



L.C.C. FIRE BRIGADE STATION EVSTON 1902

## Contents

1.	Introduction	3
2.	Historic Development	4
3.	Identification of Heritage Assets and Significance Assessment	6
4.	Planning History	12
5.	Proposals and Assessment of Impact	13
	Appendix 1: Legislation, Planning Policy and Guidance	32

# 1. Introduction

This Heritage Impact Assessment ('report') has been produced by Handforth Heritage to accompany listed building consent and planning applications relating to the proposed upgrading of Euston Fire Station's heating system from a gas to air source heat pump system. The building is grade II\* listed and located within the Bloomsbury Conservation Area. The report has been produced to identify and assess the significance of any Heritage Assets that may be potentially affected by the proposals.

In accordance with Historic England's *Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets (GPA 3)* this report has been produced to identify any heritage assets and their settings that may be affected by the proposals. Paragraph 194 of the National Planning Policy Framework (NPPF) highlights that the significance of these heritage assets needs to be assessed including any contribution made by their settings to determine what the potential impact of changes to the site may have on them.

The report includes an impact assessment assessing the potential impact the scheme will have upon the identified Heritage Assets, namely the listed building itself.

The legislation and policy framework applicable to this application is set out at Appendix 1.

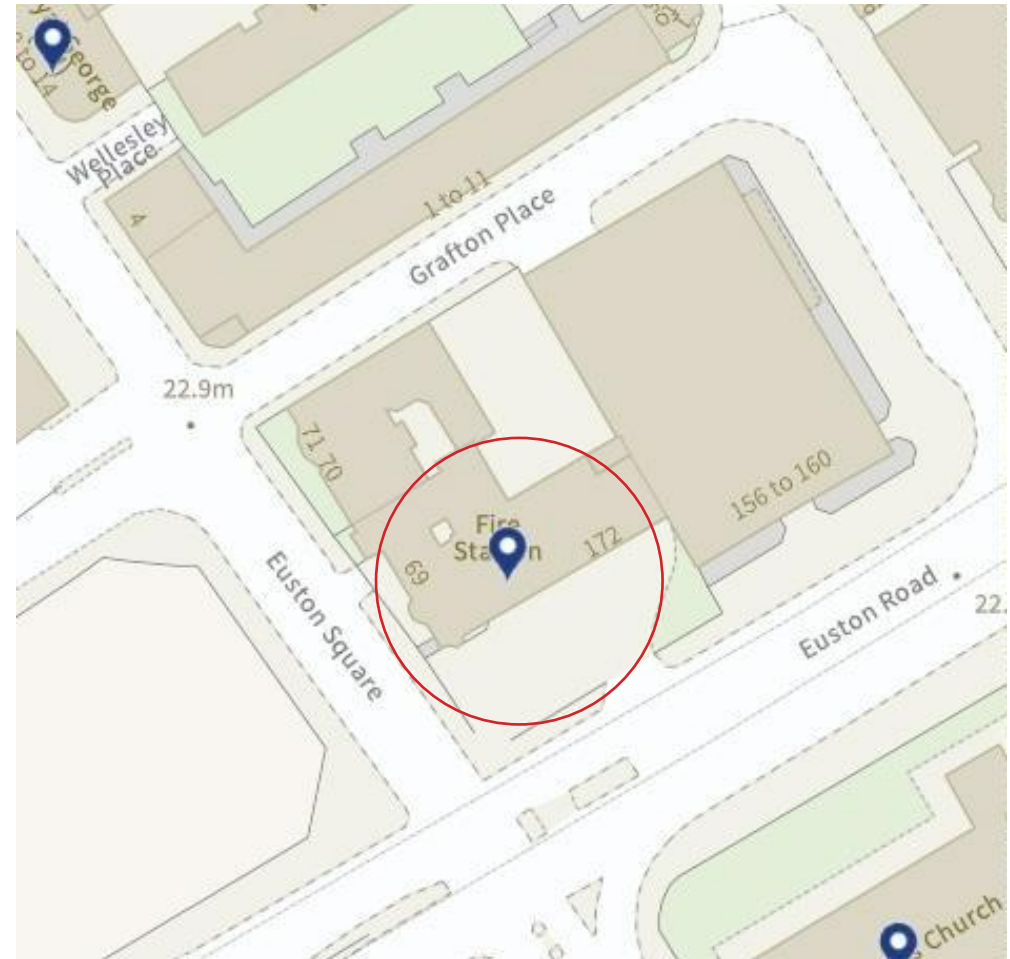


Figure 1 Site location plan, showing indicative location of the site in red.

## 2. Historic Development

The following pages include original floor plans of the building from 1902, and later drainage plans from the 1920s and 1950s that provide an indication of the evolution of the site.

Euston Fire Station is one of the oldest surviving operational fire stations in London. The building was constructed between 1901–2 and forms one of a group of fire stations built by the London County Council (LCC) between 1896–1914. The structure was designed by H. F. T. Cooper and built out by Stimpson & Co.

A basement drainage plan dating to 1902 of the building survives in Camden's Local Studies and Archives Centre. When compared to existing plans, this drawing shows that the majority of principal load bearing walls have been retained within the building, although a number of historic walls have been removed and some modern partitions inserted since the buildings construction.

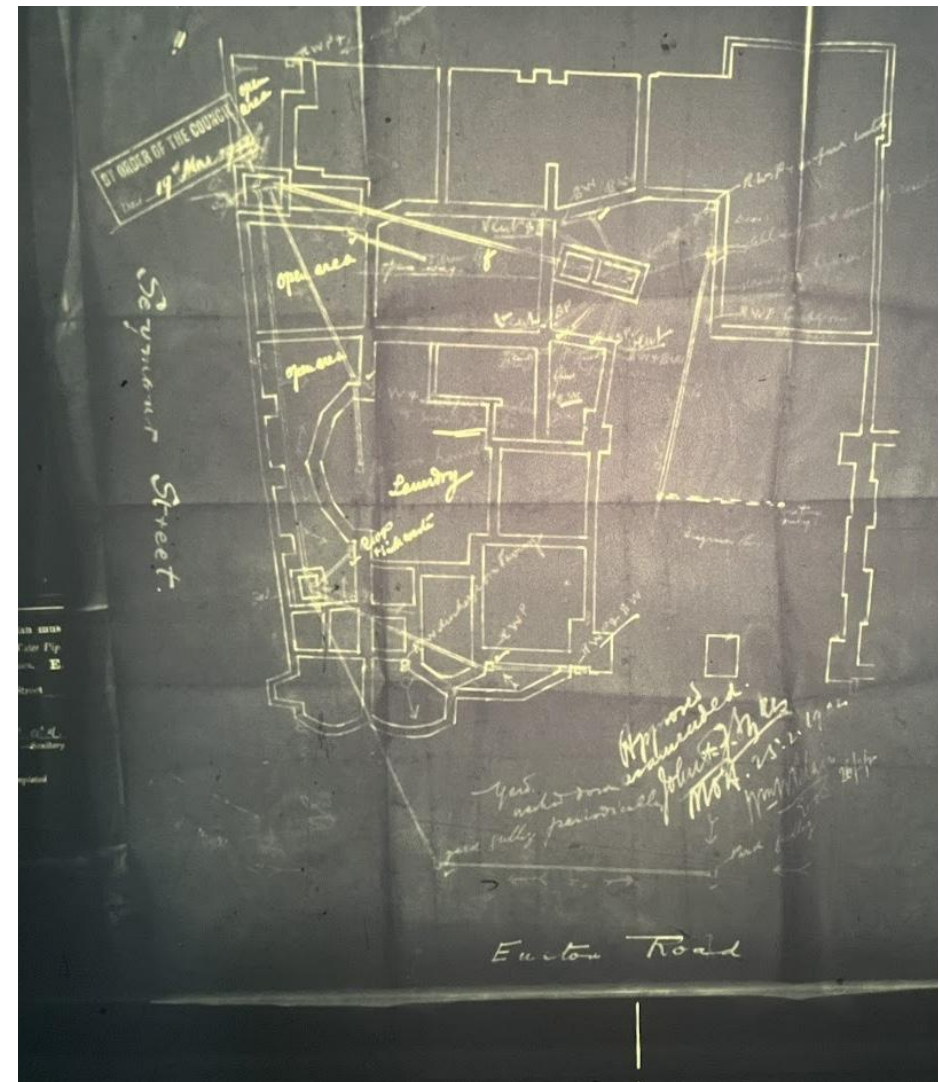


Figure 2 1902 drainage plan of the basement level of the building.

## 2. Historic Development

The Archive also holds original floor plans of the building covering ground, first and third floor levels. The ground floor plan shows how considerably the building has changed overtime. Historically there was a carriage arch entrance off Eversholt Street that led to a stable block to the rear (now demolished). This open yard has now been completely infilled and forms part of the interior layout of the building. Similarly, what is now the main entrance to the building and other adjacent rooms such as the watch room and toilets off the main staircase formed part of the original 'engine room', an open space where the fire trucks were housed. The only rooms that retain any semblance of their original layouts are the kitchen, recreation room and former watch room however.

The first floor plan shows that the original western side of the building was more compartmentalised compared to the open plan aspect visible today. Similarly, the southern side of the building has undergone extensive changes with the loss of numerous original walls and insertion of numerous modern partitions confusing the original floor plan.

