

Application ref: 2021/2311/P  
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**Development Management**  
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SM Planning  
80-83 Long Lane  
London  
EC1A 9ET

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Householder Application Granted**

Address:

**5 The Grove  
London  
N6 6JU**

Proposal:

Removal of non-original chimney stack; infill below entrance bridge; alterations to external openings; reinstatement of 2nd external staircase at rear

Drawing Nos: 44/2022/PL 0001; 44/2022/PL 0002; 44/2022/PL 0003; 44/2022/PL 0004; 44/2022/PL 0005; 44/2022/PL 0006; 44/2022/PL 0007; 44/2022/PL 0008; 44/2022/PL 0009; 44/2022/PL 0010; 44/2022/PL 0011; 44/2022/PL 0012; 44/2022/PL 2001; 44/2022/PL 2002; 44/2022/PL 2003; 44/2022/PL 2004; 44/2022/PL 2005; 44/2022/PL 2006; 44/2022/PL 2007; 44/2022/PL 2008; 44/2022/PL 2009; 44/2022/PL 2010; 44/2022/PL 2011; 44/2022/PL 2012; 44/2022/PL 1002; 44/2022/PL 1003; 44/2022/PL 1004; 44/2022/PL 1005; 44/2022/PL 1006; 44/2022/PL 1007; 44/2022/PL 1008; 44/2022/PL 1009; 44/2022/PL 1010; 44/2022/PL 1011; 44/2022/PL 1012; Heritage Appraisal, dated May 2021 (The Heritage Practice); Design & Access Statement, dated 06/05/2021 (31/44 Architects); Scope of Works, dated 06/05/2021 (31/44 Architects)

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: 44/2022/PL 0001; 44/2022/PL 0002; 44/2022/PL 0003; 44/2022/PL 0004; 44/2022/PL 0005; 44/2022/PL 0006; 44/2022/PL 0007; 44/2022/PL 0008; 44/2022/PL 0009; 44/2022/PL 0010; 44/2022/PL 0011; 44/2022/PL 0012; 44/2022/PL 2001; 44/2022/PL 2002; 44/2022/PL 2003; 44/2022/PL 2004; 44/2022/PL 2005; 44/2022/PL 2006; 44/2022/PL 2007; 44/2022/PL 2008; 44/2022/PL 2009; 44/2022/PL 2010; 44/2022/PL 2011; 44/2022/PL 2012; 44/2022/PL 1002; 44/2022/PL 1003; 44/2022/PL 1004; 44/2022/PL 1005; 44/2022/PL 1006; 44/2022/PL 1007; 44/2022/PL 1008; 44/2022/PL 1009; 44/2022/PL 1010; 44/2022/PL 1011; 44/2022/PL 1012; Heritage Appraisal, dated May 2021 (The Heritage Practice); Design & Access Statement, dated 06/05/2021 (31/44 Architects); Scope of Works, dated 06/05/2021 (31/44 Architects).

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of Policies D1 and D2 of the Camden Local Plan 2017 and Policies DH2 and DH5 of the Highgate Neighbourhood Plan 2017.

#### Informative(s):

- 1 Reasons for granting

The application building is a Grade II listed building, within the Highgate Village Conservation Area. The rear garden forms part of the Gardens of the Grove Private Open Space. The two adjacent buildings (Nos. 4 and 6) are both Grade II\* listed.

The removal of the non-original chimney stack in the centre of the roof is considered to be acceptable on the basis that it is non original and the contribution it makes to the conservation area is neither positive or negative. The other chimney stacks would remain unaltered.

The infill below the entrance bridge, within the front lightwell, is considered to be acceptable on the basis that this alteration would not be visible in views of the host building and the loss of building fabric is minimal.

The alterations to the external openings are considered to be acceptable,

subject to a planning condition to require further details of all new windows and to ensure that they are single glazed with a putty finish. The condition will also require that the rooflights remain fixed shut, in order to maintain the roof profile.

The reinstatement of the long window on the side elevation is considered to represent a heritage benefit as it restores the original design.

The reinstatement of the 2nd external staircase at the rear is also considered to be acceptable as there was formerly a staircase in this position. A condition is attached to require further details of the new iron handrail and staircase.

It is not considered that the proposed development would cause undue harm to the residential amenities of nearby and neighbouring properties by way of visual privacy and outlook; sunlight, daylight and overshadowing; or noise and vibration. The enlarged window on the side elevation would not lead to increased overlooking to the neighbouring property, particularly as it serves a staircase and looks onto secondary windows at the neighbouring property (No. 4). Neither is the reinstated rear staircase likely to cause harm due to its position and the intervening boundary treatment between the gardens of No. 5 and No. 5.

No objections have been raised in relation to the works. Highgate CAAC have commented on the application and their comments have been duly considered. The application site's planning history and relevant appeal decisions were also taken into account when coming to this decision. The Planning Officer and Conservation Officer have both been able to visit the site to get a thorough understanding of the proposals.

Considerable importance and weight has been attached to the harm and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under and s.72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

Special regard has been attached to the desirability of preserving the listed building and its features of special architectural or historic interest, under s.66 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

The proposed development is in general accordance with Policies A1, D1 and D2 of the Camden Local Plan 2017 and Policies DH2 and DH5 of the Highgate Neighbourhood Plan 2017. The proposed development also accords with the London Plan 2021; and the provisions of the National Planning Policy Framework 2021.

- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).

- 3 You are advised that any works of alterations or upgrading not included on the approved drawings which are required to satisfy Building Regulations or Fire Certification may require a further application for listed building consent.
- 4 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 5 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at [www.camden.gov.uk](http://www.camden.gov.uk)) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully



Daniel Pope  
Chief Planning Officer