



JON LOWE  
HERITAGE

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## Heritage Statement

4 The Grove, Highgate

N6 6JU

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June 2023

Project Ref. 00411

V.1

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Heritage Statement 4 the Grove, Highgate

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Report Version: V1

Project Reference: 00411

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# Introduction

1. This Heritage Statement has been prepared by Jon Lowe Heritage Ltd, and supports an application submission for proposed changes within the rear garden of 4 The Grove, Highgate, and to a portion of its garden terrace.
2. 4 The Grove is a Grade II\* listed residential property constructed c.1688, while the garden wall and terrace which runs to the rear of Nos. 1-6 The Grove and effectively divides the properties' rear gardens into upper and lower terraces is also Grade II listed in its own right.
3. This report presents Camden Council, the decision makers, with a statement of significance on the heritage assets potentially affected by the works applied for, together with an assessment of the impacts and effects of the works upon that significance. In doing so it supports the statutory obligation on decision-makers to pay special attention to the desirability of preserving or enhancing the character and appearance of conservation areas and to have special regard to the desirability of preserving listed buildings and their settings.

## Proposed Scheme

4. The proposals are summarised below:
  - The replacement of the existing modern greenhouse with a similarly-scaled summer house in the same location;
  - The construction of an above-ground swimming pool, utilizing an existing drop in ground level;
  - The restoration of the vaults to reduce water ingress and create functional, dry spaces.

## Methodology

5. The site, its relationship to context and the wider area have been observed by the author during site visits conducted in 2022 and 2023.
6. Value judgements based on observation of the building fabric, form and features were made and these were further supported by documentary research. Observations and external inspections were also undertaken to better identify the overall sensitivity of the building and site to change, together with opportunities for enhancement. Working with the design team, proposals that seek provision of improved and heritage sensitive accommodation are presented.

## Report Structure

7. This report presents a summary understanding of the application site and surrounding heritage assets, including a description of their historic background. This is followed by a proportionate description of the significance of the heritage assets potentially affected by the proposals. This is followed by an initial assessment of the proposed changes and their impact upon the significance of the heritage assets.

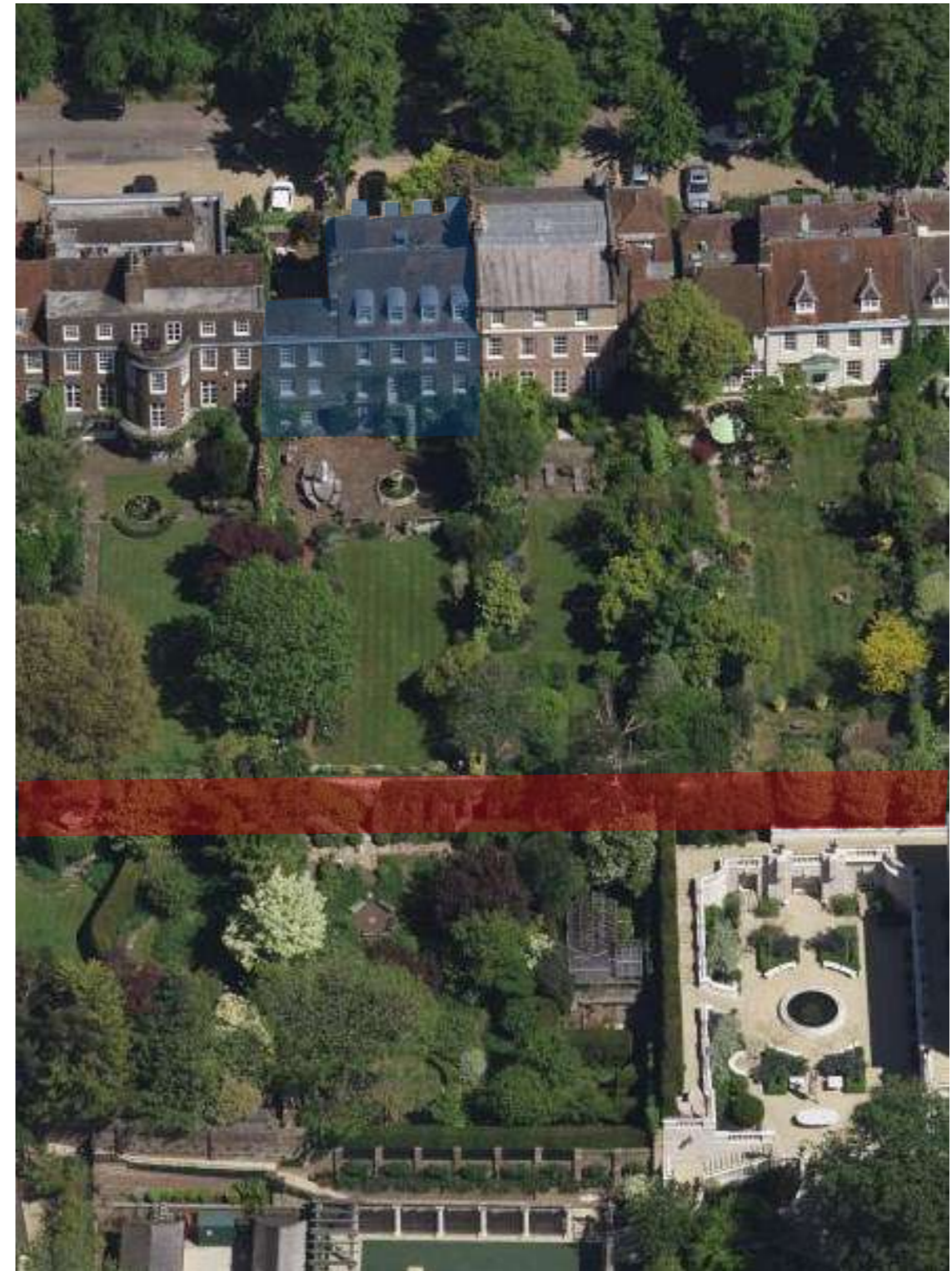


Figure 1: Aerial image—4 The Grove shaded in blue, and the approximate location of the separately listed vaults that run across the rear of a number of properties along The Grove is shaded in red (much of the vaults are concealed by foliage).



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## Understanding the Site

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# Understanding the Site

8. 4 The Grove is a substantial and well-preserved brick-built domestic building constructed c.1688, and is located in Highgate village. Of two storeys over a basement and with a dormered attic, the property has been extended three times; with a shallow clap-boarded side wing off the stair half landings, a lean-to extension on its north-east corner, and a three-storey side wing extension that abuts the adjacent house.

9. The property has remained in residential occupation and is considered the best preserved of William Blake's original properties along The Grove.

