



## Heritage Statement

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Francis Crick Institute, 1 Midland Road

On behalf of:

Francis Crick Institute

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January 2025

Ref: 4660

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## **Appendix 1** Heritage Planning Policy & Guidance

# 1 Introduction

- 1.1 This Heritage Statement has been prepared by Smith Jenkins Planning & Heritage on behalf of Francis Crick Institute in support of proposals for plant installation at the Francis Crick Institute (hereafter also referred to as 'the Site') comprising:

*'Removal of existing satellite dish and installation of two chiller compounds on Level 06 southwest roof.'*

- 1.2 The Site is located within the vicinity of a number of designated heritage assets, including the Grade I listed British Library, as well as a number of Grade II listed buildings to the west of the Site. The Site is also located within the vicinity of a number of non-designated heritage assets and the St Pancras Conservation Area.

- 1.3 Paragraph 207 of the National Planning Policy Framework (NPPF) 2024 sets out the information requirements for determining applications and states that:

*'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance'.<sup>1</sup>*

- 1.4 In response to the NPPF, Section 2 of this report identifies the heritage assets which may be affected by the application proposals, Section 3 sets out the historic development of the application site and the surrounding area, whilst Section 4 provides statements of significance for the heritage assets identified within Section 2. These are relative to the scale, nature and effect of the proposed development.

- 1.5 Section 5 provides an assessment of the application proposals on the significance of the identified heritage assets, based on national, regional and local policy and guidance, with conclusions on this located in Section 6.

- 1.6 The Heritage Planning Policy context for the consideration of these proposals is set out in Appendix A. This includes the statutory duties as set out in the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF, regional and local planning policy.

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<sup>1</sup> NPPF (2024)

## 2 The Heritage Assets

2.1 A heritage asset is defined by the NPPF as:

*'A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing)'.*<sup>2</sup>

### **Designated Heritage Assets**

2.2 A Designated Heritage Asset is described by the NPPF (2024) as:

*'A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation'.*<sup>3</sup>

2.3 Such assets are statutorily identified as having a level of heritage (architectural and/or historic) interest to justify designation. There are then particular procedures in planning decisions to ensure that their special interest is preserved or enhanced.

### **Listed Buildings**

2.4 When considering which heritage assets within the vicinity of a site have the potential to be affected by the development, a proportionate approach to a study area is taken.

2.5 Due to the nature of the proposed development, an initial scope of 200m around the Site was utilised to identify assets within the vicinity of the Site with potential to be impacted as a result of the proposals (the location of all such buildings is shown in the asset plan of Figure 2.1). The listed buildings scoped in for assessment are illustrated in Table 2.1. Due to the lack of any visibility of the proposals beyond Ossulston Street, the Grade I listed St Pancras Station and Former Midland Grand Hotel to the east has been scoped out of this Heritage Statement.

**Table 2.1 – Listed Buildings with the potential to be affected by the proposals**

| Key | Name  | Grade |
|-----|---|-------|
| 1   | The British Library, piazza, boundary wall and railings to Ossulston Street, Euston Road and Midland Road | I     |
| 2   | Walker House including the Cock Tavern Public House   | II    |
| 4   | Chamberlain House including shops   | II    |
| 5   | Levita House including attached Shops and Somers Town Coffee House  | II    |

<sup>2</sup> NPPF (2024) Annex 2: Glossary (p.73)

<sup>3</sup> NPPF (2024) Annex 2: Glossary (p.72)

## Conservation Areas

- 2.6 The Site is not within any conservation areas, although the St Pancras Conservation Area lies c.185m to the east of the proposed plant location. Due to the proposed development being on the western roof terrace of the Francis Crick Institute, there will be no potential for impact on views into or out of the conservation area, and as such the St Pancras Conservation Area has been scoped out of this Heritage Statement.

## Non-Designated Heritage Assets

- 2.7 The NPPF identifies that heritage assets not only include those which are designated (often with statutory protection), but also those assets identified by the local planning authority which could include local listing or buildings of townscape merit. Any such designation, for the purposes of the NPPF, are considered to constitute non-designated heritage assets.
- 2.8 Camden Council keep a local list of buildings. Those within 200m of the Site have been identified within Figure 2.1 below. Due to the nature of the proposals, which are confined to the roof and will have limited extended visibility, the non-designated heritage assets identified in Figure 1 have been scoped out of this Heritage Statement.

