



JON LOWE  
HERITAGE

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Heritage Statement  
4 The Grove, Highgate  
N6 6JU

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October 2022 | Project Ref. 00411 | V.1

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Heritage Statement	4 the Grove, Highgate	
Report Version: V1	Project Reference: 00411	© Jon Lowe Heritage Ltd

# Introduction

1. This Heritage Statement has been prepared by Jon Lowe Heritage Ltd, and supports a pre-application submission for proposed changes to 4 The Grove, Highgate.
2. 4 The Grove is a Grade II\* listed residential property constructed c.1688. Although it has undergone some change over the years, the property remains the least altered of William Blake's six properties in The Grove and retains many features of high architectural and historic significance.
3. This report presents Camden Council, the decision makers, with a statement of significance on the heritage assets potentially affected by the works applied for, together with an assessment of the impacts and effects of the works upon that significance. In doing so it supports the statutory obligation on decision-makers to pay special attention to the desirability of preserving or enhancing the character and appearance of conservation areas and to have special regard to the desirability of preserving listed buildings and their settings.

### Proposed Scheme

4. The proposals would deliver a high quality scheme of sensitive alterations. These works, which would preserve the property's highly significant historic architectural features, include the following:
  - Minor alterations to layout at lower ground floor level;
  - The creation of a small exterior terrace at lower ground floor level;
  - Minor alterations to rear fenestration at lower ground floor level;

- Minor alterations to modern partitions at first and second floor level.

### Methodology

5. The site, its relationship to context and the wider area have been observed by the author during site visits conducted in September 2022.
6. Value judgements based on observation of the building fabric, form and features were made and these were further supported by documentary research. Observations and external inspections were also undertaken to better identify the overall sensitivity of the building and site to change, together with opportunities for enhancement. Working with the design team, proposals that seek provision of improved and heritage sensitive accommodation are presented.

### Report Structure

7. This report presents a summary understanding of the application site and surrounding heritage assets, including a description of their historic background. This is followed by a proportionate description of the significance of the heritage assets potentially affected by the proposals. This is followed by an initial assessment of the proposed changes and their impact upon the significance of the heritage assets.



Figure 1: Aerial image of the rear of 4 The Grove, shaded in blue





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## Understanding the Site

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# Understanding the Site

8. 4 The Grove is a substantial and well-preserved brick-built domestic building constructed c.1688, and is located in Highgate village. Of two storeys over a basement and with a dormered attic, the property has been extended three times; with a shallow clap-boarded side wing off the stair half landings, a lean-to extension on its north-east corner, and a three-storey side wing extension that abuts the adjacent house.
9. The property has remained in residential occupation and is considered the best preserved of William Blake's original properties along The Grove.
10. 4 The Grove was listed at Grade II\* on 10th June 1954 (List Entry Number 1378979). Its list description reads as follows:  
  
TQ2887SW THE GROVE 798-1/5/1607 (West side) 10/06/54 No.4 and attached railings, wall and lamp

GV II\*

Detached house. c1688 built by William Blake; some later alterations. Red brick, heavily repointed, with plain brick band at 1st floor level. Tiled roof with dormers and moulded wooden eaves cornice. 2 storeys, attic and semi-basement. 4 windows. Wooden doorcase with shaped brackets to hood; overlight and panelled door. Segmental arches to flush framed sashes with exposed boxing. INTERIOR: not inspected but noted to retain good original panelling and staircase. SUBSIDIARY FEATURES: attached cast-iron railings to areas. Attached wrought-iron railings, possibly Edwardian replicas of early to mid C18 type, on low brick wall to forecourt. Gateway with lamp overthrow having Windsor

type lantern. HISTORICAL NOTE: this is the least altered of the six Blake houses in The Grove. (Survey of London: Vol. XVII, The Village of Highgate, Part I: London: -1936: 77-94; RCHME: London, Vol. II, West London: London: -1925: 90).

### Location & Context

11. No.4 is situated on the west side of The Grove, and surrounding streets are predominantly residential in character. The area of Highgate village is characterised by its mixture of grand houses, simple cottages and the High Street's tightly grouped 18th and 19th century properties with shops at ground floor level.

### Heritage Context

12. The site is located within the Borough of Camden's Highgate Conservation Area. The conservation area was designated 1968 and extended in 1978 and 1992. The Grove is situated within the area's Sub Area 1: Highgate Village.
13. The Highgate Conservation Area Appraisal summarises the area as such:  
  
Sub-Area One forms the historic 'core' of the Conservation Area, developed along the major roads which crossed the high ground to the north of London. This area has the most intense development within the Conservation Area, rich in form and detail. It has all the elements expected of a village with a shopping frontage in the High Street, grand houses, simple cottages, public buildings and a central square. The grand houses reflect the fact that Highgate has been a desirable residential area since the late 17th century. There are a series of strong

edges that define the village core around which the rest of Highgate has developed.

14. By way of its historical and architectural interest, 4 The Grove makes a positive contribution to the streetscape as well as to the character and appearance of the Highgate Conservation Area.

15. There are a number of listed buildings in close proximity to the site, as highlighted by the map in Figure 2. The site's prominent location results in it having an important role within the setting of these nearby listed buildings.

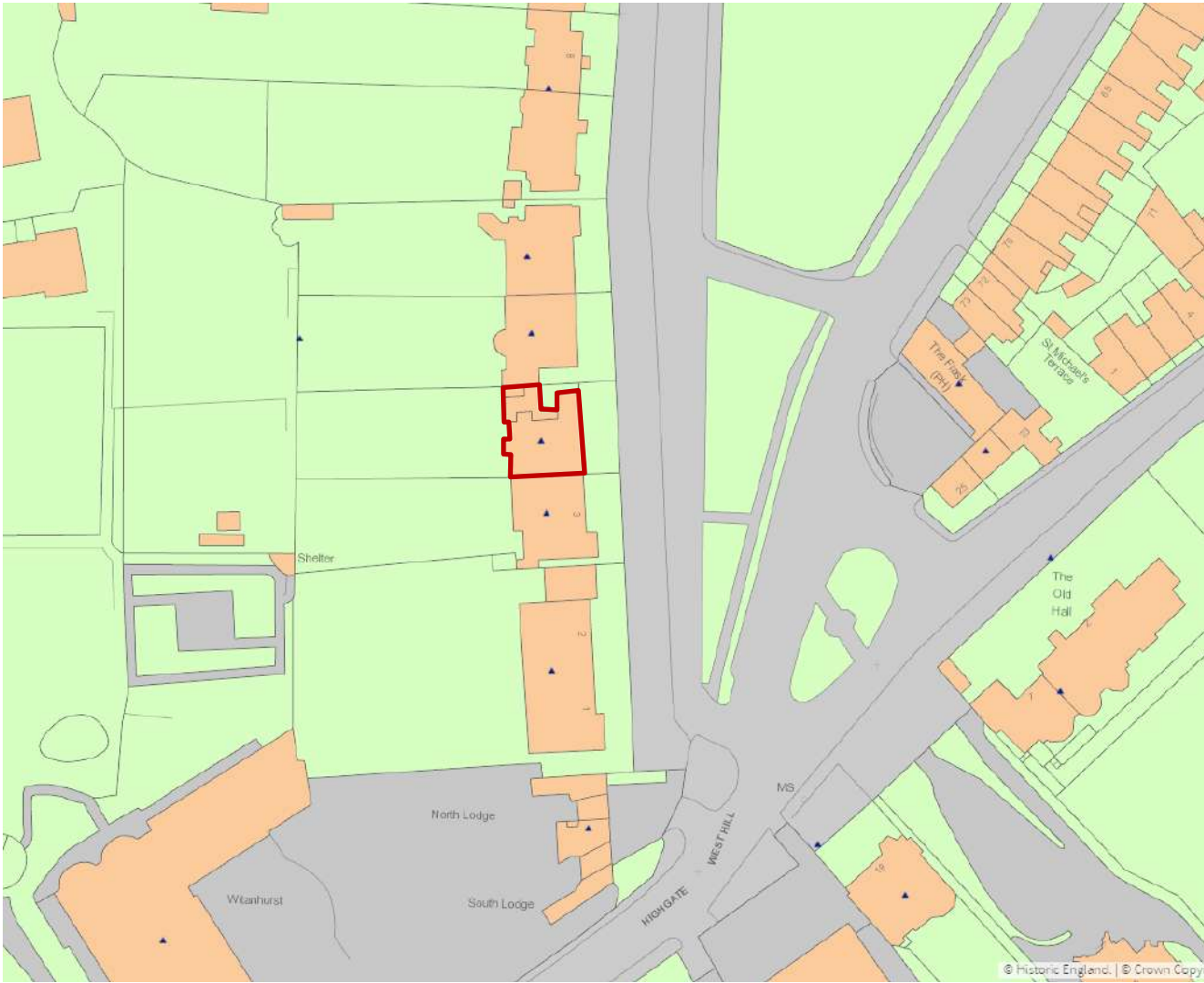
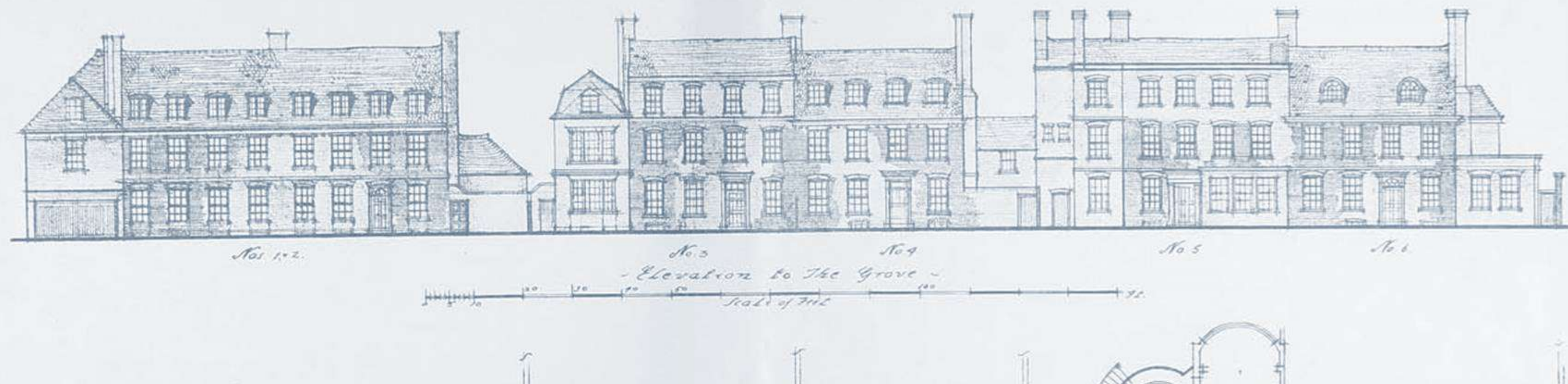