10. 4 The Grove was listed at Grade II\* on 10th June 1954 (List Entry Number 1378979). Its list description reads as follows:

*TQ2887SW THE GROVE 798-1/5/1607 (West side) 10/06/54 No.4 and attached railings, wall and lamp*

*GV II\**

*Detached house. c1688 built by William Blake; some later alterations. Red brick, heavily repointed, with plain brick band at 1st floor level. Tiled roof with dormers and moulded wooden eaves cornice. 2 storeys, attic and semi-basement. 4 windows. Wooden doorcase with shaped brackets to hood; overlight and panelled door. Segmental arches to flush framed sashes with exposed boxing. INTERIOR: not inspected but noted to retain good original panelling and staircase. SUBSIDIARY FEATURES: attached cast-iron railings to areas. Attached wrought-iron railings, possibly Edwardian replicas of early to mid C18 type, on low brick wall to forecourt. Gateway with lamp overthrow having Windsor type lantern. HISTORICAL NOTE: this is the least altered of the six Blake houses in The Grove. (Survey of London: Vol. XVII, The Village of Highgate, Part I: London: -1936: 77-94; RCHME: London, Vol. II, West London: London: -1925: 90).*

11. Within No.4's rear garden, and spanning the rear gardens of Nos.1-6, is a landscape feature consisting of walls, terraces and steps that originally formed part of the walls and garden of Dorchester House; a 17th century building that was located to the south of the Grove. This landscape feature is Grade II listed in its own right (List Entry Number 1378982), and its list description reads as follows:

*TQ2887SW THE GROVE 798-1/5/1610 Garden walls, terraces and steps of 14/05/74 Nos.1-6 (consec) & Garden arbour to No.6.*

*GV II*

*Gardens walls, terraces and steps and garden arbour in the rear gardens of Nos 1-6 (qqv). c1600 with later alterations and additions. The northern and western terrace walls were the curtilage walls of the C17 mansion, Dorchester House (demolished c1688-9) which formerly stood east of Witanhurst. Red brick garden walls with parapets, terraces and steps leading to lower garden. In garden of No.6, in north-west corner, remains of a red brick arbour of c1600 with curved bastions (mostly rebuilt overlooking garden); north wall with half round columns and round-arched niches flanking arched doorway with later blocking. (Survey of London: Vol. XVII, The Village of Highgate, St Pancras I: London: -1936: 77-94).*

## Heritage Context

12. The site is located within the Borough of Camden's Highgate Conservation Area. The conservation area was designated 1968 and extended in 1978 and 1992. The Grove is situated within the area's Sub Area 1: Highgate Village.

13. The Highgate Conservation Area Appraisal summarises the area as such:

Sub-Area One forms the historic 'core' of the Conservation Area, developed along the major roads which crossed the high

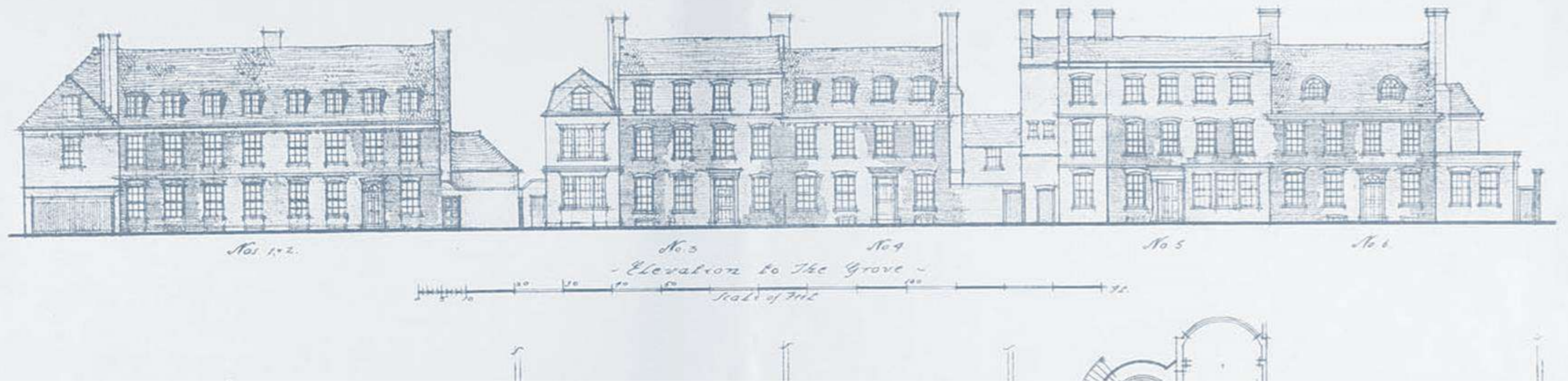
ground to the north of London. This area has the most intense development within the Conservation Area, rich in form and detail. It has all the elements expected of a village with a shopping frontage in the High Street, grand houses, simple cottages, public buildings and a central square. The grand houses reflect the fact that Highgate has been a desirable residential area since the late 17th century. There are a series of strong

edges that define the village core around which the rest of Highgate has developed.

14. By way of its historical and architectural interests, 4 The Grove and the garden terrace and walls to the rear make a positive contribution to the streetscape as well as to the character and appearance of the Highgate Conservation Area and to the setting of nearby listed buildings.



Figure 2: Area plan of 4 The Grove, delineated in red, and its surroundings. Nearby Grade II designated heritage assets highlighted in light purple, and Grade II\* designated heritage assets highlighted in dark purple.



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## Historic Background

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# Historic Background

## Area Development

15. The village of Highgate originated at a hamlet located at the south-eastern corner of what was the Bishop of London's estate. The rich parkland in this area of the estate was used for hunting from 1227 until the confiscation of church lands by Henry VIII in the 1530s.
16. Its elevated position, clean air and spring water meant that by the 16th century, Highgate had become a popular retreat. Wealthy families had begun to build houses in the area, and in 1553 there were five licensed inns in the village. Prior to the construction of 1-6 The Grove, the land was the site of two mansions with large grounds, Arundel House and Dorchester House (constructed c.1600). Evidence of the latter can be seen in the gardens of properties along The Grove—in the garden of No.6 a red brick arbour with curved bastions survives, while in the gardens of Nos.1-5 the earlier mansion's large retaining wall and vaults can be seen.

## 4 The Grove: History and Evolution of the Gardens

17. The construction of The Grove can be dated to approximately 1688; the Survey of London identifies the court rolls and an MS. plan drawn and annotated by William Blake as evidence of this. This plan contains the information that Blake had erected six houses on the garden of Dorchester House, and the rent from those houses was intended to form part of the endowment of the charity school he had founded and opened in Dorchester House. Blake had purchased Dorchester House for £5000 to establish a school for 40 poor children or orphans, but unfortunately the school was unsuccessful and Blake was sent to debtors' prison.