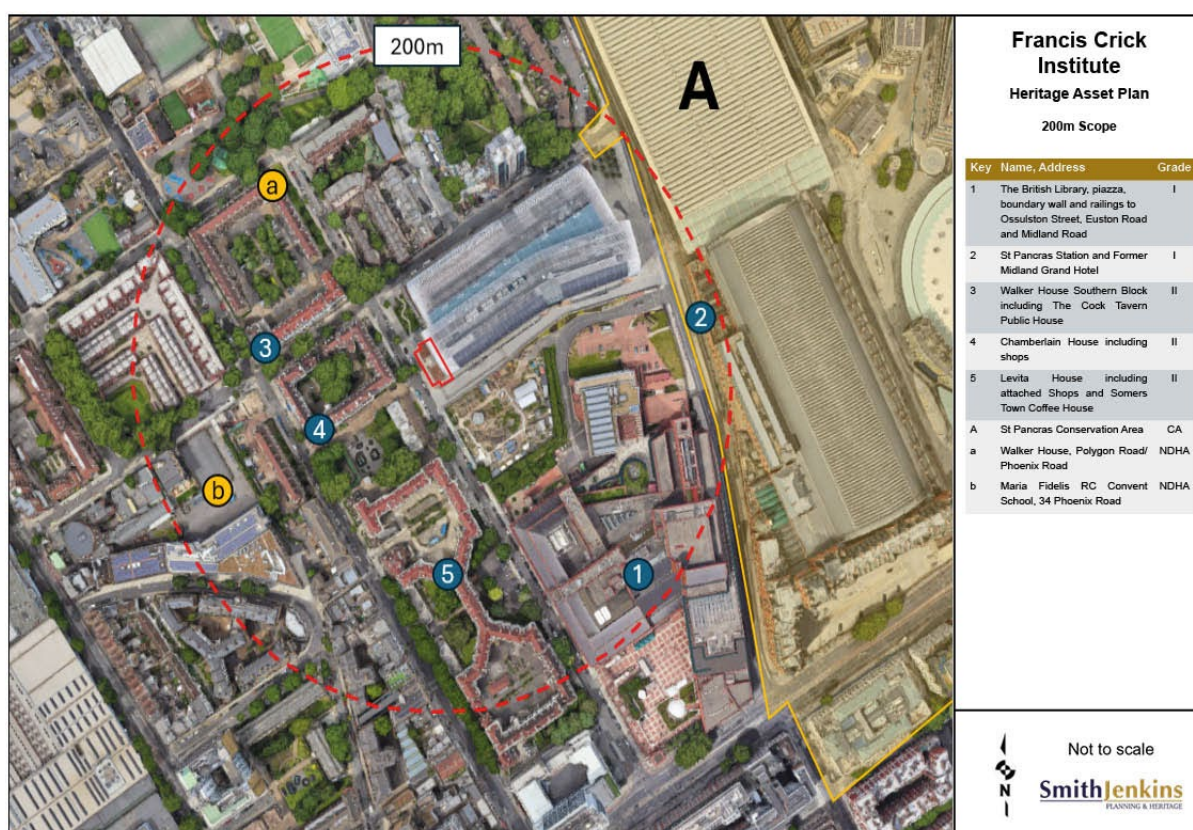


Figure 2.1 –Heritage Asset Plan



### 3 Historical Development

- 3.1 The Site is located in between Somers Town and the St Pancras area, between Ossulston Street and Midland Road. The area of Somers Town was built on an estate formerly belonging to the Charterhouse. In the mid-18<sup>th</sup> century, the area around the Site was rural land with small holdings scattered throughout the landscape (Figure 3.1)

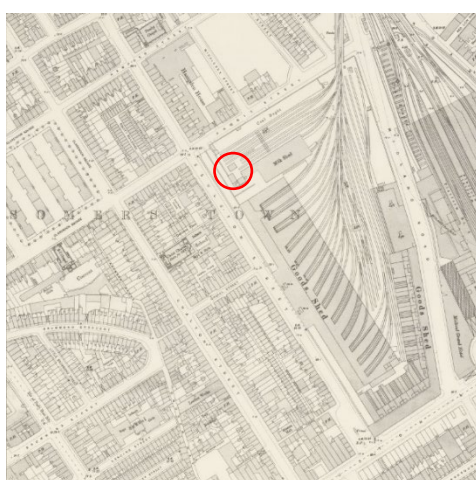


**Figure 3.1.** John Rocque's 1746 Map (Source – Layers of London)



**Figure 3.2.** 1876 OS Map (Source – National Library of Scotland)

- 3.2 From the late 19<sup>th</sup> century, the streets were laid out in rectangular plan form, the chief feature being Clarendon Square which was built to house the Polygon (Figure 3.2), a fifteen-sided figure comprising thirty-two houses. The Polygon has been referenced in Charles Dickens' *The Pickwick papers*, and Dickens lived there briefly as a child.
- 3.3 By the late 19<sup>th</sup> century, the land occupying the Site had been redeveloped from south of Phoenix Street to Euston Road to make way for several goods sheds to serve St Pancras Station, illustrated in Figure 3.3. Development in the area continued throughout the early 20<sup>th</sup> century with slum clearance programs along the west side of Ossulston Street. The development of the Ossulston Estate is illustrated in historic aerial photography (Figure 3.4).

