



# Planning Statement

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18 Grove Terrace, London, NW5 1PH

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## 1 Introduction & Purpose

### 1.1 Introduction

- 1.1.1 This Statement is the Planning Statement prepared to support a planning application for the extension of an existing basement ('proposed development') at 18 Grove Terrace, London, NW5 1PH ('application site').

### 1.2 Purpose

- 1.2.1 To the extent that development plan policies are material to an application for planning permission the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise. These requirements are set out in section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004.

- 1.2.2 For the purposes of applying this statutory test, the development plan consists of:

Local Plans: development plan documents adopted by local planning authorities, including any 'saved' policies from plans that are otherwise no longer current, and those development plan documents that deal specifically with minerals and waste.

Neighbourhood plans: where these have been supported by the local community at referendum and subsequently made by the local planning authority.

In London only, the London Plan: the spatial development strategy prepared by the Mayor of London.

Any 'saved policies' from the former Regional Strategies, until such time as these are replaced by Local Plan policies.

- 1.2.3 The Courts have determined that it is enough that a proposal accords with the development plan when considered as a whole. It is not necessary to accord with each and every policy contained within the development plan. Indeed it is not at all unusual for development plan policies to pull in different directions.
- 1.2.4 The purpose of this Statement is therefore to consider relevant development plan policies and assess whether the proposed development complies with their provisions, and if not to identify any material considerations that outweigh any conflict.
- 1.2.5 The property is listed and located within the Dartmouth Park Conservation Area. This adds two additional statutory duties in the assessment of the development proposal. In considering proposals concerning listed buildings Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard is had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Proposals within a conservation area are required to meet the statutory test set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires that in exercising any powers in respect to any buildings or other land in a conservation area that 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'.
- 1.2.6 This Statement therefore has the additional purpose of assessing the consequences of applying these statutory tests.

## 2 Site & Proposal

### 2.1 Site

- 2.1.1 The property is located on east of Grove Terrace, London NW1 1PH. It has a PTAL rating of 3.
- 2.1.2 The property forms part of a terrace with lower ground and three upper floors with accommodation in the roofspace. The property contains a basement which is contained within the existing building footprint.

### 2.2 Proposal

- 2.2.1 The proposal is illustrated on Drawings 1049(02)-01, 02 and 03 and comprises an extension at lower ground level (basement) to provide additional habitable accommodation with an open lower terrace and the creation of a lightwell to the front of the property to facilitate a rationalisation and enhancement of the existing habitable accommodation in the basement. Internal access is maintained and supplemented by an external access from the rear garden.
- 2.2.2 No external changes to the elevations are proposed other than the opening up of the lower ground sections to facilitate access to the extended and enhanced basement accommodation.

### 3 Planning History, Development Plan Policies & Material Considerations

#### 3.1 Planning History

3.1.1 Only one planning record appears against the property:

2004/0203/T - Notification of Intended Works to Tree(s) in a Conservation Area. No Objection to Works to Tree(s) in CA - 06-02-2004

#### 3.2 Development Plan Policies

3.2.1 The development plan comprises the London Plan (July 2011) and the London Borough of Camden Core Strategy and the Camden Development Policies Document (both adopted November 2010). The London Plan is the strategic plan for London and therefore, contains policies of a more general nature. However those of relevance are:

3.4 Optimising Housing Potential  
3.5 Quality and design of housing developments  
7.6 Architecture  
7.8 Heritage assets and archaeology

3.2.2 The following Core Strategy and Development Management Policies have been identified as relevant:

CS4 Areas of more limited growth  
CS5 Managing the impact of growth and development  
CS6 Providing quality homes  
CS8 Promoting a successful and inclusive Camden economy  
CS11 Promoting sustainable and efficient travel  
CS13 Tackling climate change through promoting higher environmental standards  
CS14 Promoting high quality places and conserving our heritage  
CS17 Making Camden a safer place  
CS18 Dealing with waste and encouraging recycling  
CS19 Delivering and monitoring the Core Strategy  
DP2 Making full use of Camden's capacity for housing  
DP5 Homes of different sizes  
DP6 Lifetime homes and wheelchair housing  
DP16 Transport implications of development  
DP17 Walking, cycling and public transport  
DP18 Parking standards and limiting the availability of car parking

DP20 Movement of goods and materials  
DP21 Development connecting to the highway network  
DP22 Promoting sustainable design and construction  
DP23 Water  
DP24 Securing high quality design  
DP25 Conserving Camden's heritage  
DP26 Managing the impact of development on occupiers and neighbours  
DP27 Basements and lightwells  
DP28 Noise and vibration  
DP29 Improving access

