



Heritage Statement

2 Benham's Place
Hampstead
London
NW3 6QX

May 2023 | Project Ref 08822A





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1. Introduction

1.1 This Heritage Statement has been prepared by HCUK Group on behalf of Thomas and Mary Harrison, owners of 2 Benham's Place, Hampstead, NW3 6QX (hereafter the 'Site'). The proposals are for internal and external alterations to the property which is a grade II listed building and part of Nos. 1-9 Benham's Place (UID 1244496) – **Figure 1**. The Site is also within the Hampstead Conservation Area and falls under the jurisdiction of the London Borough of Camden (LBC).



Figure 1: Site location, No. 2 Benham's Place is outlined in red (the whole area is within the Hampstead Conservation Area). The properties which make up the listed building 1-9 Benham's Place are outlined in blue. Listed buildings are denoted by blue triangles. Source: Historic England on-line map search, accessed 20/04/2023

Context

1.2 This report accompanies applications for planning and listed building consent to undertake minor internal alterations and to replace the L-shaped rear extension built in 1987 with one of rectangular footprint, similar to others built to the rear of Nos. 1, 3, 4, 5, 7 and 8 Benham Place, with rear patio across the width of the house. The sash windows to the front elevation are also to be retro-fitted with

slimline double glazing and re-weighted to enhance the building's thermal efficiency and sustainability over the long term.

1.3

Internally the proposal is essentially a minor amendment to the partially implemented consent granted in 1984¹, since the consented bathroom at first floor level was never built out (though can be as per the approved drawings), and minor changes to the bathroom implemented at second floor level that will improve the layout and ensure the staircase complies with current building regulations, i.e. by setting the door away from the top step by means of a small timber panelled lobby.

1.4

As a whole the proposals seek to improve the liveable space within this small two-bedroom terraced house, upgrade the bathrooms and reconfigure the rear extension as a more commodious and functional kitchen / dining area. Surviving original features within the property, which are plentiful, would be retained and restored, including the surviving historic plan form, skirtings, cornices, timber panelling staircase joinery, windows and internal doors and ironmongery.



Figure 2: Nos.1-9 Benham Place, contemporary bird's eye view from the southwest. No. 2 is arrowed. Source: Google Maps.

¹ Application reference number: 8470166



Figure 3: Satellite view of Nos. 1-9 Benham's Place showing the diverse form of existing single storey outriggers. The No. 2 is outlined in yellow. South is to the top of the image.

Purpose of this Statement

- 1.5** The purpose of this document is to provide sufficient information to allow the Council to understand the effects of the proposed development upon the historic built environment in order to gauge its suitability in heritage terms. Value judgements on the significance of the heritage assets affected are presented and the effects of the proposals upon that significance are appraised.
- 1.6** In compliance with paragraph 194 of the National Planning Policy Framework (NPPF - 2021) this heritage statement describes the significance of any heritage assets which have the potential to be affected by the proposed development. It also assesses the capacity of these assets to absorb change.
- 1.7** The heritage asset affected by the proposed development has been observed and assessed by the author following a site visit made in February 2023.
- 1.8** The proposed scheme of development has been prepared and assessed in light of the provisions of the Planning (Listed Buildings and Conservation Areas) Act, 1990. The report also sets out how the proposal complies with the guidance and policy of the NPPF and local planning policy and guidance.
- 1.9** An assessment of the below ground archaeological potential of the Site lies outside the scope of this report. The Historic Environment Record has nevertheless been consulted via the Heritage Gateway website and other online datasets and

resources have provided background information on the site and surrounding assets, they are referenced within the following text where relevant.

Key Considerations

- 1.10** The key heritage considerations are whether the proposals would preserve, enhance or harm the significance of affected heritage assets.
- 1.11** This report should be read in conjunction with the full drawn submission prepared by TG Studio Architects and Interior Designers.

2. Relevant Planning Policy Framework

Legislation and National Planning Policy

- 2.1** Sections 16(2) and 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 require the decision maker to have special regard to the desirability of preserving a listed building and its setting when exercising planning functions. The decision maker must give considerable importance and weight to the desirability of preserving the significance of the listed building, and there is a strong presumption against the grant of permission for development that would harm its heritage significance.² The presumption will plainly be lessened if the harm is less than substantial within the meaning in the National Planning Policy Framework (NPPF) as is explained further below.
- 2.2** There is a broadly similar duty arising from section 72(1) of the Act in respect of planning decisions relating to development within conservation areas. The meaning and effect of these duties have been considered by the courts in cases since the legislation came into effect, including the Court of Appeal decision in relation to *South Oxfordshire DC v SSE & J Donaldson* (March 1991, CO/1440/89). The Court found that section 72 requires attention to be directed to the effect on the conservation area as a whole rather than on particular parts of it.³
- 2.3** In the present instance, the Site falls entirely within the Hampstead Conservation Area. As such the duty under Section 72(1) is engaged.
- 2.4** For the purposes of this statement, preservation equates to an absence of harm.⁴ Harm is defined in paragraph 84 of Historic England's Conservation Principles as change which erodes the significance of a heritage asset.⁵

² *Barnwell Manor Wind Energy Limited v East Northamptonshire District Council and others* [2014] EWCA Civ 137.

³ See also *Kverndal v. London Borough of Hounslow* [2015] EWHC 3084 (Admin), wherein Supperstone J. accepted the submission that section 72 did not amount to "a duty to maximise the enhancement of the conservation area" (para. 84) and that "a failure to take a better option is not a breach" (see paragraphs 83, 84, 86, 89 & 90 of the Judgment). In other words, if the net overall effect is beneficial or neutral, then it is illegitimate for the LPA to take the approach that there are elements which when viewed in isolation are not "good enough". The question is whether the sum total of what would be there afterwards is equal to or better than the sum total of what is there now.

⁴ *South Lakeland v SSE* [1992] 2 AC 141.

⁵ Conservation Principles, 2008, paragraph 84.

- 2.5** The significance of a heritage asset is defined in the National Planning Policy Framework (NPPF – July 2021) as being made up of four main constituents: architectural, historical, archaeological and artistic interest. The assessments of heritage significance and impact are normally made with primary reference to the four main elements of significance identified in the NPPF.
- 2.6** Paragraph 197 of the NPPF underlines the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation,⁶ and reiterates the well-established concept that new development can make a positive contribution to local character and distinctiveness.
- 2.7** Paragraph 195 indicates that harm should be avoided or minimised and that which remains requires clear and convincing justification (Paragraph 200).
- 2.8** The setting of a heritage asset can contribute to its significance. Setting is defined in the NPPF as follows:
- “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.”*
- 2.9** The NPPF requires the impact on the significance of designated heritage assets⁷ to be considered in terms of either “substantial harm” or “less than substantial harm” as described within paragraphs 201 and 202 of that document. National Planning Practice Guidance (NPPG) makes it clear that substantial harm is a high test, and case law describes substantial harm in terms of an effect that would vitiate or drain away much of the significance of a heritage asset.⁸ The Scale of Harm is tabulated at **Appendix 1**.

⁶ *Conservation* (for heritage policy) is defined in Annex 2 of the NPPF as: “The process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance.”

⁷ The seven categories of designated heritage assets are World Heritage Sites, Scheduled Monuments, Listed Buildings, Protected Wreck Sites, Registered Park and Gardens, Registered Battlefield and Conservation Areas, designated under the relevant legislation.

⁸ *Bedford Borough Council v SSCLG and Nuon UK Limited* [2013] EWHC 4344 (Admin).

2.10 Paragraphs 201 and 202 of the NPPF refer to two different balancing exercises in which harm to significance, if any, is to be balanced with public benefit.⁹ Paragraph 18a-020-20190723 of National Planning Practice Guidance (NPPG) online makes it clear that some heritage-specific benefits can be public benefits. Paragraph 18a-018-20190723 of the same NPPG makes it clear that it is important to be explicit about the category of harm (that is, whether paragraph 201 or 202 of the NPPF applies, if at all), and the extent of harm, when dealing with decisions affecting designated heritage assets, as follows:

"Within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated."