18. No.4 was constructed towards the rear part of Dorchester House's rear garden (see figure 3). The upper portion of No.4's garden sits within the original garden of Dorchester House, while its lower terrace sits on land that sat just outside the gardens of Dorchester House; the walls to the former Dorchester House separate the upper and lower terraces of gardens now belonging to houses along The Grove.
19. The first map to show the upper and lower terraces belonging to 4 The Grove in any detail is the 1863 Ordnance Survey (p.9). There are no glasshouses or other structures within the rear garden at this time and little can be discerned on the nature of the planting and landscaping within the garden, apart from the presence of a number of trees.
20. By 1894 (p.9) a large glasshouse had been constructed within the lower terrace, in the approximate location of the existing smaller glasshouse. This was still in-situ by 1913, but by 1936 it had been replaced by a smaller glasshouse and an additional small outbuilding.
19. By 1951 this outbuilding had been demolished and two small glasshouses had been constructed in the lower terrace garden. An aerial photograph of 1947 provides a basic overview of the garden's landscaping, and shows that at this time no pond had been dug in the patio area.
20. The property's sales brochure of 1975 describes the garden thus:

*The rear garden, which is a feature of the property, is beautifully landscaped, and adjacent to the house has a brick-paved patio area with*

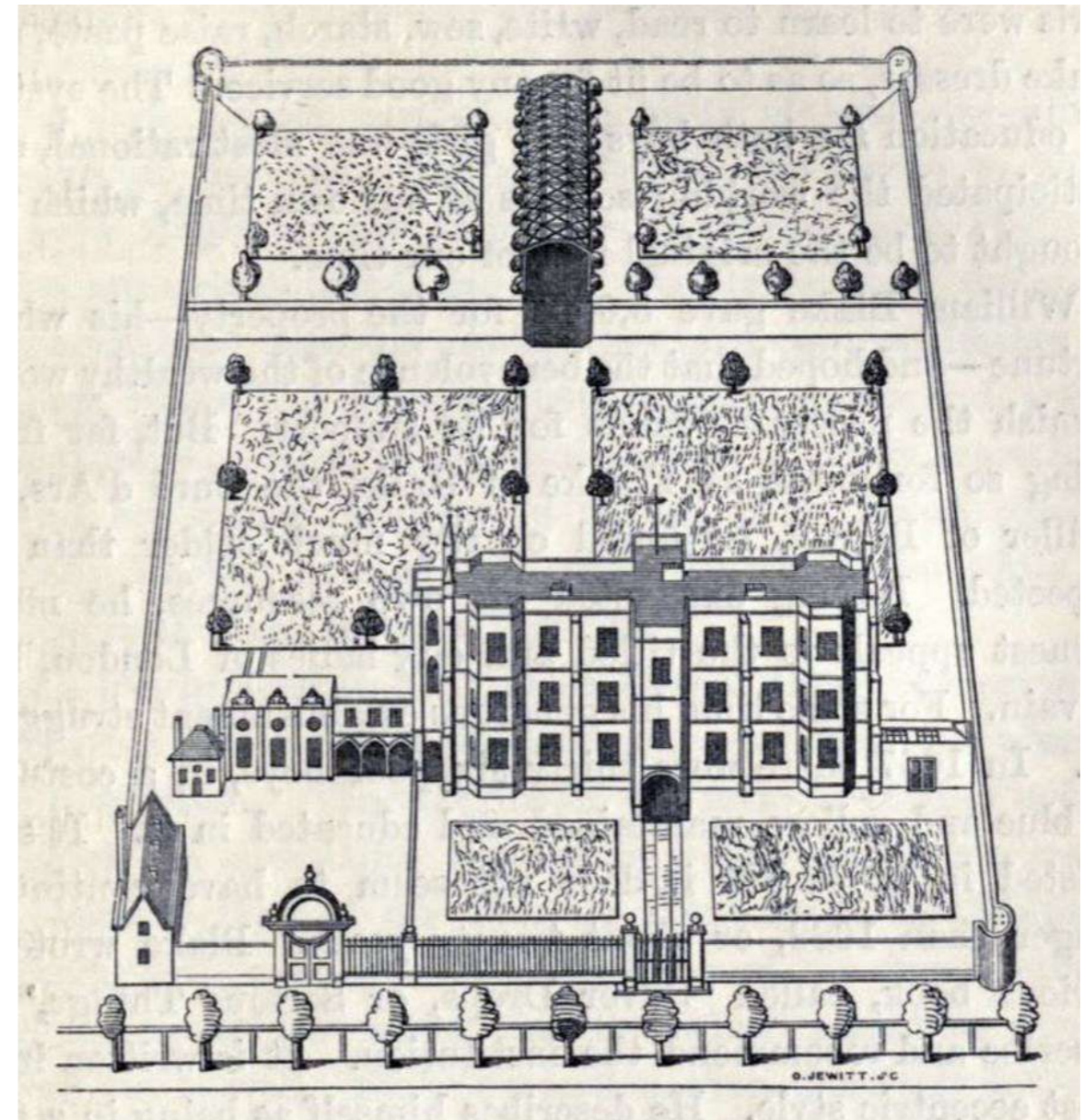


Figure 3: Dorchester House and Gardens

*lily-pond, many creepers and shrubs. This, in turn, leads to the main walled garden with lawn, shrubs and specimen trees, rhododendrons, weeping willow and brick walk giving access to the steps which lead down to the lower garden, which is again walled, has a lawn section, flanked by rose gardens and rockeries. There is a further kitchen garden area with heated greenhouse, etc.*

21. There is no record of any works that have been carried out to the vaults, although an analysis of their fabric indicates that some changes have taken place within the 20th century. Electrics and drainage have been installed, along with

concrete screed flooring and what appears to be strengthening works, including the insertion of brick piers and metal beams in places.

22. In 2017 planning and listed building consent (2017/5683/P) to replace the existing greenhouse with a larger greenhouse and terrace was granted, but these works did not take place.



