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Our ref: 2021/1883/PRE
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Dear Katie Anson,

Re: The Winter House, 81 Swain's Lane, London, N6 6PJ - Proposed amendments to previously consented scheme (2018/5730/P and 20185731/L)

Thank you for submitting the above pre-planning application enquiry on 16/04/2021, with the required fee of £1,050 on 05/05/2021; and revised plans on 02/07/2021, 16/07/2021 and 17/08/2021. Thank you also for meeting with us on 01/06/2021, 04/08/2021 and 17/08/2021.

1. Constraints

- Grade II* listed building
- Highgate Village Conservation Area
- Highgate Neighbourhood Plan Area
- Article 4 – Basements
- Archaeological Priority Area – Tier II
- Local Plan Open Space – Highgate Cemetery (West)
- Local Plan Open Space Metropolitan Open Land – Highgate Cemetery (West)
- Contaminated Sites Potential
- Underground development constraints – Claygate Beds
- Underground development constraints – Surface water flow and flooding
- Underground development constraints – Slope stability

2. Relevant planning history

2018/5730/P: Restoration and alterations to listed Winter House; demolition of existing rear extension and replacement with a larger single storey rear extension with green roof; demolition of garden workshop; excavation to reveal the original cemetery cutting within garden (adjoining listed Mortuary Chapel), including creation of 2 new internal floors, glazed roof cover and staircase access; excavation of access tunnel at basement level to link cutting with existing house; associated landscaping and alterations to front and rear boundaries including new pedestrian gates. **Granted Subject to a Section 106 Legal Agreement 28/05/2020**

20185731/L: Restoration with internal and external alterations of listed Winter House; demolition of existing rear extension and replacement with a larger single storey rear extension with green roof; demolition of garden workshop; excavation to reveal the original cemetery cutting within garden (adjoining listed Mortuary Chapel), including creation of 2 new internal floors, glazed roof cover and staircase access; excavation of access tunnel at basement level to link cutting with existing house; associated landscaping and alterations to front and rear boundaries including new pedestrian gates. **Granted 02/08/2019**

3. Relevant policies and guidance

[National Planning Policy Framework 2021](#)

[The London Plan 2021](#)

[Camden Local Plan 2017](#)

A1 Managing the impact of development
 A2 Open space
 A3 Biodiversity
 A4 Noise and vibration
 D1 Design
 D2 Heritage
 CC1 Climate change mitigation
 CC2 Adapting to climate change
 CC3 Water and flooding

[Highgate Neighbourhood Plan 2017](#)

[Camden Planning Guidance](#)

Amenity (2021)
 Biodiversity (2018)
 Design (2021)
 Energy efficiency and adaptation (2021)
 Home improvements (2021)
 Trees (2019)
 Water and flooding (2019)

[Highgate Conservation Area Appraisal and Management Proposals \(2007\)](#)

4. The proposal

The original pre-application request proposed the following changes to the northern elevation of the approved replacement rear extension:

- Alterations to fascia
- Removal of Cor-Ten fins from window openings
- Change Cor-Ten to timber fins

During the course of the pre-application discussions, the following revisions have been made to the proposed plans:

- Reinstatement of fascia
- Reinstatement of flared overhang to fascia
- Vertical fins switched back to Cor-Ten from timber

5. Assessment

The planning considerations material to the determination of this application are as follows:

- Heritage and design
- Impact on neighbouring land uses

6. Heritage and design

The Winter House is a grade II* listed building, and the Council has a statutory duty to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses, under sections 16 and 66 of The Planning (Listed Buildings and Conservation Areas Act) 1990 (as amended).

The application site is located within the Highgate Village Conservation Area, wherein the Council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of that area, in accordance with Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

Highgate Cemetery is a Grade I registered park / garden and the planning authority must consider the impact of development on the cemetery's special character.

Significance of the listed building

The Winter House (81 Swain's Lane) was built to the designs of John Winter in 1967-69 and is designated Grade II* for the following principal reasons: it is one of the best-known and most influential modern steel houses in England designed by the distinguished post-war architect John Winter, who is noted for the pioneering use of Cor-Ten steel for domestic construction; and the design has considerable elegance and a close relationship with the landscape of and monuments of Highgate Cemetery.