2.11 Paragraphs 199 and 200 of the NPPF state that great weight should be given to the conservation of a designated heritage asset when considering applications that affect its significance, irrespective of how substantial or otherwise that harm might be.

2.12 According to paragraph 206 local planning authorities should look for opportunities for new development 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.

Local Policy

2.13 The New London Plan was formally adopted on 2nd March 2021. The following heritage related policy is relevant:

Policy HC1 - Heritage Conservation and Growth

C - 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

⁹ The balancing exercise was the subject of discussion in *City and Country Bramshill v CCLSG and others* [2021] EWCA, Civ 320.

enhancement opportunities by integrating heritage considerations early on in the design process.

2.14 Local policies relevant to Camden include the Camden Local Plan (July 2017) – Policy D2 relating to heritage, which recognises Camden's wider historic environment and sets out to ensure that its heritage, including but not limited to listed buildings, will be conserved; and Policy D1 relating to design, which requires development to preserve or enhance the historic environment and heritage assets.

2.15 Camden Planning Guidance Design (November 2018) – includes Chapter 3 which relates to Heritage.

Guidance Documents

2.16 The Hampstead Conservation Area Statement (published in October 2002) has been taken into consideration in the preparation of this assessment.

National Planning Practice Guidance (NPPG)

2.17 The National Planning Practice Guidance (NPPG; ref: 18a-018-20190723; updated July 2019) provides advice on enhancing and conserving the historic environment in accordance with the NPPF.

2.18 NPPG notes that public benefits can be heritage based for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit. The guidance goes on to note that examples of heritage based public benefits include:

- Sustaining or enhancing the significance of a heritage asset and the contribution of its setting;
- Reducing or removing risks to a heritage asset; and
- Securing the optimum viable use of a heritage asset in support of its long-term conservation.

Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment (March 2015) (GPA 2)

2.1 This document provides advice on numerous ways in which decision making in the historic environment could be undertaken, emphasising that the first step for all applicants is to understand the significance of any affected heritage asset and the contribution of its setting to that significance. In line with the NPPF and PPG, the document states that early engagement and expert advice in considering and assessing the significance of heritage assets is encouraged. The advice suggests a structured, staged approach to the assembly and analysis of relevant information:

- 1) Understand the significance of the affected assets;
- 2) Understand the impact of the proposal on that significance;
- 3) Avoid, minimise and mitigate impact in a way that meets the objectives of the NPPF;
- 4) Look for opportunities to better reveal or enhance significance;
- 5) Justify any harmful impacts in terms of the sustainable development objective of conserving significance balanced with the need for change; and
- 6) Offset negative impacts to significance by enhancing others through recording, disseminating and archiving archaeological and historical interest of the important elements of the heritage assets affected.

3. Background and Development

Origins of Hampstead

- 3.1** The following historic background is drawn from LBC's Conservation Area Statement for Hampstead (published October 2002).
- 3.2** Hampstead stands on London's 'Northern Heights' which were formed in the last Ice Age. The Heights, sand and pebble-capped hills, stretch from West Hampstead to beyond Highgate. The hill at Hampstead offered natural advantages to early settlers and the subsequent history of Hampstead's development is permeated throughout by three recurring factors - its topography, the Heath and the attraction of its clean air and water.
- 3.3** The Domesday Survey of 1086 recorded 'Hamestede' as a small farm. The manor was given to the monastery at Westminster by King Ethelred the Unready, which he confirmed in a charter of AD986. In the Middle Ages the manor had a village with a parish church and was owned successively by the Knights Templar and the Knights Hospitaller.
- 3.4** From the beginning of the 17th century Hampstead began to attract wealthy people from London, especially lawyers, merchants and bankers, who were drawn by the advantages of its elevated position, and the absence of resident landed aristocracy. Protestant dissenters, forbidden to preach within five miles of Charing Cross, also came. It has been suggested that this was the beginning of Hampstead's reputation for free thinking. During the Great Plague, Hampstead was inundated with people fleeing from London and there is a tradition that the lawyers had to hold court under the trees which became known as Judges Walk because all other accommodation was taken.
- 3.5** In 1698 the Gainsborough family gave six swampy acres east of the High Street to 'the poor of Hampstead' and The Wells Trust was established to develop the chalybeate springs as a spa. A Pump Room and a large Assembly Room were built at the source in Well Walk and the waters were also bottled at the Lower Flask Tavern in Flask Walk for sale in the City. The monumental drinking fountain in Well

Walk at the foot of Wells Passage commemorates the spa, as the first Pump Room and Assembly Room were located on the opposite side of the road. The spa stimulated development of this part of Hampstead and villas and boarding houses were built to accommodate temporary residents. A number of these houses built in the 1700s survive. More modest cottages sprang up along Flask Walk. The spa enjoyed a brief revival in the 1730s, with a new Long Room and Ball Room built beside Burgh House. But the spa's proximity to London attracted too many lower-class visitors and Hampstead Wells did not remain fashionable for long.

3.6

By the time the first detailed map of the area by John Roque was published in 1746 (**Figure 4**) the village had a population of over 1400, compared with 600 a century before. Much of the street pattern that exists today is recognisable in Roque's map, though Holly Walk would not be developed until the end first decades of the 19th century, Benham's Place being the first houses built here.



Figure 4: 1746 John Rocque's 10 miles round map of London. The approximate location of the Site is indicated by the red circle. Source: *Layers of London*

3.7 In 1800, when a workhouse was opened on the south side of New End, the site was *'like the bottom of a punch bowl . . . being every way surrounded by houses and very closely too, all above one another'*.¹⁰

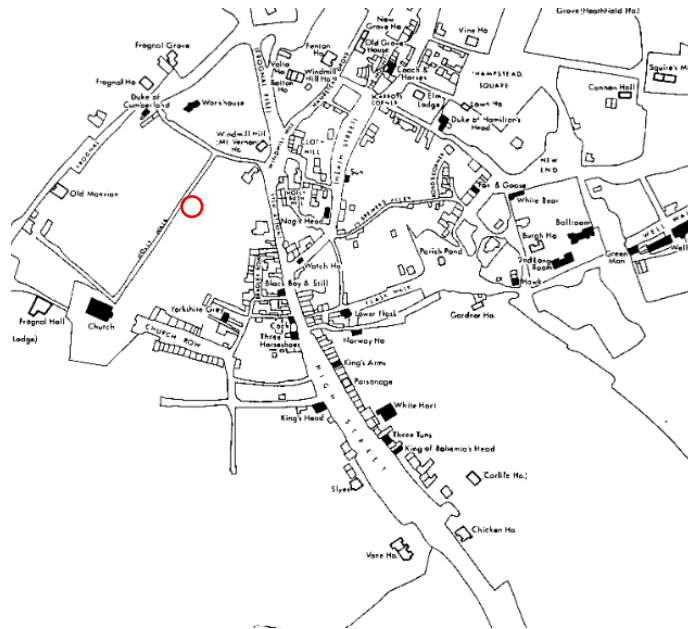


Figure 5: Hampstead Town and Frognaal in 1762. Source: *A History of the County of Middlesex: Volume 9, Hampstead, Paddington*. Originally published by Victoria County History, London, 1989.

3.8 The following series of plans and OS maps from 1866 to 1955 (**Figures 6–10**) records the development of the Holly Walk during the second half of the 19th century and subsequently in the surrounding area.

¹⁰ Park, Hampstead, 288.



Figure 6: 1866 OS Map general view. Reproduced with the permission of the National Library of Scotland. The Site is outlined in red.

