

Planning & Heritage Statement

18 Grove Terrace, NW5 1PH

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1 Introduction & Purpose

1.1 Introduction

- 1.1.1 This Planning & Heritage Statement has been prepared to support a proposal for internal alterations and external works to 18 Grove Terrace, London, NW5 1PH which is a Grade II* listed building and is located within the Dartmouth Park Conservation Area.
- 1.1.2 The proposals are subject therefore to both planning and listed building applications. An extension to the property was subject to a recent appeal decision - APP/X5210/W/15/3133389 – which was determined on the 09 February 2016 and whilst the appeal proposal was significantly different from that now proposed, the Inspector's decision has been instructive in setting the agenda for the current proposals.

1.2 Purpose

- 1.2.1 Planning law¹ requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. It is necessary to identify development plan policies that may be relevant in the assessment of the development proposal; and to consider whether the proposal conflicts with their provisions and, if so, whether there are material considerations that outweigh any conflict with the development plan.
- 1.2.2 The Courts² 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.
- 1.2.3 The Planning & Compulsory Purchase Act 2004 defines the Development Plan for the purposes of this assessment process as the regional strategy for the region in which the site is located and Development Plan documents, taken as a whole, which have been approved or adopted for the area.
- 1.2.4 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant planning permission 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.
- 1.2.5 Section 72(1) of the 1990 Act requires that in exercising any powers in respect of buildings or other land in a conservation area special attention should be paid to the desirability of preserving or enhancing the character or appearance of that area. It is now settled planning law that preserving the character or appearance of a conservation area can be achieved not only by a positive contribution to preservation, but also by a development which leaves the character or appearance of the area unharmed.
- 1.2.6 The purpose of this Statement is therefore to assess the proposed development against each of these statutory requirements and to determine whether they are met.

¹ Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004

² *Laura Cummins and London Borough of Camden, SSETR and Barrett Homes Limited [2001]; R. v Rochdale MBC ex parte Milne [2000] & City of Edinburgh Council v. Secretary of State for Scotland [1997]*

2 Development Proposal & Appeal Decision APP/X5210/W/15/3133389

2.1 Development Proposal

2.1.1 The development proposal is more fully described in the Design & Access Statement that supports the planning and listed building applications, but essentially comprises a rearward extension which contains a circular stairwell which provides access between the ground and lower ground floors; reconfiguration of the external terrace and internal alterations.

2.2 Appeal Decision APP/X5210/W/15/3133389

2.2.1 This appeal decision³ which was issued on the 09 February 2016 concerned a previous proposal for the excavation and construction of a lower ground rear extension with a courtyard; enlargement of the front lightwell and some internal alterations. The extent of the proposed works were significantly different from the current proposals which have been formulated to address the concerns raised by the Appeal Inspector.

2.2.2 In paragraph 10 of the decision letter the Inspector concluded that

The proposed structure would be set below the level of the adjacent garden walls and would take up only a small proportion of the generous rear garden. Whilst I have found harm to the listed building, I consider that these factors would mean that its effects on the character and appearance of the conservation area would be neutral, and so, acceptable.

2.2.3 Whilst he found there to be harm to the listed building he concluded that there would be a neutral (and therefore an acceptable) impact on the character and appearance of the conservation area.

2.2.4 In paragraph 12 the Inspector no harm to neighbouring residential amenity arising from a proposed raised roof terrace and in paragraphs 13 to 15 he considered whether matters included in a Basement Impact Assessment (BIA) and a Construction Management Plan (CMP) were adequately dealt with. In respect of these matters he concluded that 'the proposed construction that is indicated in the BIA would itself cause unacceptable harm to the listed building and in this respect, I find its contents unacceptable'. In terms of the CMP he concluded that 'if permission were granted, then a suitably worded condition would be appropriate and pass the relevant tests in the PPG'.

2.2.5 In summary the positive aspects to be drawn from the appeal decisions are:

The Inspector concluded that the proposal would not negatively impact the character or appearance of the conservation area. He described the proposal as having a neutral (and acceptable) effect

The Inspector concluded that the requirement for a Construction Management Plan could be conditioned and it was not necessary to secure this via a legal agreement

The Inspector concluded that a Basement Impact Assessment (BIA) can be undertaken by independent consultant of the Applicant's choosing. It is not essential that it is undertaken by the Council's preferred consultants

³ Together with the conjoined listed building appeal - APP/X5210/Y/15/3133369

The Inspector concluded that any impact on neighbouring residential amenity caused by the use of the roof terrace could be dealt with by condition

The Inspector suggested that the extension at 19 offered a way forward

The Inspector considered that the internal alterations to the listed building are not matters for him to consider given the existence of a LBC for these works.