### **3.3 Material Considerations**

3.3.1 The following are considered to be material considerations of relevance in the assessment of the development proposal:

National Planning Policy Framework  
Camden Planning Guidance (CPG) 2011

- CPG 1 Design 2013
- CPG 2 Housing 2013
- CPG4 Basements 2013
- CPG 6 Amenity 2011
- CPG 7 Transport 2011
- CPG 8 Planning obligations 2011

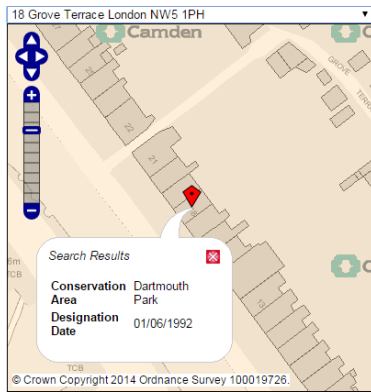
Dartmouth Park Conservation Area Statement ( )  
London Plan Housing SPG (November 2012)



## 4 Assessment

### 4.1 Conservation Area

4.1.1 The property is located within the Dartmouth Park Conservation Area, as the following map extract confirms.



- 4.1.2 The Council has produced the Dartmouth Park Conservation Area Appraisal and Management Strategy which was adopted on 22 January 2009. The Strategy identifies that ‘the conservation area is a mainly residential area, but integral to its character are the interspersed uses scattered throughout it. There are small groups of workshops and offices in the southern tip, four large schools, several nurseries, small institutional buildings, four churches, four local shopping centres, a library, seven public houses, a community centre, a health centre and a recreational centre. Part of the sense of character is derived from social cohesion’ (paragraph 4.2).
- 4.1.3 In paragraph 4.3 the Strategy identifies the ‘semi-rural quality of this area on the fringes of the Heath, with the leafy feel of its tree canopy is an important aspect, and a correlative factor is the quality of darkness at night to which Parliament Hill Fields, the schools, the Greens, the back-lands of Mansfield Bowling Club and Kenlyn Tennis Club, and the large trees in streets and gardens, together with Highgate Cemetery contribute so significantly.
- 4.1.4 In paragraph 4.5, the Strategy confirms that ‘railings and other front boundary treatments, many original, are quite extensive in their variety, but the common feature is that these elements - gates, walls, fences, hedges or railings - complement the architecture. Traditional wrought and cast ironwork, brick walls and piers, stone pier-caps and copings are characteristics of this part of the conservation area as much as the buildings themselves.
- 4.1.5 The property falls within the Highgate Road Sub-Area and Grove Terrace is described as follows: ‘the terraces totalling 27 houses form an impressive and striking composition, enhanced by being set back from the road on elevated ground. Nos.1 - 5 are listed at Grade II in yellow stock brick with rusticated ground floors, completed by 1823. Nos. 6 – 27, with their curtilages including their railings and lampholders are an unusually comprehensive survival of an 18th century piece of speculative development and are listed Grade II\*’.
- 4.1.6 Views of Grove Terrace and the green are highlighted in the Conservation Area Strategy. The property is identified as part of a group of buildings that are considered to make a positive contribution to the conservation area. The construction of basements is not identified as an issue affecting the conservation area.
- 4.1.7 The Conservation Area Strategy contains the following guidance on basement developments:

The conservation area contains very few residential properties with basement development visible through windows, doors, light wells, railings or grilles fronting the highway. The unaltered front gardens make an important contribution to the streetscape and character of the residential area.

The creation of a light well fronting the highway would harm the relationship between the building and the street, could harm the appearance of the building and the streetscape, and is likely to consume much or all of the garden area found with the conservation area. Railings around lightwells would cause a cluttered appearance to the front of the dwelling and would compete with the appearance of the front boundary wall due to the small size of the gardens found in the conservation area. The inclusion of rooflights designed within the landscaping of a front garden can result in illumination and light spill from the subterranean rooms and harm the appearance of a garden setting.

As such the Council will normally resist basement development fronting the highway due to its impact on the appearance of the conservation area.

4.1.8 The statutory requirement for development proposals within a conservation area is that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. It is established case law that a development that has a neutral effect on the character or appearance of a conservation area will meet the statutory test. It is not necessary for development proposals to meet every aspect of the statutory test.

4.1.9 The policy test for proposals within a conservation area is set out in the National Planning Policy Framework which states:

131. In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- 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.

132. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

4.1.10 The Framework further advises that:

133. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, 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:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

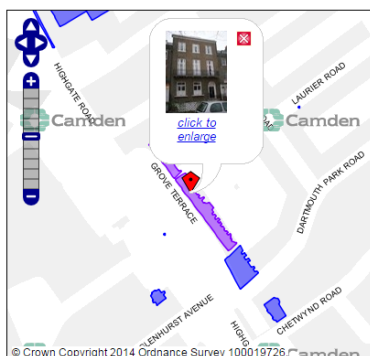
134. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum use.