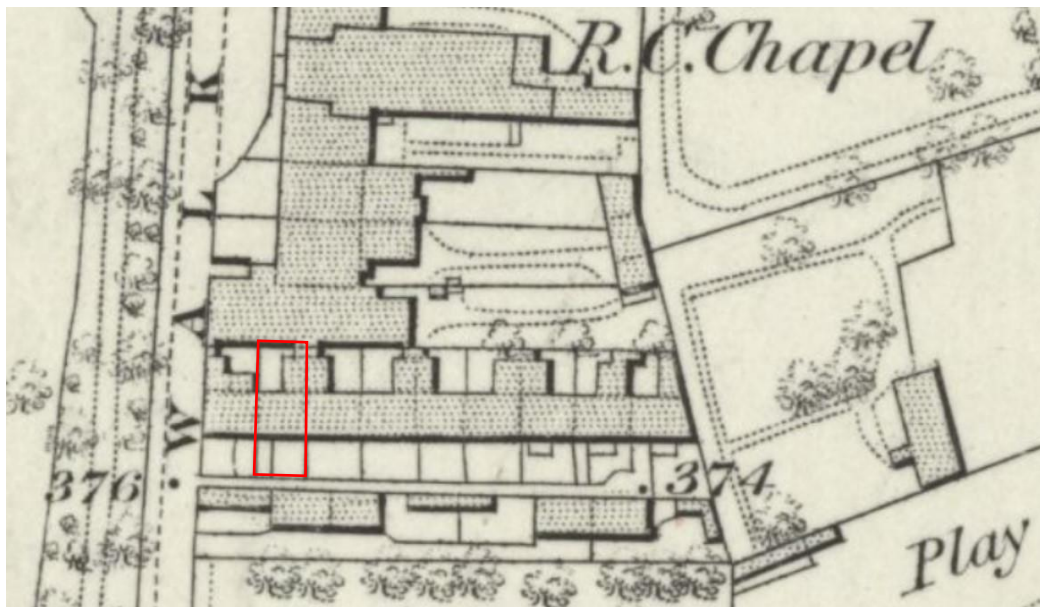


Figure 7: 1866 OS Map – detailed view.

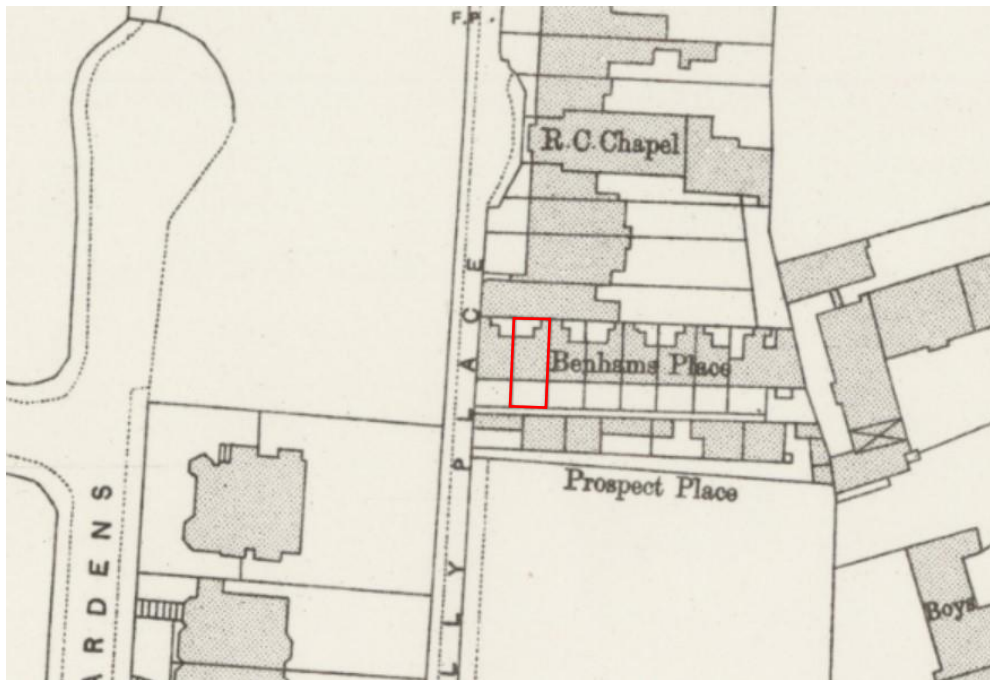


Figure 8: 1893-96 OS Map. Source: Layers of London

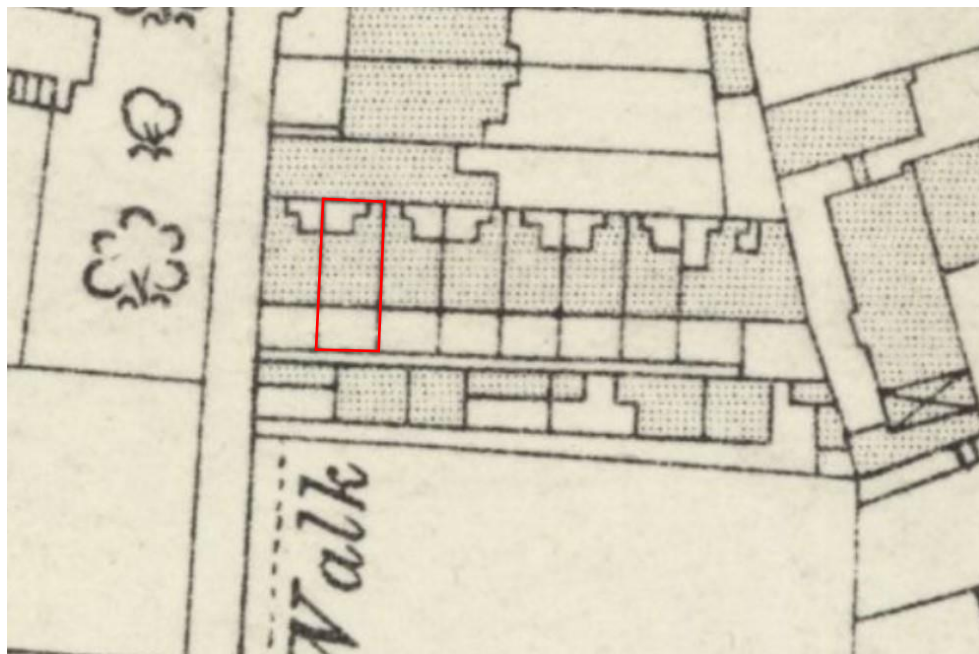


Figure 9: 1913 OS Map. Reproduced with the permission of the National Library of Scotland



Figure 10: 1938 Aerial view of Benham's Place from the south east. Source: Britain from Above website.



Figure 11: 1938 aerial view from south. Source: Britain from Above website.



Figure 12: 1945 Bomb Damage Map. Source: Layers of London



Figure 13: 1946 aerial view from southeast. Source: Britain from Above website.



Figure 14: View of Benham's Place photographed in 1951 with Nos. 4-5 'missing'. Source: © London Picture Archive

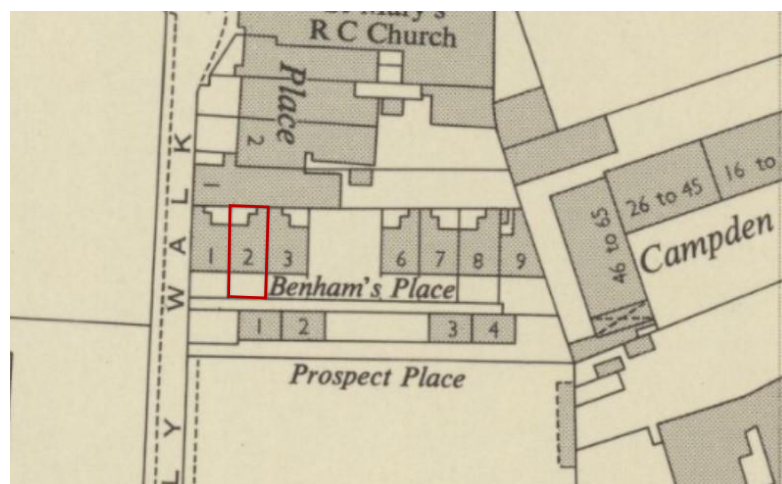


Figure 15: 1953 OS Map. Source: Layers of London



Figure 16: View of Benham's Place from the east photographed in 1975 with Nos. 4-5 rebuilt.