Figure 2: Area plan of 4 The Grove, delineated in red, and its surroundings. Nearby designated heritage assets denoted by a blue triangle



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## Historic Background

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# Historic Background

## Area Development

16. The village of Highgate originated at a hamlet located at the south-eastern corner of what was the Bishop of London's estate. The rich parkland in this area of the estate was used for hunting from 1227 until the confiscation of church lands by Henry VIII in the 1530s.
17. Its elevated position, clean air and spring water meant that by the 16th century, Highgate had become a popular retreat. Wealthy families had begun to build houses in the area, and in 1553 there were five licensed inns in the village. Prior to the construction of 1-6 The Grove, the land was the site of two mansions with large grounds, Arundel House and Dorchester House (constructed c.1600). Evidence of the latter can be seen in the gardens of properties along The Grove—in the garden of No.6 a red brick arbour with curved bastions survives, while in the gardens of Nos.1-5 the earlier mansion's large retaining wall and vaults can be seen.
18. The construction of The Grove can be dated to approximately 1688; the Survey of London identifies the court rolls and an MS. plan drawn and annotated by William Blake as evidence of this. This plan contains the information that Blake had erected six houses on the garden of Dorchester House, and the rent from those houses was intended to form part of the endowment of the charity school he had founded and opened in Dorchester House. Blake had purchased Dorchester House for £5000 to establish a school for 40 poor children or orphans, but unfortunately the school was unsuccessful and Blake was sent to debtors' prison.

## 4 The Grove: History and Evolution

19. Properties along The Grove, and particularly well-preserved No.4, were of a revolutionary design for their period and are illustrative of a change in architectural direction. The property's five-cell

organisation of plan form (i.e. of four rooms per floor with a stair enclosure) is characteristic of the late 17th century and largely retained, as are the fireplaces within the south ground and first floor rooms. These fireplaces are located on the inner corners of their rooms, with triangular flues paired with those within neighbouring No.3.

20. The house retains many features of late-17thC origin, such as fine wood panelling, and others of a mid-18thC character (such as the cornice to the ground floor east room), which are likely to date from a period of lease-renewal. Lion-bossed channeled architraves around the doors of the west ground floor rooms are typical of the early 19th century, and may date to the property's second lease renewal.
21. The property has been extended three times. The first of these is a shallow timber shiplap clad closet extension on the northern wall of the main body of the house. Its tall sash window situated at the first half landing level has lamb's-tongue glazing bars and the upper sash is un-horned, suggestive of the late 18th to early 19th centuries. The second extension is a lean-to on the eastern side of the property's north flank which is shown in the Ordnance Survey of 1863 and may also date to the early years of the 19th century. The last extension is the largest—now treated as a self-contained 'cottage', this extension was constructed between 1915 and 1936.
22. The earliest internal photograph of 4 The Grove dates to around 1936, and shows a portion of the entrance hall (Fig.3). Of interest is the original pargetted ceiling which is now very sadly lost, likely a victim of refurbishments that were carried out in the mid-20th century. Other notable losses include the original built in kitchen dresser (Fig.7) which was fitted on two sides of the kitchen with its lower shelf supported on turned baluster legs. According to the *Survey of London* the upper shelves were stout with moulded

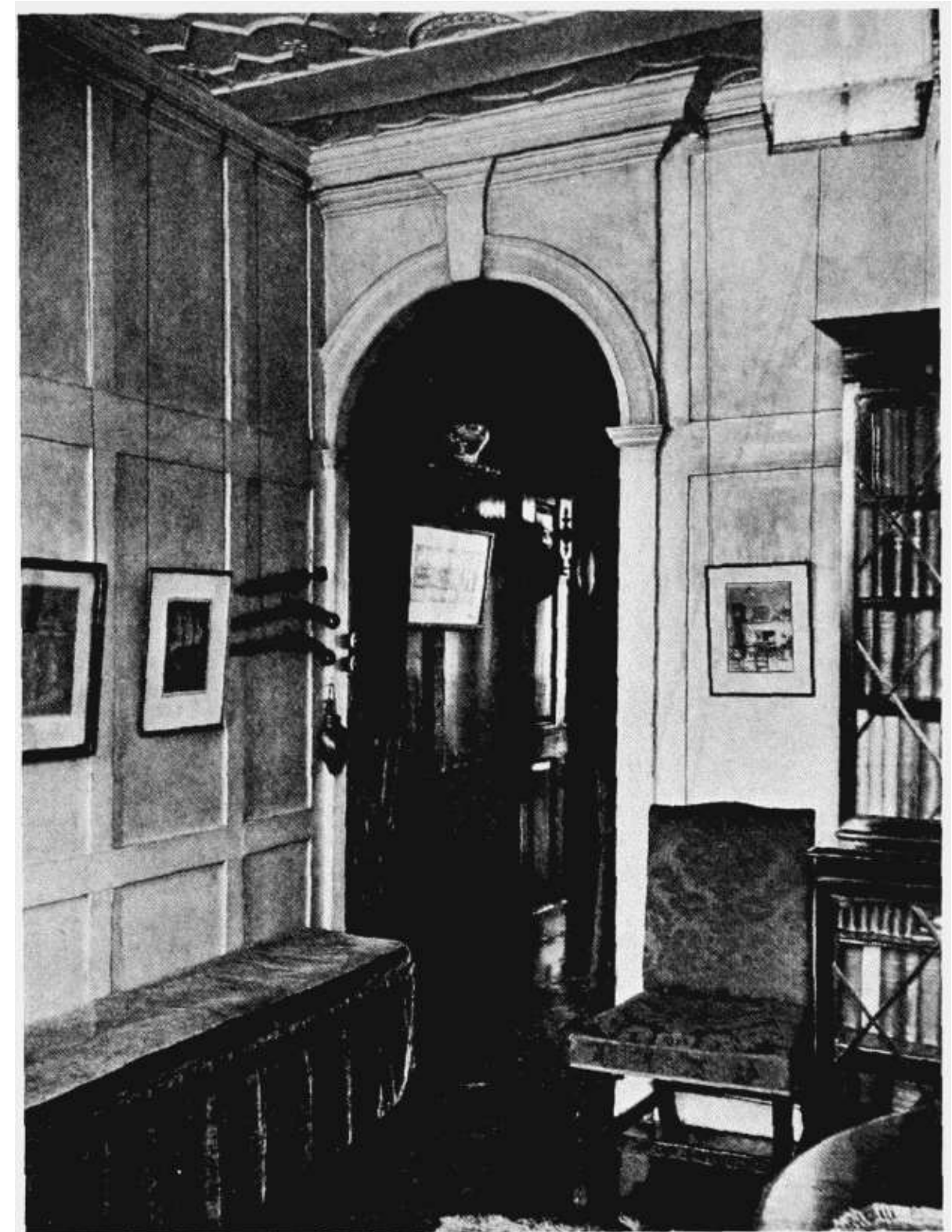


Figure 3: The entrance hall at 4 The Grove, c.1936. Note the now-lost pargetted ceiling.



edges, and stopped against elaborately shaped ends.