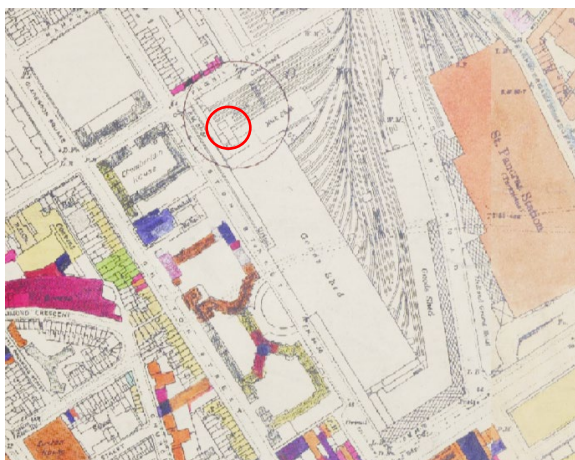


**Figure 3.3.** 1895 OS Map (Source – National Library of Scotland)



**Figure 3.4.** Right. 1946 Aerial Photograph (Source – National Library of Scotland)

- 3.4 To the north of the Site, along Phoenix Street (Brill Place) there was extensive bomb damage during the Second World War (Figure 3.5). The buildings illustrated in Figure 3.6 were replaced with a post-war development of flats, and Somers Town Community Centre.

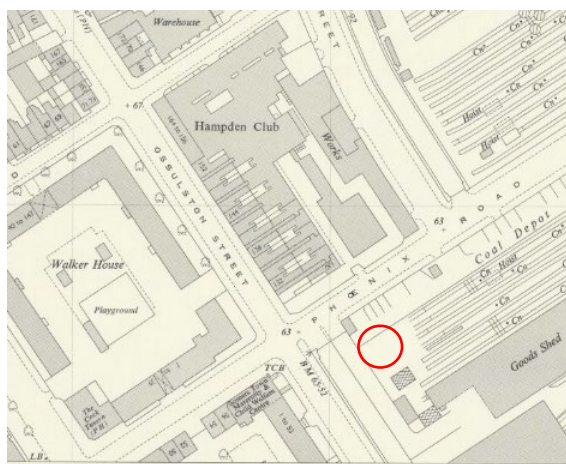


**Figure 3.5.** 1945 Bomb Damage (Source – Layers of London)



**Figure 3.6.** 1927 Ossulston Street (Source – London Picture Archive)

- 3.5 By the mid-20<sup>th</sup> century, the area around and including the Site had been redeveloped and had departed the plan form of the late 19<sup>th</sup> century (Figure 3.7).
- 3.6 In 1978 the decision was made to build the British Library next to St Pancras Station, building the design in three phases. Work began in 1982 (Figure 3.8), but following extensive tests to the foundations, the main building construction began in 1984. Construction of the Library was completed in 1999, though opened in 1997.



**Figure 3.7.** 1962 OS Map (Source – National Library of Scotland)



**Figure 3.8.** 1982 British Library (Source – Historic England)



- 3.7 By the early 21<sup>st</sup> century, the land occupied by the Site was in industrial and commercial use, with the newly built British Library to the south (Figure 3.9). In 2011 planning permission was granted Ref: 2010/4721/P) to provide a biomedical research centre including laboratory and research space, lecturing and teaching space, exhibition space and a community facility; landscaped public open spaces; a new pedestrian route between Midland Road and Ossulston Street; a service entrance off Brill Place and a relocated vehicular access from Midland Road to serve the British Library. The Francis Crick building was completed and opened in 2016 (Figure 3.10).



**Figure 3.9.** 2003 Satellite Image (Source – Google Earth)



**Figure 3.10.** 2017 Satellite Image (Source – Google Earth)



## 4 Significance

- 4.1 The significance of a heritage asset is defined within the glossary of the NPPF as:

*‘The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting’.*<sup>4</sup>

- 4.2 Listed buildings are statutorily designated and, for the purposes of the NPPF, are designated heritage assets. Recognising this statutory designation, buildings must hold special architectural or historic interest. The Department of Culture, Media and Sport publish the ‘Principles of Selection for Listed Buildings (2010)’ which is supported by thematic papers, ‘Listing Selection Guides’, based on building type, which give more detailed guidance.

### Assessment

- 4.3 The following statements of significance provide an overview of the identified designated and non-designated heritage assets set out in Section 2, which may be affected by the application proposals. These are proportionate to the importance of the asset and the likely impacts of the proposals.

#### British Library – Grade I

- 4.4 The British Library, piazza, boundary wall and railings to Ossulston Street, Euston Road and Midland Road (British Library) were listed at Grade I on 31<sup>st</sup> July 2015 for their special architectural and historic interest (List entry no. 1426345).

#### Architectural and Historic Interest

- 4.5 The architectural interest of the British Library derives from its modernist design rooted in the English Free tradition with Arts and Crafts and classical influences (Figure 4.1). Its architectural style is contextualised by its use of materials which respect and contrast the St Pancras station and hotel.