Benham's Place

- 3.9** 1-9 Benham's Place comprise a terraced row of 9 three storey cottages, a somewhat unusual building typology, with No. 2 the second house from the west, next to Holly Walk. The terrace was built in 1813 for William Benham who was a grocer and cheesemonger in Hampstead High Street. The building name and datestone is prominently and proudly displayed on the corner of Holly Walk (**Figure 17**). The terrace was listed at grade II in May 1974 as a rare example of a terrace of three storey, single pile cottages.



Figure 17: Street name carved into stone quoin to No. 1 Benham's Place

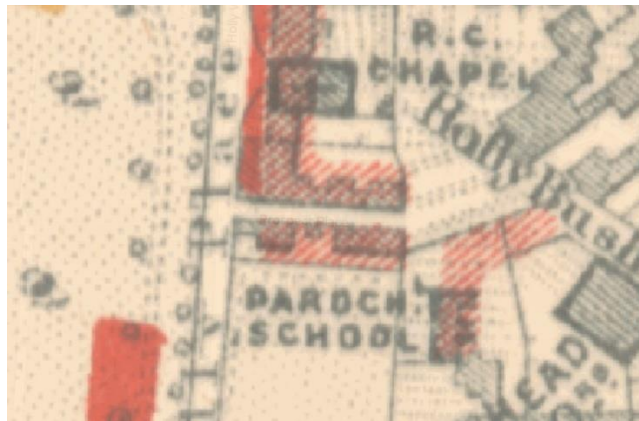


Figure 18: Charles Booth's Poverty Map of London (1886-1903)

3.10 The houses are reminiscent of the back-to-back court houses that were once very commonplace in major British cities during the early 19th century, stimulated by the rapid population growth of the Industrial era, but which are now increasingly rare. These terraced houses are not back to backs, however, and have a higher status and specification than those typically found in areas like Whitechapel or in Liverpool, Manchester or Birmingham. The modest size and humble character of the homes is nonetheless notable within this part of Hampstead, which by the early 19th century had become a very desirable part of London in which to live.

3.11 The build date of 1813 confirms that the houses were the first to be built in Holly Walk and explains the rather eccentric layout with the buildings configured perpendicular to the lane on an east-west axis. This was probably determined by

the linear shape of the plot to the north of the churchyard and in order to maximise its development potential. It was built at a time when there would have been sweeping views south towards St John's Church and London beyond.

- 3.12** Prospect Place was developed shortly afterwards in 1815 and would have interrupted these views over the churchyard, claiming them for the new houses. Subsequent development to the north of Benham's Place occurred around the same time (1816) and followed a more standard configuration facing the street with garden plots running to eastwards from the backs of the houses.
- 3.13** In terms of the social status of the houses at Benham's Place Charles Booth's poverty map of 1886-1903 shows them hatched in red (**Figure 18**). This denotes 'fairly comfortable, good ordinary earnings'. Be that as it may, census records from 1881 reveal that No. 2 was occupied by a railway pointsman, George Money, his wife Emma (recorded as a 'Railway Pointsman's wife') and their four sons.¹¹ By 1891 George had progressed to the position of Railway Signaller and the household had increased to 7 with the addition of a fifth son (Ernest, aged 8 in 1891). 7 people (including 4 adults) living in small 2-bedroom house hardly strikes as a 'fairly comfortable' situation, however.
- 3.14** By 1901 the Dickens family had moved in, a family of 3, although there was still space for a lodger. Harry Dickens is described as a 'general labourer'. By 1910 it was owned by the Sidney family and by 1939 it had changed hands again, being the residence of an 81-year-old widowed pensioner Elizabeth De Maid.¹²
- 3.15** Originally the terrace may have been built speculatively for people of limited means, possibly for employees of William Benham, who clearly had the wherewithal to erect a terrace of 9 well designed houses, arranged as handed pairs and forming a regular syncopated frontage to the south side, with the exception of No 9 which duplicates no. 8 in its configuration (**Figure 7**).
- 3.16** The layout to the original houses (nos. 4 and 5 having been completely destroyed by a direct hit in the WWII Blitz and rebuilt in the 1960s – cf. **Figures 11–16**) takes the form of a short entrance hall with timber framed and panelled partition

¹¹ <https://www.thegenealogist.co.uk/>

¹² *Ibid.*

enclosing the ground floor parlour and kite-winder staircase to the back of the entrance hall (**Figure 19**). The staircase rises to the second floor and in No. 2 the original staircase survives (**Figure 20**), along with the timber panelling which encloses it on the upper floors and the original partitioning on the ground, first and second floors (**Figure 21**).



Figure 19: View of entrance / stair hall at No. 2 with timber panelled partition to right (left) and winder staircase between first and second floors (right)



Figure 20: Staircase viewed from first floor bedroom (left) with non-original timber panelled wardrobes (right)



Figure 21: Timber panelled partition to the ground floor living room.

3.17 No. 2 also retains original fireplaces and surrounds to each floor, but with some modern cupboards or shelving installed to the reveals to each side of the chimney breast on the ground floor (**Figure 22**). The cupboards to the sides of the chimney breast on the first floor appear to be original, though the doors are possibly replacements (**Figure 23**).



Figure 22: Fireplace flanked by modern shelving to ground floor room.



Figure 23: Fireplace and panelling to first floor room



Figure 24: Fireplace to second floor bedroom

3.18 As built the houses were literally one room deep (single pile) with a back door accessing a rear courtyard with an outrigger in the form of a single storey lean-to range to one side of the courtyard (see **Figure 7**). In the case of No. 2 this was to the east side of the courtyard, aligned with the existing extension added in 1984 but with a narrowing to the N end, probably a privy accessed from the courtyard

rather than the outrigger. This was duplicated by a mirror image of the same arrangement at No. 3 on the other side of the boundary wall, and so on.

3.19 Originally the outrigger may have been access from the courtyard rather than from within the house but the existing plans in 1984 (**Figure 25**) show that the outrigger was access via an opening to the right of the ground floor chimney breast, subsequently blocked off (**Figure 22**)

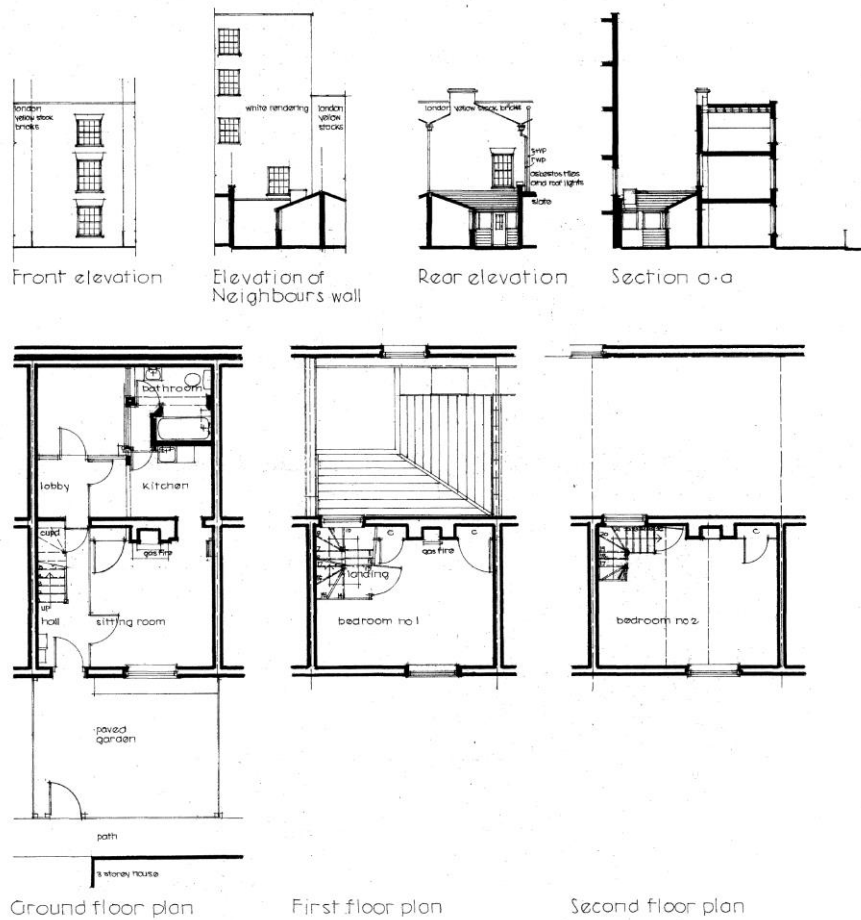


Figure 25: Existing Plans drawn up in 1984. Source: LBC



Figure 26: Configuration of original lean-to and outrigger range at No. 6 photographed in 1975. Source: © London Picture Archive

