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Our ref: GAO/SNE/U0015828

Dear Sir / Madam

**Town and Country Planning Act 1990 (as amended)
Planning (Listed Buildings and Conservation Areas) Act 1990
Netley Cottage and Grove Lodge, Admiral's Walk, London, NW3
Application for Planning Permission and Listed Building Consent**

We write on behalf of Mr Caspar Berendsen (hereafter referred to as the 'Applicant') to submit an application for planning permission and listed building consent in respect to proposed works on the following two residential dwellings:

1. Netley Cottage, 10 Lower Terrace, NW3 6RR and
2. Grove Lodge, Admiral's Walk, London, NW3 6RS

The Applicant is the owner of both Netley Cottage and Grove Lodge, which adjoin each other. Having purchased Netley Cottage, the Applicant wishes to link the two properties. Accordingly, the proposals relate to linkages between the two properties and repairs and enhancements to the interior of Netley Cottage.

Planning Permission and Listed Building Consent is therefore proposed for:

"Internal alterations, including the provision of a connection between Netley Cottage and Grove Lodge, and external repair works and alterations to Netley Cottage. Landscaping alterations to Netley Cottage Garden and introduction of opening to boundary wall between Netley Cottage and Grove Lodge, and associated works."

Site and Surroundings

Netley Cottage and Grove Lodge are both Grade II Listed and were first listed in May 1974.

The two-dwellings sit in a block, of five dwellings, bounded by Upper Terrace (north), Hampstead Grove (east), Admiral's Walk (south) and Lower Terrace (west). The three other neighbouring houses include Admiral's House and Terrace Lodge (both Grade II) and the more contemporary Grove End and Admiral's Lodge. Netley Cottage is located in the north western corner and Grove Lodge is located in the south western corner.

The two residential dwellings lie within the Hampstead Conservation Area. The Council has defined the area in which the dwellings stands as the Church Row/Hampstead Grove Sub Area. The Conservation

Area Statement says it “is characterised by buildings that form several distinct groups, gradually reducing in density and formality from the terraces of Church Row to relaxed sprawl of houses in big gardens around Upper Terrace and Lower Terrace”.

The area surrounding the dwellings is characterised by mature tree planting and high garden walls bordering Lower Terrace. Although many of the buildings show a degree of architectural formality, the generally layout is relaxed, reflecting the village history and character of this part of London.

Planning History

An overview of the most relevant planning permissions and listed building applications has been set out below:

Netley Cottage, 10 Lower Terrace

There have been a number of planning applications for extensions and refurbishment of Netley cottage.

Reference	Description	Validated	Status
2020/4353/P	Erection of outbuilding to include swimming pool and landscaping, to dwelling	23/09/2020	Withdrawn
2020/5064/L	Erection of outbuilding to include swimming pool and landscaping, internal alterations at all levels to dwelling.	23/09/2020	Withdrawn
2018/4295/P	Erection of two-storey extension, with crown roof and roof dormers, attached to existing single family dwelling (Class C3).	10/10/2018	Granted 29/05/2019
2018/4964/L	Erection of two-storey extension, with crown roof and roof dormers, attached to existing single family dwelling (Class C3).	10/10/2018	Granted 28/10/2019
2013/0480/P	Excavation of part of the garden area to incorporate a swimming pool with associated facilities to residential dwelling. (Class C3)	30/01/2013	Refused 14/06/2013
2013/0495/L	Excavation of part of the garden area to incorporate a swimming pool with associated facilities to residential dwelling. (Class C3).	30/01/2013	Refused 14/06/2013
2011/2588/P	Excavation of part of the garden area to incorporate a swimming pool with associated facilities to residential dwelling (Class C3).	01/08/2011	Withdrawn
2011/2593/L	Excavation of part of the garden area to incorporate a swimming pool with associated facilities to residential dwelling (Class C3).	01/08/2011	Withdrawn
PWX0002939	Alterations to existing boundary wall including increase in height by 1 metre.	23/11/2000	Granted 16/02/2001
LWX0002938	Alterations to existing boundary wall including increase in height by 1 metre.	23/11/2000	Granted 16/02/2001