Figure 4: Dorchester House, c.1700

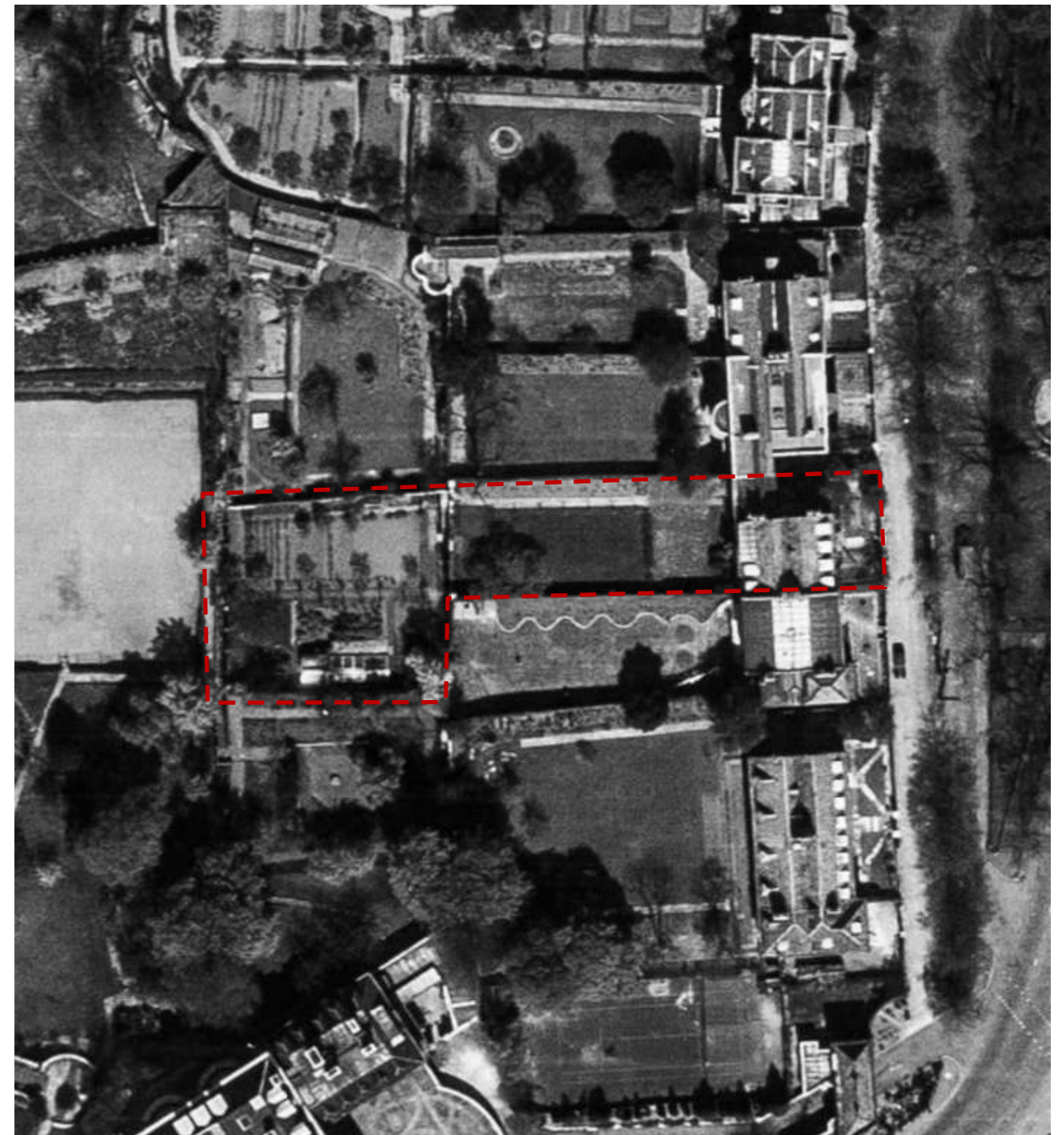
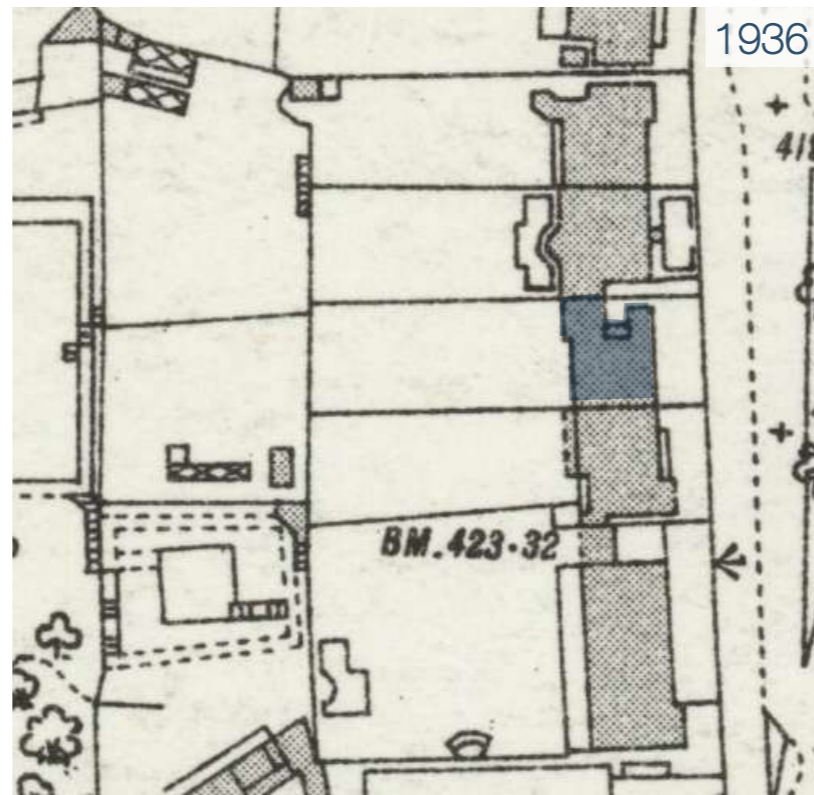
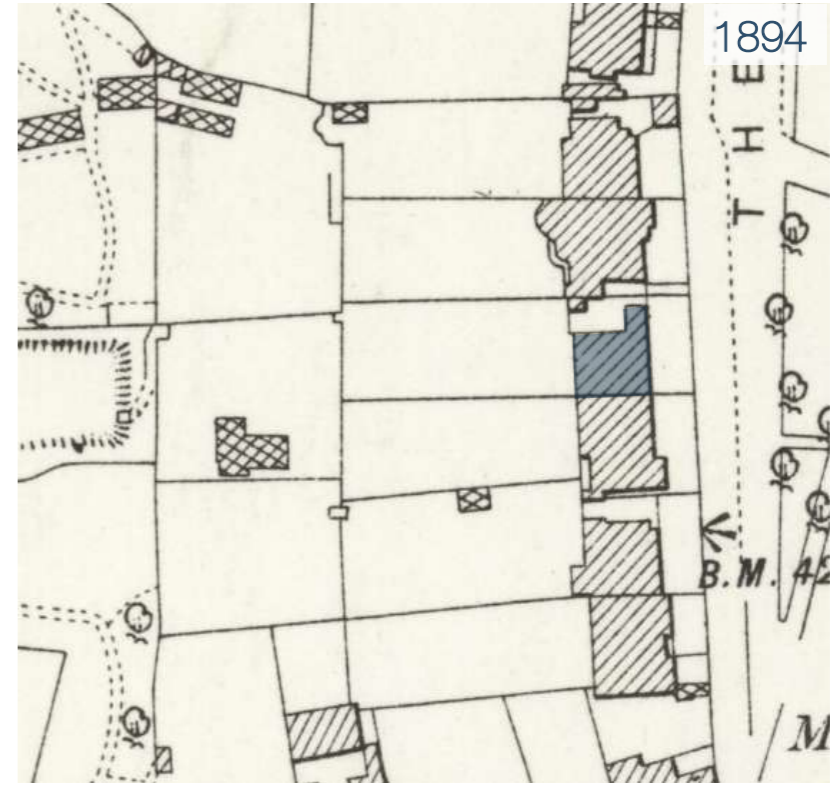
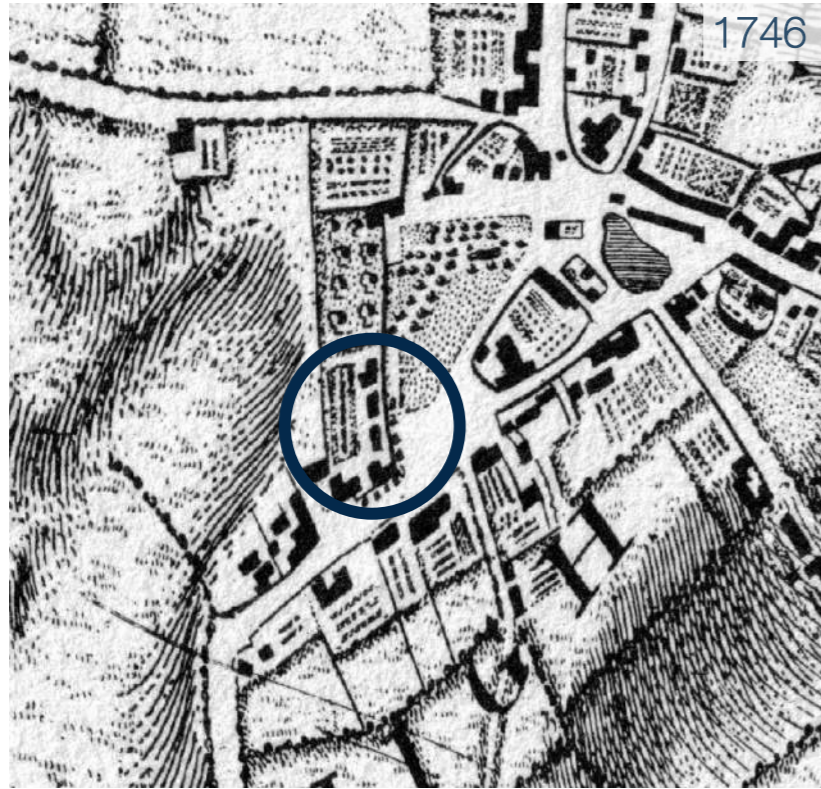