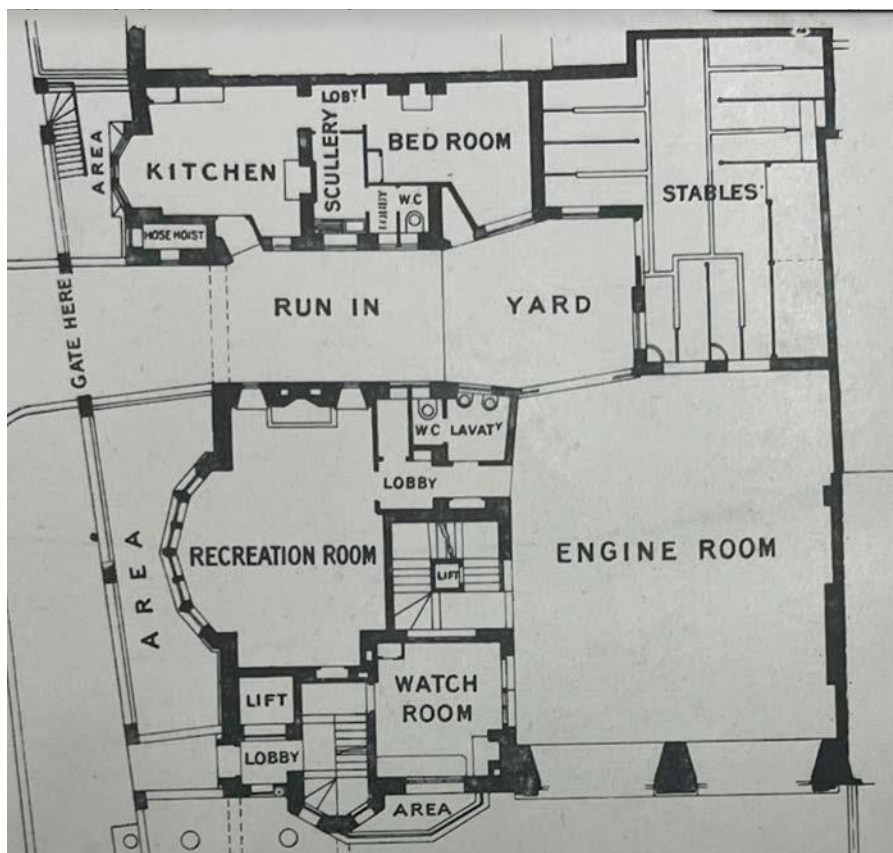


Figure 3 Ground floor plan showing original plan form of the building, Note presence of former yard leading to stables.

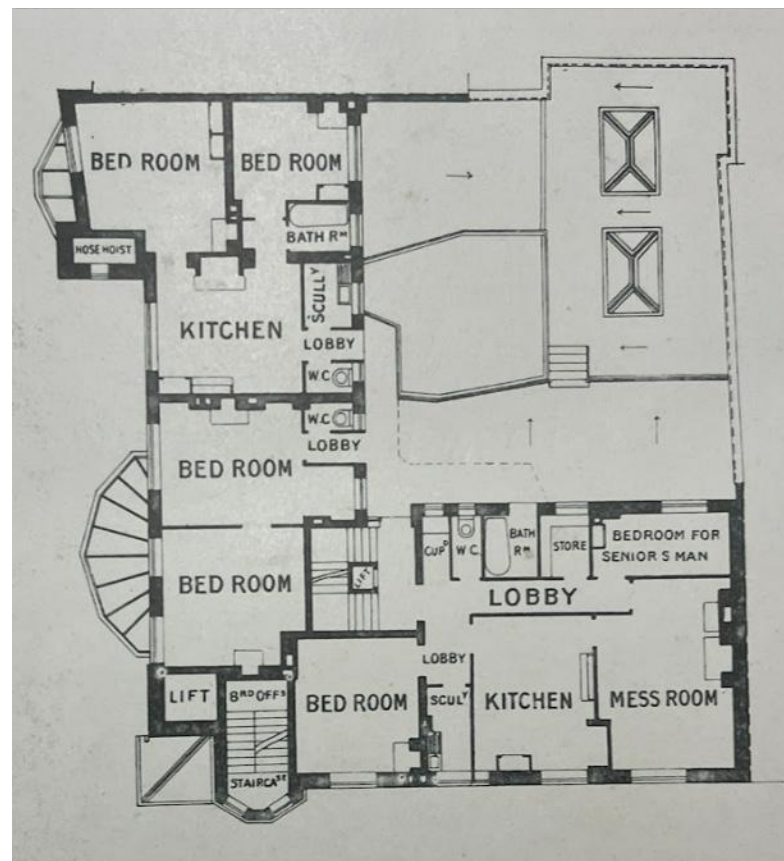


Figure 4 First floor plan showing original footprint of the building.

## 2. Historic Development

As with the other floors, the historic plan of the third floor shows the considerable changes that have occurred to the building, especially along its southern wing, with the loss of original walls and insertion of new stud partitions confusing the original plan form and appearance of the building. Whilst the western wing has also been altered, it does retain several rooms that reflect their original plan forms, and in some places contain historic fireplaces.

Figure 6 shows an early photograph of the building's Eversholt Street elevation where the carriage arch leading to the stables to the rear is just discernible.

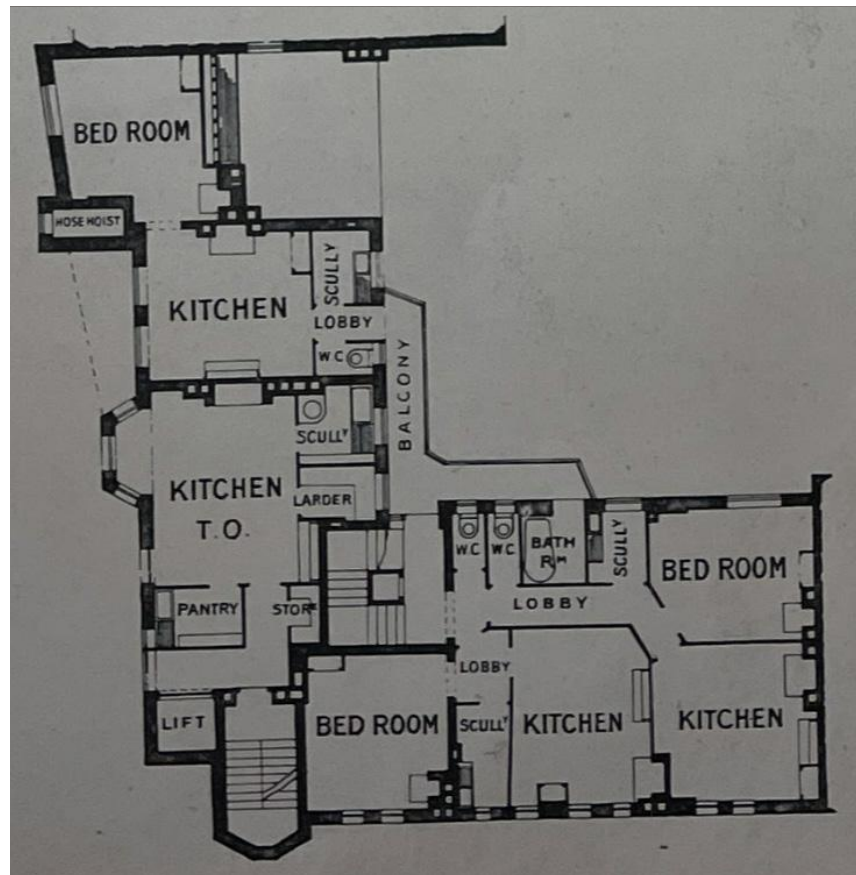


Figure 5 Third floor plan showing original configuration of the building.



Figure 6 Historic photograph showing Eversholt Street elevation and former carriage arch.

## 2. Historic Development

In 1920 the building was no longer able to meet the growing needs of the Capital, this is reflected in the proposal to extend to the east to provide a new 'appliance room' or space to house the fire engines. Figure 7 shows this application clearly, it also appears to show that the stable was no longer in use for its original purpose with the space housing a 'wash room and kitchen' and duty room.