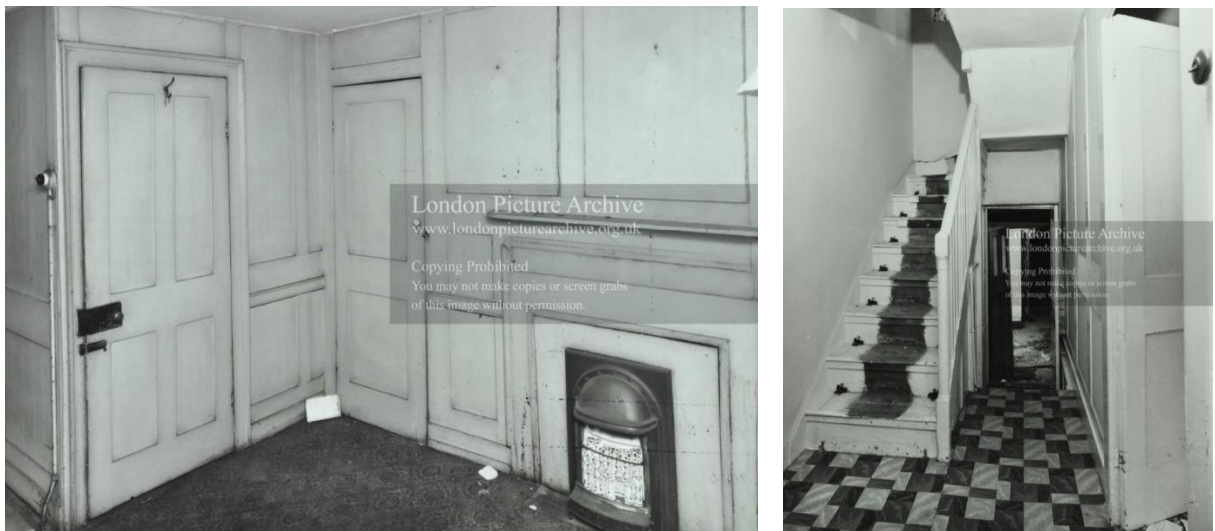


Figure 27: Interior view of No. 6, first floor room (left), and No. 9, stair hall (right). Source: © London Picture Archive

3.20 With the exception of No. 8, the buildings were deepened to the ground floor by 1893 (see **Figure 8**), probably by means of a timber clad lean to which enclosed the back door to create a kitchen or pantry, similar to the arrangement shown at No. 6 in 1975 (**Figure 26**) and which reflects the existing plans for No. 2 drawn in

1984. No. 6 had an identical configuration to No. 2, as all the even numbered houses on the terrace, as well as No 9 (**Figure 27**).

3.21 No. 2 is thus an important survival in terms of its plan form to the original house, butterfly roof (5 of the 9 houses now have flat roofs – cf. **Figures 2** and **3**) and retained fabric, including internal joinery, staircase and lath and plaster finishes. The soffit of the staircase appears to be authentic lath and plaster but may be a good quality reproduction from the 1984 refurbishment.

3.22 In spite of the extent of preservation within No. 2 the importance of the plan form does not include the rear extension at ground level. In 1984 consent was granted for a curious L-shaped rear extension which followed the L-shaped pattern of the previous appendage but introduced a flat roof to the kitchen element whilst retaining the lean-to form of what previously existed, but completely rebuilt (**Figure 28**). The scheme was not implemented as approved, however, and the kitchen was inserted within what was to be the dining room. The proposed kitchen was retained as a cloakroom / lobby. The roof was also implemented differently, instead of a flat roof two lean-tos were effectively retained at right angles with a leaded gully at the junction and with a large number of Velux rooflights (**Figure 29**). The result in not impressive or particularly sympathetic.

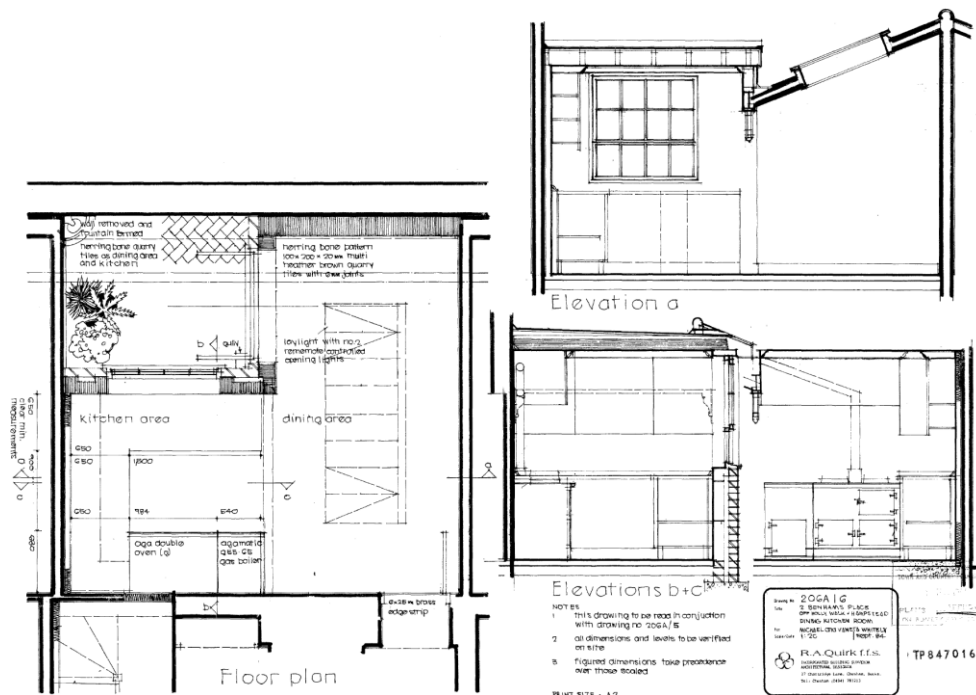


Figure 28: Proposed plans of the rear extension approved in 1984. Source: LBC



Figure 29: View of existing rear extension as built in 1987, seen from the staircase window.



Figure 30: Nos. 1-3 Benham Place, front elevation

3.23 The external joinery to the property comprises a mixture of original and replacement glazing bar sashes. The latter are in keeping with the style of the originals (**Figure 30**).

3.24 The glazing appears to be mostly float glass, though some mouth blown glass to the occasional small pane and to most of the rear staircase window, the joinery of which is entirely original (**Figure 31**).



Figure 31: View of rear elevation

4. Statement of Significance

- 4.1** The determination of the significance of the relevant heritage assets is based on statutory designation and/or professional judgement against the four headings of 'interest' identified within the NPPF / NPPG: architectural, historical, archaeological, and artistic interest. In addition to its physical presence the significance of a heritage asset can also be derived from its setting.
- 4.2** It is recognised that not all parts of a heritage asset will necessarily be of equal significance. In some cases, certain aspects or elements could accommodate change without affecting the Government's objective, which includes the conservation of heritage assets, and which seeks to ensure that decisions are based on the nature, extent and level of significance of heritage assets.
- 4.3** Change is only considered to be harmful if it erodes an asset's significance. Understanding the significance of any heritage asset affected (paragraph 194 of the NPPF) is therefore fundamental to understanding the scope for and acceptability of change.