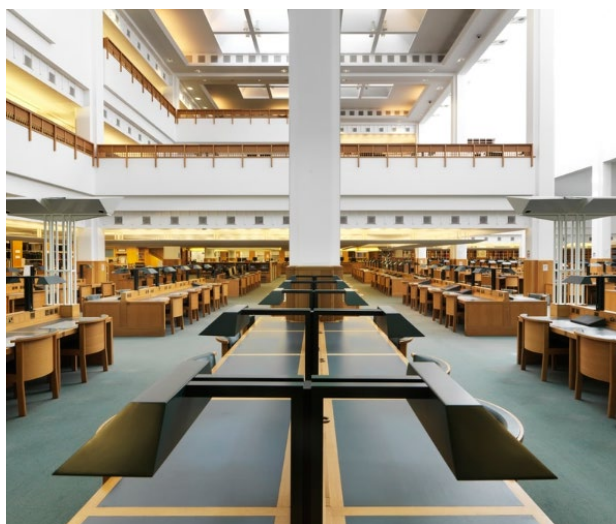


Figure 4.1. British Library Exterior (Source – Historic England)

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<sup>4</sup> NPPF (2024) Annex 2: Glossary (p.78)

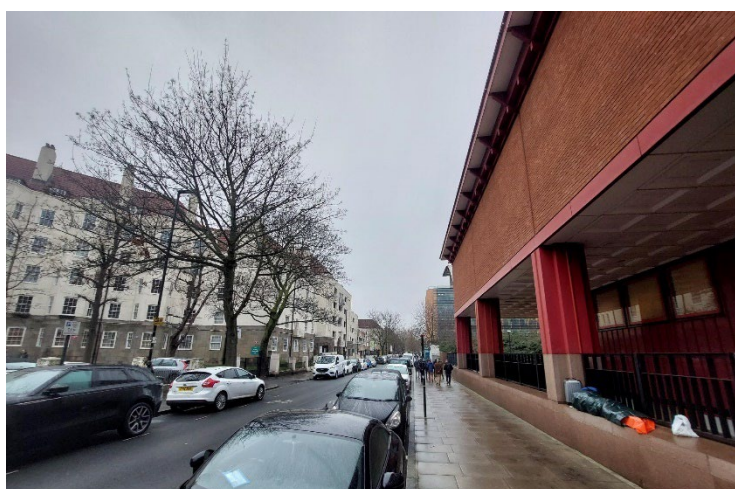
- 4.6 The complex is built of Travertine, Portland and Purbeck stone, granite, Leicestershire brick, while the interior is constructed from American white oak. The interior of the British Library consists of generously lit reading rooms and a multi-level atrium as illustrated in Figure 4.2.
- 4.7 The historic interest of the British Library is derived from its use as a landmark public building. The British Library incorporates the King's Library which was given to the nation by George III.



**Figure 4.2.** British Library Interior (Source – Historic England)

### Setting

- 4.8 The immediate setting of the British Library consists of its wider complex, including its boundary walls and piazza. The British Library fronts on to the A501, and the Grade I listed St Pancras Station and Former Midland Grand Hotel, and Ossulston Estate sit to the east and west. The immediate setting of the library makes a limited contribution to the significance of the library, as it is much younger than the majority of the built form around it. Not including St Pancras, the surrounding development reflects the change in form of the area, from planned 19<sup>th</sup>-century terraced housing, to later buildings such as the Ossulston Estate.



**Figure 4.3.** Looking north up Ossulston Street from the British Library towards the Site building.

- 4.9 The extended setting of the British Library consists of three prominent London train stations, King's Cross, St Pancras International, and Euston, as well as the area of Somers Town. There is a group value between the British Library, St Pancras Station and Former Midland Grand Hotel, and the Grade II listed housing on Ossulston Street, including Chamberlain House and Levita House.

#### Contribution of Site to Setting

- 4.10 The Site makes an overall neutral contribution to the significance of the British Library; sitting to the north of the listed building and standing as a distinctly modern research centre utilising colours and form indicative more of St Pancras Station to the east than the library. The connected uses of the two buildings as centres for research does provide some contribution, however this is provided through a non-tangible element of the Site, rather than the architecture of the building itself.

#### Summary of Significance

- 4.11 The British Library gains its significance as a modern public building, built to replace the old library at the British Museum. The new British Library is a landmark building in London and brings together important national collections in a single, purpose-built building.

#### **“Chamberlain House including Shops”, “Walker House including the Cock Tavern Public House” and “Levita House including attached Shops and Somers Town Coffee House”**

- 4.12 Due to their historic connection as parts of the Ossulston Estate, and their proximity, Walker House, Chamberlain House and Levita House (all designated on the 13<sup>th</sup> December 1996 at Grade II, list entry nos. 1139058, 1139057 and 1113232 respectively) will be considered together to allow for a proportionate assessment.