Figure 5: Aerial image of The Grove, 1947, site delineated in red.







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## Assessment of Significance

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# Assessment of Significance

23. NPPF policy promotes understanding significance in order to judge the acceptability of the effects of a proposal upon it. Significance, for heritage assets, comprises the asset's architectural, historical, archaeological and artistic interests, and these aspects will be assessed in the following section.
24. Not all aspects of a site are of special interest or desirable to preserve. The proposed scheme will only affect parts of the site, whereas the asset's significance derives from the its whole, and for its townscape qualities and role in an urban plan.
25. A description of Grade II listed garden wall and vaults, their surrounding gardens, the contribution they make to the setting of Grade II\* listed 4 The Grove and the character and appearance of the Highgate Conservation Area is presented below. These descriptions are proportionate to the significance of the assets and are sufficient to understand the nature of the impacts the proposed scheme may have upon that significance.

## The Gardens, Walls and Vaults

26. The gardens, their walls and landscaping all provide the immediate residential setting of Grade II\* listed 4 The Grove. This domestic garden setting contributes to the significance of the listed building and nearby designated heritage assets, and contributes to their setting and to the character and appearance of the Highgate Conservation Area.
27. The arrangement of the upper and lower gardens, which sit either side of the Grade II listed wall and vaults, are also illustrative of the earliest phases of Highgate's development. This arrangement is evidence of the position of the former Dorchester House, and illustrates its later redevelopment by William Blake. The arrangement of these upper and lower terraces

is also one of the most distinctive elements that contribute to the setting of No.4.

28. The Grade II listed garden wall and vaults form a terrace, the face of which is only visible from the lower garden. The fabric of the wall and vaults is multi-phased in places, with areas of repair, partial reconstruction and infilling. This can be seen most clearly in vaults 2 and 3, which have had modern brick piers and steel beams inserted for strengthening purposes at an unknown date, but presumably in around the mid-20th century. These later elements can be considered visually intrusive and have somewhat reduced the vaults' significance and sensitivity.
29. The Grade II listed walls and vaults have historic, architectural and archaeological significance in their own right as the only remaining feature associated with the Tudor-period Dorchester House, and are representative of the later redevelopment of its site and the growth of Highgate. Their fabric, form and materiality is of significance, although some less-sensitive later interventions have somewhat reduced their historic integrity. They are also of significance for the contribution they make to the setting of Grade II\* listed 4 The Grove and other neighbouring designated heritage assets.
30. The existing greenhouse within the lower garden is modern and likely dates to around the 1970s. It forms part of the setting of the lower terrace and Grade II listed walls and vaults, but does not contribute to the significance of the asset or the garden itself. However, as a garden structure in a location which has been the site of earlier garden structures of a similar type, it is at home within its context and does not detract from the setting of surrounding heritage assets. It has no direct visual relationship with the Grade II\* listed house, and it is situated discreetly low down within the lower terrace garden.



Figure 6: Upper garden, as viewed from main patio



Figure 7: Lower garden, Grade II listed wall & vaults immediately to the left, mostly covered in greenery

### Highgate Conservation Area

31. The Highgate Conservation Area is of significance for its architecture and history. These combined result in an area of distinct character and appearance.
32. The Conservation Area Appraisal and Management Strategy states: "The essential character of the Highgate Conservation Area is of a close-knit village crowning one of the twin hills to the north of London. Highgate's proximity to London, combined with the benefits of its elevated position, providing clean air, spring water and open spaces, has ensured that from its earliest beginnings in about the 14th century, it has been a very popular place to live or visit. The generally 18th and 19th century character of the present buildings may conceal the existence of earlier structures; for example, a late medieval jettied timber structure has been identified within one of the High Street buildings across the borough boundary in Haringey. The early village high street with its characterful small-scale houses and traditionally fronted shops and businesses and the open square, around the site of the original pond remain the heart of the village. Large and fashionable historic houses from the 17th, 18th, 19th and 20th centuries stand clustering around the historic core, and imposing properties set in landscaped gardens stand on the hill slopes below the village enjoying the southern aspect."
33. Grade II\* listed 4 The Grove and the Grade II listed garden wall and vaults make a positive contribution to the character and appearance of the conservation area.