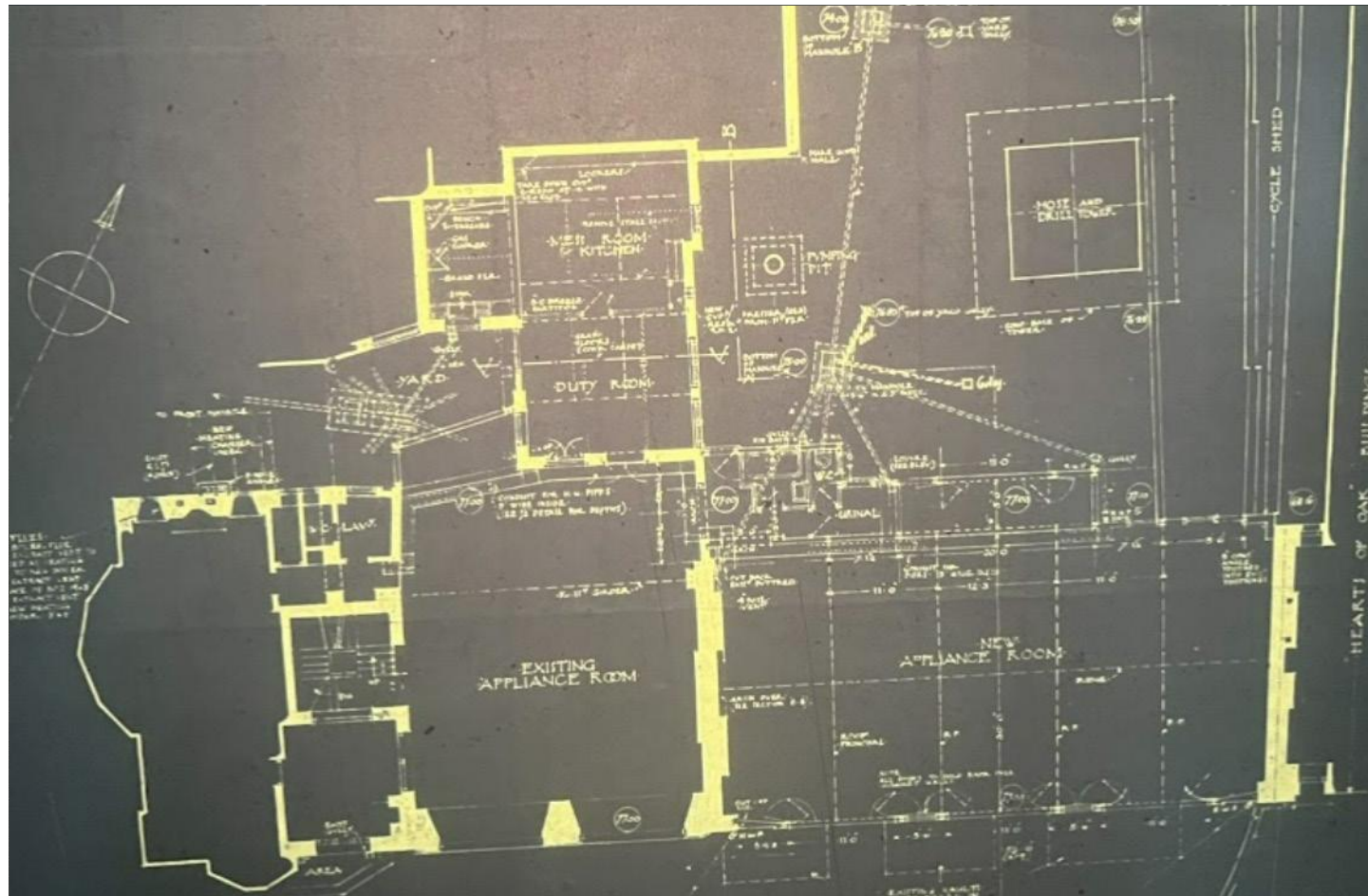


Figure 7 1920 ground floor plan showing single storey Appliance Room side extension and internal changes.

## 2. Historic Development

Drainage plans from 1951 provide evidence of new services installed in the building. The floor plan for the third floor appears largely as it did originally, although the suspended ceilings may have been installed at this point.

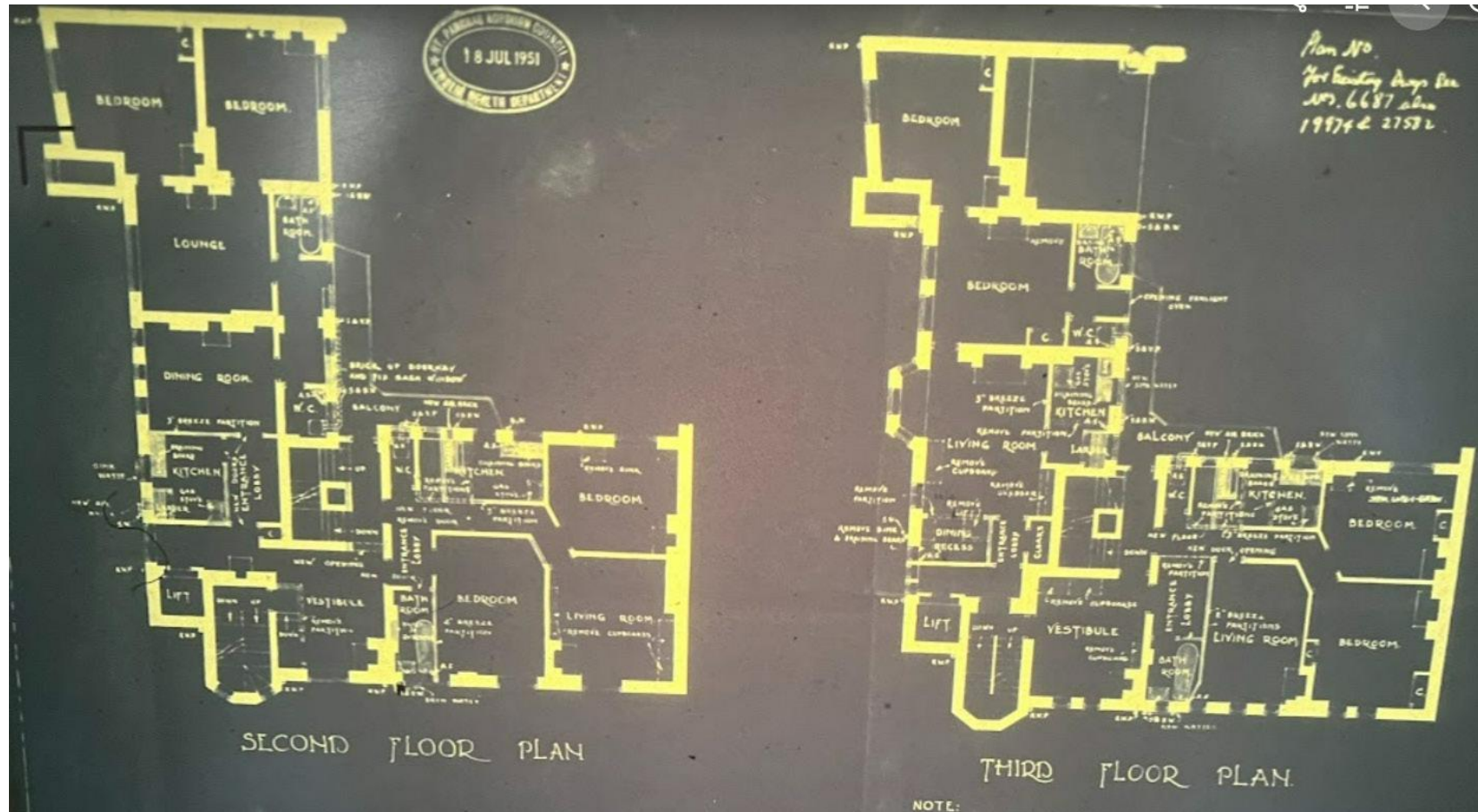


Figure 8 1951 drainage plans



### 3. Identification of Heritage Assets and Significance Assessment

An inspection of the relevant databases and sources, including the Historic Environment Record (HER), the National Heritage List for England (NHLE), and the Council's website, has identified numerous Heritage Assets lying within the vicinity of the Site. Following desk based research and on site analysis, professional judgement has been used to identify and select Heritage Assets whose significances may be affected by changes to their settings or direct impacts. This assessment has been undertaken in accordance with Historic England's *Statement of Heritage Significance: Analysing Significance in Heritage Assets* and Historic England's *Advice Note 12 The Setting of Heritage Assets GPA 3*. In accordance with Paragraph 194 of the NPPF the level of detail is proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

The Heritage Asset that has the potential to be affected by the proposals is outlined below:

1. Euston Fire Station Including Boundary Walls, Gatepiers And Railings, Grade II\*

Several other Heritage Assets were identified as part of this process but were excluded from assessment due to either a lack of visible or experiential connection with the Site. Whilst the site is located within the Bloomsbury Conservation Area, the scope of work that has the potential to affect its significance is so minor (namely the installation of air source heat pumps to the rear yard) that this Heritage Asset was scoped out of this assessment.

That following section provides a description of the asset above, followed by an assessment of its significance.

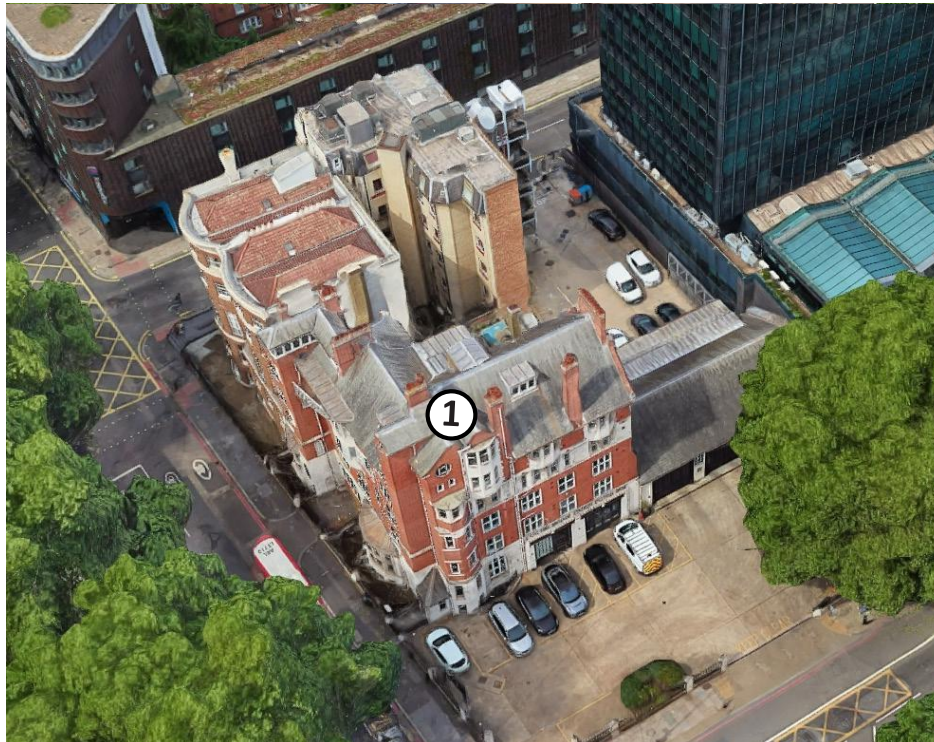


Figure 9 Showing the site (1) and its relatively modern context. Due to the majority of works being undertaken internally the conservation area is considered to remain unaffected by the works.