#### Architectural and Historic Interest

- 4.13 The architectural interest of all of the blocks is derived from their standing as blocks of inter-war local authority housing, built between 1927-29 following a slum clearance scheme, and forming part of the Ossulston Estate. The buildings were built to the designs of the LCC Architect's department under G Topham Forrest. They are rendered with roughcast, channelled to ground floor to appear as stone, with features including reinforced concrete balconies (Figure 4.4). The roofs are constructed with pantiles on hipped roof with tall chimney stacks. The plan form of the Chamberlain House building



**Figure 4.4.** Chamberlain House (Source – Historic England)



**Figure 4.5.** Levita House (Source – Historic England)

consists of a courtyard plan with an entrance from Phoenix Road. The building and wider estate is

influenced by Viennese housing models and was innovative in terms of layout and elevation. The plan form of Levita House, in contrast, consists of a central spine from north-south with four diagonal spines from angles joined to north and south blocks to form enclosed courtyards (Figure 4.5).

- 4.14 The historic interest of Walker House, Chamberlain House and Levita House is derived from their age as part of an important inner-city estate of the inter-war period, representing the most considered attempt by the LCC to inject new thinking into inner-city housing estates. The foundation stone of Chamberlain House was laid by Neville Chamberlain, then Minister of Health.

#### Setting

- 4.15 The immediate setting of the blocks consists of the plots in which they are built on, with Chalton Street and Ossulston Street either side of the buildings. The immediate setting of the buildings, and their continued association with each other, makes a strong contribution to their significance as the buildings make up the wider Ossulston Estate and share a historic relationship as inter-war years buildings.
- 4.16 The wider setting of Walker House, Chamberlain House and Levita House consists of the British Library, Somers Town, and the train stations of Euston, and St Pancras International, with Kings Cross Station further to the east. The wider area surrounding the estate has been developed in various stages over the centuries, with changes such as bombing during the Second World War altering the surroundings.
- 4.17 The buildings share a group value as they form the historic Ossulston Estate, due to their relationship as an inter-war social housing scheme designed to provide a solution to the slum housing which it replaced.

#### Contribution of Site to Significance

- 4.18 The Site makes a neutral contribution to the significance of the listed estate blocks, despite visibility when looking north at the top of Ossulston Street (Figure 4.3). The Francis Crick Institute is a modern building with no connection to the Ossulston Estate and no related architectural language.

#### Summary of Significance

- 4.19 Walker House, Chamberlain House and Levita House gain their significance as part of an inter-war social housing estate which was built to solve slum housing issues in the area. The wider estate which the two buildings are included within represents a considered attempt by the LCC to inject new planning ideas into inner-city social housing schemes.



## 5 Assessment of Proposals

- 5.1 The heritage legal and planning policy relevant to the consideration of the application proposals set out in Appendix A of this report. This legislation and policy context includes the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990, national policy set out in the NPPF as well as regional and local policy for the historic environment.
- 5.2 In accordance with paragraph 207 of the NPPF, the significance of the heritage assets that may be affected by the application proposals have been set out in Section 4 of this report.
- 5.3 The NPPF requires local planning authorities to identify and assess significance of a heritage asset that may be affected by the proposals (paragraph 208). They should take the assessment into account when considering the impact of proposals in order to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposals.
- 5.4 Account should be taken of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, the positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability, and the desirability of the new development making a positive contribution to local character and distinctiveness (paragraph 210).
- 5.5 When considering the impact of proposals on the significance of designated heritage assets, the NPPF requires (paragraph 212) that great weight should be given to their conservation and the more important the asset, the greater the weight should be. This is consistent with recent high court judgements (Barnwell Manor, Forge Fields) where great weight should be attached to the statutory duty.
- 5.6 Where a development proposal causes harm to the significance of designated heritage assets, this should either be treated as less than substantial (paragraph 215), or substantial (paragraph 214). In determining the level of harm, the relative significance of the element affected should be taken into account.

### **The Proposals**

- 5.7 The application proposals comprise:

*'Removal of existing satellite dish and installation of two chiller compounds on Level 06 southwest roof.'*

### **Impact of Application Proposals**

- 5.8 The proposals involve the installation of two chiller units on the flat roof at the western side of the Francis Crick Institute. The accompanying plans and views within the Design and Access Statement (DAS) provide an indication of the extent of the proposals and the likely visibility of the acoustic enclosure for the proposed plant. The current flat roof consists of a brown roof, with a satellite structure currently sitting within the central space, as shown on page 11 of the DAS. There is nothing visible on the roof from the road level views, as shown in the DAS.