Grove Lodge, Admiral's Walk

Reference	Description	Validated	Status
2020/5455/L	Formation of new openings through internal wall at upper ground floor and external boundary wall to the flank (south) elevation for access between Grove Lodge and Netley Cottage at ground floor level.	20/10/2020	Withdrawn 26/03/2021
2020/4856/P	Internal and external alterations associated with the formation of new openings through internal and external walls for access between Grove Lodge and Netley Cottage.	20/10/2020	Withdrawn 26/03/2021
2019/2250/L	Dismantling and rebuilding an approximately 6.5m length of garden wall due to its deteriorated and unstable condition.	17/05/2019	Granted 18/10/2019
2018/3340/L	Variation of Condition 2 (approved plans) to listed building consent granted on 14/05/2018 (ref: 2017/6050/L), for External alterations to: increase size of window to existing basement room; re-open existing lightwell; confirm selection of materials for proposed side and rear extensions; change window sizes in proposed extension; introduce chimney stack to rear elevation of proposed extension; reduce level of garden terrace; revisions to design of Orangery; alterations to stair at ground floor; Internal alterations at first floor level, namely the repositioning of the existing chimney breast and fireplace in ground floor sitting room.	18/02/2018	Granted 12/10/2018
2017/6046/P	Variation of Condition 3 (approved plans) to planning permission granted on 05/10/2016 (Ref: 2015/4485/P), for the erection of side and rear extension, basement and outbuilding along with soft and hard landscaping and associated alterations following removal of existing extensions, namely increasing the size of window to existing basement room; re-opening existing lightwell; confirmation of selection of materials for proposed side and rear extensions; change to window sizes in proposed extension; introduction of a chimney stack to rear elevation of proposed extension; Reduce level of garden terrace; Revisions to design of Orangery; alterations to stair at ground floor, internal alterations and first floor level and window replacements.	12/01/2018	Granted 14/05/2018
2017/0050/L	Minor internal alterations including removal of existing staircases, associated rearrangement of	24/01/2017	Granted 28/02/2017

	dividing walls and doors and introduction of replacement staircase at ground and first floors		
2017/6050/L	External alterations to: increase size of window to existing basement room; re-open existing lightwell; confirm selection of materials for proposed side and rear extensions; change window sizes in proposed extension; introduce chimney stack to rear elevation of proposed extension; reduce level of garden terrace; revisions to design of Orangery; alterations to stair at ground floor; Internal alterations at first floor level.	04/12/2017	Granted 14/05/2018
2015/4555/L	Internal refurbishment and alterations including erection of side and rear extension, basement and outbuilding along with soft and hard landscaping and associated alterations following removal of existing extensions	07/08/2015	Granted 05/10/2016
2015/4485/P	Erection of side and rear extension, basement and outbuilding along with soft and hard landscaping and associated alterations following removal of existing extensions.	07/08/2015	Granted 05/10/2016

In respect of the above planning history, it should be noted that the recent applications for the linkages at Netley Cottage (2020/4353/P and 2020/5064/L) and Grove Lodge (2020/4856/P and 2020/5455/L) were submitted and subsequently withdrawn, following correspondence and discussion with the Case Officers.

Feedback from the Case Officer for the Netley Cottage applications was relatively positive with regards the internal alterations. However, concerns were raised regarding the proposed linkage with Grove Lodge.

Feedback from the Case Officer in respect of the Grove Lodge applications was also largely positive. No objections were raised in respect of the principle of a linkage between the two properties either through the creation of an access between the two gardens or the linkage at lower ground floor. However, the creation of the access from the staircase of Grove Lodge at first floor level was seen as more problematic, in terms of safety, rather than for reasons of heritage impact.

Pre-application Feedback

Given the differing feedback regarding the principle of a linkage between the two properties, the Applicant has undertaken pre-application discussions in order to clarify a way forward that would be acceptable to the Council whilst achieving the ambition to make modest and serviceable connections between the two properties.

A pre-application meeting was held on 08 June 2021 with the Case Officer (Nora-Andreea Constantinescu) and the Conservation Officer (Rose Todd) to discuss the proposals, including the differing possible design options for an internal link between Netley Cottage and Grove Lodge.

A pre-application written response was received on 28 June 2021. The comments provided within the response have been taken into account when developing the proposals for the application.

Proposals

The proposals involve both external and internal changes to both properties and their respective gardens. A summary of the proposals is as follows:

Internal alterations to Netley Cottage

- Re-configuration of existing kitchen layout;
- Installation of new toilet and associated storage area;
- Replacement of unsympathetic materials; and
- Rationalisation of the first floor through alteration to stud partitions.

External repairs and alterations to Netley Cottage

- Windows to kitchen re-designed, and installation of new French door leading to the garden terrace;
- Repair work undertaken to existing windows, where required;
- Repairs to existing roof, and replacement of existing asphalt flat roof over kitchen with a lead flat roof;
- Necessary repair work and redecoration to rendered elevations; and
- Removal of timber pergola.

Works to adjoining gardens

- Introduction of new opening within existing brickwork wall between both gardens and installation of Wrought Iron Gate; and
- Relandscaping of the Netley Cottage Garden, including installation of trellis to the boundary wall.

Internal Linkage of Netley Cottage and Grove Lodge

- Opening up of a recently re-roofed part of Grove Lodge to form a glazed courtyard space containing a stair and gallery access to the ground floor of Netley Cottage; and
- Enlargement of an existing window on Netley Cottage to form a doorway.