Nos. 1-9 Benham's Place (grade II)

- 4.4** The building was added to the National Heritage List for England on 14th May 1974. The statutory list description provides the following details:
- "Terrace of 9 houses. c1813. Built for William Benham; Nos 4 & 5 rebuilt mid C20. Yellow stock brick with red brick dressings. 3 storeys, single window each. Round-arched doorways with stuccoed tympani; Nos 4 & 5 with penthouse roof extending over square-headed doorways. Gauged red brick flat arches to flush framed sashes; Nos 4 & 5 with ground floor bay windows. Parapets. No.1 with stone plaque inscribed "Benham's Place, 1813". INTERIORS: not inspected. HISTORICAL NOTE: William Benham was a grocer and cheesemonger in Hampstead High Street.*
- 4.5** With reference to the four categories of interest defined by the NPPG, the significance of 1-9 Benham's Place can be described as follows.

- 4.6 Architectural Interest:** The building's significance derives from its architectural and historic interest as a rare example of an early 19th century terrace of three storey, single-pile cottages. Built of local materials, the terrace was likely designed by a master builder or carpenter and is of the simplest internal layout with internal partitions formed in pine timber panelling. The majority of the houses retain features of interest and to the main body, though nos. 4-5 were completely rebuilt in the 1960s, though to a sympathetic design that respects rather than replicates the original structure.
- 4.7** The majority of properties have lost their original butterfly roofs, but where these remain (e.g., Nos. 1-3), this contributes to architectural interest.
- 4.8** The rear elevations are more modest still with only one window to the staircase and integral chimney breast providing any articulation besides the butterfly roof. Original closet wings have all been replaced, with the possible exceptions of Nos. 6 and 9, and the replacements to each of the houses are not uniform, being generally flat roofed and larger than the L-shaped appendages which existed at the end of the 19th century. The 1984 designed rear extension to No. 2 is not of any heritage interest or architectural value. Its detailed is crude and does not contribute to the building's special interest. A replacement rear extension has the potential to enhance or at least complement the building's architectural value.
- 4.9** To the interior of No. 2 there is a high survival rate of original chimneypieces, the majority of which are of timber, with original hearths and grates. Timber panelling, doors, other joinery features (notably the staircase) and lath and plaster wall finishes all contribute to the building's special interest. Original floorboards survive to the first-floor landing only, the rest having been replaced with plywood.
- 4.10 Historical Interest:** The nine properties which form the terrace, along with other residential terraces and houses of similar age define the distinctive lane of Holly Walk and have illustrative historic interest providing a direct link to the past development of this area in the early 19th century. There is some associative interest to the trades and personages of Hampstead at the time, such as William Benham (after whom it is named), who was a grocer and cheesemonger on Hampstead High Street.

4.11 Internally the buildings will have illustrative historic interest pertaining to domestic history and provision at this period, the retention of chimney stacks and fireplaces gives evidence, for example, of the means for heating such houses and the function of different rooms, such as where the kitchen and external privy would have been. The detailing within No. 2 is well preserved and extensive. Where this might survive in the other eight houses this provides an indication of the social status of the terraced cottages when built and is an important element of historic interest.

4.12 **Archaeological Interest:** Where physical evidence remains of changes to the building, and in the surviving historic fabric, there is archaeological or evidential interest that retains potential for detailed understanding of the development of the property over time.

4.13 **Artistic Interest:** The inherent craftsmanship of the original construction has some limited artistic interest, which is otherwise negligible.

Setting and Contribution to Significance

4.14 The building's setting has remained virtually unaltered since 1816 and is an important aspect of the listed building's significance. The setting thus contributes very positively and provides an important lens through which the heritage asset can be seen, appreciated and understood.

Hampstead Conservation Area

4.15 Hampstead was designated a Conservation Area (with North End, the Elms, Vale of Health, Downshire Hill) on 29 January 1968. The reasons given for its designation were:

- the large number of listed buildings of architectural interest, the historical association of these buildings in terms of former residents and of the village in the context of the history of London as a whole;
- the street pattern of the original village which is retained and is reflected in the fragmentation of the street blocks and close and irregular grouping of the old buildings;

- the striking topography which gives rise to the complex of narrow streets and steps characteristic of the village and provides an important skyline when viewed from other parts of London;
- the proximity of the unique open space of Hampstead Heath and its integration with the village on the northern side. (LB Camden, Planning & Development Committee - 30 October 1967, Report of the Planning Officer).

4.16 When designated the area was named Hampstead Village Conservation Area. As it has been extended beyond the original village it is now known as Hampstead Conservation Area.

4.17 Since the original designation, there have been several extensions to the Conservation Area on 1.10.77, 1.4.1978, 1.6.1980, 1.6.85, 1.11.1985, 1.2.1988, 1.11.1991. The Site falls within Sub-Area 4 – Church Row / Hampstead Grove, which is part of the original conservation area designated in 1968.

4.18 The Site contributes notably and positively to the special character and appearance of the conservation area in conjunction with the handsome group of Regency buildings at Holly Place and along Holly Walk. Besides the houses, all of which are grade II listed, the graveyard extension to the north of St John's Church is enclosed to the east of Holly Walk by well detailed cast iron railings and remains an important area of open green space within the conservation area.

5. Heritage Impact Assessment

5.1 This chapter of the report assesses the impact of the proposed alterations on the significance of the listed building comprising Nos. 1-9 Benham Place. It equates to Step 2 of GPA2, which has a close connection with Step 1, and should be read in conjunction with the preceding chapter.

Summary of the Proposals

5.2 The drawn submission by TG Studio provides full details of the pre-application proposals (see **Appendix 2**) but in brief the proposal is summarised as:

External

Replacement rear extension and patio / courtyard

- The proposal consists of demolition of the nonoriginal single storey extension, and construction of a new single storey, flat roofed extension to the rear of the building. The proposal sets out to incorporate a lightwell which will run along the rear façade of the new extension, and with the benefit of a roof lantern, allowing greater light penetration into the ground floor and provide a more commodious and pleasant environment. The rear French doors and roof lantern are Crittall steel frames with clear double glazing, of high-quality design;
- The current extension is not original, poorly detailed, and was not built in accordance with the plans approved in 1984. It is not considered to be of any significance to the building and the conservation area;

Other External Works

- The existing Velux rooflight to the second-floor bedroom / bathroom will be replaced with metal framed conservation rooflights;
- Retrofitting of existing original window frames to the front elevation with slimline double glazing, externally putty beaded to existing depth following deepening of rebates by 8-10mm;

- The proposal for the front garden is to incorporate medium sized shrubs to the side boundaries, and a box hedge to the front for privacy. The design will have paved stepping stones leading up to the entrance doors, and a small, paved patio in the centre of the garden. The new garden design will incorporate a bin storage;
- The reinstated boundary treatment will consist of building a new low level boundary wall to separate the front garden. The new walls will be finished off with railings above, with an entrance gate leading up to the entrance door;

Internal Works

First and Second Floor Alterations

- The proposal follows the unexecuted first floor bathroom approved in 1984 and involves the removal of the nonoriginal cupboard within the bedroom, with access to the bathroom from the bedroom by means of a pocket door contained in the new partition. This will avail more space within the bedroom; and,
- Alterations to the second floor consists of removing the partition between the bathroom and bedroom, and constructing a new partition further west, thus creating more space within the bedroom, and with the benefit of a pocket door which is likewise more efficient. A small timber lobby will be formed in line with the existing partition, to match the existing timber panelling, making the access from the top of the stairs compliant with building regulations.

Assessment of Impact

5.3 With reference to **Appendix 1**, along with the most important considerations relating to the impact of the proposals on the significance of the heritage assets discussed within this Statement (which include, location and siting, form and appearance, effects and permanence¹³), value-based judgements on the impact of the proposals on significance have been set out below.