- 5.9 As shown within indicative Views 1 and 2, the proposed plant units will sit within acoustic enclosures (detailed on page 13 of the DAS), and will be visible beyond the British Library in views looking north up Ossulston Street. However, they will not alter the dominance of the library building in such views, and will be seen alongside the western edge of the Site building, as part of the modern built form within the vicinity of the library and Ossulston Estate. Plant of this type is commensurate with a modern building with the appearance and function of the Site building, and will maintain the character of the building and its status within the setting of the nearby heritage assets; as a modern addition to the streetscape with associated features (including the existing chimneys etc.). The appearance of the enclosures will be of a similar neutral colouring to the roof of the Francis Crick Institute, and this will allow it to remain subservient in views where it is visible, with the red brick of the library as well as the orange cladding of the main body of the Site building being much more dominant within the streetscape.
- 5.10 There will be no impact on the architectural or historic interest of the listed buildings, which are the elements of their significance that contribute the highest to their significance. Their connection with each other as pieces of important 20<sup>th</sup>-century architecture and their dominance within the local street scene will additionally be maintained. The Site will continue to make a neutral contribution to the significance of the buildings through setting, standing as a later addition to the area constructed for the purpose of scientific research. As such, the significance of the buildings will be preserved as a result of the proposals.

### **Considerations against Legislation and Policy**

#### **Statutory Duties**

- 5.11 The Planning (Listed Buildings and Conservation Areas) Act 1990 places duty upon the decision maker in determining applications for planning permission to have special regard to the desirability of preserving the character and appearance of conservation areas.
- 5.12 This statement has identified the significance of the heritage assets which could be affected by the application proposals and concludes that the significance of the Grade I British Library and the Grade II Walker House, Chamberlain House and Levita House.

#### **NPPF (2024)**

- 5.13 The significance of the heritage assets (both designated and non-designated), as required by paragraph 207 of the NPPF, has been set out in Section 3 of this report. In accordance with paragraph 212 of the NPPF, the application proposals will sustain the significance of the British Library and listed buildings of the Ossulston Estate, which will remain principally gained from their architectural interest and the intentions behind their construction.
- 5.14 The conservation of heritage assets has, in line with paragraph 212 of the NPPF, been given great weight and provides an opportunity for new development to better reveal the significance of the surrounding heritage assets (paragraph 219). As such, the application proposals are in accordance with the NPPF.

**London Plan (2021)**

- 5.15 This report has assessed the visual impacts of the proposals on the identified heritage assets. The proposals will conserve the significance of the identified heritage assets and are therefore in full accordance with Policy HC1 of the London Plan 2021.

**Local Policy – Camden Local Plan (2017)**

- 5.16 In accordance with Policy D2 – Heritage, the proposals will preserve the setting of the Grade I listed British Library and the Grade II Walker, Chamberlain and Levita Houses.

## **6 Summary and Conclusions**

- 6.1 In accordance with the requirements of the NPPF (2024), the heritage assets that have the potential to be affected by the application proposals have been identified and their significance described.
- 6.2 Overall, the proposals for new plant on the flat roof at the western side of the Francis Crick Research Institute will preserve the significance of both the listed British Library and the nearby listed buildings of the Ossulston Estate. The plant, whilst visible in conjunction with the listed buildings, will be seen as part of the modern research institute building, and will not alter the dominance of the architecture of the library and residential blocks in views along Ossulston Street. The listed buildings' key elements of significance; being their design influences and architectural features, will not be impacted, and the proposals will be viewed as another element of the diverse setting in which the heritage assets sit, providing a neutral contribution to their significance. As such, the significance of the Grade I listed British Library and the Grade II Walker House, Chamberlain House and Levita House will be preserved.
- 6.3 To conclude, the application proposals are in accordance with the statutory duties as set out in the Planning (Listed Buildings and Conservation Areas) Act 1990, national policy set out in the NPPF (2024) and relevant regional and local policy and guidance, including the London Plan (2021) and Camden Local Plan (2017).



## **Appendix A – Heritage Planning Policy & Guidance**

### **Legislation**

#### *Planning (Listed Building and Conservation Areas) Act 1990*

Legislation regarding buildings and areas of special architectural and historic interest is contained within the Planning (Listed Buildings and Conservation Areas) Act 1990.

The relevant legislation in this case extends from Section 16 of the 1990 Act which states that in considering applications for listed building consent, the local planning authority shall have special regard to the desirability of preserving the Listed Building or its setting or any features of special architectural or historic interest which it possesses.

Section 66 further states that special regard must be given by the authority in the exercise of planning functions to the desirability of preserving or enhancing Listed Buildings and their setting.

According to Section 69 of the Act a Conservation Area is an “area of special architectural or historic interest the character and the appearance of which is desirable to preserve or enhance”. It is the duty of Local Authorities to designate such areas and to use their legal powers to safeguard and enhance the special qualities of these areas within the framework of controlled and positive management of change.

Section 69 further states that it shall be the duty of a local planning authority from time to time to review the past exercise of functions under this section and to determine whether any parts or any further parts of their area should be designated as conservation areas; and, if they so determine, they shall designate those parts accordingly. Adding, The Secretary of State may from time to time determine that any part of a local planning authority’s area which is not for the time being designated as a conservation area is an area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance; and, if he so determines, he may designate that part as a conservation area.

Further to this Section 72 of the 1990 Act states that in exercising all planning functions, local planning authorities must have special regard to the desirability of preserving or enhancing the character and appearance of Conservation Areas. Further provisions are detailed in Section 74 of the Act.