23. A plan of 1936 (Fig.5) shows the layout of the 4 The Grove at this time. The property's basic five-cell plan form can be seen, although minor changes have been made in the intervening years. The south-eastern bedroom at 2nd floor level was at this time subdivided, and the south-western room at basement level was also subdivided. These partitions have since been removed.
24. It is likely that the fitted kitchen dresser was lost during an unidentified series of refurbishments

that the post-war period. The 1975 sales brochure describes the kitchen as being fitted with a comprehensive range of 'English Rose' units, which were produced from around 1948 to the early 1960s. If this period of the property's ownership represented one of modernisation to the detriment of important original features, it is reasonable to assume that the pargetting (which may have existed in additional ground floor rooms) was either replaced or over-skinned at the same time.

25. Another phase of refurbishment came in the 1970s, when most of the internal joinery was stripped of paint under the misapprehension that

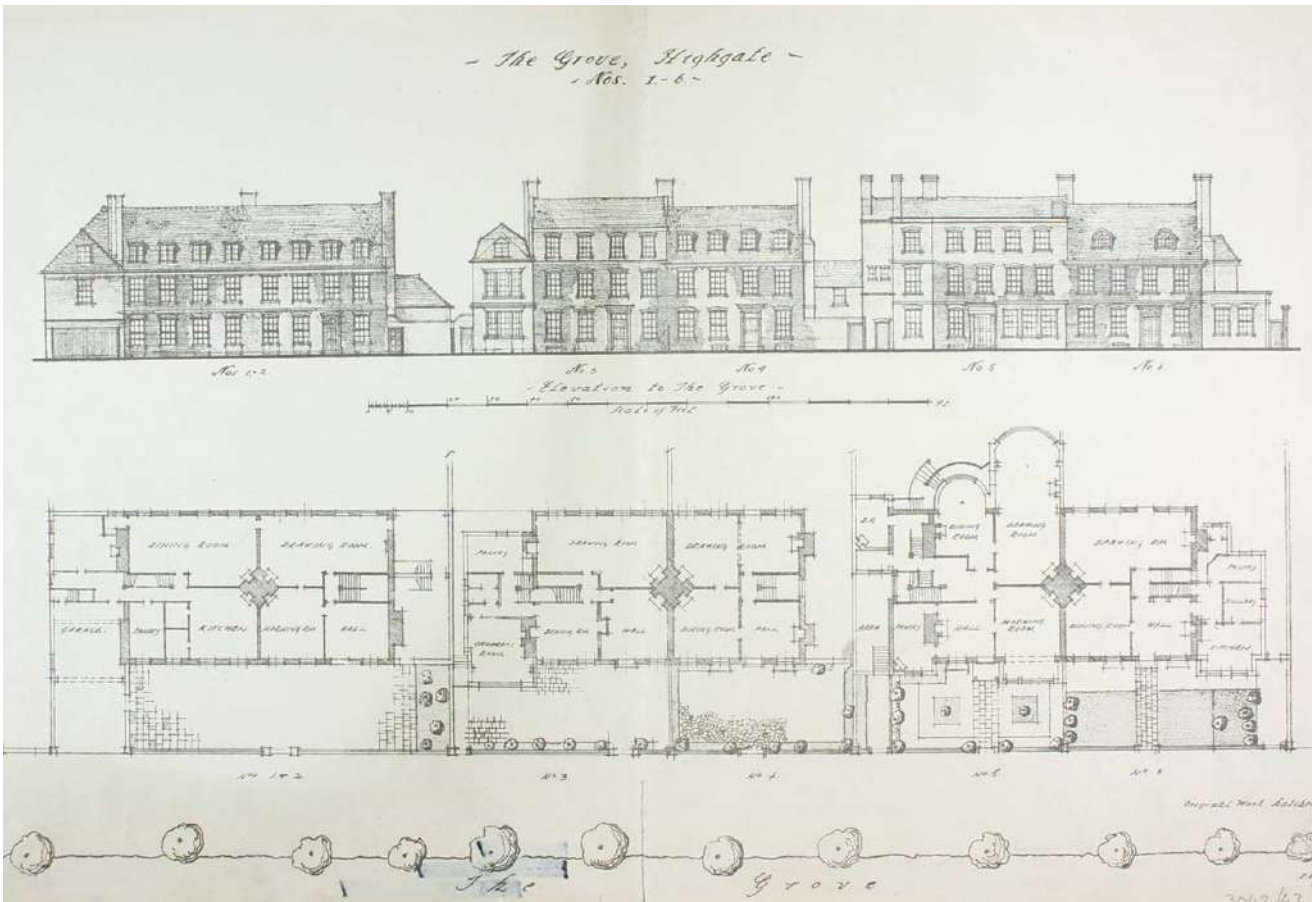


Figure 4: Nos.1-6 The Grove, ground floor plans and elevation, c.1936.

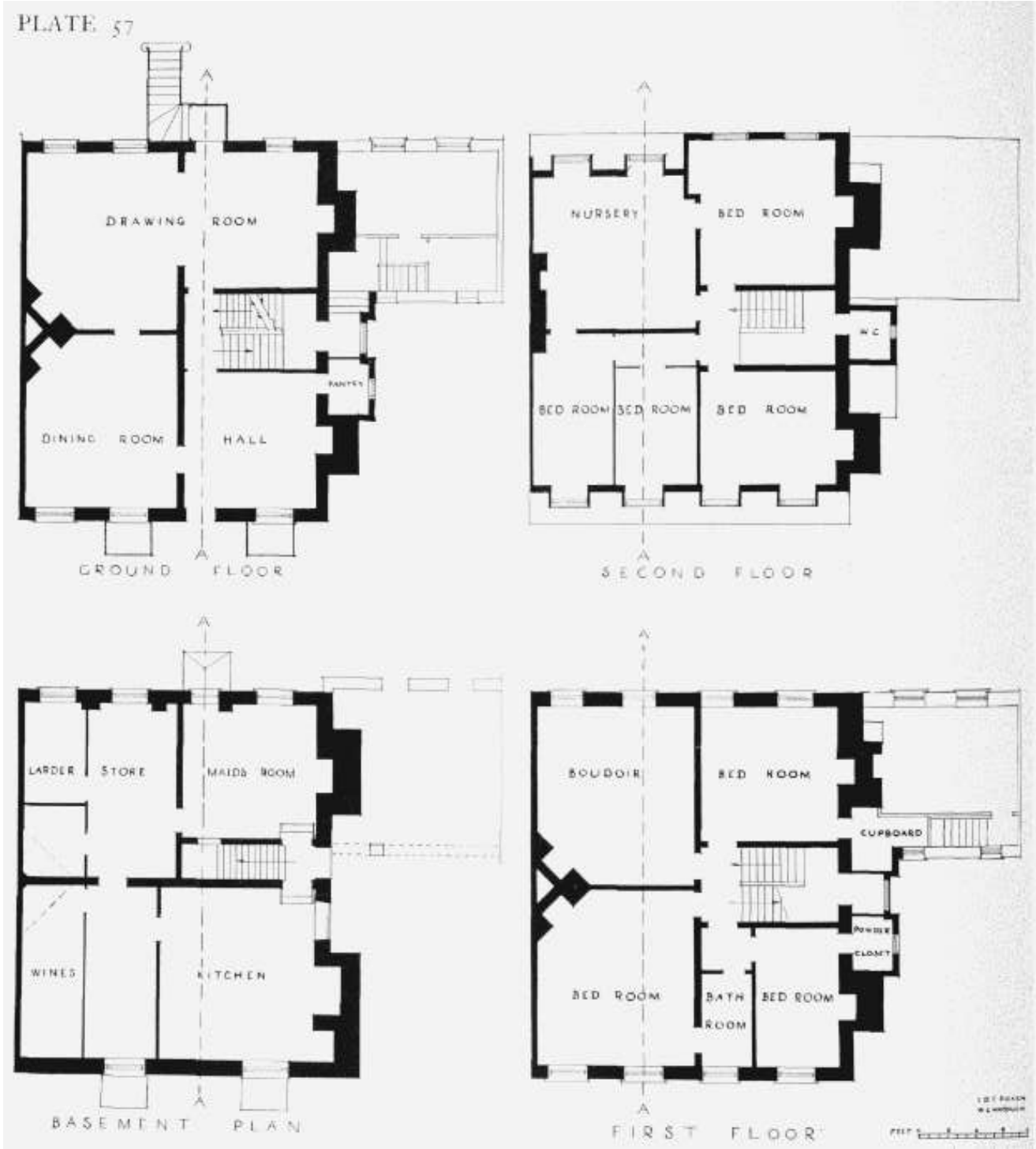


Figure 5: Plans of 4 The Grove, c.1936.



it would have originally been unpainted. Most has since been repainted, although the entrance hall remains bare. In the same period garden access from the basement was first provided, when the window in the south-west basement room was altered.

