserving and enhancing the historic environment. The NPPF advises that decisions on applications with implications on designated heritage assets should be made based on the significance of the asset, and the harm (substantial or less than substantial) that the proposals would cause to the significance of the heritage asset.

Paragraph 202 of the NPPF states that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm shall be weighed against the public benefits of the proposals.

Policy HC1 of the London Plan seeks to conserve and enhance heritage assets such as listed buildings, Conservation Areas, and the historic environment. This policy emphasises the importance of development plans demonstrating a clear understanding of the historic environment and the heritage values of sites or areas and their relationship with their surroundings.

Local Plan Policy D1 seeks to secure high quality design in development. Part k specifies that design will incorporate high quality landscape design.

Camden Local Plan Policy D2 states that the Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings. In order to maintain the character of Camden's conservation areas, the council will require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area. The Council will also resist development that would cause harm to significance of a listed building through an effect on its setting or would cause harm to its special historic interest.

Policy DH2 of the Highgate Neighbourhood Plan requires that development proposals within the conservation area preserve or enhance the character or appearance of the area and respect of the settings of listed buildings and other heritage assets.

The 'Home Improvements' CPG states that outbuildings developments in rear gardens should be built sensitively in terms of height, scale, massing and materials, and have minimal visual impact on, and is visually subordinate within, the host garden.

#### Heritage and Design – Policy Assessment

The accompanying Heritage Statement, prepared by JL Heritage, considers that the proposed scheme of works will preserve the Grade II listed garden wall and vaults, and its special architectural and historic interests. The setting of surrounding designated heritage assets, including Grade II\* listed 4 The Grove, its gardens, and the character and appearance of the Highgate Conservation Area will also be maintained, thereby according with Section 66 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

In accordance with the NPPF, the Heritage Statement concludes that only isolated elements of potential negligible harm resulting from the proposals (primarily the very minor physical impacts resulting from the installation of new services) would be at the very lowest level of 'less than substantial' in NPPF terms. The identified harm would not detract from the site's overall special architectural or historic interests and is far outweighed by the beneficial impacts brought about through the repair and restoration of the vaults.

There would be no adverse effects on the Highgate Conservation Area, and the significance of nearby listed buildings would be preserved.

Paragraph 202 of the NPPF requires that a less than substantial harm be weighed against the public benefits of a proposal. The following heritage-related public benefits arise from the development, taken as a whole:

- Securing the future of the Grade II listed garden wall and vaults through their sensitive repair and restoration. They are currently in poor condition and will benefit from the proposed works to improve their overall condition;
- The sustaining of the site's significance — the proposed changes are minor and localized, and easily maintain the property's special interests.

The proposals accord with the relevant policy set out within the London Plan 2021 and are considered to comply with policy D2 of Camden's Local Plan.

The proposed alterations respect and work in harmony with the key aspects of the site's character and appearance and would sit comfortably within its historic context. The design of the proposed changes has been carefully considered, so as to ensure that the proposals complement the existing structure, the main house, and their garden setting. The proposed works have been developed with the site's special interests in mind, and will preserve its significance. Works that would result in very low levels of less-than-substantial harm are to be undertaken in areas of lower significance which are less sensitive to change, while areas of higher significance are remaining untouched. As such the scheme accords with Policy D2 within Camden's Local Plan.

In accordance with the 'Home Improvements' CPG, the proposed outbuilding aims to respect the surrounding character and appearance of the associated conservation area and host listed building.

The removal of the existing greenhouse allows the new outbuilding to be built sensitively in terms of height, scale, massing and materials.

With regards to design, structure and construction considerations, the enclosed Structural Statement, prepared by Tier concludes that the proposals will have negligible impact on buildings within the site and neighbouring properties. In addition, the proposals would not affect drainage and run off or cause other damage to the water environment due to good design and will avoid cumulative impacts upon structural stability or the water environment in the local area.

The proposals have been assessed against the policy set out within the NPPF and Camden Council's Local Plan, and Camden's Guidance. The proposals accord with all relevant policy and guidance and offer a sympathetic and informed scheme of works that would maintain the overall interests of the site and its designated heritage assets.

#### Archaeology - Policy Context

The NPPF requires that where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Local planning authorities are required to have access to a historic environment record, in line with paragraph 192 of the NPPF. This should contain up-to-date evidence about the historic environment in their area and be used to predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future.

Policy D2 of Camden's Local Plan 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. The Council will protect remains of archaeological importance by ensuring acceptable measures are taken proportionate to the significance of the heritage asset to preserve them and their setting, including physical preservation, where appropriate.

#### Archaeology - Policy Assessment

In line with paragraph 192 of the NPPF, an Archaeological Desk Based Assessment has been undertaken at 4 The Grove ,by Abrams Archaeology Ltd, to consider the Site's archaeological potential, as the Site is located within Highgate's Archaeological Priority Area (2.8), which is allocated to Tier 2.