Recent case law<sup>5</sup> has confirmed that Parliament’s intention in enacting Section 66 (1) was that decision-makers should give “considerable importance and weight” to the desirability of preserving the setting of listed buildings, where “preserve” means “to do no harm”. This duty must be borne in mind when considering any harm that may accrue and the balancing of such harm against public benefits as required by national planning policy. This can also logically be applied to the statutory tests in respect of conservation areas. Similarly, it has also been proven that weight must also be given to heritage benefits.

### **National Planning Policy**

#### *National Planning Policy Framework (NPPF) December 2024*

The National Planning Policy Framework (NPPF) was published on the 12<sup>th</sup> of December 2024 and sets out the Government’s planning policies for England and how these are expected to be applied. It has

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<sup>5</sup> Barnwell Manor Wind Energy Limited and (1) East Northamptonshire District Council (2) Historic England (3) National Trust (4) The Secretary of State for Communities and Local Governments, Case No: C1/2013/0843, 18<sup>th</sup> February 2014

purposefully been created to provide a framework within which local people and Local Planning Authorities (LPAs) can produce their own distinctive Local and Neighbourhood Plans which reflect the needs and priorities of their communities.

When determining Planning Applications, the NPPF directs LPAs to apply the approach of presumption in favour of sustainable development; the 'golden thread' which is expected to run through the plan-making and decision-taking activities. It should be noted however, that this is expected to apply except where this conflicts with other policies combined within the NPPF, inclusive of those covering the protection of designated heritage assets, as set out in paragraph 11 of the NPPF. Within section 12 of the NPPF, 'Achieving well-designed and beautiful places', Paragraphs 131 to 141, reinforce the importance of good design in achieving sustainable development by ensuring the creation of inclusive and high-quality places. This section of the NPPF affirms the need for new design to function well and add to the quality of the area in which it is built; establish a strong sense of place; and respond to local character and history, reflecting the built identity of the surrounding area.

Section 16, 'Conserving and Enhancing the Historic Environment', Paragraphs 202-221, relate to developments that have an effect upon the historic environment. These paragraphs provide the guidance to which local authorities need to refer when setting out a strategy for the conservation and enjoyment of the historic environment in their Local Plans. This should be a positive strategy for the conservation and enjoyment of the historic environment and should include heritage assets which are most at risk through neglect, decay or other threats. It is also noted that heritage assets should be conserved in a manner appropriate to their significance.

The NPPF advises local authorities to take into account the following points when drawing up strategies for the conservation and enjoyment of the historic environment. These considerations should be taken into account when determining planning applications:

- The desirability of sustaining and enhancing the significance of heritage assets and preserving them in a viable use consistent with their conservation;
- The wider social, cultural, economic and environmental benefits that the conservation of the historic environment can bring;
- The desirability of new development in making a positive contribution to local character and distinctiveness;
- Opportunities to draw on the contribution made by the historic environment to the character of a place.

Paragraph 204 of the NPPF states that when considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.

In order to determine applications for development, Paragraph 207 of the NPPF states that LPAs should require applicants to describe the significance of the heritage assets affected and the contribution made by their setting. Adding that the level of detail provided should be proportionate to the significance of the asset and sufficient to understand the impact of the proposal on this significance.

According to Paragraph 208, LPAs should also identify and assess the significance of a heritage asset that may be affected by a proposal and should take this assessment into account when considering the impact upon the heritage asset.

Paragraph 209 adds that where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision.

Paragraphs 210 to 221 consider the impact of a proposed development upon the significance of a heritage asset. Paragraph 212 emphasises that when a new development is proposed, great weight should be given to the asset's conservation and that the more important the asset, the greater this weight should be. It is noted within this paragraph that significance can be harmed or lost through the alteration or destruction of the heritage asset or by development within its setting.

Paragraph 215 advises that where a development will cause less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Paragraph 216 notes that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. Adding, that in weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Paragraph 217 stipulates that local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.

In addition, Paragraph 219 notes 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. Adding, proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

Paragraph 220 importantly clarifies that not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. Adding, loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 214 or less than substantial harm under paragraph 215, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.

The NPPF therefore continues the philosophy of that upheld in PPS5 in moving away from narrow or prescriptive attitudes towards development within the historic environment, towards intelligent, imaginative and sustainable approaches to managing change. English Heritage (now Historic England) defined this new approach, now reflected in the NPPF, as 'constructive conservation'. This is defined as 'a positive and collaborative approach to conservation that focuses on actively managing change...the aim is to recognise and reinforce the historic significance of places, while accommodating the changes necessary to ensure their continued use and enjoyment.' (Constructive Conservation in Practice, English Heritage, 2009).

## **National Guidance**

*Planning Practice Guidance (NPPG) 2019*

Planning Practice Guidance (PPG) was introduced by the Government as a web-based resource on 6th March 2014 and is updated regularly, with the most recent update on 23rd July 2019. The PPG is intended to provide more detailed guidance and information with regard to the implementation of national policy set out in the NPPF.