2.2.6 In terms of the negatives these can be identified as:

- Harm to the listed building and direct impact on the original foundations to the rear and garden walls
- The submitted BIA has not addressed the issue of structural integrity and leaves matters too open.

2.2.7 Overall it is considered that the appeal decisions did not preclude some form of basement extension but required one with less intervention in the integrity of the listed property and one which to the rear is more separate and does not fill the complete extent of the rear garden – and adopts the No 19 extension typology.

2.2.8 The appeal decisions have therefore provided the design brief for the current proposals.

3 Heritage Assessment

3.1 Assessment of Heritage Assets

3.1.1 The statutory tests pertaining to development proposals that affect heritage assets (and these include listed buildings and conservation areas) are described in Section 1.2 of this Statement. The policy requirements for such assessments are contained in the National Planning Policy Framework (the 'Framework') which was published by the Government in March 2012 as well as specific heritage based policies that are contained in the development plan.

3.1.2 The Framework advises:

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.

3.1.3 Significance is defined in the Framework as follows:

Significance (for heritage policy): The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.

3.1.4 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 viable use.

3.1.5 Harm is defined by English Heritage as change which erodes the significance of a heritage asset⁴.

3.1.6 The significance of a heritage asset is defined in the Framework as being made up of four main constituents, architectural interest, historical interest, archaeological interest and artistic interest. The setting of the heritage asset can also contribute to its significance. Setting is defined in the Framework as follows:

“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.”

3.1.7 The assessments of heritage significance and impact are normally made with primary reference to the four main elements of significance identified in the NPPF.

3.1.8 In summary, the requirements of planning policy, guidance and law are that development proposals affecting a listed building or located within a conservation area should be assessed having special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses; should have regard to preserving or enhancing the character or appearance of the area and that applications should be supported by an assessment of the proposal to determine the impact on the significance of the heritage asset.

3.1.9 In terms of the assessment required by the Framework the guidance is clear:

“In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.”

3.1.10 The Framework requires the impact on the significance of the heritage asset to be considered in terms of either “substantial harm” or “less than substantial harm” as described within paragraphs 132 to 134 of that document. National Planning Practice Guidance (NPPG) makes it clear that substantial harm is a high test, and recent case law describes substantial harm in terms of an effect that would vitiate or drain away much of the significance of a heritage asset.

3.2 Impact on the Conservation Area

3.2.1 The property is located in the Dartmouth Park Conservation Area. The Council has produced the Dartmouth Park Conservation Area Statement (CAS) which described the attributes of the area that contribute to its character and appearance. This Statement was adopted in January 2009. In the determination of an appeal⁵ for a rear extension at the neighbouring property, 19 Grove Terrace, the Inspector specifically referred to the CAS and concluded as follows in respect of the conservation area:

⁴ Paragraph 84 of Conservation Principles 2008.

⁵ APP/X5210/E/08/2078808

6. The listing description concentrates on the front of the terrace and no mention is made of the rear gardens. The terrace is described in detail in the Dartmouth Park Conservation Area statement but mention of the rear is limited to the sheds and buildings at the end of some of the gardens. Nevertheless, Planning Policy Guidance Note 15, Planning and the Historic Environment (PPG15) advises that '*setting is often an essential part of the building's character, especially if a garden or grounds have been laid out to complement its design or function*'. The terrace and its gardens are all of a piece and the layout has changed little, if at all, since the houses were built. The proposed conservatory would extend 6.6m into a garden that is 38m long. It would be hidden from views at ground level by the garden walls on either side and would not undermine the sense of space created by the rear gardens. As a consequence, I do not consider that it would have a detrimental impact on the setting of the terrace or the Conservation Area.