### 3. Identification of Heritage Assets and Significance Assessment

#### 1. Euston Fire Station Including Boundary Walls, Gatepiers And Railings, Grade II\*

The building was listed grade II\* in 1974, the list description reads as follows:

*Fire station with flats above. 1901-2, altered and extended c1920; later C20 alterations. Designed by HFT Cooper of the Fire Brigade Branch of the London County Council Architects' Department. Built by Stimpson & Co.*

*MATERIALS: Red brick laid in English bond with Portland stone dressings, basement in yellow stock brick; Portland stone ashlar facing at ground and third floors; Slate roofs.*

*PLAN: L-shaped block with main frontage facing SE to Euston Road behind forecourt. It comprised ground-floor fire station with flats above and a central well stair. A private entrance and stair on SW corner led to the Third Officer's flat on fourth floor. A passage from Euston Square led to a yard and stables in NE corner (demolished). Plan altered c1920 when passage infilled and single-storey extension added to appliance room on SE side. Original appliance bays now converted as reception area, watch room and offices; the extension is now the appliance room.*

*EXTERIOR: Principally five storeys rising to six, plus attics. Lively Arts and Crafts domestic style with assymetrical façades, irregular height and massing, projecting square and canted bays, and oriels. Picturesque roofline with deep eaves broken by projecting gabled bays, dormers and tall stacks. Varied fenestration, combining mullioned-and-transomed and narrower two-light vertical windows, and some oculi. Metal casements with leaded lights. Pitched roofs; that to main SE block steeply so. Main (SE) elevation: Ground floor (from E to W) has 2 appliance bays with patterned frieze with 'L.C.C FIRE BRIGADE STATION EUSTON 1902' in bronze lettering, and a round-arched window with keystone. First and second floors each have four flush-framed mullion-and-transom windows; third floor, faced in stone, has narrower windows set in splayed reveals. Fourth floor has three canted stone oriels of three lights with quoined surrounds, that to left rising to a fifth floor with gable above. The elevation terminates in a canted staircase bay of two lights rising to the third floor; top section is more steeply canted with three lights and stone mullions under a circular roof; above this is a gable with oculus and two small rectangular lights below. In the angle of the canted bay and flank of return elevation is a single-storey porch with segmental-arched doorway and slate roofed.*

*SW elevation to Euston Square is dominated by projecting rectangular right-hand (S) bay and canted penultimate left-hand (N) bay; the former gabled and the latter hipped with glazed clerestory. Two large mullion-and-transom bay windows at ground-floor level,*



Plate 1 Front facade of the site, as seen from Euston Road.



Plate 2 Rear elevation of the building and 1920s single storey engine room to the left.

### 3. Identification of Heritage Assets and Significance Assessment

*between which was entrance to the yard, now infilled. Asymmetrically-placed canted oriel rising through third and fourth floors with diagonal balcony linked to N projecting bay.*

*C1920 single-storey extension to E, now the appliance room, is not of special interest. Modern drill tower to the rear is not of special interest.*

*INTERIOR: Extensively refurbished in the 1990s. Some original features including doors, dado panelling in ground-floor former recreation room, and fireplaces survive, but generally much altered. Stone stair with plain iron balustrade.*

*SUBSIDIARY FEATURES: Walls, gatepiers and railings to forecourt on SE side and basement area on SW side. Low brick wall with stone copings and stone piers with gambrel-shaped heads. Gatepiers to angle of forecourt have inset geometric panels to head; those to basement entrance torpedo-shaped heads. Wrought-iron railings with flattened sections in portcullis design.*

*HISTORY: Fire services in London emerged principally from the need for insurance providers to limit their losses through damage to property in the period after the Great Fire of 1666. Initially, each insurer maintained a separate brigade that only served subscribers until the foundation of an integrated service in 1833, funded by City businesses. In 1866, following an Act of Parliament of the previous year, the first publicly-funded authority charged with saving lives and protecting buildings from fire was founded: the Metropolitan Fire Brigade, initially part of the Metropolitan Board of Works. The earliest MFB fire stations were generally plain brick and few pre-1880 examples survive. In 1880s under the MFB architect Robert Pearsall, fire stations acquired a true architectural identity, most notably in the rich Gothic style typical of Victorian municipal buildings such as Bishopsgate. It was the building boom of the 1890s-1900s however that was to transform fire station architecture and give the Brigade some of its most characterful buildings. In 1889, the fire brigade passed to the newly-formed London County Council, and from 1896 new stations were designed by a group of architects lead by Owen Fleming and Charles Canning Winmill, both formerly of the LCC Housing Department, who brought the highly-experimental methods which had evolved for designing new social housing to the Fire Brigade Division (as the department was called from 1899), and drew on a huge variety of influences to create unique and commanding stations, each built to a bespoke design. This exciting period in fire station design continued to the outbreak of World War I.*

*The new station replaced the Metropolitan Board of Works station at 133-135 Great Portland Street. It opened on 27 November 1902. Euston was the headquarters of the North Division of the London Fire Brigade, under the command of a Third Officer.*

*Domestic accommodation was provided for divisional staff on the first floor and for the Third Officer on the fourth floor.*

*SOURCES: Andrew Saint, London's Architecture and the London Fire Brigade, 1866-1938 (Heinz Gallery RIBA, Exhibition Catalogue, 1981) Bridget Cherry and Nikolaus Pevsner, The Buildings of England, London 4: North (1998), p355 M Pinchen, Euston: The Story of a Fire Station, www.eustonfirestation.com, accessed March 2008 John B Nadel, London's Fire Stations (2006)*

*REASON FOR DESIGNATION: Euston Fire Station is designated at Grade II\* for the following principal reasons: \* It is widely regarded as the masterpiece of a remarkable group of fire stations built by the LCC between 1896-1914, and stands at the summit of achievement of LCC civic architecture of this rich and prolific period; \* A highly original interpretation of the Arts and Crafts style, expressed through its dynamic façades and bold, skilful massing, coupled with high-quality materials and detailing; its romantic silhouette is a prominent landmark; \* Well preserved externally, with original boundary walls and ironwork.*

The list entry is clear that the building's primary significance relates to its exterior for its architectural interest. It is also of historic interest as an important survivor of the wider LCC fire station development that occurred during the late 19th and early 20th centuries.

The interiors of the building have been so heavily modified that its original layout, function and appearance has been almost completely eroded. Section 5 of this report provides a photographic record of the interiors of the structure that demonstrate this point.

There are a limited number of fixtures and fittings of interest that survive with almost all joinery, plasterwork and fireplaces being removed from the building. At ground floor, the kitchen and recreation rooms still survive in their original locations. Of these two, only the recreation room features anything of interest, with some wainscoting surviving to the lower levels of the room.

The building also features a plethora of modern services, many of which are clearly visible and detract from the aesthetic interest of key rooms such as the recreation rooms. Many are also concealed within suspended ceilings.

Consequently, it is considered that there is clear scope to undertake internal works to the building without harming its inherent interest.

## 4. Relevant Planning History

There are numerous applications lodged on Camden Council's website, one that is considered to be relevant to this application is outlined below:

Euston Fire Station 172 Euston Road London NW1 2DH (2020/5824/L) Granted (May 12 2021)- Listed Building Consent

*Replacement of existing gas fired boilers, ventilation, heating, gas and domestic water systems.*

The informative within the council's delegated decision states:

*These proposed works involve the replacement of the gas fired boiler, heating, domestic water, gas and ventilation system. The existing system has come to the end of its serviceable life. The replacement boiler is to be located in the same area as the existing boiler within the basement in an area of limited historic significance.*

*The works to upgrade the services are to the interior of the building only. Existing plant locations and pipe runs, flues and ductwork will be reused where possible*

It should be noted that the current system seeks to follow the same philosophy as this scheme, with plant locations, pipe runs, flues and ductwork being reused wherever possible.

## 5. Proposals and Assessment of Impact

This section will provide an overview of the proposals and their potential impact on the significance of the listed building. Following this is a floor by floor photographic record providing an overview of the current appearance of the interiors of the building and the changes that will be required to install the new services. It should be read in conjunction with the drawing pack supplied by Frankham Projects.

It should be noted that the current scheme has evolved following a previous refused application (ref: 2022/5258/P & 2023/0747/L).

### Proposal

The proposals seek to remove the existing, outdated and inefficient gas powered heating system within the Fire Station, for a more sustainable system utilising air source heat pumps. Four ASHPs will be located to the rear of the building adjacent to the 1920s single storey structure, they will be enclosed by an acoustic enclosure. The works will largely follow existing pipe runs where possible but will require some new openings through walls and floor slabs. The fabric impacted in these openings vary from modern partitions to load bearing masonry walls. Where penetrations are required through floors, these will be made through the concrete slab. Where penetrations are required through walls, these will be located 100mm from ceiling level and largely concealed within existing suspended ceilings.

### Assessment of Impact

#### External

In terms of the impact of the ASHPs themselves, within the council's delegated report for the 2023 refused application, they stated:

*The installation of the four ASHP units in the rear courtyard is deemed to be acceptable. They would be set away from the historic rear elevation and sited in a service yard where the presence of building services including plant equipment is to be expected. As such they would not appear incongruous or harmful to the setting of the listed building.*

The council then raised concerns about the proposed ASHP units within the front lightwell off Eversholt Street. These comments have been noted and these units removed from the current proposals. This element will therefore **preserve** the special interest of the building.

#### Basement

Whilst there may be a minimal amount of historic fabric removed from internal walls to

allow service penetrations, this loss would not affect the overall special interest of the building, and as such the works are considered to **preserve** the special interest of the building.

#### Ground Floor

The ground floor is one of the few levels that features any rooms of any architectural interest, namely the recreation room. All works to this room will preserve its historic wainscotting and be confined above the suspended ceiling. Whilst there may be a minimal amount of historic fabric removed from internal walls to allow service penetrations, this loss would not affect the overall special interest of the building, and as such the works at this level are considered to **preserve** the special interest of the building.