Figure 8: Glimpsed view of greenhouse from lower garden area



Figure 9: View onto greenhouse



Figure 10: Greenhouse from location of proposed pool



Figure 11: Greenhouse to right of image, section of Grade II listed wall and vaults to the left.



Figure 12: Lower garden, looking towards Grade II listed wall and vaults (covered in ivy and foliage).



Figure 13: Vault 1



Figure 14: Vault 1



Figure 15: Vault 2



Figure 16: Vault 2



Figure 17: Vault 3

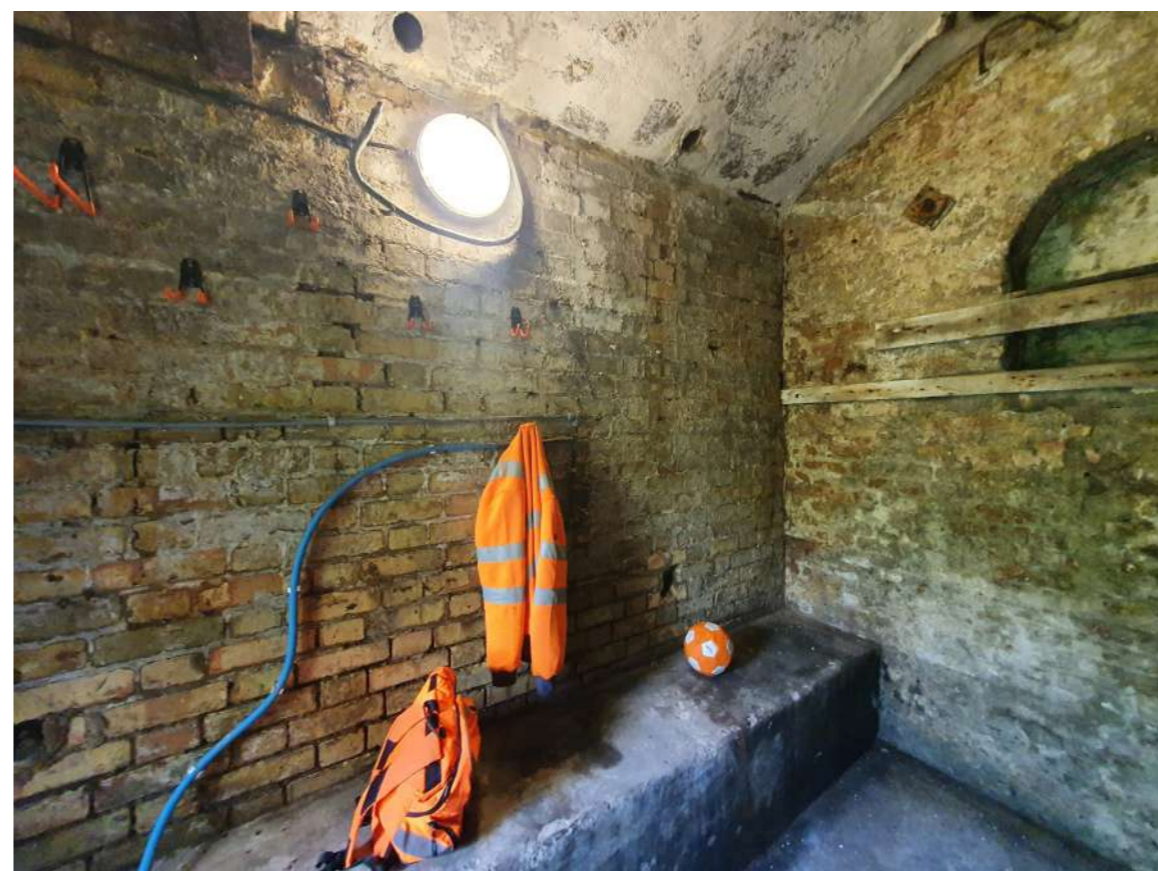


Figure 18: Vault 3

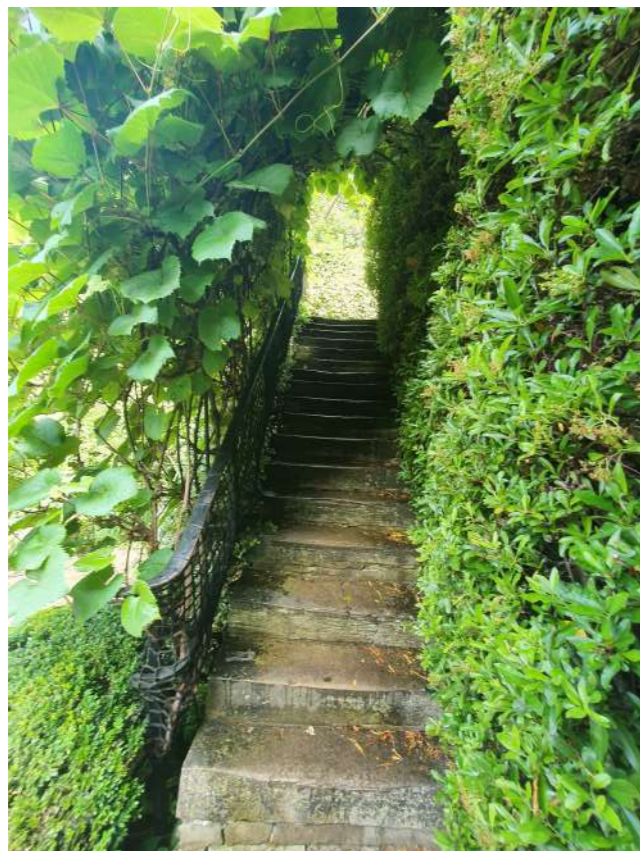


Figure 19: Terrace wall stair



Figure 20: Vault 1 door



Figure 21: Vault 2 door



Figure 22: Vault 3 door



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## Assessment of Effects

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# Assessment of Effects

34. This section of the report offers a full and proportionate assessment of the impacts of the proposals upon the significance of the designated heritage assets and conservation area. The proposed scheme seeks to replace the existing greenhouse with a summer house and install an above-ground pool, and make minor changes to the vaults within the Grade II listed garden wall. The impacts and effects of each of the proposed changes on the site's significance is then assessed.
35. While the primary receptor to change is Grade II listed garden wall and vaults, the proposals have the potential to affect the significance of the Grade II\* listed 4 The Grove and nearby heritage assets through a change in their setting. Our assessment concludes that the character and appearance of the garden wall and vaults and the setting of nearby heritage assets would be preserved and therefore their significance would be unaffected. The proposals are consistent with and sympathetic to their surroundings and the built form of surrounding buildings, and there would be no adverse effects on the significance of other heritage assets.
36. The proposals can be summarised as follows:
- The replacement of the existing modern greenhouse with a similarly-scaled summer house in the same location;
  - The construction of an above-ground swimming pool, utilizing an existing drop in ground level;
  - The restoration of the vaults to reduce water ingress and create functional, dry spaces.