The works proposed have been carefully considered to ensure that they do not harm any remaining significance to the buildings. The works primarily affect elements of the house that are either modern or have been subject to considerable change. The Design and Access Statement, and Schedule of Works document, prepared by 4orm, sets out the proposals in further detail.

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Statutory Development Plan unless material considerations indicate otherwise.

Planning policy operates at national, regional and local levels. At a national level, Central Government adopted the National Planning Policy Framework (NPPF) in February 2019. The Statutory Development Plan for the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004 comprises:

- a) The London Plan (adopted March 2021); and
- b) Camden Local Plan (adopted July 2017).

Relevant Legislation

Section 7 of the Act requires listed building consent be granted for any works for the demolition of a listed building or for its alterations or extension in any manner which would affect its character as a building of architectural or historic interest. Section 16(2) places the duty on the decision maker to have special regard to the desirability of preserving the building or its setting in determining applications for listed building consent.

Section 66 (1) of the Planning (Listed Buildings and Conservation Area) Act 1990 requires that when considering whether to grant planning permission for development which affects a listed building or its setting, the decision maker 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 Planning (Listed Buildings and Conservation Areas) Act 1990 also provides that, in respect of development affecting conservation areas, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

NPPF

Paragraph 192 of the NPPF states that 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; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 193 of the NPPF states that in assessing impact, the more important the asset, the greater the weight should be given to its conservation. It notes that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

Paragraph 196 of the 'NPPF' states that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm shall be weighed against the public benefits of the proposals.

Paragraph 200 of the NPPF notes that Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

National Planning Practice Guidance

Paragraph 20 of the PPG acknowledges that the public benefits which flow from a development can be anything that delivers economic, social or environmental progress. The benefits should flow from the proposals and be of a nature and scale to be of benefit to the public interest at large and should not just be a private benefit. However, benefits do not have to be visible or accessible to the public in order to constitute public benefits for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.

London Plan

Policy HC1 (Heritage conservation and growth) Part C, of the London Plan, states that development proposals affecting heritage assets, and their settings should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.

Camden

Policy D1 (Design), of the Camden Local Plan, states that the Council will seek to secure high quality design in development and require that the development, inter alia, respects local context and character, preserve or enhances the historic environment and heritage assets, and incorporates high quality landscape design.

Policy D2 (Heritage), of the Camden Local Plan, states that the Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets, including conservation areas, and listed buildings. 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 the harm. The Council will also require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area.

Policy H3 (Protecting Existing Homes), of the Camden Local Plan, sets out that existing housing continues to meet the needs of existing and future households by, inter alia, resisting development that would involve a net loss of residential floorspace, and resisting development that would involve the net loss of two or more homes. As part of local policy, there is no specific reference which prohibits the linking of two residential dwellings.

Policy A1 (Managing the Impact of Development), of the Camden Local Plan, seeks to protect the quality of life of occupiers and neighbours and will aim to grant planning permission unless a development causes unacceptable harm to amenity.

Policy A3 (Biodiversity) seeks to protect, and enhance, sites of biodiversity by, inter alia, resisting loss trees of significant amenity and historic value and require suitable protection during the demolition and construction phase of development.

Planning Assessment

Land Use

The Site currently comprises of two residential units. The proposal will still seek to maintain the residential units, however a link will be undertaken within the two buildings, and also via a gate within the garden wall, to allow for ease of access between the two properties.

The proposals will maintain the same level of residential floorspace whilst also improving the existing household stock to meet the future needs of the occupier. In addition, there is no specific reference in Local Policy which prohibits the linking of two residential dwellings.

As such, the proposal complies with Local Plan Policy H3.

Design and Heritage

This planning and listed building consent application is supported by a Heritage Statement prepared by Portico Heritage Ltd. As required by the NPPF the report has set out the significance of the heritage assets.

In summary, the proposed works to the interior of Netley Cottage are considered to enhance the remaining historic and architectural interest of the building and any physical fabric proposed to be altered is to elements

not regarding as contributing specifically to the special interest of the building. Externally, the proposals will repair and enhance the appearance and fabric of the house in a manner that will be sympathetic to its character and special interest. Therefore, the proposed works to the properties will not cause harm to the significance of the listed buildings.

Regarding the garden connection, there is considerable evidence of historic mapping suggesting that the two gardens were historically linked under a shared legal ownership and that the wall is more of a modern construct. The opening would be of modest scale and the work would be reversible in the case of changed circumstances. Steps would be introduced to negotiate the approximately 1.5 metre difference in level between the two gardens. This would not cause harm to an element of special interest. Furthermore, in response to officer pre-application comments, a wrought iron gate has been proposed within the garden opening with the aim of providing the traditional 'feel' the officers sought in the proposal.