#### First Floor

There may be a minimal amount of historic fabric removed from internal walls to allow service penetrations, this loss would not affect the overall special interest of the building, and as such the works at this level are considered to **preserve** the special interest of the building.

#### Second Floor

Whilst there may be a minimal amount of historic fabric removed from internal walls to allow service penetrations, this loss would not affect the overall special interest of the building, and as such the works at this level are considered to **preserve** the special interest of the building.

#### Third Floor

The western wing of this block features some historic items of interest including room proportions and fireplaces. Works to this part of the building are minimal. Whilst there may be a minimal amount of historic fabric removed from internal walls to allow service penetrations, this loss would not affect the overall special interest of the building, and as such the works at this level are considered to **preserve** the special interest of the building.

#### Summary

The works would result in no harm to the significance of the building and would introduce a more sustainable heating system to safeguard it for future generations. We therefore see no heritage reason why the council should not support the application.

## 5. Proposals and Assessment of Impact - Basement

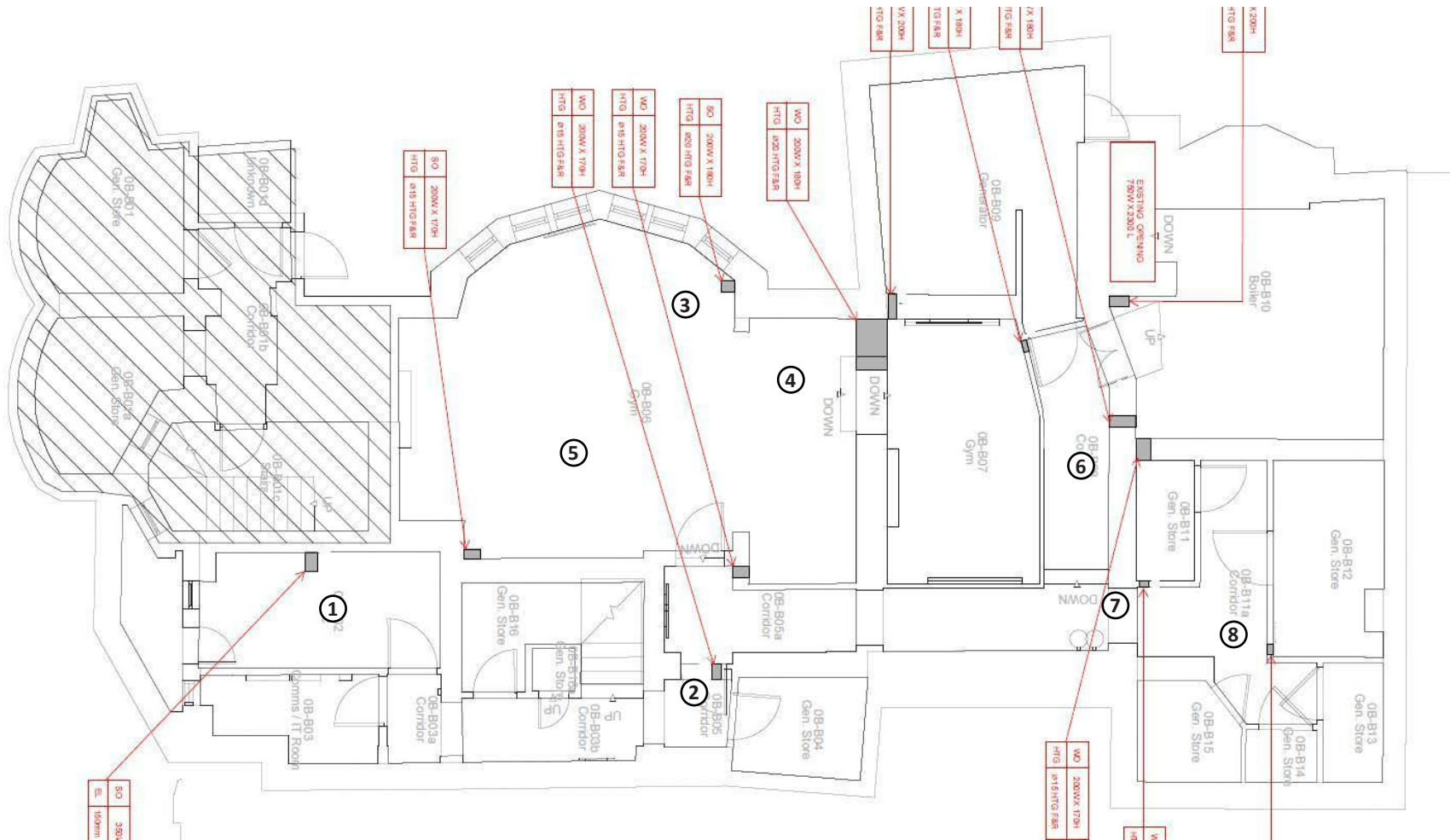


Figure 10 Showing photograph locations at basement level. Note the orientation of the image has been rotated 90 degrees when compared to other floors.

## 5. Proposals and Assessment of Impact - Basement



Plate 3 Showing no fabric of interest, a new cable tray will be installed here and small slab opening.



Plate 4 A small opening will be provided beneath ceiling level for hot water pipes.



Plate 5 View showing bay window, heating pipes will utilise existing openings shown here on the right.



Plate 6 A small opening will be made 100mm from the top of the ceiling through the wall for heating pipes, helping to tidy up the cluttered pipe work.

## 5. Proposals and Assessment of Impact - Basement



Plate 7 New heating pipes will run to the left of this image utilising existing openings.



Plate 8 New heating pipes will be located at high level here.

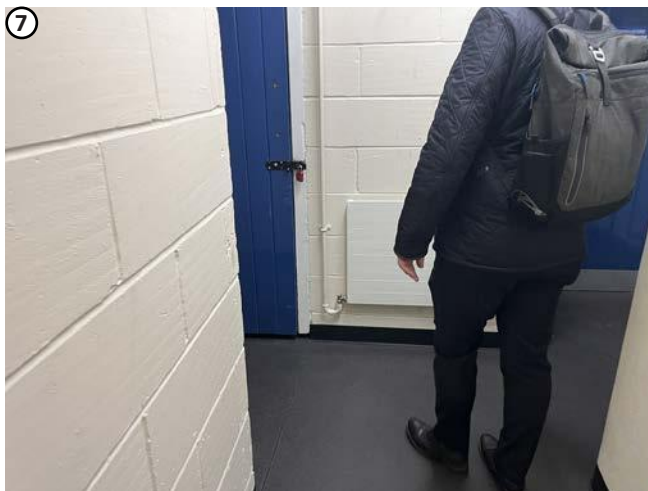


Plate 9 Openings will be made to modern block work at high level.



Plate 10 High level opening will be made in existing block work.



# 5. Proposals and Assessment of Impact - Ground Floor

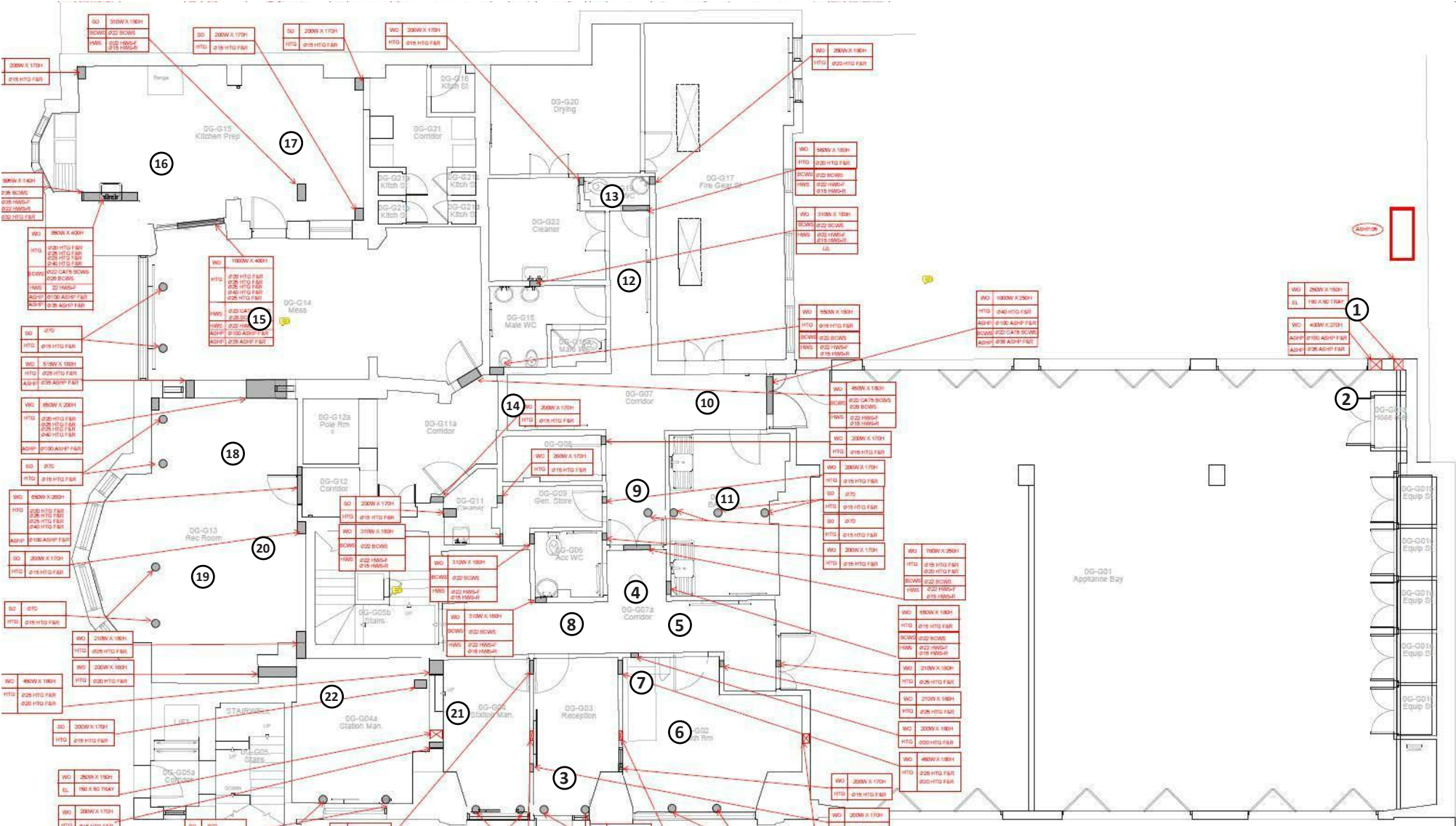


Figure 11 Showing photograph locations at ground floor level.