- 3.2.2 It is clear that the erection of a rear extension at the neighbouring property was not considered to have a detrimental impact on the character or appearance of the Conservation Area. Paragraph 7.17 of the Conservation Area Statement supports this view in that it focuses on the front elevation and relationship with the street:

7.17 Grove Terrace 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*. Building started in 1777 with two houses at the north end (now Nos 27A, 27 and 26; Nos. 25-23 followed in 1778, the larger pair, Nos 21 and 20 in 1780, and the twenty two houses were complete by 1793. They are in two groups, divided by the entrance to Grove Terrace Mews. Narrow frontages and multiple floors maximised profitability for the developer. Built in yellow stock and brown brick there are some variations in the widths and details. Nos.19-22 have rusticated stucco ground floors. Most have three storeys with area basements and attics with slate mansard roofs and dormers. No.14, which may have been rebuilt in the 1820s, has three storeys. They have two windows each except Nos. 14, 21 & 22 that have three windows; No. 27, now divided into two, is double fronted and has four windows. Most have wooden doorcases carrying simplified entablatures with Doric columns, panelled reveals, some with open pediments. Most have radial fanlights and panelled doors and some have ornamental cast iron first floor balconies. Each group is supported at the ends by slightly grander buildings acting as "bookends" to the composition. These are sometimes wider than the other houses and have rendered ground floors. The terrace reads as a unified whole but has a pleasing rhythm within it. An important aspect of the whole terrace is its front gardens with mature shrubs, railings, low walls and original flagstones that form part of the setting of the listed buildings. Nos 9 and 13 have surviving fire company plaques. There are also original coalhole covers with foundry marks still visible. The pavement has fine York stone paving, and the gutters granite setts.

- 3.2.3 Whilst the Statement did identify that unsympathetic rear and side extensions (including inappropriate roof terraces) can sometimes alter the harmony and balance of a property or group of buildings within the conservation area, this is not an issue at the appeal property given the existence of a similar rear extension at No 19 Grove Terrace.
- 3.2.4 In determining the previous proposals for No 18 the Inspector formed a similar view and concluded that the 'effects on the character and appearance of the conservation area would be neutral, and so, acceptable'.
- 3.2.5 The current proposals have reduced the scale and rearward projection of the proposed extension over lower ground and ground floors and therefore the impact is concomitantly reduced. This supports the finding that the statutory and policy tests in respect of proposals in a conservation area are complied with.

3.3 Impact on the Listed Building

3.3.1 The listing description for the property is as follows:

CAMDEN

TQ2886SW GROVE TERRACE
798-1/20/714 Nos 6-27 (Consecutive)
10/06/54 and attached railings and
lamp-holders

GV II*

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).

3.3.2 The significance of the appeal property is therefore as one in a row of 22 terraced houses built towards the end of the 18th Century. The Inspector in accepting the proposals for a rear extension at No 19 Grove Terrace⁶ (which forms part of the same group listing) concluded that:

6. The listing description concentrates on the front of the terrace and no mention is made of the rear gardens. The terrace is described in detail in the Dartmouth Park Conservation Area statement but mention of the rear is limited to the sheds and buildings at the end of some of the gardens. Nevertheless, Planning Policy Guidance Note 15, Planning and the Historic Environment (PPG15) advises that *'setting is often an essential part of the building's character, especially if a garden or grounds have been laid out to complement its design or function'*. The terrace and its gardens are all of a piece and the layout has changed little, if at all, since the houses were built. The proposed conservatory would extend 6.6m into a garden that is 38m long. It would be hidden from views at ground level by the garden walls on either side and would not undermine the sense of space created by the rear gardens. As a consequence, I do not consider that it would have a detrimental impact on the setting of the terrace or the Conservation Area.

⁶ APP/X5210/E/08/2078808

- 3.3.3 Since No 18 and 19 are neighbouring properties with rear gardens of equal length (see extract from site location plan below) then it is inconceivable that the same conclusion should not be drawn in respect of a similar proposal at No 18.



- 3.3.4 However, the Inspector in determining the appeal for the previous rear extension came to the following conclusions:

5. The building retains much of the original features and characteristics which give it (and its neighbours) its special architectural and historic interest and make it a very good example of Georgian domestic architecture. I agree with the Council's summary, that this grade II* listed building has a high degree of significance and national importance. As well as the many internal features and characteristics, the Council identify the plan form of the property as contributing to its significance. It consists of compartmentalised spaces, with a typical location of walls, stairs, chimneys and secondary spaces. I agree with the Council that the internal division of spaces, the pattern of rooms created, including their size, is an important characteristic of the age and type of building.