The building was extended in 2005 with a rear extension; however, the rear extension is considered to be of no particular merit. At the time of the 2018 planning and listed building consent applications, it was noted that there would be significant heritage benefits arising from replacing the unattractive rear extension with a more sympathetically designed one, even though it would be larger in size. The 'Reasons for Granting' informative noted that: *"The rear extension's carefully considered contemporary design and high quality materials are considered acceptable and represents an enhancement over the existing poor quality extension. It is sympathetic in its size, form, design and relationship to this unique Grade 2* listed modernist house. The extension would not harm the character and appearance of the host building, adjoining buildings and listed structures and the conservation area."*

The proposals / planning balance

At the first pre-application meeting (01/06/2021), Council officers outlined their concerns with the proposed revisions, namely the removal of the fascia, the use of timber instead of Cor-Ten for the fins and the omission of the fins from the windows. The Council's Conservation Officer was particularly concerned that the consented design was far superior to the newly proposed design, which is not appropriate to this grade II* listed building, particularly as the replacement extension was justified on the basis of significant heritage benefits arising from replacing the unattractive rear extension with a more sympathetically designed one.

Officers noted that the horizontal banding is important to tie the extension to the original building and to give the extension a horizontal emphasis. The use of Cor-Ten for the fins is also considered to be important, particularly given the history of the house and the pioneering use of Cor-Ten on a domestic building.

The subsequent revisions have reinstated the fascia and aligned it with the horizontal banding on the main building. The design of the fascia has also been altered to allow it to meet the tops of the windows below rather than leaving a gap and the flared overhang has been reinstated. These changes are all welcomed. The vertical fins have switched back to Cor-Ten instead of timber which is also welcomed.

It is now considered that the proposed changes would result in a high quality extension that provides significant heritage benefits to justify the replacement of the existing extension, as detailed above. You are advised to submit the section 73 application to vary condition 2 (the approved plans), and an associated listed building application, on this basis.

At the last meeting we noted that we will need to see detailed section drawings of the fins (at 1:20). This can in fact be provided as part of the discharge of condition 4 of the planning permission.

7. Impact on neighbouring land uses

Policy A1 of the Local Plan seeks to protect the quality of life of occupiers and neighbours. The factors to consider include: visual privacy, outlook; sunlight, daylight and overshadowing; artificial lighting levels; noise and vibration; odour, fumes and dust; and impacts of the construction phase, including the use of Construction Management Plans. Policy A4 seeks to ensure that noise and vibration is controlled and managed. The Highgate Neighbourhood Plan also seeks to mitigate the effect of building works on neighbours (Core Objective 5).

At the time of the 2018 applications, it was noted that the proposed extension would be no higher than the existing one and would thus not cause any loss of amenity to neighbours, in terms of light, outlook and privacy. This continues to be the case and it is not considered that the proposed changes would impact harmfully on neighbouring properties.

8. **Whether or not the proposed changes can be dealt with by a section 73 application (Minor material amendments)**

The proposed changes are considered to be sufficiently minor in nature that they can be dealt with by a section 73 application. As part of this you will need to provide the following:

- Application Form
- Site Location Plan
- Revised plans (including a Drawing Register to outline which plans have been superseded / updated to reflect the proposed changes)
- Consented plans
- Supporting Statement

For the listed building consent application you will need to provide all the information normally provided with a listed building application as there is no scope to make changes to the consent that has been granted.

9. **Other matters**

Sustainability – If the proposed changes will impact on the building's energy efficiency / carbon dioxide reductions etc. this must be explained and justified in an updated Energy and Sustainability Assessment to be submitted with the new application.

Basement – If the proposed changes will impact on the previously approved Basement Impact Assessment, an updated version must be submitted with the new application.

10. **Conclusion**

Following the revisions that were requested as part of the pre-application process, the proposals are now considered to be acceptable and you are advised to submit an application to vary the approved plans condition and an associated listed building consent application on this basis.

This document represents an initial informal officer view of your proposals based on the information available to us at this stage and would not be binding upon the Council, nor prejudice any future planning application decisions made by the Council.

If you have any queries about the above letter or the attached document please do not hesitate to contact Kate Henry on **020 7974 3794**.

Thank you for using Camden's pre-application advice service.

Yours sincerely,

Kate Henry
Principal Planning Officer
Planning Solutions Team