- 4.1.11 The national policy test is reflected in the London Plan Policy 7.8, Camden Core Strategy Policy DS14 and Development Management Policy DP25. The property already benefits from a lightwell in the front or the property which is enclosed by iron railings and this is located behind a front garden which is enclosed by a hedge. This relationship will be maintained and therefore the external manifestation of the proposed development in the streetscene will be of a slightly enlarged lightwell, enclosed by railings and located behind the front garden and existing hedgerow. This relationship is illustrated on the proposed section A-A (Drawing 1049(02)-03.
- 4.1.12 The guidance contained in the Conservation Area Management Strategy is considered complied with because the impact on the appearance of the conservation area is minimal. The unaltered front gardens which generically make an important contribution to the streetscape and character of the residential area, in the case of the subject property will remain largely unaltered.
- 4.1.13 The relationship between the building and the street, which is identified as potentially harming the appearance of the building and the streetscape, and consuming much or all of the garden area found with the conservation area will not be represented in these proposals. The front garden area will remain and enclosed by a mature hedge. Railings already exist around the current lightwell and will be replicated and replaced and therefore would not compete with the appearance of any front boundary walls. Rooflights are not included and light spillage from basement rooms will not increase since the existing windows are to remain.
- 4.1.14 Although the Conservation Management Strategy states that the Council will normally resist basement development fronting the highway, the rationale for doing so is not represented in this development proposal. For this reason it is considered that the character and appearance of the conservation will be left unharmed and this is sufficient to meet both the statutory and policy tests. The main area of change is to the rear elevation and garden area which is not identified as sensitive in conservation area terms or specifically contributing to the character or appearance of the area.
- 4.1.15 In terms of the Framework, the development proposal is not considered to harm the significance of the heritage asset and therefore is not required to demonstrate public benefits to outweigh harm.

## 4.2 Listed Building

4.2.1 The property forms part of a group of Grade II\* listed buildings. This is confirmed in the following map extract

Location Nos. 6-27 (Consecutive) and attached railings and lamp-holders  
 Street Grove Terrace  
 Grade II\*  
 EH list entry (798-1) 1246374  
 Date of Listing 10/06/1954  
 Full Description [click here](#) (opens in new window)



4.2.2 The listing description for the property is:

Terrace of 22 houses. Nos 6-14, c1793 built by R Cook; Nos 14-17, c1793; Nos 18-27, c1780 built by J Cheeke. Yellow stock and brown brick. Nos 19-22, rusticated stucco ground floors. Most with slate mansard roofs and dormers. 3 storeys and attics, No.14, 3 storeys. 2 windows each except Nos 14, 21 & 22, 3 windows; Nos 27, 4 windows. Most with wooden doorcases carrying simplified entablatures with Doric columns, panelled reveals, some with open pediments and arched fanlights. Most have radial fanlights and panelled doors. No.15, plain doorway with gauged brick head; No.21 entrance in side portico. Gauged brick flat arches to recessed sashes (mostly), 1st floors with cast-iron balconies except Nos 9-11 & 13. No.21 has cast-iron verandah to 1st floor with tented hood; Nos 22 & 24, blind boxes to 1st floor. Parapets with brick bands below (No.14, no bands). Nos 6-13, original lead rainwater heads. INTERIORS: not inspected but noted to be original and good, especially Nos 14 and 27. SUBSIDIARY FEATURES: attached cast-iron railings with urn finials to areas; Nos 7-9, 11, 13 & 27 with overthrow lamp-holders. (Survey of London: Vol. XIX, Old St Pancras and Kentish Town, St Pancras II: London: -1938: 36, 63-69).

- 4.2.3 In general terms the features of architectural or historic interest identified in the listing are the group value and the architectural detailing that is highlighted in specific properties. The application property is not singled out for a specific mention and although a listing description is not necessarily indicative of all that is of architectural or historic interest in a listed building it does serve as a guide to the significance of a heritage asset.
- 4.2.4 The statutory test for development affecting a listed building is that special regard is to be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The policy tests that are set out in the National Planning Policy Framework and the heritage policies in the London Plan and Camden Development Plan restate the statutory test and seek to ensure that the development proposals do not harm the significance of the heritage asset.
- 4.2.5 The development proposal involves an extension to the existing basement to provide enhanced residential accommodation for the Applicant. More development will occur to the rear of the property and be accommodated within a long rear garden. Works to the front elevation are an extension of the existing lightwell. In summary these works are not considered to impact the features that the property possesses and that are highlighted in the listing description. The proposed development is not considered to result in harm to the listed building and this meets the national planning policy test. Furthermore the development will not harm the features of special architectural or historic interest and this will preserve the building and comply with the statutory test.