6. Within the basement, the main dividing wall between the 2 rooms has been partly removed, however, the plan form is still legible and the relative room sizes are clear. The proposed basement extension would be accessed by the formation of a door in the rear wall of the basement. The proposal would contain a main room and an additional projecting element at one side. Its overall length would be significantly greater than either of the existing rooms at the basement level and the main room would also be larger than either of the existing rooms. At the basement level, the extension would be perceived as a continuous part of the existing house and no visible or physical distinction would be present, apart from a couple of steps down into it. From within this level of the house, I consider that the effect of the proposed addition would be to place a disproportionately larger element (in total and taking the main room by itself) connected to the original house. The strong plan form which runs through the entirety of the existing house on all floors would be disrupted by the inclusion of the additional large element which also contains a disproportionately larger room within it. In this way, I consider that the special interest of the building would be unacceptably affected.

7. In relation to the perception of the extension from other areas of the appeal site, although there is some attempt to provide a visual break between the proposed extension and the original house, I consider that this would not be successful. The proposed break would be insufficient to result in the extension being perceived as anything other than a clear extension to the original building which, again, would result in it being seen as a disruptive addition.

- 3.3.5 In considering whether a precedent had been created by the rear extension at the neighbouring property (No 19) it was the Inspectors view that it had not and that 'the extension at No 19 is an almost 'stand-alone' structure, only linked to the original house by a short walk-way; it is constructed of glass and its shape as an oval means that there is space around it which reduces its overall effects and clearly separates it from the house'.
- 3.3.6 Furthermore, the Inspector identified 'that significant parts of the original foundations at the rear, including those of the garden walls would be removed and replaced with reinforced concrete. In addition, the details show that the concrete would be provided in the garden walls above the ground level of the neighbouring gardens. Not only would this be visually unacceptable, but the alteration/removal of the proposed amount of the original structure which is typical of its age, construction method and materials along with the new reinforced concrete works would further harm the significance of the listed building'.
- 3.3.7 In assessing the current proposals in the context of the listed building and notwithstanding the support for the principle of a rear extension that is found in the appeal decision for No 19, it is necessary to be cognisant of the Inspector's finding that the previous proposal would in his view cause harm to the listed building.
- 3.3.8 The current and previous proposals for a rear extension are markedly different in terms of form, scale, footprint and function. The revised proposal provides a circular stairwell and extension linking lower ground and ground floors. The extent of intervention in the integrity of the structure of listed building is considerably reduced and any impact on the plan form is minimal.
- 3.3.9 In summary, the revised proposed rear extension will not materially harm or negatively impact the significance of the grade II* listed building and now avoids any direct impact on the features of special architectural or historic interest which the building possesses and which the Appeal Inspector identified as significant. No harm will be caused to these features and the statutory and national heritage tests are therefore clearly met and complied with.

4 Development Plan Considerations

4.1 London Plan

- 4.1.1 In refusing the previous proposal for a rear extension the Council did not identify any conflict with the provisions of the London Plan. In determining the subsequent appeal this was also the Inspectors conclusion. Accordingly, the principle of a rear extension to a listed building and one located in a conservation area does not give rise to any conflict with the London Plan and this is a view shared by the Council and the Appeal Inspector.

4.2 Camden Development Plan

- 4.2.1 In their refusal of the previous proposals for a rear extension at No 18 the Council identified conflict with specific policies in the development plan. The first of these, Core Strategy Policy CS14, states:

CS14 - Promoting high quality places and conserving our heritage

The Council will ensure that Camden's places and buildings are attractive, safe and easy to use by:

- a) requiring development of the highest standard of design that respects local context and character;
- b) preserving and enhancing 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;
- c) promoting high quality landscaping and works to streets and public spaces;
- d) seeking the highest standards of access in all buildings and places and requiring schemes to be designed to be inclusive and accessible;
- e) protecting important views of St Paul's Cathedral and the Palace of Westminster from sites inside and outside the borough and protecting important local views.

- 4.2.2 Sub-paragraph b) and the requirement to preserve or enhance heritage assets is considered to be the only aspect of this policy that is relevant. Our assessment on this issue clearly demonstrates that the appeal proposal will not affect or negatively impact the significance of the conservation area or listed building and therefore, this policy is not contravened.