## 5. Proposals and Assessment of Impact - Ground Floor



Plate 11 View of 1920s extension. The ASHPs will be located to the left of the image and a penetration made through the bay to the far left, resulting in no negative impact on the significance of the original building.



Plate 12 Showing other side of wall with modern tile works, penetration through here will result in no harm.

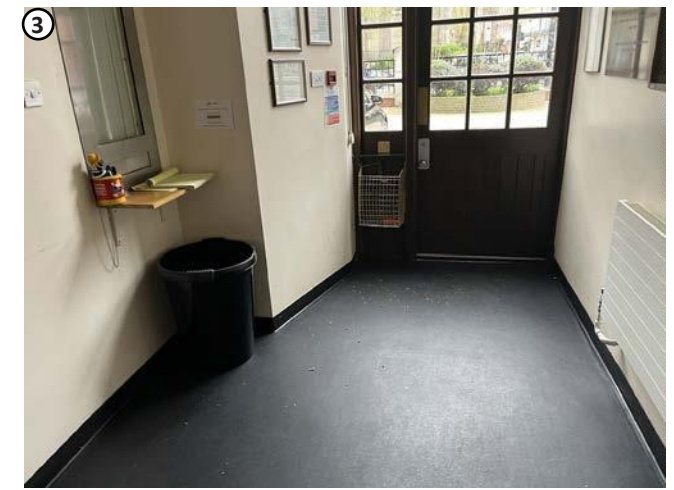


Plate 13 Reception room that once formed part of the original engine room. Penetrations required through slab, would not affect building's significance.



Plate 14 Showing modern fabric installed in previous engine room. High level wall penetration would be hidden in suspended ceiling.



Plate 15 Showing modern fabric installed in previous engine room. High level wall penetration would be hidden in suspended ceiling.



Plate 16 New heating pipe work will utilise existing slab penetrations.

## 5. Proposals and Assessment of Impact - Ground Floor



Plate 17 Pipe work above suspended ceilings would utilise existing openings where feasible. Modern fabric visible.



Plate 18 Several high level penetrations required in modern fabric of no interest.



Plate 19 Several high level penetrations required in modern fabric of no interest.



Plate 20 Left wall likely to be historic, penetration for heating pipes will occur to wall to right, which is later fabric.



Plate 21 Slab and wall penetrations required, will only affect modern fabric.



Plate 22 Pipe work to be located above suspended ceiling above far door. Only affecting later fabric.

## 5. Proposals and Assessment of Impact - Ground Floor



Plate 23 Existing pipe runs to be reused, later fabric of no interest.



Plate 24 Wall penetrations required above suspended ceilings, later fabric of no interest.



Plate 25 Former yard to stables, now enclosed. Pipe work to radiators to be reused.



Plate 26 View of kitchen, openings to slab required to right and above ceiling to left. Potential for some load bearing walls to be affected, but would not affect significance.



Plate 27 Slab penetration needed to top left corner above suspended ceiling. Would not affect significance.



Plate 28 Historic windows to recreation room. High level penetrations would occur above and adjacent to these elements and would not affect any fixtures or fittings of interest.

## 5. Proposals and Assessment of Impact - Ground Floor



Plate 29 Recreation room showing historic wainscoting. Some slab penetrations required and high level wall opening above suspended ceiling to left. Would not affect any fixtures or fittings of interest.



Plate 30 Recreation room showing historic rail and stile panelling. High level penetration required above suspended ceiling would not affect any fixtures or fittings of interest.



Plate 31 Station Manager's room, penetration required above suspended ceiling would not affect any fixtures or fittings of interest.



Plate 32 Station Manager's room, penetration required above suspended ceiling would not affect any fixtures or fittings of interest.

## 5. Proposals and Assessment of Impact - First Floor

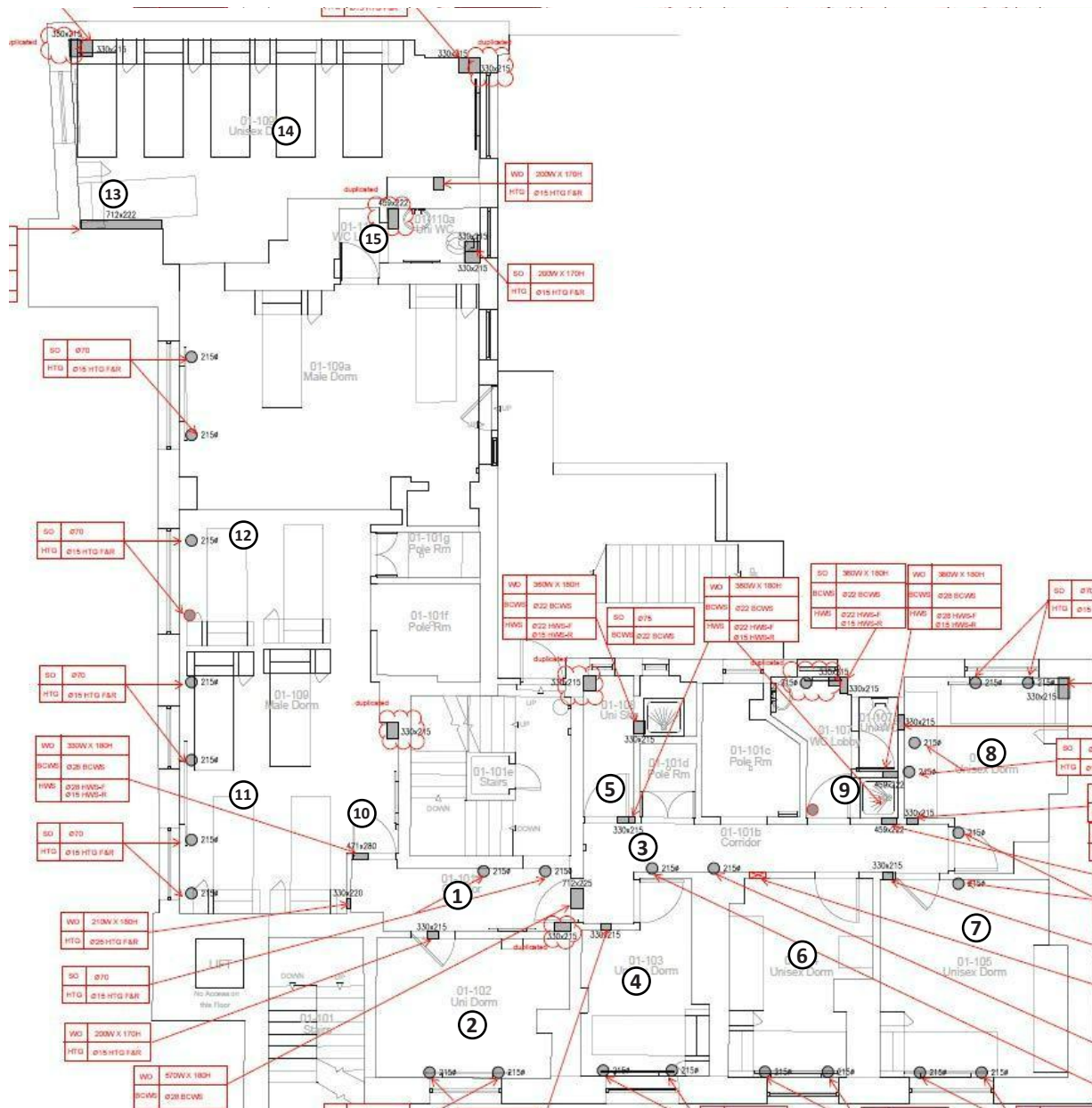


Figure 12 Showing photograph locations at first floor level.

## 5. Proposals and Assessment of Impact - First Floor

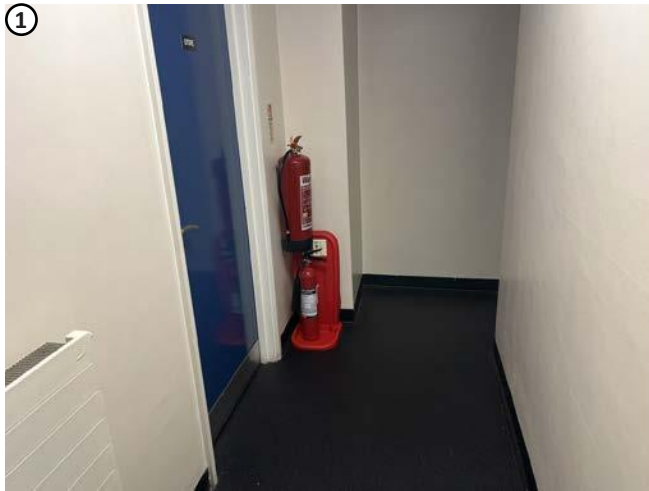


Plate 33 Penetrations for existing pipe work to radiator to be reused where feasible.