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

37. The existing green house was constructed in around the mid-20th century and is situated in a location in which a number of different glass houses and out-houses have been positioned since at least the late 19th century. The existing modern building, although not detracting from its setting or from the setting of surrounding heritage assets, does not have any inherent heritage value.
38. A previous application (2017/5683/P) for the demolition of the existing greenhouse and its replacement with a larger version with additional decking area gained consent in 2017. A pre-application process was also followed for the proposals presented here, and feedback was received on 16/02/2023. The advice given stated that the replacement of the existing greenhouse with a summer house was considered to be acceptable in principle on the assumption that the proposed summer house would be modest in character and height.
39. The proposed summer house and decking has been designed to sit comfortably within its plot and within its lush garden setting. It 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 will be screened from views from the upper garden by the drop in ground level between the upper and lower gardens.

40. The verdant character of the lower garden with its trees and abundance of wild planting will be enhanced by subtle naturalistic additions to the existing planting scheme. This will provide even greater cover and screening for the summerhouse, even when viewed from the lower garden, and will enhance the character and appearance of the lower garden and listed wall and vaults.
41. The replacement of the existing greenhouse with an alternative structure on a similar scale to that proposed in the consented scheme of 2017 will not adversely impact the character, appearance or setting of the Grade II listed wall & vaults, the Grade II\* listed house, surrounding gardens or the conservation area. Its carefully-considered scale, materiality, design and positioning have all been developed with the site's heritage sensitivities in mind, and the special interests of surrounding heritage assets will be maintained.

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

42. Is it proposed to utilize the existing drop in ground level towards the rear of the existing greenhouse to construct a modestly-proportioned above-ground swimming pool. This technique and location is considered to be the least-impactful way to incorporate a small pool into this site, and avoids any physical impacts associated with the digging of below-ground pools.
43. The pre-app feedback received 16/02/23 stated that the pool would be considered acceptable in principle, particularly due to its siting well away from the Grade II\* listed house. The pool has

been selected for its modest size and utilizes the natural topography of the garden—it will sit below the level of the terrace (no element of its frame will be visible).

44. This discreet addition will have no adverse impacts on the character, appearance or setting of the Grade II\* listed house, Grade II listed garden wall & vaults or the conservation area. The special interests of all surrounding heritage assets will therefore be maintained.

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

45. The existing vaults situated within the Grade II listed garden wall are currently in a poor condition and have undergone a number of insensitive changes within the 20th century.
46. It is proposed to sensitively restore the vaults and improve their overall condition. Water ingress will be reduced using a masonry injection system, in which a flexible gel membrane will 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. If necessary, a lime mortar can also be injected to sit directly behind the brick to strengthen joints and further reduce any potential water ingress. The brickwork is then gently cleaned and repointed with lime mortar, leaving no trace of the process.
47. This technology has been used in many designated heritage assets (see Design & Access Statement for more information), and is considered to be one of the least-invasive and least-impactful methods of reducing water ingress within vaults. The brickwork will remain



fully exposed and there will be no visual change to its appearance. The only material to sit in direct contact with the brickwork is the lime mortar, which would only be injected to sit at the rear of the brickwork if necessary. There would be no adverse impacts, either visual or physical, as a result of these works, which would improve the overall condition and appearance of the vaults.

48. 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 will then be fitted to the inner end of the threshold to allow the spaces to be used in colder weather. These glazed doors will only be visible from outside when the traditional wooden doors are open.
49. The modern brick piers and steel beams within vault 2 will be lined out, leaving the historic brickwork within the main body of the vault exposed. Existing services within the vaults have been installed haphazardly and are not sympathetic to the character of the structure. These proposals also seek to reduce the visual impact of these additions and LED uplights will be installed at the edge of the modern screed floor. Existing service routes will be used and adapted wherever possible, but if no usable existing routes can be found within the masonry of the listed wall, a new penetration may have to be made. Although a very minor potential adverse impact to the fabric of the wall, this opening would be so small as to be negligible in effect and the special interests of the listed wall would be maintained.

50. Taken together, these works will substantially improve the condition of these Grade II listed vaults. The character and appearance of the vaults will be improved through their sympathetic repair and repointing, and the replacement of their rotten wooden doors. Any adverse impacts to historic fabric are negligible in effect and localized—for example, through the potential formation of a new service route—although existing routes will be used wherever possible. These adverse impacts are also far outweighed by the positive effects brought about through the sensitive repair of the vaults and the improvement in their overall condition. The proposed internal glazed doors will have no impact upon the appearance of the wall when the timber outer doors are shut, and will result in only a minor visual change when viewed from the interior of these very functional spaces. All together, these works will improve the character and condition of the vaults and their special interests will be maintained.



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## Policy Compliance & Conclusions

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# Policy Compliance & Conclusions

## Policy Compliance

51. It is considered 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 accords with S.66(1) and S.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
52. In accordance with Paragraph 194 of the NPPF this report provides a proportionate description of the significance of the heritage assets affected by the proposed development. It follows an inspection and analysis of the building's fabric, along with a study of documentary sources held at public archives. Qualitative judgments have been made based on knowledge and experience of historic buildings of this type. It is concluded that the 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.
53. There would be no adverse effects on the Highgate Conservation Area, and the significance of nearby listed buildings would be preserved.
54. 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.
55. 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.
  56. The proposed alterations respect and work in harmony with the key aspects of the site's complex 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 Parts I, J, and K, of Policy D2 within Camden's Local Plan.

## Conclusions

57. This report has undertaken a thorough assessment of the site at 4 The Grove, its gardens, the Grade II listed garden wall and vaults, and the Highgate Conservation Area. This has been followed by an appraisal of the effects of the proposals and an assessment of their impacts upon the site's significance. Full consideration has been given to local and national planning policy and guidance.
58. The main house is a large late-17th century property. It sits within a large terraced garden, within which the remains of the garden wall of an earlier Tudor house have been incorporated. This wall is Grade II listed in its own right, and the gardens form an important element its setting, and the setting of main house.
59. The proposed scheme represents changes to an earlier scheme consented in 2017, with the addition of an above-ground swimming pool and the repair and restoration of the Grade II listed vaults. A very low level of negligible harm, at the lowest limit of less than substantial harm, has been identified due to potential changes to service routes from the vaults, but this is far outweighed by the much greater positive benefits which will result from the overall improvement in their condition.
60. The proposals have been assessed against the policy and guidance set out within the NPPF and Camden Council's Local Plan. This assessment concludes that 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.