26. The present western rooms at lower ground floor level have an unusually low ceiling height, and doors between them that have clearly been substantially cut down. It appears that the floors in these spaces must have originally been lower in order to accommodate doorways of even a modest height, as the existing openings rise to only around 5ft. This increase in floor height has likely occurred in more than one phase, and necessitated the cutting down of internal doors.

27. In 1998 consent was granted (LE9800685R1) to remove the partition between the north and south west rooms at basement level and enlarge one if the windows, but these works did not take place.

28. The property was refurbished and partially restored in 2016 (2015/6817/L and 2016/1393/L). Kitchen and bathrooms were refitted, the lower ground floor received underfloor heating (slightly raising the floor height once again), there was some reordering of non-original chimneypieces, and the cills to the lower ground floor rear garden doorways were dropped lower. At the same time there were minor changes to plan form at first and second floor level to accommodate new bathrooms, and a modern dormer addition at the rear was replaced with the present dormer organisation.



Figure 6: Front elevation, 4 The Grove, c.1936.

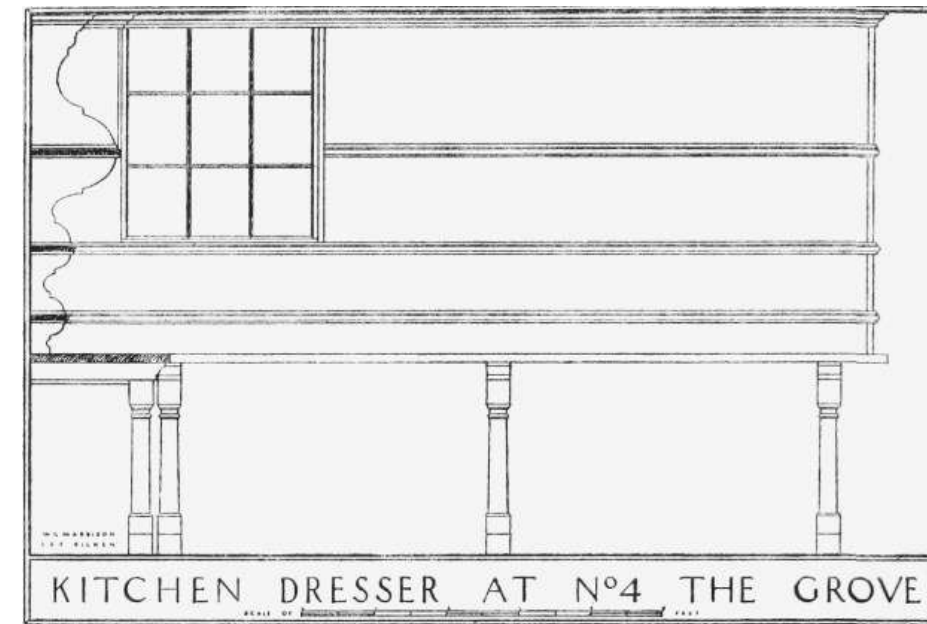
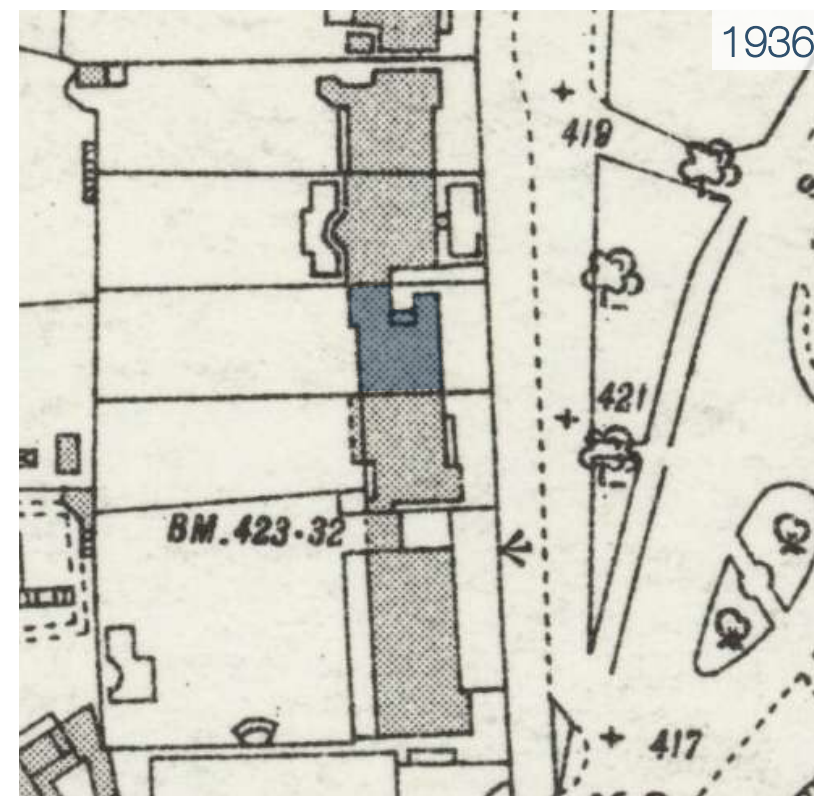
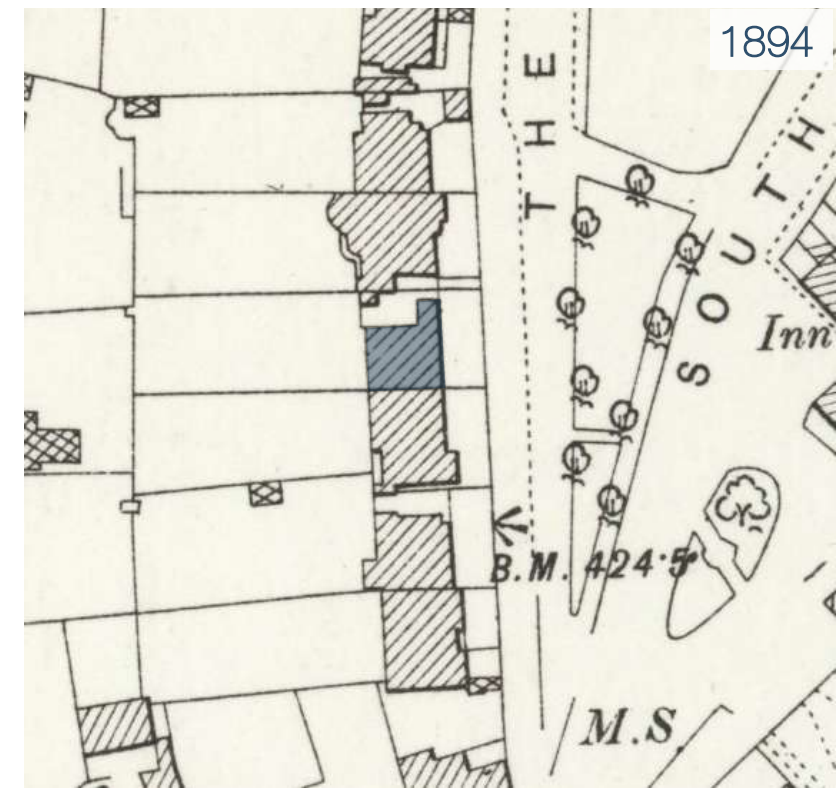


Figure 7: Built-in kitchen dresser (now lost) within 4 The Grove, c.1936.



Figure 8: Rear elevation, 4 The Grove, c.1936.