Plate 34 Penetrations for existing pipe work to radiator to be reused where feasible.



Plate 35 New slab penetration required would not affect building's significance.



Plate 36 Penetrations for existing pipe work to radiator to be reused where feasible.



Plate 37 High level wall penetrations required above suspended ceiling would not affect significance of building.



Plate 38 Penetrations for existing pipe work to radiator to be reused where feasible.

## 5. Proposals and Assessment of Impact - First Floor



Plate 39 Penetrations for existing pipe work to radiator to be reused where feasible.



Plate 40 Penetrations for existing pipe work to radiator to be reused where feasible.



Plate 41 High level penetration required above suspended ceiling would not affect any fabric of interest.



Plate 42 Penetrations for existing pipe work to radiators to be reused where feasible and high level penetration required above suspended ceiling would not affect any fabric of interest.



Plate 43 Penetrations for existing pipe work to radiators to be reused where feasible.



Plate 44 High level penetration required above suspended ceiling would not affect any fabric of interest.



## 5. Proposals and Assessment of Impact - First Floor



Plate 45 High level penetrations required above suspended ceiling would not affect any fabric of interest.



Plate 46 High level penetration required above suspended ceiling would not affect any fabric of interest.



Plate 47 High level penetrations required above suspended ceiling would not affect any fabric of interest.

## 5. Proposals and Assessment of Impact - Second Floor

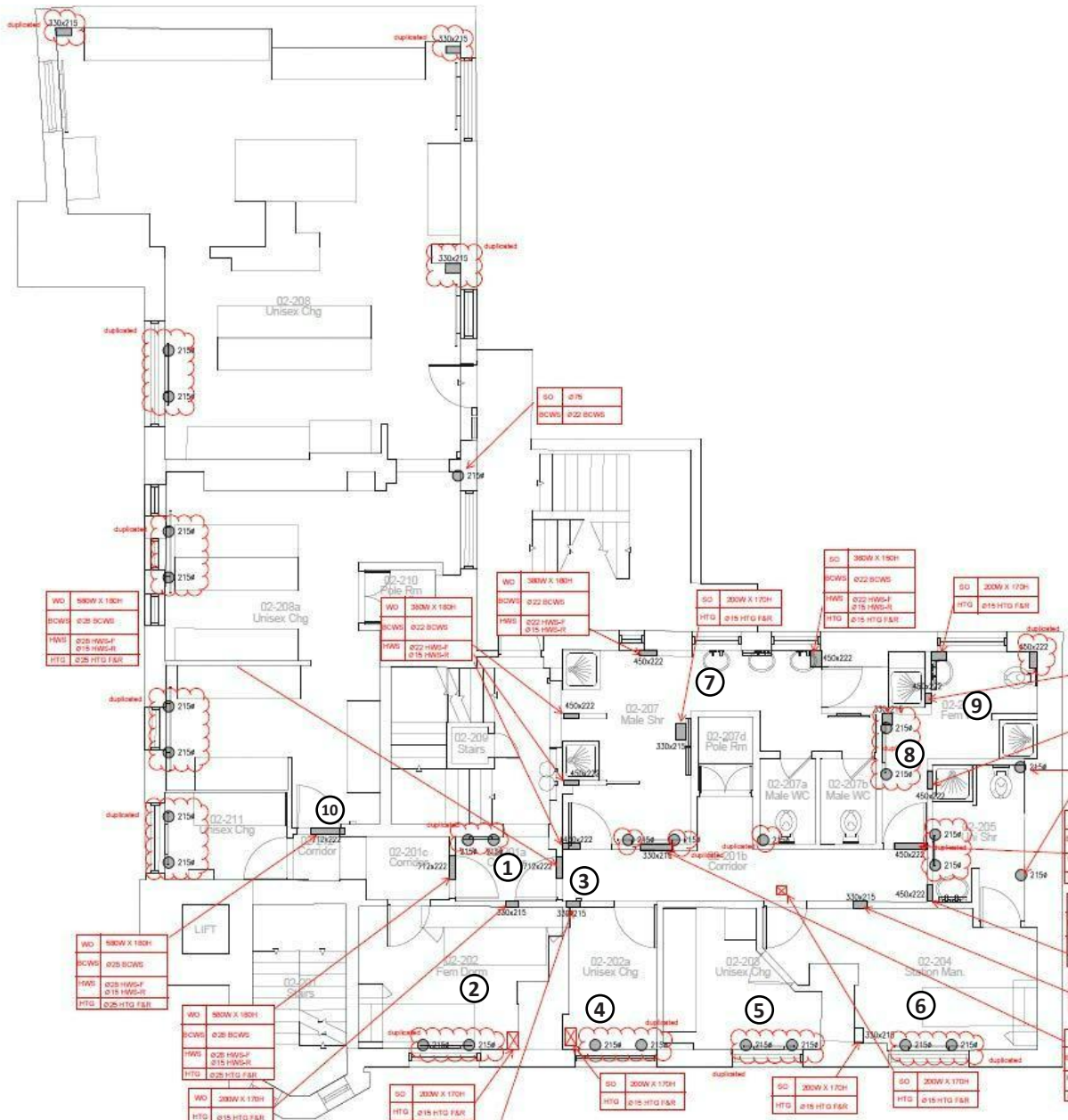


Figure 13 Showing photograph locations at second floor level.

## 5. Proposals and Assessment of Impact - Second Floor



Plate 48 Penetrations for existing pipe work to radiators to be reused where feasible.



Plate 49 Penetrations for existing pipe work to radiators to be reused where feasible.



Plate 50 High level penetrations required above suspended ceiling would not affect any fabric of interest.



Plate 51 Penetrations for existing pipe work to radiators to be reused where feasible.



Plate 52 Penetrations for existing pipe work to radiators to be reused where feasible.



Plate 54 Penetrations for existing pipe work to radiators to be reused where feasible.

## 5. Proposals and Assessment of Impact - Second Floor



Plate 55 Modern toilets of no interest. High level penetrations required above suspended ceiling would not affect any fabric of interest.



Plate 56 Penetrations for existing pipe work to radiators to be reused where feasible.



Plate 57 High level penetrations required above suspended ceiling would not affect any fabric of interest.

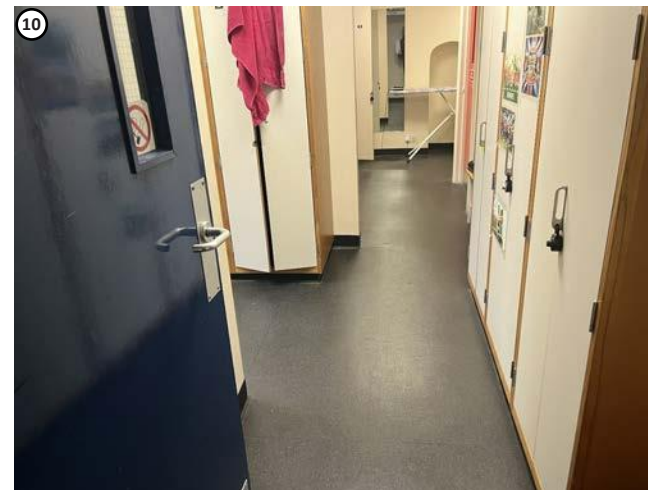


Plate 58 High level penetrations required above suspended ceiling would not affect any fabric of interest. Penetrations for existing pipe work to radiators to be reused where feasible.

## 5. Proposals and Assessment of Impact - Third Floor



Figure 14 Showing photograph locations at second floor level.

## 5. Proposals and Assessment of Impact - Third Floor



Plate 59 General view showing condition of this floor with most original features removed. Some original fireplaces do survive, works to this level are confined to the room through the central door.



Plate 60 Penetrations for existing pipe work to radiators to be reused where feasible.



Plate 61 High level penetrations required above suspended ceiling would not affect any fabric of interest.



Plate 62 High level penetrations required above suspended ceiling would not affect any fabric of interest.

## 5. Proposals and Assessment of Impact - Third Floor



Plate 63 Modern kitchen of no interest. High level penetrations required above suspended ceiling would not affect any fabric of interest.



Plate 64 Modern shower room of no interest. High level penetrations required above suspended ceiling would not affect any fabric of interest.



Plate 65 Showing modern bathroom of no interest. High level penetrations required above suspended ceiling would not affect any fabric of interest.

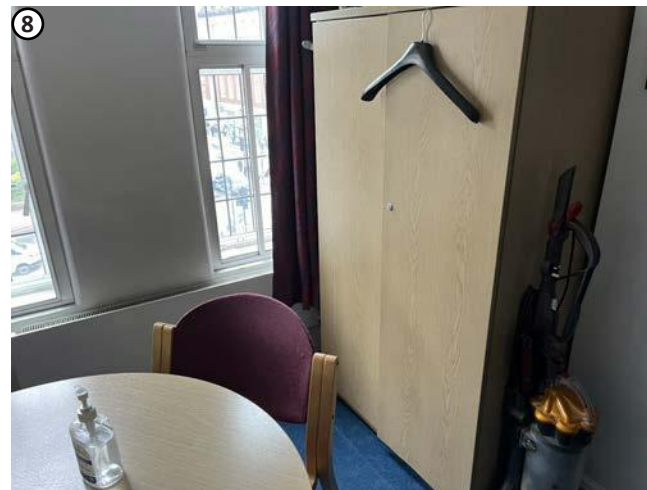


Plate 66 High level penetrations required above suspended ceiling would not affect any fabric of interest.

# Appendix 1: Legislation, Planning Policy and Guidance

## Legislation

Legislation regarding Listed Buildings and Conservation Areas is set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the 1990 Act).

Section 16(2) states that in considering whether to grant listed building consent for any works the local planning authority or 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.