5.4 The proposals seek to improve the domestic provision of this 2-bedroom terraced cottage through modernisation of the bathrooms, wiring, plumbing, thermal insulation and replacement of the existing kitchen and utility room with a much

¹³ Historic England's guidance on setting GPA3

more fit for purpose rear extension. The front garden and boundary treatment will restore the building to its original appearance on the south side. The scheme has been prepared with a view to sustaining the heritage values of the listed building considered as a whole.

Internal Alterations

- 5.5** The proposed changes to the bathroom layout at first and second floor level will have a positive effect on the building's special interest compared to the existing arrangement and the extant / implemented consent. More useable space will be given back to the bedrooms and the replacement of Velux rooflights with conservation type metal framed roof windows is an overall enhancement of the listed building.
- 5.6** Elsewhere, all historic features will be retained and restored, as needed, and the proposals will not involve any loss of historic fabric. The special interest of the listed building to the interior will be preserved and benefit from a modest enhancement.
- 5.7** The removal of the poorly detailed rear extension and replacement with one of modern design and greater utility / functionality in terms of its layout would have a neutral effect on the building's architectural and historic interest but would complement and reinforce its significance by improving the quality of the building's habitable space, enhancing its long-term sustainability and future conservation.

External Alterations

- 5.8** The proposed external changes involve the aforementioned replacement rooflights and retrofitting of slimline double-glazed units into existing window frames to the front of the building (south elevation). The majority of the glass to the building is modern and the proposed upgrading of window glazing will not result in any noticeable change in the building's appearance. The principal benefit of the double glazing is to the long-term sustainability of the home and enhancement of the building's long-term conservation as a residence. This aspect of the proposal therefore also has an environmental benefit which, in conjunction with the other heritage benefits of the proposal, is an overall public benefit.
- 5.9** The proposed replacement rear extension would have a neutral effect on the listed building's significance in view of the non-original nature of the existing extension

and its poor detailing and unwieldy internal layout. The proposed extension is a significant improvement on the internal layout, and in heritage terms is commensurate with other recent extensions to the rear of the adjacent cottages and others within the same listed terrace. Overall, the proposed rear extension would preserve the special interest of the listed building and would have a complementary effect on the character and appearance of the Hampstead Conservation Area. The effect on the significance of both heritage assets would be neutral.

Summary of effects on Heritage Significance

- 5.10** In summary, the proposals are sympathetic to the heritage values of Nos. 1-9 Benham Place and would preserve, i.e., not harm, its significance of the identified heritage assets and. There will be no loss of historic fabric or features of special interest, these being retained in situ and restored as needed.
- 5.11** Taken as a whole the proposals will enhance the listed building and surrounding conservation area and are thus acceptable in heritage terms in line with paragraph 197 of the NPPF. There would be 'preservation' for the purpose of the decision maker's duty under section 16(2), 66(1) and 72(1) of the 1990 Act. Paragraphs 201 and 202 of the NPPF are not engaged and the Scale of Harm tabulated at **Appendix 1** does not apply. There would be no conflict with any local or regional policies relating to built heritage.

6. Conclusions

- 6.1** This Heritage Statement has been prepared by HCUK Group on behalf of the applicant regarding internal and external alterations to No. 2 Benham's Place (the 'Site'). The Site comprises part of a grade II listed terrace at Nos. 1-9 Benham's Place within the Hampstead Conservation Area.
- 6.2** This report provides sufficient information on relevant assets in order for the local planning authority to gauge the suitability of proposed development in heritage terms, in compliance with paragraphs 194 and 195 of the NPPF. This document provides an overview of the historic development of the Site and its surroundings, a proportionate assessment of the significance of potentially affected heritage assets and an appraisal of the effects of the proposed scheme which is illustrated at **Appendix 2**.
- 6.3** Further to the detailed assessment undertaken in Section 5 of this Report, it is concluded that the proposals will enhance the special interest of the grade II listed building and the special character and appearance of the Hampstead Conservation Area and will not cause any harm. The group value of the Holly Place / Holly Walk houses, all of which are grade II listed, would also be preserved for the purpose of the Section 16(2) and 66(1) statutory duties.
- 6.4** The significance of Hampstead Conservation Area will be preserved for the reasons set out in Section 5 and for the purpose of the decision maker's duty under Section 72(1) of the 1990 Act. There will be no harm to any heritage assets (designated or otherwise) and paragraphs 201-203 of the NPPF are therefore not engaged.
- 6.5** Furthermore, the use of high-quality materials and design will reinforce the positive visual impact of the internal and external alterations proposed. This will ensure the long-term effect of the scheme is consistent with the NPPF's primary objective of achieving sustainable development.
- 6.6** Paragraph 206 of the NPPF recommends 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.' In this case, the proposed development would enhance the character and appearance of the Hampstead Conservation Area in compliance with paragraph 206.

- 6.7** The Proposed Development complies with all local and regional policies relating to the historic environment and the Council is invited to consider the proposals favourably in compliance with paragraph 206 of the NPPF.

Appendix 1

Scale of Harm (HCUK, 2019)

The table below has been worked up by HCUK Group (2019) based on current policy and guidance. It is intended as simple and effect way to better define harm and the implications of that finding on heritage significance. It draws on various recent appeal decisions and reflects the increasing importance being put on the contribution of setting to significance and the need to create a greater level of clarity within the finding of less than substantial harm (see the NPPF, paragraphs 200-202). This has been proving more and more necessary and the table below goes some way to reflect the most recent updates (2019) to the guidance set out within the NPPG¹⁴

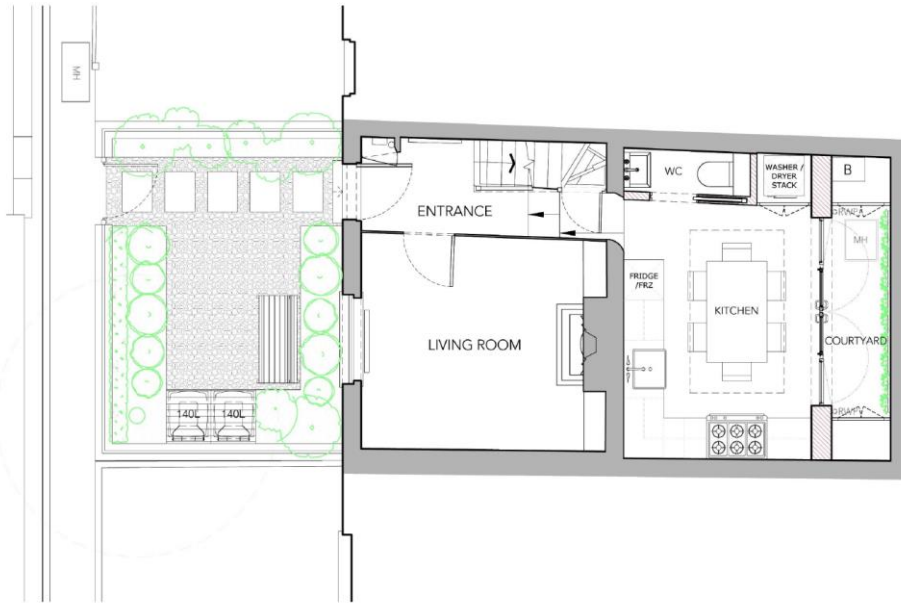
Scale of Harm	
Total Loss	Total removal of the significance of the designated heritage asset.
Substantial Harm	Serious harm that would drain away or vitiate the significance of the designated heritage asset
Less than Substantial Harm	High level harm that could be serious, but not so serious as to vitiate or drain away the significance of the designated heritage asset.
	Medium level harm, not necessarily serious to the significance of the designated heritage asset, but enough to be described as significant, noticeable, or material.
	Low level harm that does not seriously affect the significance of the designated heritage asset.