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## Assessment of Significance

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# Assessment of Significance

28. NPPF policy promotes understanding significance in order to judge the acceptability of the effects of a proposal upon it. Significance, for heritage assets, comprises the asset's architectural, historical, archaeological and artistic interests, and these aspects will be assessed in the following section.
29. Not all aspects of a building are of special interest or desirable to preserve. The proposed scheme will only affect parts of the listed building, whereas the asset's significance derives from the building as a whole, and for its townscape qualities and role in an urban plan.
30. A description of Grade II\* listed 4 The Grove and the character and appearance of the Highgate Conservation Area is presented below. These descriptions are proportionate to the significance of the assets and are sufficient to understand the nature of the impacts the proposed scheme may have upon that significance.

## 4 The Grove

31. 4 The Grove has architectural, historic, artistic and archaeological interest and significance.

### Architectural Interest

32. **Elevations:** The property's main elevation, and to a slightly lesser degree its rear elevation, form a key part of the asset's significance. Its materials, fenestration and rhythm of openings provide interest, and the elegant and well-proportioned façades retain much of their late-17th century character. The later addition of the attached 'cottage' extension in the first half of the 20th century has not detracted from the architectural integrity of the property's elevations, but nor has it enhanced them. The subtle quality of this extension sits comfortably next to the main body of the house.

33. These façades contribute to the character and appearance of the Highgate Conservation Area and are intrinsic to the more than special group interest of Nos.1 to 6.
34. **Plan Form & Proportion:** Much of the property's plan form and proportion survives within the main body of the building, with only minor interventions in places which have adversely impacted its significance. These include the raising of the floor level within the western basement rooms and the addition of ensuite bathrooms at second floor level.
35. The property's five-cell plan form is of high significance as a good example of innovative but fully-developed late 17th century design, although this interest is greatest in the primary spaces of ground and first floor levels. Plan form and proportion at basement and second floor level is still of value, but to a lesser degree due to later interventions.
36. The legibility of the building's historic plan form and hierarchy, particularly in primary spaces, contributes strongly to the property's overall special interests.
37. **Features:** Internally there are numerous examples of original and historic decorative fabric, including paneling and joinery. Many of these are original, while some are the result of historic alterations. These historic additions (for example the mid-18th century ground floor cornice and early-19th century architraves) confer interest, although the primary interest of the property as a whole lies in its status as the least-altered of the six properties along The Grove.
38. Some mid-to-later 20th century alterations have had an adverse impact on the appreciation of the building through an erosion of its 17th century character and loss of characteristic



Figure 9: Front elevation.



Figure 10: Side elevation.



Figure 11: Rear elevation



features. These include the loss of the original pargeted ceilings at ground floor level, the loss of the original built-in dresser within the kitchen, and the stripping of paint from historic paneling. The latter represents a misinterpretation of the historic character of the house.

39. Original features that remain contribute strongly to the architectural interest of the building and are a key element of its character.

#### Historic Interest

40. 4 The Grove has strong illustrative value as a late -17th century domestic building. It has prototype status as a type that developed in London and its environs and then spread throughout the country. Additionally, it represents an early phase in the development of Highgate.

#### Archaeological Interest

41. The history and evolution of the building is evident in its fabric, and there is the possibility of uncovering further evidence of its development as future opening up works take place. Accordingly, the building has archaeological and evidential interest.

#### Artistic Interest

42. The building derives artistic interest from the craftsmanship and aesthetic values of its historic decorative features.

#### Highgate Conservation Area

43. The Highgate Conservation Area is of significance for its architecture and history. These combined result in an area of distinct character and appearance.
44. The Conservation Area Appraisal and Management Strategy states: "The essential character of the Highgate Conservation Area is of a close-knit village crowning one of the twin hills to the north of London. Highgate's proximity

to London, combined with the benefits of its elevated position, providing clean air, spring water and open spaces, has ensured that from its earliest beginnings in about the 14th century, it has been a very popular place to live or visit. The generally 18th and 19th century character of the present buildings may conceal the existence of earlier structures; for example, a late medieval jettied timber structure has been identified within one of the High Street buildings across the borough boundary in Haringey. The early village high street with its characterful small-scale houses and traditionally fronted shops and businesses and the open square, around the site of the original pond remain the heart of the village. Large and fashionable historic houses from the 17th, 18th, 19th and 20th centuries stand clustering around the historic core, and imposing properties set in landscaped gardens stand on the hill slopes below the village enjoying the southern aspect."

45. 4 The Grove makes a positive contribution to the character and appearance of the conservation area.



Figure 12: Entrance hall



Figure 13: Entrance hall



Figure 14: Entrance hall



Figure 15: Entrance hall





Figure 16: Ground floor south room (library)



Figure 17: Ground floor south room (library)