Section 66(1) states that, in considering whether to grant planning permission for development that affects a listed building or its setting, the local planning authority (LPA) or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest that it possesses.

Section 72(1) states that, in the exercise of planning functions, special attention should be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

The term “preserve”, within the context of Section 66, has been defined within *South Lakeland District Council v Secretary of State [1992]*, where it was held that the “desirability of preserving” creates a presumption against harmful changes, but not a presumption against any change. Case law has established that the preservation of the setting of a listed building requires considerable importance and weight (i.e. the Barnwell Manor judgment) and that a decision-maker who has worked through the paragraphs of the NPPF in accordance with their terms will have complied with the statutory duty set out in the 1990 Act (i.e. the judgment in *Jones v Mordue & Others [2015]*).

In the judgment for *Palmer v Herefordshire Council* ([2016] EWCA Civ 106), a discussion on the balance between harm and benefit to a listed building was undertaken. It was accepted that “where proposed development would affect a listed building or its settings in different ways, some positive and some negative, the decision-maker may legitimately conclude that although each of the effects as an impact, taken together there is no overall adverse effect on the listed building or its setting”. In essence, where there is some harm and some benefit, these should be given the same weight, and where they are equal in measure, the effect on the listed building would be neutral, and thus its significance would be preserved.

This approach was confirmed in *City & Country Bramshill Ltd v Secretary of State for Housing, Communities And Local Government & Ors [2021]*. In this case Lord Justice Lindblom concluded that ‘the considerable importance and weight to the desirability of preservation [of the special architectural or historic interest of a listed building or its setting], should tip the scales to produce an unequal balance in its favour. However, the SoS should still take account of the actual severity of any change, or scale of change as the Mayoral SPG puts it, and so the extent of impact, as well as the relevance to its significance, and the

importance of the asset. The overall weight to be given to any harm, and the conflict with policy, should be a product of these factors.’

## National Planning Policy Framework (2021)

The policies relevant to heritage are outlined within chapter 16, ‘Conserving and Enhancing the Historic Environment’. The NPPF places much emphasis on ‘significance’ which it defines as:

*The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence but also from its setting*

The NPPF directs local planning authorities to require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting and the level of detailed assessment should be ‘proportionate’ to the assets’ importance. (Paragraph 194).

Paragraph 195 states that the significance any heritage asset that may be affected by a proposal should be identified and assessed. This includes any assets affected by development within their settings. This Significance Assessment should be taken into account when considering the impact of a proposal, ‘to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal’.

Paragraph 199 requires that ‘When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.’

It is then clarified that any harm to the significance of a designated heritage asset, either through alteration, destruction or development within its setting, should require, “clear and convincing justification” (Paragraph 200). This paragraph outlines that substantial harm to grade II listed heritage assets should be exceptional, rising to ‘wholly exceptional’ for those assets of the highest significance such as scheduled monuments, Grade I and grade II\* listed buildings or registered parks and gardens as well as World Heritage Sites.

Paragraphs 201 and 202 discuss different levels of harm caused to heritage assets and requires a balance to be applied in the context of heritage assets, including the recognition of potential benefits accruing from a development. In the case of non-designated heritage assets, Paragraph 203 requires a Local Planning Authority to make a “balanced judgement” having regard to the scale of any harm or loss and the significance of the heritage asset.

With regards to conservation areas and the settings of heritage assets,

paragraph 206 requires Local Planning Authorities to look for opportunities for new development to enhance or better reveal their significance.

## Planning Practice Guidance

This guidance supports the NPPF and reiterates the importance of conserving heritage assets in a manner appropriate to their significance. Key elements of the guidance relate to assessing harm. An important consideration should be whether development proposals adversely affect a key element of the heritage asset’s significance:

‘it is the degree of harm, rather than the scale of development that is to be assessed’. The level of ‘substantial harm’ is stated to be a high bar, which may not arise in many cases. Whether development proposals cause substantial harm will be a judgment in the decision-taking process, having regard to the circumstances of the case and by applying the relevant NPPF policies. Such harm may arise from works to the heritage asset or from development within its setting. Setting is defined as:

*the surroundings in which an asset is experienced, and may be more extensive than the curtilage.*

A thorough assessment of the harm development proposals will have on this setting needs to consider, and be proportionate to, the heritage asset’s significance and the degree to which any changes enhance or detract from that significance, and the ability to appreciate and experience it.

## Regional Planning Policy

### The London Plan (2021)

Key extracts from the London Plan relating to this application are outlined below:

Policy D1 London’s form and characteristics

A. Development Plans, area-based strategies and development proposals should ensure the design of places addresses the following requirements:

Form and layout

- 1) use land efficiently by optimising density, connectivity and land use patterns
- 2) enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions

Quality and character

- 12) respond to the existing character of a place by identifying the special and valued features that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute to the local character



## Appendix 1: Legislation, Planning Policy and Guidance

13) be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well.

Policy HC1 Heritage conservation and growth

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 seek to avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.

### Local Planning Policy

#### Camden Local Plan 2017

Relevant policies include:

Policy D1 Design states the Council will seek to secure high quality design requiring, *inter alia*, that development:

- a. respects local context and character;
- b. preserves or enhances the historic environment and heritage assets in accordance with Policy D2 Heritage;
- c. is sustainable in design and construction, incorporating best practice in resource management and climate change mitigation and adaptation;
- e. comprises details and materials that are of high quality and complement the local character;

Policy D2 Heritage seeks to preserve and where appropriate, enhance heritage assets and their settings. It states that:

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.

#### Camden Planning Guidance, Design (January 2021)

This guidance supports the local plan and provides information on detailed design issues including design excellence and heritage, and supports policies D1 and D2 in the Camden Local Plan.

#### Bloomsbury Conservation Area Appraisal and Management Strategy (2011)

### Guidance Notes

#### Conservation Principles, Policies, and Guidance (English Heritage, April 2008)

This document outlines Historic England's approach to the sustainable management of the historic environment. While primarily intended to ensure consistency in their own advice and guidance through the planning process, the document is commended to LPAs to ensure that all decisions about change affecting the historic environment are informed and sustainable. This document was published in line with the philosophy of PPS5, yet remains relevant with the NPPF and PPG, the emphasis placed upon the importance of understanding significance to properly assess the effects of change to heritage assets. Guidance within the document describes a range of 'heritage values' that constitute a heritage asset's significance to be established systematically; the four main heritage values include: aesthetic, evidential, communal or historical. The document emphasises that:

*considered change offers the potential to enhance and add value to places...it is the means by which each generation aspires to enrich the historic environment*

#### Historic Environment Good Practice Advice in Planning Notes

GPA 2: Managing Significance in Decision-Taking in the Historic Environment (March 2015)

This document provides advice on the numerous ways in which decision-making in the historic environment can 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 its significance. In line with the NPPF and PPG, this document states that early engagement and expert advice in considering and assessing the significance of heritage assets is encouraged, stating that:

*...application proposals that affect the historic environment are much more likely to gain the necessary permissions and create successful places if they are designed with the knowledge and understanding of the significance of the heritage assets they may affect.*

The advice suggests a structured staged approach to the assembly and analysis of relevant information, this is as follows:

- Understand the significance of the affected assets;
- understand the impact of the proposal on that significance;
- avoid, minimise, and mitigate impact in a way that meets the objectives of the NPPF
- look for opportunities to better reveal or enhance significance;
- justify any harmful impacts in terms of the sustainable development objective of conserving significance and the need for change;
- offset negative impacts on aspects of significance by enhancing others through recording, disseminating and archiving archaeological and historical interest of the important elements of the heritage assets affected.

The advice reiterates that direct physical change may affect heritage assets, or by change in their setting. Assessment of the nature, extent, and importance

of the significance of a heritage asset and the contribution of its setting at an early stage can assist the planning process resulting in informed decision-taking.

This document sets out the recommended steps for assessing significance and the impact of application proposals upon a heritage asset, including examining the asset and its setting and analysing local policies and information sources. In assessing the impact of a development proposal on the significance of a heritage asset the document emphasises that the cumulative impact of incremental small-scale changes may have as great an effect on the significance of a heritage asset as a larger scale change.

#### GPA 3: The Setting of Heritage Assets (December 2017) (2nd Edition)

This advice note focuses on the management of change within the setting of heritage assets. This guidance updates that previously published by English Heritage (The Setting of Heritage Assets 2011) in order to ensure that it is fully compliant with the NPPF and is largely a continuation of the philosophy and approach of the 2011 document. It does not present a divergence in either the definition of setting or the way in which it should be assessed.

Setting is defined 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'. The guidance emphasises that setting is not a heritage asset or a heritage designation and that its importance lies in what it contributes to the significance of the heritage asset itself. Elements of setting may make a positive, negative or neutral contribution to the significance of a heritage asset. While setting is largely a visual concept, with views considered to be an important consideration in any assessment of the contribution that setting makes to the significance of an asset, setting, and thus the way in which an asset is experienced, can also be affected by other environmental factors, including historic associations.

This document states that the protection of the setting of a heritage asset need not prevent change and that decisions relating to such issues need to be based on the nature, extent and level of the significance of a heritage asset. It is further stated that the contribution made to an asset's significance by their setting will vary depending on the nature of the asset and its setting. Different heritage assets have the capacity to accommodate changes and, therefore, setting should be assessed on a case-by-case basis. Although not prescriptive in setting out how this assessment should be carried out, Historic England recommend using a '5-step process' to assess any effects of a development proposals on the setting and significance of a heritage asset:

- Identifying the heritage assets affected and their settings;
- Assessing whether, how and to what degree these settings make a contribution to the significance of the heritage asset(s);
- Assessing the effect of the development proposals on the significance of the heritage asset(s);
- Maximising enhancement and minimising harm;
- Making and documenting the decision and monitoring outcomes.