Heritage Collective, 2019

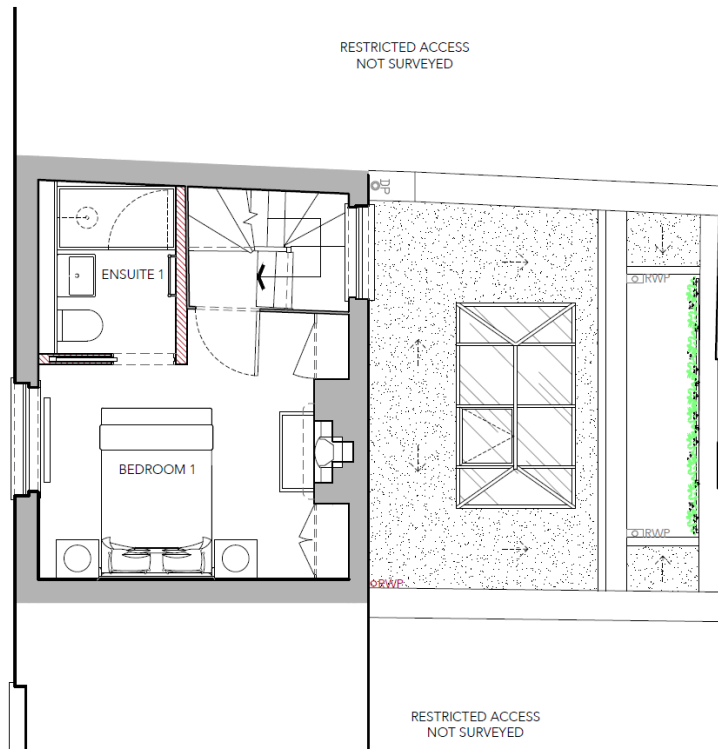
¹⁴ See NPPG 2019. Section: 'How can the possibility of harm to a heritage asset be assessed?'. Paragraph 3, under this heading notes that '*within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated.*'

Appendix 2

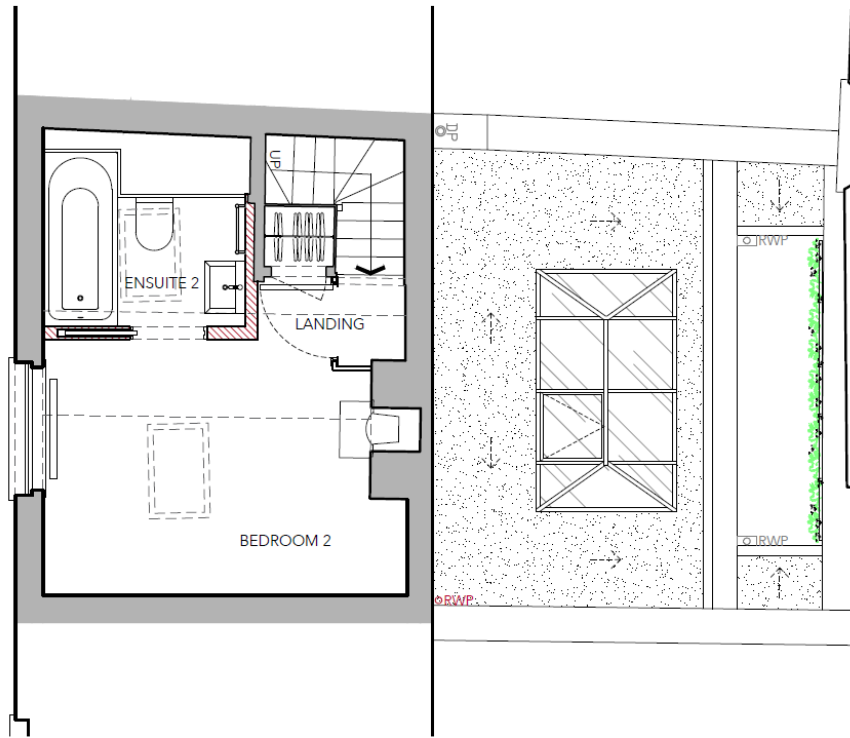
Proposed Scheme Details (TG Studio)



Proposed Ground Floor



Proposed First Floor



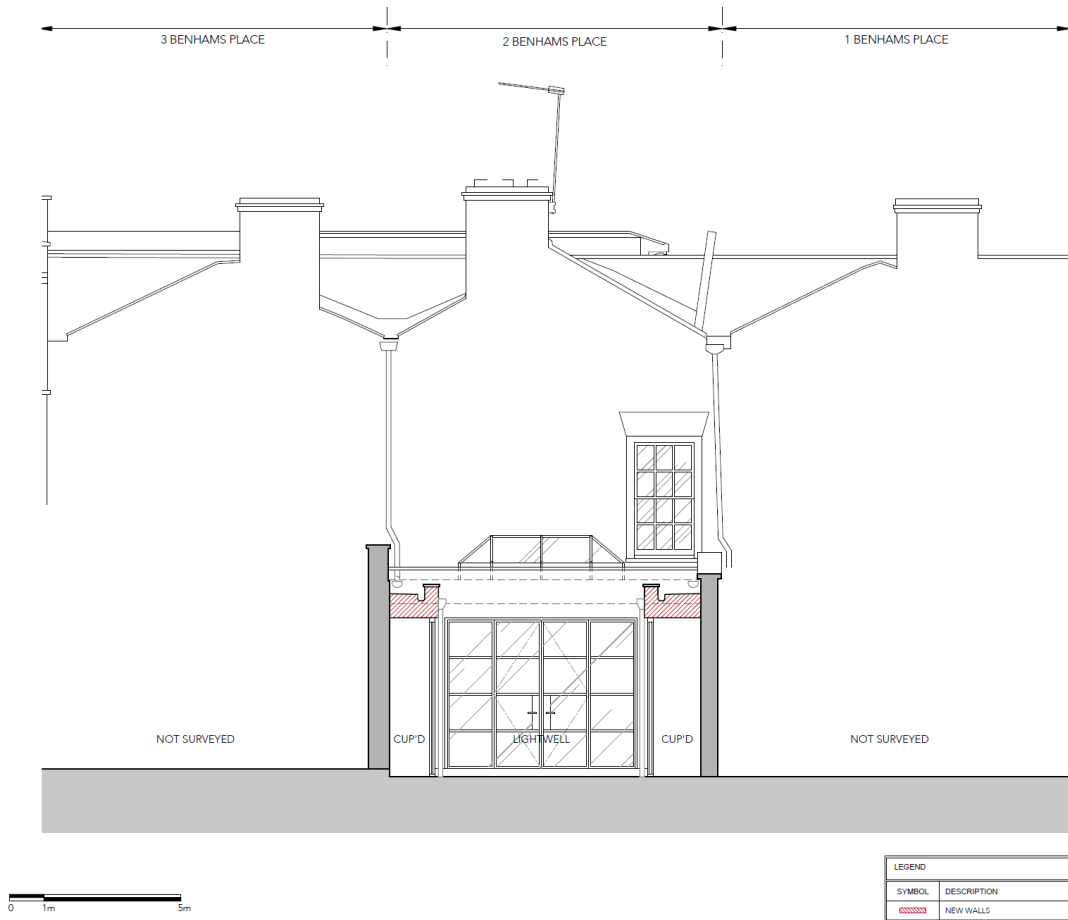
Proposed Second Floor



Proposed Roof Plan



Proposed Front Elevation



Proposed Rear Elevation



LEGEND	
SYMBOL	DESCRIPTION
	NEW WALLS

Proposed Section

Standard Sources

<https://maps.nls.uk>

<https://historicengland.org.uk/listing/the-list>

www.heritagegateway.org.uk

<http://magic.defra.gov.uk>

www.history.ac.uk/victoria-county-history

The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 (Second Edition). Historic England (2017 edition)

Planning (Listed Buildings and Conservation Areas) Act, 1990

National Planning Policy Framework, 2019

National Planning Practice Guidance, 2019

Conservation Principles, Policies and Guidance, Historic England (2008)