- 4.2.3 The Council also cited conflict with Development Management Policies DP24 and DP25. These policies state:

Policy DP24 - Securing high quality design

The Council will require all developments, including alterations and extensions to existing buildings, to be of the highest standard of design and will expect developments to consider:

- a) character, setting, context and the form and scale of neighbouring buildings;
- b) the character and proportions of the existing building, where alterations and extensions are proposed;
- c) the quality of materials to be used;
- d) the provision of visually interesting frontages at street level;
- e) the appropriate location for building services equipment;
- f) existing natural features, such as topography and trees;

- g) the provision of appropriate hard and soft landscaping including boundary treatments;
- h) the provision of appropriate amenity space; and
- i) accessibility.

Policy DP25 - Conserving Camden's heritage

Conservation areas

In order to maintain the character of Camden's conservation areas, the Council will:

- a) take account of conservation area statements, appraisals and management plans when assessing applications within conservation areas;
- b) only permit development within conservation areas that preserves and enhances the character and appearance of the area;
- c) prevent the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a conservation area where this harms the character or appearance of the conservation area, unless exceptional circumstances are shown that outweigh the case for retention;
- d) not permit development outside of a conservation area that causes harm to the character and appearance of that conservation area; and
- e) preserve trees and garden spaces which contribute to the character of a conservation area and which provide a setting for Camden's architectural heritage.

Listed buildings

To preserve or enhance the borough's listed buildings, the Council will:

- e) prevent the total or substantial demolition of a listed building unless exceptional circumstances are shown that outweigh the case for retention;
- f) only grant consent for a change of use or alterations and extensions to a listed building where it considers this would not cause harm to the special interest of the building; and
- g) not permit development that it considers would cause harm to the setting of a listed building.

Archaeology

The Council will protect remains of archaeological importance by ensuring acceptable measures are taken to preserve them and their setting, including physical preservation, where appropriate.

Other heritage assets

The Council will seek to protect other heritage assets including Parks and Gardens of Special Historic Interest and London Squares.

- 4.2.4 However, on the basis of the two development management policies that the Council based their previous refusal on it is considered that Policy DP24 is not relevant and only the 'listed building' and 'conservation area' sections of DP25 have any relevance. Sub-section a) is complied with as evidenced in the preceding section on heritage impacts. Sub-sections c), d) and e) are not relevant and sub-section b) seems to conflict with the statutory test in Section 72(1) of the 1990 Act and the court's interpretation of it, in requiring developments that preserve and enhance the character and appearance of a conservation area. Sub-sections e) and f) of the policy are not relevant and therefore all that remains is whether the proposed development will cause harm to the setting of the listed building or fail to preserve or enhance the character or appearance of the conservation area. The preceding assessment undertaken in dealing with this issue confirms that in terms of the listed building that it does not and this is now possible as a result of the significant reduction and amendment to the proposed rear extension.
- 4.2.5 In terms of the conservation area, the conclusion is that this proposed development will leave the character and appearance of the conservation area unharmed and this is sufficient to meet both the statutory and policy tests. This was the conclusion that the appeal Inspector also came to in respect of the previous proposals for a rear extension.
- 4.2.6 In refusing the previous proposal for a rear extension the Council identified a loss of privacy for neighbouring properties due to the proximity of basement roof and conflict with Core Strategy CS5 and Development Management Policy DP26. The Appeal Inspector did not share this view and concluded that a condition preventing the use of the area as a sitting out area/terrace would be appropriate and enforceable. This element of the proposed development has now been removed thereby avoiding any potential for impacting neighbouring properties and any perceived conflict with these specific development plan policies.
- 4.2.7 The assessment of a previous proposal for a rear extension highlighted those development plan policies which were considered relevant and where conflict arose. Amendment to the extent and form of the rear extension and assessment against these same policies confirms that the proposals can now be considered policy compliant and benefit from the presumption in favour of policy compliant proposals that is a central tenet of the Framework.

5 Conclusion

- 5.1.1 In conclusion this statement supports a revised development proposal to extend to the rear and undertake minor internal alterations to 18 Grove Terrace, London, NW5 1PH. It has been revised following a dismissed appeal - APP/X5210/W/15/3133389.
- 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. The impact on the conservation area was also found to be neutral (and therefore acceptable) by the Inspector in determining the appeal.
- 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 engaged.
- 5.1.4 Impact on the residential amenity was also considered to be in an issue in respect of the previous proposal. However, the Appeal Inspector did not support this view and in any event the potential for a raised terrace has been removed from the development proposals. In conclusion, it is considered that this revised 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.
- 5.1.5 Therefore, in accordance with the requirements set out in section 66(1) and 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 advanced.

APPENDIX