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Appendix 1:

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Legislation and Planning Policy

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# Legislation, Policy & Guidance

## Legislation

- 1) The Planning (Listed Building and Conservation Areas) Act 1990 is the current legislation relating to listed buildings and conservation areas and is a primary consideration.
- 2) In respect of proposals potentially affected listed buildings, Section 66 states that *"in considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses"*.
- 3) In respect of conservation areas, Section 72 of the Act places a duty on the decision maker to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.

## National Planning Policy Framework (revised 2021)

- 4) The Government's planning policies for England are set out within the National Planning Policy Framework (revised 2021). It sets out a framework within which locally prepared plans can be produced. It is a material consideration and relates to planning law, noting that applications are to be determined in accordance with the local plans unless material considerations indicate otherwise.
- 5) Chapter 16, 'Conserving and enhancing the historic environment', is of particular relevance.
- 6) Heritage assets are recognised as being a irreplaceable resource that should be conserved in a manner appropriate to their significance. (Paragraph 189) The conservation of heritage assets in a manner appropriate to their significance is also a core planning principle.

- 7) Conservation (for heritage policy) is defined at annex 2 as: "a process of maintaining and managing change in a way that sustains and, where appropriate, enhances its significance." It differs from preservation which is the maintenance of something in its current state.
- 8) Significance (for heritage policy) is defined at annex 2 as: "The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting..."
- 9) As a framework for local plans the NPPF, at paragraph 190, directs that plans should set out a positive strategy for the conservation and enjoyment of the historic environment, taking into account four key factors:
  - a. "The desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;
  - b. The wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
  - c. The desirability of new development making a positive contribution to local character and distinctiveness; and
  - d. Opportunities to draw on the contribution made by the historic environment to the character of a place."
- 10) This approach is followed through in decision making with Local Planning Authorities having the responsibility to take account of 'a' as well as 'The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality' and 'the desirability of new development making a positive contribution to local character and

distinctiveness'. (Paragraph 197)

- 11) Describing the significance of any heritage asset affected, including the contribution made by its setting, is the responsibility of an applicant. Any such assessment should be proportionate to the asset's significance. (Paragraph 194)
- 12) Identifying and assessing the particular significance of any heritage asset potentially affected by a proposal, taking into account evidence and expertise, is the responsibility of the Local Planning Authorities. The purpose of this is to 'avoid or minimize any conflict between the heritage asset's conservation and any aspect of the proposal'. (Paragraph 195)
- 13) In decision making where designated heritage assets are affected, Paragraph 199 places a duty of giving 'great weight' to the asset's conservation when considering the impact of a proposed development, irrespective of the level of harm.
- 14) Heritage Assets are defined in Annex 2 as: "A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing)."
- 15) Harm to designated heritage assets is categorized into 'substantial harm', addressed in Paragraphs 200 and 201 of the NPPF, or 'less than substantial harm', addressed in Paragraphs 202.
- 16) The effects of any development on a heritage asset, whether designated or not, needs to be assessed against its archaeological, architectural, artistic and historic interests as the core elements of the asset's significance.
- 17) The setting of Heritage Assets is defined in Annex

2 of the NPPF as: "

"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."

## National Planning Practice Guidance

- 19) National Planning Practice Guidance relating to Chapter 16 of the NPPF was last modified on 23 July 2019.
- 20) In respect of levels of harm paragraph 018 recognises that substantial harm is a high test. Case law describes substantial harm in terms of an effect that would vitiate or drain away much of the significance of a heritage asset. In cases where harm is found to be less than substantial, a local authority is to weigh that harm against the public benefits of the proposal.
- 21) Proposals can minimise or avoid harm to the significance of a heritage asset and its setting through first understanding significance to identify opportunities and constraints and then informing development proposals.
- 22) A listed building is a building that has been designated because of its special architectural or historic interest and includes the building, any object or structure fixed to the buildings, and any object or structure within the curtilage of the buildings which forms part of the land and has done so since before 1 July 1948. (Paragraph 023)
- 23) The term 'Special architectural or historic interest' as used in legislation are used to describe all parts of a heritage asset's significance.
- 24) Paragraph 007 of the NPPG states:

67)“Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals.”

25) Paragraph 013 states:

26)“The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each.”

### London Plan (2021)

26) The London Plan (2021) provides a city wide framework within which individual boroughs must set their local planning policies. It is not a revision but offers a new approach from previous iterations of the London Plan. While policies are generally strategic and of limited relevance the policies relating to the historic environment are detailed within Chapter 7 Heritage and Culture. These have been aligned with the policies set out in the NPPF, key of which is Policy HC1: Heritage Conservation and Growth. This policy provides an overview of a London wide approach to heritage and in doing so requires local authorities to demonstrate a clear understanding of London’s historic environment. It concerns the

identification, understanding, conservation, and enhancement of the historic environment and heritage assets, with an aim to improve access to, and the interpretation of, the heritage assets. It states that:

*Development proposals affecting heritage assets, and their settings, should conserve their significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process*

### Camden Council's Local Plan

#### Policy D2 Heritage

27) 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.

#### Designated heritage assets

28) Designated heritage assets include conservation areas and listed buildings. The Council will not permit the loss of or substantial harm to a designated heritage asset, including conservation areas and Listed Buildings, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a. the nature of the heritage asset prevents all reasonable uses of the site;
- b. no viable use of the heritage asset itself

can be found in the medium term through appropriate marketing that will enable its conservation;

- c. conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- d. the harm or loss is outweighed by the benefit of bringing the site back into use.

29) The Council will not permit development that results in harm that is less than substantial to the significance of a designated heritage asset unless the public benefits of the proposal convincingly outweigh that harm.

#### Conservation areas

30) Conservation areas are designated heritage assets and this section should be read in conjunction with the section above headed ‘designated heritage assets’. In order to maintain the character of Camden’s conservation areas, the Council will take account of conservation area statements, appraisals and management strategies when assessing applications within conservation areas.

31) 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

#### Listed Buildings

32) Listed buildings are designated heritage assets and this section should be read in conjunction with the section above headed ‘designated heritage assets’. To preserve or enhance the borough’s listed buildings, the Council will:

- i. resist the total or substantial demolition of a listed building;
- j. resist proposals for a change of use or alterations and extensions to a listed building where this would cause harm to the special architectural and historic interest of the building; and
- k. resist development that would cause harm to significance of a listed building through an effect on its setting.

#### Archaeology

33) 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.

#### Other heritage assets and non-designated heritage assets

34) The Council will seek to protect other heritage assets including non-designated heritage assets (including those on and off the local list), Registered Parks and Gardens and London Squares.

35) The effect of a proposal on the significance of a non-designated heritage asset will be weighed against the public benefits of the proposal, balancing the scale of any harm or loss and the significance of the heritage asset.