Figure 18: Ground floor west rooms



Figure 19: Ground floor west rooms





Figure 20: Ground floor hall



Figure 21: Main stair

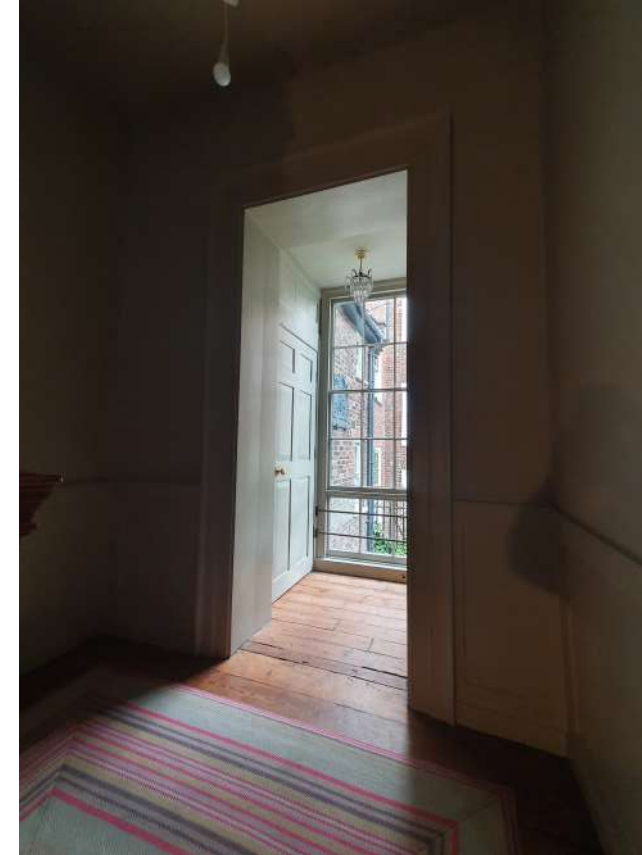


Figure 22: Stair landing



Figure 23: Bedroom 1, first floor



Figure 24: Bedroom 1, first floor



Figure 25: Bedroom, first floor



Figure 26: Bedroom 2, first floor

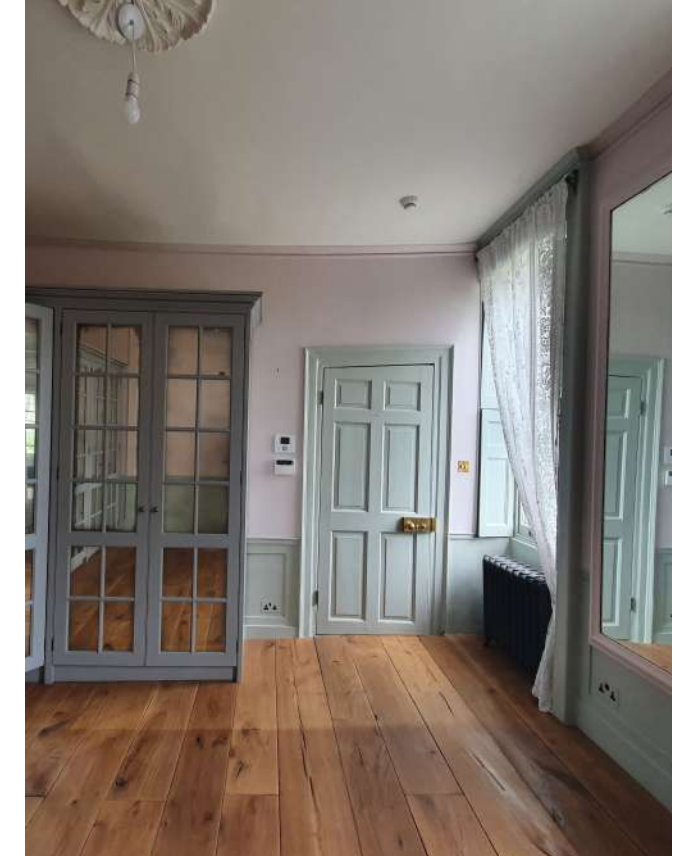


Figure 27: Dressing room, first floor





Figure 28: Bedroom 3, second floor



Figure 29: Bedroom 5, second floor



Figure 30: Ensuite, second floor



Figure 31: Bedroom 6, second floor



Figure 32: Bedroom 6 looking towards ensuite, second floor



Figure 33: Ensuite 2, second floor





Figure 34: North-western room, lower ground floor



Figure 35: South-western room, lower ground floor



Figure 36: Secondary stair hall, lower ground floor



Figure 37: South-western room, lower ground floor



Figure 38: Existing kitchen, lower ground floor



Figure 39: Larder, lower ground floor





Figure 40: Rear elevation, cottage extension



Figure 41: Rear elevation



Figure 42: Rear elevation

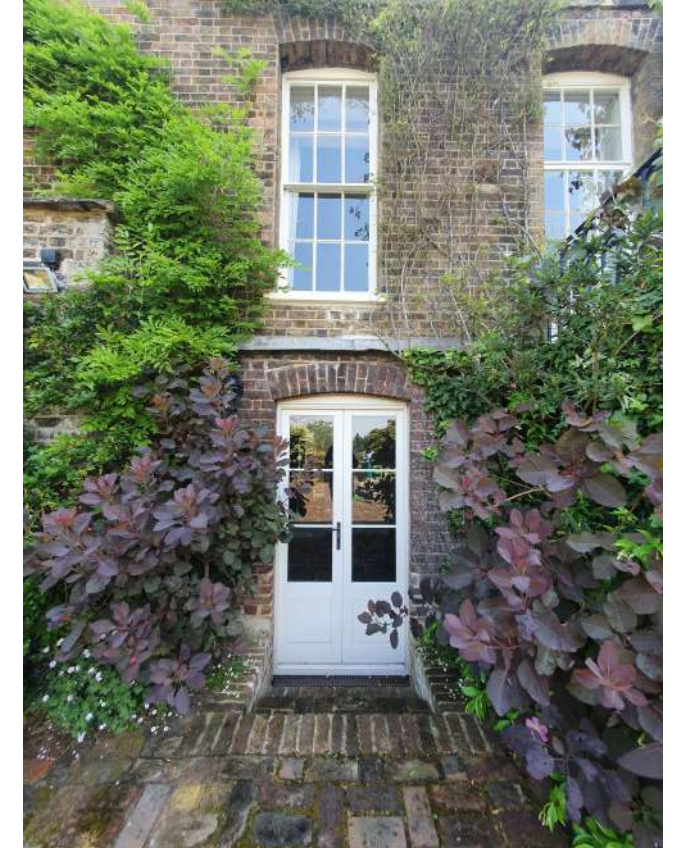


Figure 43: Rear elevation



Figure 44: Rear garden



Figure 45: Vaults within lower rear elevation



Figure 46: Vaults within lower rear elevation



Figure 47: Existing modern greenhouse





Figure 48: Side yard



Figure 49: Side yard



Figure 50: Side yard

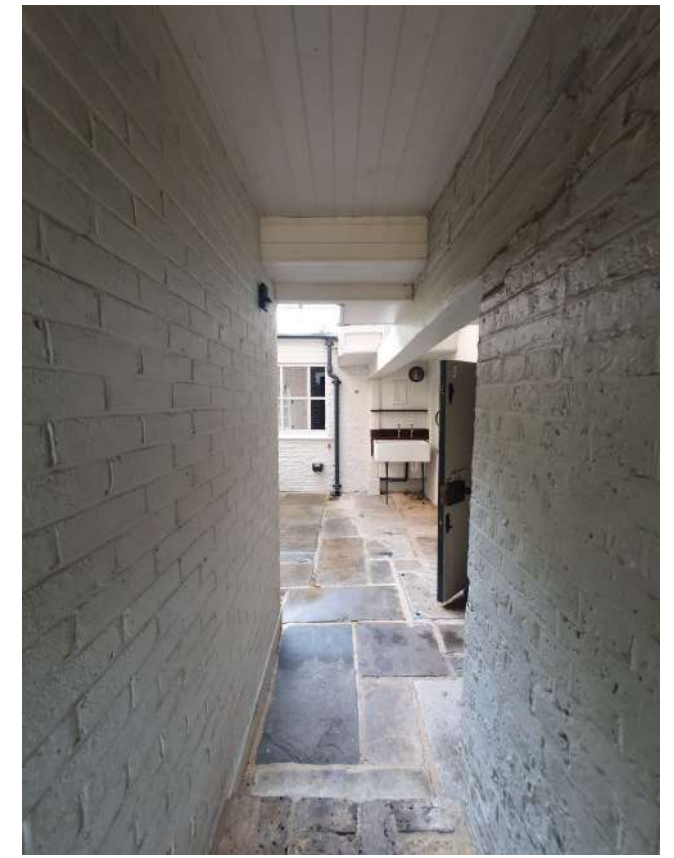


Figure 51: Passage



Figure 52: Side yard



Figure 53: Front elevation close up



Figure 54: Front garden



Figure 55: Front lightwell





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## Assessment of Effects

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# Assessment of Effects

46. This section of the report offers a full and proportionate assessment of the impacts of the proposals upon the significance of the listed building and conservation area. The proposed scheme, which seeks to make minor changes to the property's interior and construct a basement extension, has been described on a floor by floor basis. The impacts and effects of each of the proposed changes on the site's significance is then assessed. There is no section addressing the ground floor as no alterations are proposed here.
47. While the primary receptor to change is Grade II\* listed 4 The Grove, the proposals have the potential to affect the significance of the Highgate Conservation Area and nearby heritage assets through a change in their setting. Our assessment concludes that the character and appearance of the conservation area and nearby listed buildings would be preserved and therefore their significance would be unaffected. The proposals are consistent with and sympathetic to the established townscape and built form of surrounding buildings, and there would be no adverse effects on the significance of other heritage assets.

48. The proposals can be summarised as follows:
- The opening-up of a partition wall between north and south west rooms at basement level;
  - The lowering of a cill to one window within the south west lower ground floor room to provide access into the garden;
  - The creation of a small lowered terrace outside the proposed new external door at lower ground floor level;
  - Alterations to first floor master bathroom and guest ensuite;
  - Alterations to second floor ensuite bathroom.



Figure 56: Rear elevation demolition



Figure 57: Rear elevation proposed



# Assessment of Effects: Lower Ground Floor



Figure 58: Lower ground floor demolition



Figure 59: Lower ground floor proposed

	Proposed Works	Significance of Element	Effect on Significance	Commentary, Mitigation and Justification
1	Removal of partition between north and south west rooms	Low	Negligible Adverse	Permission to remove this partition was previously consented in 1999 (LE9800685R1) but the work did not take place. Although this partition is in a historic position, this pair of rooms have undergone numerous phases of change and their context and proportion are no longer as originally intended. Prior to mid-20th century, the southernmost room was subdivided into three and served as a store and larder. These partitions were later removed, and the floor level in both rooms has been raised in more than one phase. This has disrupted the proportions of the space, and the existing door (non-original but in an original position) has been substantially cut down to accommodate this change in scale. There would be a minor loss of historic fabric as a result of this proposal (fabric of the wall), and a minor impact to a partially-historic (but much altered) plan form in this space. However, both the fabric and plan form in this area are of lesser significance than that seen in higher-status and less-altered spaces at ground and first floor level. Adverse impacts would also be minimised by the retention of downstands and nibs, which would emphasise the division between the two rooms. This proposal was deemed appropriate and in accordance with the current Planning (Listed Buildings and Conservation Areas) Act 1990, which underpins all national and local planning policy, when it was consented in 1999. Accordingly, although there would be some slight adverse impacts to a localised area of historic fabric and plan form, the overall special interests of the listed building would be maintained.
2	Dropping of cill to create doorway to match adjacent.	Low	Negligible Adverse	Permission to increase the size of this window (although not to create a doorway) was previously consented in 1999 (LE9800685R1) but the work did not take place. This proposal seeks to drop the cill beneath the window to create a doorway to match the adjacent inserted doorway. The other two lower ground floor doorways on this façade are later insertions, with the one immediately adjacent inserted in 2016. The lowering of a section of patio in front of this new doorway and its adjacent doorway is also proposed, which would re-use the existing brick pavers and would not result in the loss of any significant historic fabric. Taken together, these works would result in the loss of a small, localised section of historic brickwork but would not lead to a loss of aesthetic or architectural integrity in the rear elevation, and the overall special interests of the listed building would be maintained.



