



18 Grove Terrace, NW5 1PH

Heritage Statement - Window

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1.0 Introduction

This Planning & Heritage Statement has been prepared to support a proposal for the relocation of front roof window and installation of an additional front roof window 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 Background

1.2 Existing Buildings

The existing building is a Grade II* listed single dwelling / house set within a terrace which is thought to have been built between 1780

The existing house comprises 5 floors including the lower ground floor level. It is largely constructed in London Stock brick.

1.3 Historical Background

Neighbouring context: Terrace of 22 houses. Nos 6-14, c1793 built by R Cook; Nos 14-17, c1793;

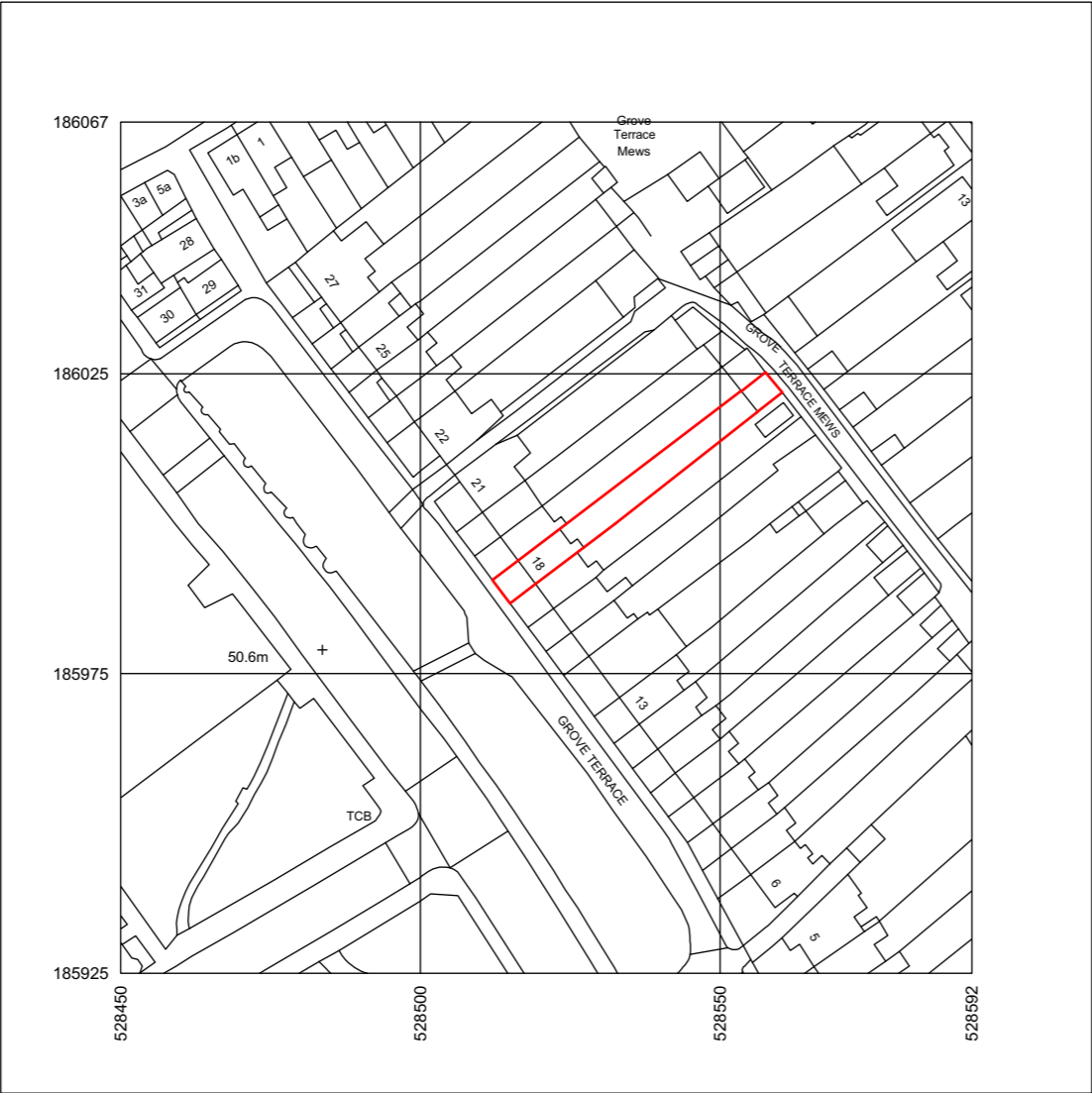
Nos 19-22, rusticated stucco ground floors. Most with

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.

Nos 18-27, c1780 built by J Cheeke. Yellow stock and brown brick. Most with wooden doorcases carrying simplified entablatures with Doric columns, panelled reveals, some with open pediments and arched fanlights.

2.0 Site and Location

18 Grove Terrace is located within the Dartmouth Park Conservation area.



Existing Location Plan

Aerial views of 18 Grove Terrace



3.0 Purpose

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.

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.

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.

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.

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.

The purpose of this Statement is therefore to assess the proposed submission 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]

4.0 Development Proposal

The development proposal is more fully described in the Design & Access Statement that supports the planning and listed building applications, but essentially comprises the relocation of front roof window and installation of an

additional front roof window.

5.0 Assessment of Heritage Asset

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.

The Framework advises:
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.
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.

Significance is defined in the Framework as follows:
The Framework further advises that:

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.

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.

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.

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

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.

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

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.

6.0 Impact on the Listed Building and Conservation Area

Impact on the Listed Building and Conservation Area

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.

The proposal for the relocation of front roof window and installation of an additional front roof window will support the current convention on all the floors below, where two windows exist..



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