

Delegated Report		Analysis sheet		Expiry Date:		16/10/24	
		N/A / attached		Consultation Expiry Date:		N/A	
Officer				Application Number(s)			
Alan Wito				2024/3114/L			
Application Address				Drawing Numbers			
Flat B 10 The Grove London N6 6LB				See decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Installation of new lowered ceiling to lower ground level for purposes of noise insulation.							
Recommendation(s):		Refuse listed building consent					
Application Type:		Listed Building Consent					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	00	No. of responses	00	No. of objections	00
				No. electronic	00		
Summary of consultation responses:		None received					
CAAC/Local groups* comments: <small>*Please Specify</small>		None received.					

Site Description

The application property is the basement flat in a substantial semi detached villa dating from 1854-5. The building is two storeys in height with an attic storey and basement. It is constructed from stock brick with stuccoed detailing around the entrance doors and windows to the front façade. The building is located on the corner of The Grove and Fitzroy Park and is set back the street behind a fence or hedge. It is Grade II listed along with 11 The Grove, with which it forms a symmetrical pair.

Relevant History

There is no planning history relevant to this application.

Relevant policies

National Planning Policy Framework (NPPF): Chapter 16 Conserving and enhancing the historic environment

Planning Practice Guidance (PPG): Historic Environment

Historic England Advice Note 2: Making Changes to Heritage Assets

The London Plan 2021

Policy HC1 Heritage conservation and growth

Camden Local Plan 2017

Policy D2 Heritage

Draft New Camden Local Plan (January 2024)

Policy D5 Heritage

Highgate Neighbourhood Plan

Camden Planning Guidance

Camden Planning Guidance Design (January 2021)

Assessment

The proposed works seek to remove the existing plaster ceiling throughout the basement and replace it with a new lowered ceiling. The reason for this is to provide better noise insulation, to reduce the impact of sound coming from the ground floor into the basement flat. Whilst the building is under the same ownership, the basement is a separate residential unit from the rest of the building.

Special Interest of the Building

The building's special architectural and historic interest is derived partly from the ornate and richly decorated front façade, including the materials, proportions, hierarchy and group value with 11 The Grove. However the interior of the building is also of special interest, with the plan form, surviving features and historic fabric all providing evidence of affluent domestic living arrangements from the mid nineteenth century.

As part of the assessment of this application, only the application flat has been inspected. Whilst some features have been previously removed, such as the staircase to the ground floor, its plan form and other features such as the original store still survive. Limited opening up works have revealed that a historic lath and plaster ceiling survives, but it has been over-boarded with plasterboard.

Impact of the works

The proposed works would involve the removal of the historic plaster ceilings throughout the basement. This has a harmful impact on the special historic interest of the building as it would erode its authenticity as a nineteenth century domestic property

Although features such as simple covings would be removed, these are non original and would never have existed at this level, so the harm relates only to the loss of historic fabric.

The level of harm to the heritage asset, as a whole, is at the lower end of "less than substantial", as it is set out in NPPF paragraph 208. The same paragraph advises that that where a proposal causes less than substantial harm, this should be weighed against the public benefits of the proposal including, where appropriate, securing the optimal viable use.

The proposals offer some private benefits to the user of the basement flat, in terms of reducing the impact of noise. It is acknowledged that the proposal offers some benefits in terms of supporting a residential use, which is its optimal viable use. However, the PPG advises that the optimum viable use of heritage assets is the one likely to cause the least harm to the significance of the asset, not necessarily the most viable one (Paragraph: 015 Reference ID: 18a-015-20190723).

In formulating the proposals, the applicant had not demonstrated whether alternative methods of reducing noise transmission between the flats have been investigated, which would have caused less or no harm. The flat has been in a residential use for a long time, and there is not any indication it is uninhabitable and in danger of falling permanently out of use, and therefore putting the building at any sort of risk.

Whilst the applicant has demonstrated that the flat would not meet the minimum requirements for the resistance to the passage of sound of Part E of the Building Regulations, it is noted that these requirements apply to new build works and are not applied retrospectively to the existing units. In this case they are only a desirable target to achieve. Part E of the Building Regulations also make allowances for 'Historic Buildings', which includes listed buildings. In such cases the requirements are to improve the sound insulation to the extent that is practically possible, providing it does not prejudice the character of the historic building.

Recommendation:

The loss of the historic lath and plaster ceiling within the basement would harm the special historic interest of the building. This level of harm is less than substantial but no public benefits have been identified which outweigh this harm, and therefore it would be contrary to policy D2 (Heritage) of the Camden Local Plan 2017.

Special regard has been attached to the desirability of preserving the listed building and its features of special architectural or historic interest, under s.16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.