# Assessment of Effects: First Floor



Figure 60: First floor demolition



Figure 61: First floor proposed

	Proposed Works	Significance of Element	Effect on Significance	Commentary, Mitigation and Justification
1	Removal of modern partitions within early 20thC extension	Neutral	Neutral	These partitions are located within the early 20th century extension, and were inserted as part of the 2017 works. They are of no inherent heritage value and their removal would not adversely impact the character or appearance of the building. Therefore, the special interests of the listed building would be maintained as a result of these works.
2	Fixing shut of door into ensuite	Neutral	Neutral	Although the present ensuite bathroom has been situated in this location since at least the early 20th century, its partition walls and doors were removed and replaced in 2017. The fixing shut of the modern door into this bathroom will therefore have no adverse impact on the character and appearance of the listed building, and its special interests will be preserved.



# Assessment of Effects: Second Floor

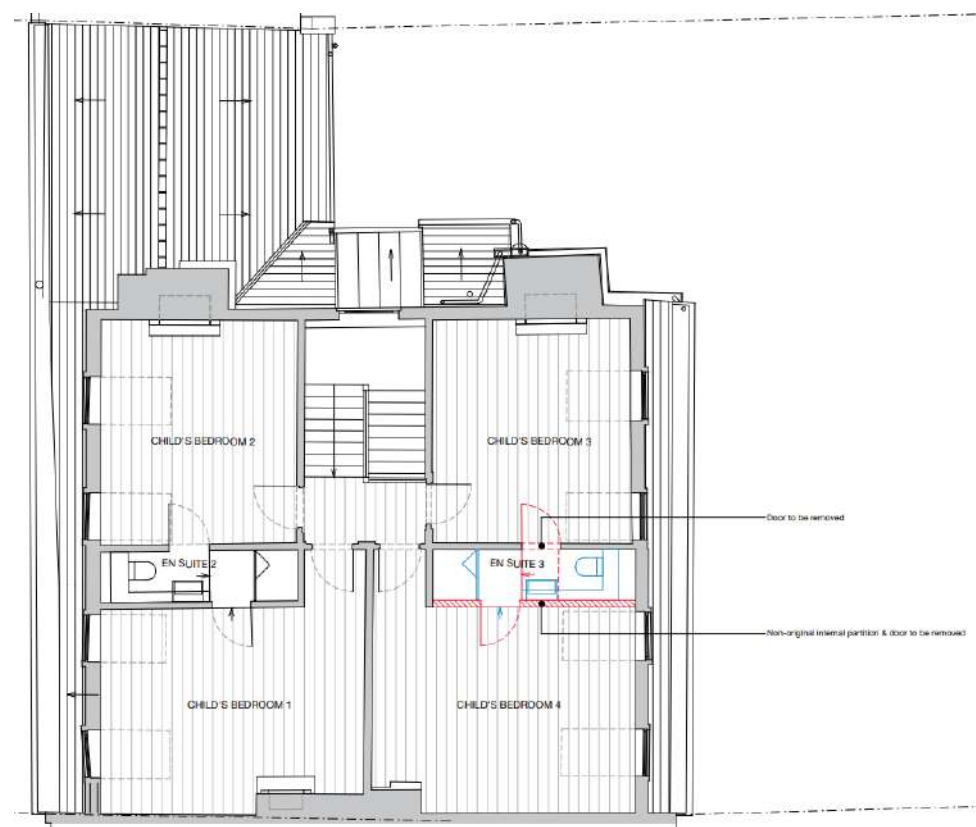


Figure 62: Second floor demolition

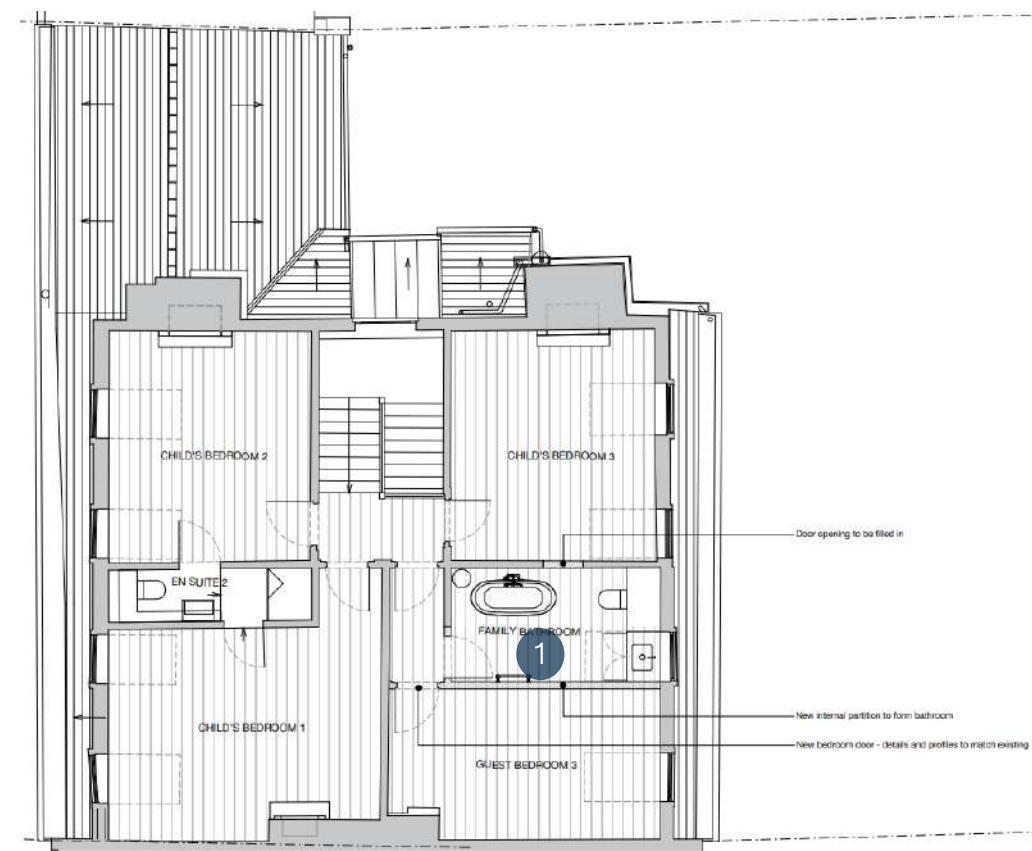


Figure 63: Second floor proposed

	Proposed Works	Significance of Element	Effect on Significance	Commentary, Mitigation and Justification
1	Reinstatement of earlier layout in south-eastern room	Neutral (fabric); Low (space)	Neutral	The existing ensuite arrangement dates to the works of 2017 when the ensuite bathrooms were inserted. The 1936 plans (Fig.5) indicate that from at least the early 20th century, this room was divided into two in the same manner now proposed. These works will not result in the loss of any historic fabric. The character and appearance of the space will be maintained, and the special interests of the listed building preserved.





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## Policy Compliance & Conclusions

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# Policy Compliance & Conclusions

## Policy Compliance

49. It is considered that the proposed scheme of works will preserve Grade II\* listed 4 The Grove and its special architectural and historic interests. The character and appearance of the Highgate Conservation Area will also be maintained, thereby according with S.66(1) and S.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
50. In accordance with Paragraph 194 of the NPPF this report provides a proportionate description of the significance of the heritage assets affected by the proposed development. It follows an inspection and analysis of the building's fabric, along with a study of documentary sources held at public archives. Qualitative judgments have been made based on knowledge and experience of historic buildings of this type. It is concluded that the two isolated elements of negligible harm resulting from the proposals would be at the very lowest level of 'less than substantial' in NPPF terms. The identified harm would not detract from the building's overall special architectural or historic interests.
51. There would be no adverse effects on the Highgate Conservation Area, and the significance of nearby listed buildings would be preserved.
52. Paragraph 202 of the NPPF requires that a less than substantial harm be weighed against the public benefits of a proposal. The following heritage-related public benefits arise from the development, taken as a whole:
  - Securing the building's optimum viable use as a domestic dwelling. Lower ground floor areas that were historically given over to services and staff often require adaptations to make them suitable for

single-family use;

- The sustaining of the property's significance—the proposed changes are minor and localized, and easily maintain the property's special interests.
53. The proposals accord with the relevant policy set out within the London Plan 2021, and are considered to comply with policy D2 of Camden's Local Plan. The works to the lower ground floor have been proven to accord with the principles of the Planning (Listed Buildings and Conservation Areas) Act 1990, which underpins all current legislation, as a result of their prior approval.
54. The proposed alterations respect and work in harmony with the key aspects of 4 The Grove's character and appearance, and would sit comfortably within its historic context. The design of the proposed changes has been carefully considered, so as to ensure that the proposals complement the existing building. The roposed works have been developed with the building's special interests in mind, and will preserve its significance. Works that would result in very low levels of less-than-substantial harm are to be undertaken in areas of lower significance which are less sensitive to change, while areas of higher significance are remaining untouched. As such the scheme accords with Parts I. J. and K. of Policy D2 within Camden's Local Plan.