### 4.3 Basement Development

- 4.3.1 The Camden Development Plan contains a specific policy to guide basement developments and this is complemented by supplementary planning guidance CPG4. Policy DP27 states that ‘the Council will only permit basement and other underground development that does not cause harm to the built and natural environment and local amenity and does not result in flooding or ground instability.’ The issue of local amenity is dealt with in Section 4.4. The issues of flooding and ground instability are considered in the accompanying Basement Impact Assessment (BIA). The proposed basement has been designed to ensure that there is no structural harm to the existing building or neighbouring buildings and that the built environment will be protected in this regard. The impact on the heritage assets is considered in the preceding section.
- 4.3.2 Policy DP27 outlines the need for basement development to not ‘harm the appearance or setting of the property or the established character of the surrounding area.’ Policy DP27 states that ‘in determining applications for lightwells, the Council will consider whether:

- i) The architectural character of the building is protected;
- ii) The character and appearance of the building is protected;
- iii) The development results in the loss of more than 50% of the front garden or amenity area.

4.3.3 The property benefits from an existing basement and this includes a lightwell to the front of the property. Whilst this will be extended its impact on the frontage to the property is minimal. The works to the rear are more extensive, but will be readily accommodated within a large rear garden and without resulting in the loss of more than 50% of the garden.

4.3.4 The Basements and Lightwells CPG states that 'any exposed area of basement development to the side or rear of a building will be assessed against CPG1 on 'Extensions, alterations and conservatories.' According to this guidance, exposed areas of basements should be:

- Subordinate to the building being extended;
- Respect the original design and proportions of the building, including its architectural period and style; and
- Retain a reasonable sized garden.

4.3.5 The proposed development to the rear of the property is considered compliant with this guidance since it will remain sub-ordinate to the host building; it does not compromise any of the original design features or building proportions and a good size garden remains.

4.3.6 In terms of the Council's basement policy and guidelines the proposed development is considered fully compliant.

#### **4.4 Residential Amenity**

4.4.1 Standards for all matters relating to residential amenity are considered in Development Policy DP26 which commits to only grant permission for developments that do not cause harm to amenity. This is applicable to both the occupiers of the development and residents of neighbouring properties.

4.4.2 The proposed basement extension is considered in keeping with the principles of this policy. The proposed lightwells are located directly to the front and rear of the property within the existing private amenity space. The privacy of both the occupiers and neighbours is safeguarded. There will also be no public views to the lightwell to the front of the property which is located behind the existing boundary hedge and within an area which is already formed as a lightwell. Although this proposal will increase the area of the lightwell, there remains separation with the front boundary hedge. To the rear the basement will be extended into the private amenity area and will not result in windows on the side elevations which could cause overlooking.

4.4.3 The proposed extension to the existing basement is considered to be a discrete addition which safeguards the amenity of neighbouring residents in compliance with Policy DP26.

## 5 Conclusion

- 5.1.1 In conclusion this statement supports a development proposal to extend an existing basement to the front and rear of the property. The property has an existing basement with a lightwell to the front. The proposal will increase the size of the lightwell to the front, but without compromising the front garden and separation from public highway or the existing frontage hedgerow which will remain to safeguard the streetscene.
- 5.1.2 The property is part of a group of Grade II\* listed buildings and is located within a conservation area. The statutory and policy tests applicable to heritage assets have been applied and the conclusions drawn that the proposed development will leave the character and appearance of the conservation area unharmed and that it will not impact the special architectural and historic features of the listed building.
- 5.1.3 This is sufficient to meet the development plan policy tests. In terms of the Framework, there will be no harm to the heritage assets and therefore the need to counterbalance harm with public benefits is not invoked.
- 5.1.4 Council policies and guidance on basement extensions and lightwells have been assessed and the conclusions drawn that the proposals would meet the specific requirements of Policy DP27 and CPG4. Impact on the residential amenity has also been considered as required by Policy DP26 and it is concluded that the proposal will not cause harm to residential amenity.
- 5.1.5 In conclusion, it is considered that this development proposal will:
- Preserve or enhance the character or appearance of the Dartmouth Park Conservation Area
  - Not harm the features of special architectural or historic interest of the listed building; and
  - Comply with the provisions of the development plan.
- 5.1.6 Therefore in accordance with the requirements set out in section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 a presumption in favour of a grant of planning permission is derived.