The Archaeological Desk Based Report states that the Site has a Medium/Moderate rating in terms of Archaeological Risk. The Report notes that the proposals may impact below ground archaeological remains. However, the Report considers the Site to have a variable archaeological potential, low for the Medieval and all earlier periods and high for the Post-Medieval and modern periods.

The Report notes that the Site has been severely truncated in parts. Therefore, most types of Post Medieval archaeological remains will have been removed. As such, the Report states on page 33 that "we have no reason to believe such remains are preserved on this land".

Page 34 of the Archaeological Desk Based Report concludes that based on available evidence, it is considered that the proposed development accords with current legislation, the planning policies contained within the NPPF and local policies which relate to archaeology.

The Ground Investigation Report, prepared by Tier, provides further information on the environmental setting of the Site, the current ground and groundwater conditions and the soil permeability to aid with drainage design. This report concludes on page 34 that groundwater is not anticipated to be a problem and provides recommendations for construction and monitoring going forwards.

#### Tree Protection – Policy Context

The Town and Country Planning Act 1990 places an express duty on local planning authorities to ensure whenever appropriate when granting planning permission that adequate conditions are imposed to secure the preservation or planting of trees (Section 197), and that any necessary tree preservation orders are made (Section 198).

The NPPF states in paragraph 180 states that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity, and development resulting in the loss or deterioration of irreplaceable habitats (such as ancient or veteran trees) should be refused.

Policy G7 of the London Plan requires that development proposals should ensure that, wherever possible, existing trees of value are retained.

The 'Trees' CPG states that planning legislation makes special provision for trees in conservation areas. All trees that contribute to the character and appearance of a conservation area should be retained and protected.

The CPG emphasises that rear gardens make an important contribution to the townscape of the Borough and contribute to the distinctive character and appearance of individual buildings. Many will feature trees and vegetation of amenity, townscape or biodiversity value.

The Highgate Conservation Area Appraisal and Management Strategy states trees within the Highgate Conservation Area are an important part of the local landscape and make an important contribution to the character and appearance. Furthermore, page 28 states that the gardens at the rear of The Grove were designated in Camden's Unitary Development Plan (2006) (which is now outdated and has been superseded by Camden's Local Plan 2017) as a 'partially wooded Private Open Space'.

#### Tree Protection – Policy Assessment

In line with guidance, an Arboricultural Impact Assessment has been undertaken at 4 The Grove, by SJ Stephens Associates, to ensure that all possible impacts of a proposed development on the landscape have been fully considered and that potential harm is avoided.

The Arboricultural Impact Report concludes that no trees of any particular significance are proposed for removal. In addition, the Assessment states that the proposed summerhouse, pool and decking has been kept back from the existing trees to provide adequate separation distances to ensure their future sustainability.

The Arboricultural Impact Report states that protection measures have been specified to protect the Root Protection Area of all retained trees, and provided the recommendations in the Arboricultural Impact Assessment are followed, the arboricultural impact of the proposals on existing tree cover is considered acceptable.

### Neighbour Impact - Policy Context

London Plan Policy D6 requires development not to cause unacceptable harm to the amenity of surrounding land and buildings in relation to privacy.

Policy A1 of Camden's Local Plan seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents.

Further guidance is provided in the 'Amenity' CPG which sets specific standards of development with regard to amenity.

### Neighbour Impact - Policy Assessment

By virtue of the modest scale and scope of the proposed works it is not likely that any adverse neighbouring amenity impacts would be caused by these proposals in a relatively secluded part of the garden.

### **Summary**

This application seeks the replacement of an existing greenhouse with a summerhouse in the rear garden, along with a swimming pool and bringing back existing vaults into use. The proposals are considered to have an acceptable impact on the fabric and setting of the property and wider conservation area, as demonstrated within this letter and supporting documents. The development fully accords with the development plan and national planning policy guidance, and it is respectfully requested that planning permission and listed building consent are granted.

### **Application Documentation**

The following information is enclosed to accompany this request:

- Application forms, prepared by Gerald Eve;
- Site Location Plan, prepared by SODA Architects;
- Design and Access Statement, prepared by SODA Architects;
- Existing, demolition and proposed drawings, prepared by SODA Architects;
- Heritage Statement, prepared by JL Heritage;
- Arboricultural Impact Assessment, prepared by SJ Stephens Associates;
- Archaeology Archaeological Desk Based Assessment, prepared by Abrams Archaeology Ltd;
- Structural Statement and Basement Screening Report, prepared by Tier;
- Flood Risk Assessment, prepared by Tier;
- Ground Investigation Report, prepared by Tier; and
- CIL Form, prepared by Gerald Eve.

The requisite application fee of £234 (including VAT) has been paid online.



We look forward to your confirmation of the validation of these applications. In the meantime, please contact Gary Brook (0207 333 6311) or Katie Fong (0203 486 3736) of this office if you have any queries.

Yours sincerely

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Enc. As above