## Conclusions

55. This report has undertaken a thorough assessment of the site at 4 The Grove and the Highgate Conservation Area. This has been followed by an appraisal of the effects of the proposals on a floor-by-floor basis, and an assessment of their impacts upon the building's significance. Full consideration has been given to local and national planning policy and guidance.
56. The existing building is a large late-17th century property. Although the most well-preserved of the group of properties along The Grove, it has undergone phases of change, some of which have affected the significance of its spaces.
57. The proposed scheme represents a small number of light-touch alterations that improve the functioning of the building as a family home. A very low level of harm, at the lowest limit of less than substantial harm, has been identified due to minor works affecting the less sensitive parts of the building at lower ground floor level. Part of these works was previously consented, and this application seeks to renew this consent.
58. The proposals have been assessed against the policy and guidance set out within the NPPF and Camden Council's Local Plan. This assessment concludes that the proposals accord with all relevant policy and guidance, and offer a sympathetic and informed scheme of works that would maintain the overall interests of the listed building.



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## Appendix 1:

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## Legislation and Planning Policy

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# Legislation, Policy & Guidance

## Legislation

- 1) The Planning (Listed Building and Conservation Areas) Act 1990 is the current legislation relating to listed buildings and conservation areas and is a primary consideration.
- 2) In respect of proposals potentially affected listed buildings, Section 66 states that *“in considering whether to grant planning permission or permission in principle 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”*.
- 3) In respect of conservation areas, Section 72 of the Act places a duty on the decision maker to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.

## National Planning Policy Framework (revised 2021)

- 4) The Government’s planning policies for England are set out within the National Planning Policy Framework (revised 2021). It sets out a framework within which locally prepared plans can be produced. It is a material consideration and relates to planning law, noting that applications are to be determined in accordance with the local plans unless material considerations indicate otherwise.
- 5) Chapter 16, ‘Conserving and enhancing the historic environment’, is of particular relevance.
- 6) Heritage assets are recognised as being a irreplaceable resource that should be conserved in a manner appropriate to their significance. (Paragraph 189) The conservation of heritage assets in a manner appropriate to their significance is also a core planning principle.

- 7) Conservation (for heritage policy) is defined at annex 2 as: “a process of maintaining and managing change in a way that sustains and, where appropriate, enhances its significance.” It differs from preservation which is the maintenance of something in its current state.
- 8) Significance (for heritage policy) is defined at annex 2 as: “The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting...”
- 9) As a framework for local plans the NPPF, at paragraph 190, directs that plans should set out a positive strategy for the conservation and enjoyment of the historic environment, taking into account four key factors:
  - a. “The desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;
  - b. The wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
  - c. The desirability of new development making a positive contribution to local character and distinctiveness; and
  - d. Opportunities to draw on the contribution made by the historic environment to the character of a place.”
- 10) This approach is followed through in decision making with Local Planning Authorities having the responsibility to take account of ‘a’ as well as ‘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’. (Paragraph 197)

- 11) Describing the significance of any heritage asset affected, including the contribution made by its setting, is the responsibility of an applicant. Any such assessment should be proportionate to the asset’s significance. (Paragraph 194)
- 12) Identifying and assessing the particular significance of any heritage asset potentially affected by a proposal, taking into account evidence and expertise, is the responsibility of the Local Planning Authorities. The purpose of this is to ‘avoid or minimize any conflict between the heritage asset’s conservation and any aspect of the proposal’. (Paragraph 195)
- 13) In decision making where designated heritage assets are affected, Paragraph 199 places a duty of giving ‘great weight’ to the asset’s conservation when considering the impact of a proposed development, irrespective of the level of harm.
- 14) Heritage Assets are defined in Annex 2 as: “A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).”
- 15) Harm to designated heritage assets is categorized into ‘substantial harm’, addressed in Paragraphs 200 and 201 of the NPPF, or ‘less than substantial harm’, addressed in Paragraphs 202.
- 16) The effects of any development on a heritage asset, whether designated or not, needs to be assessed against its archaeological, architectural, artistic and historic interests as the core elements of the asset’s significance.
- 17) The setting of Heritage Assets is defined in Annex

2 of the NPPF as: “

“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.”

## National Planning Practice Guidance

- 19) National Planning Practice Guidance relating to Chapter 16 of the NPPF was last modified on 23 July 2019.
- 20) In respect of levels of harm paragraph 018 recognises that substantial harm is a high test. Case law describes substantial harm in terms of an effect that would vitiate or drain away much of the significance of a heritage asset. In cases where harm is found to be less than substantial, a local authority is to weigh that harm against the public benefits of the proposal.
- 21) Proposals can minimise or avoid harm to the significance of a heritage asset and its setting through first understanding significance to identify opportunities and constraints and then informing development proposals.
- 22) A listed building is a building that has been designated because of its special architectural or historic interest and includes the building, any object or structure fixed to the buildings, and any object or structure within the curtilage of the buildings which forms part of the land and has done so since before 1 July 1948. (Paragraph 023)
- 23) The term ‘Special architectural or historic interest’ as used in legislation are used to describe all parts of a heritage asset’s significance.
- 24) Paragraph 007 of the NPPG states:



67)“Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals.”

25) Paragraph 013 states:

26)“The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each.”

London Plan (2021)

26) The London Plan (2021) provides a city wide framework within which individual boroughs must set their local planning policies. It is not a revision but offers a new approach from previous iterations of the London Plan. While policies are generally strategic and of limited relevance the policies relating to the historic environment are detailed within Chapter 7 Heritage and Culture. These have been aligned with the policies set out in the NPPF, key of which is Policy HC1: Heritage Conservation and Growth. This policy provides an overview of a London wide approach to heritage and in doing so requires local authorities to demonstrate a clear understanding of London’s historic environment. It concerns the

identification, understanding, conservation, and enhancement of the historic environment and heritage assets, with an aim to improve access to, and the interpretation of, the heritage assets. It 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. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process*

Camden Council's Local Plan

Policy D2 Heritage

27) The Council will preserve and, where appropriate, enhance 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 and locally listed heritage assets.

Designated heritage assets

28) Designed heritage assets include conservation areas and listed buildings. The Council will not permit the loss of or substantial harm to a designated heritage asset, including conservation areas and Listed Buildings, 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:

- a. the nature of the heritage asset prevents all reasonable uses of the site;
- b. no viable use of the heritage asset itself

can be found in the medium term through appropriate marketing that will enable its conservation;

- c. conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- d. the harm or loss is outweighed by the benefit of bringing the site back into use.

29) 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 that harm.

Conservation areas

30) Conservation areas are designated heritage assets and this section should be read in conjunction with the section above headed ‘designated heritage assets’. In order to maintain the character of Camden’s conservation areas, the Council will take account of conservation area statements, appraisals and management strategies when assessing applications within conservation areas.

31) The Council will:

- e. require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area;
- f. resist the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a conservation area;
- g. resist development outside of a conservation area that causes harm to the character or appearance of that conservation area; and
- h. preserve trees and garden spaces which contribute to the character and

appearance of a conservation area or which provide a setting for Camden's architectural heritage

Listed Buildings

32) Listed buildings are designated heritage assets and this section should be read in conjunction with the section above headed ‘designated heritage assets’. To preserve or enhance the borough’s listed buildings, the Council will:

- i. resist the total or substantial demolition of a listed building;
- j. resist proposals for a change of use or alterations and extensions to a listed building where this would cause harm to the special architectural and historic interest of the building; and
- k. resist development that would cause harm to significance of a listed building through an effect on its setting.

Archaeology

33) The Council will protect remains of archaeological importance by ensuring acceptable measures are taken proportionate to the significance of the heritage asset to preserve them and their setting, including physical preservation, where appropriate.

Other heritage assets and non-designated heritage assets

34) The Council will seek to protect other heritage assets including non-designated heritage assets (including those on and off the local list), Registered Parks and Gardens and London Squares.

35) The effect of a proposal on the significance of a non-designated heritage asset will be weighed against the public benefits of the proposal, balancing the scale of any harm or loss and the significance of the heritage asset.