In terms of design, the proposals seek to provide high quality design, and as set out above, will preserve and enhance the heritage assets to which they are being undertaken. In addition, high quality landscape design will be undertaken as demonstrated within the supporting Design and Access Statement, prepared by 4orm.

As such, the proposal complies with Local Plan Policies D1 and D2.

Amenity

The proposals relate to improvements and alterations to the existing building fabric and landscaping, the scheme does not include any extensions to the building form which would impact on neighbours. The proposals, once completed, will not have an adverse impact on the amenity of neighbouring residents.

During the construction stage, as set out in the supporting Structural Methodology Report, prepared by Conisbee, appropriate measures will be implemented to mitigate any construction-related impacts during the completion of the proposed works.

As such, the proposal complies with Local Plan Policy A1.

Trees/Biodiversity/Landscaping

As part of the proposals, landscaping works are proposed at Netley Cottage which create an informal, unpretentious garden that is welcoming and relaxing and caters to the needs of a young family, forming a sympathetic extension to the garden at Grove Lodge, encouraging biodiversity and in sympathy with character and appearance of the Conservation Area in which it sits.

Regarding trees on the Site, a detailed assessment is provided within the supporting Arboricultural Implications Report, prepared by SJA Trees.

In summary, all those existing trees or groups of trees that constitute the main arboricultural features of the site and which make the greatest contribution to biodiversity will be retained. Additionally 5 x *Carpinus betulus* 'Frans Fontaine' and 6 x *Carpinus betulus* 'Fastigata' will be planted. Furthermore, as no trees are to be pruned, and none of the proposed dwellings will be within 5m of the extents of the canopies of trees to be retained, there will be adequate working space for construction close to trees, and a reasonable margin of clearance for future growth.

Through the landscaping proposal, biological enhancements are also proposed which include installing a range of artificial nest boxes on new and retained trees and the provision of a bird feeding station, installation of artificial roost boxes on retained trees and a log stack with the woodland area of the garden will provide habitats for invertebrates.

As such, the proposal will incorporate biological enhancements, and increase tree provision whilst maintaining existing trees or groups of trees that constitute the main arboricultural features of the site and which make the greatest contribution to biodiversity. Therefore, the proposal complies with Local Plan Policy A3.

Conclusions

The proposals involve both external and internal changes to both properties and their respective gardens. These include, internal alterations to Netley Cottage, the inclusion of a internal connection between Netley Cottage and Grove Lodge, and the relandscaping of the Netley Cottage Garden with the inclusion of a new gated access to the two gardens.

It is concluded, within the Heritage Statement, that the proposals would not cause harm to the listed buildings or their significance. However, even if it was considered by officers that a level of “less than substantial harm” was caused by the inter-connection of the two houses, as required by the NPPF, this is more than outweighed by the heritage benefits and therefore public benefits of the scheme.

As set out at paragraph 20 of the PPG the public benefits do not have to be visible or accessible to the public in order to constitute public benefits. It is therefore considered that the works to a listed private dwelling which secure its future as a designated heritage asset can be regarded as a public benefit. These works include the considerable repair and restoration internally and externally to Netley Cottage:

- The replacement of existing poor-quality materials such as laminate flooring, modern chrome fittings with traditional and authentic materials,
- Repair of historic windows,
- Replacement of modern rooflights with more suitable equivalent,
- Poor quality asphalt valley gutters replaced with lead, and
- The replacement of existing asphalt kitchen roof with high grade lead.

In addition to the above public benefits, proposal also includes improvements to the biodiversity of the Site through biodiversity enhancements, and inclusion of additional trees to the Netley Cottage Garden.

Overall, it is considered that the proposals meet the tests set out in the NPPF and comply with both regional and local planning policy in respect of heritage conservation and enhancement. Therefore, we consider the applications should be approved.

Application Documents

In line with Camden’s planning and listed building consent application requirements, this submission is accompanied by the following documents:

- Application Form, duly completed and signed;
- Covering Letter (this document), prepared by Gerald Eve;
- Site Location Plan, prepared by 4orm;
- Existing/Fabric Removal and Proposed Plans/Elevations/Sections, prepared by 4orm;
- Design and Access Statement, prepared by 4orm;
- Heritage Statement, prepared by Portico Heritage Ltd;
- Arboricultural Implications Report, prepared by SJA Trees;
- Schedule of Works, prepared by 4orm; and
- Structural Methodology Report, prepared by Conisbee.

Summary

We trust this provides the necessary information to allow for validation of the application. In the meantime, please do not hesitate to contact either Graham Oliver or Sam Neal of this office, should you have any questions regarding any of the above.

Yours faithfully



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