It reiterates that conservation of heritage assets in a manner appropriate to their significance is a core planning principle. It also states, conservation is an active process of maintenance and managing change, requiring a flexible and thoughtful approach. Furthermore, it highlights that neglect and decay of heritage assets is best addressed through ensuring they remain in active use that is consistent with their conservation.

Importantly, the guidance states that if complete, or partial loss of a heritage asset is justified, the aim should then be to capture and record the evidence of the asset's significance and make the interpretation publicly available.

Key elements of the guidance relate to assessing harm. It states, an important consideration should be whether the proposed works adversely affect a key element of the heritage asset's special architectural or historic interest. Adding, 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 that may not arise in many cases. Essentially, whether a proposal causes substantial harm will be a judgment for the decision taker, having regard to the circumstances of the case and the NPPF.

Importantly, it is stated harm may arise from works to the 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 impact of proposals upon setting needs to take into account, and be proportionate to, the significance of the heritage asset and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it.

The PPG makes clear that the delivery of development within the setting of heritage assets has the potential to make a positive contribution to, or better reveal, the significance of that asset.

Finally, the PPG provides in depth guidance on the importance of World Heritage Sites, why they are important and the contribution setting makes to their Outstanding Universal Value. The PPG also provides guidance on the approaches that should be taken to assess the impact of development on the Outstanding Universal Value of World Heritage Sites.

## **Historic England Guidance - Overview**

On the 25<sup>th</sup> March 2015 Historic England (formerly English Heritage) withdrew the PPS5 Practice Guide. This document has been replaced with three Good Practice Advice in Planning Notes (GPAs), 'GPA1: Local Plan Making' (Published 25th March 2015), 'GPA2: Managing significance in Decision-Taking in the historic Environment' (Published 27th March 2015) and 'GPA3: The Setting of Heritage Assets (December 2017).

The GPAs provide supporting guidance relating to good conservation practice. The documents particularly focus on the how good practice can be achieved through the principles included within national policy and guidance. As such, the GPAs provide information on good practice to assist LPAs, planning and other consultants, owners, applicants and other interested parties when implementing policy found within the NPPF and PPG relating to the historic environment.



In addition to these documents, Historic England has published several core Advice Notes (HEAs) which provide detailed and practical advice on how national policy and guidance is implemented. These documents include; 'HEAN1: Conservation Area Appraisal, Designation and Management (Second Edition, February 2019)', 'HEAN2: Making Changes to Heritage Assets' (25th February 2016) and 'HEAN3: The Historic Environment and Site Allocations in Local Plans' (30th October 2015). In addition to these 'HEAN4: Tall Buildings' (December 2015), 'HEA:#N7: Local Heritage Listing: Identifying and Conserving Local Heritage (Second Edition, January 2021)', 'HEAN10: Listed Buildings and Curtilage' (21st February 2018) and, 'HEAN12: Statements of Heritage Significance' (October 2019). Collectively, these Advice Notes provide further information and guidance in respect of managing the historic environment and development within it.

*Historic England Good Practice Advice Note 1 (GPA1): The Historic Environment in Local Plans (March 2015)*

This document stresses the importance of formulating Local Plans that are based on up-to-date and relevant evidence in relation to the economic, social and environmental characteristics and prospects of an area, including the historic environment, as set out by the NPPF. The document provides advice on how information in respect of the local historic environment can be gathered, emphasising the importance of not only setting out known sites, but in understanding their value (i.e. significance). This evidence should be used to define a positive strategy for the historic environment and the formulation of a plan for the maintenance and use of heritage assets and for the delivery of development, including within their setting, that will afford appropriate protection for the asset(s) and make a positive contribution to local character and distinctiveness.

Furthermore, the Local Plan can assist in ensuring that site allocations avoid harming the significance of heritage assets and their settings, whilst providing the opportunity to 'inform the nature of allocations so development responds and reflects local character'.

Further information is given relating to cumulative impact, 106 agreements, stating 'to support the delivery of the Plan's heritage strategy it may be considered appropriate to include reference to the role of Section 106 agreements in relation to heritage assets, particularly those at risk.' It also advises on how the heritage policies within Local Plans should identify areas that are appropriate for development as well as defining specific Development Management Policies for the historic environment. It also suggests that a heritage Supplementary Planning Document (SPD) can be a useful tool to amplify and elaborate on the delivery of the positive heritage strategy in the Local Plan.

*Historic England Good Practice Advice Note 2 (GPA2): Managing Significance in Decision-Taking in the Historic Environment (March 2015)*

This document provides advice on the numerous ways in which decision-taking 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 'development 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:

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 and the need for change; and
6. 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 heritage assets may be affected by direct physical change 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 development 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.

Crucially, the nature and importance of the significance that is affected will dictate the proportionate response to assessing that change, its justification, mitigation and any recording which may be necessary. This document also provides guidance in respect of neglect and unauthorised works.

*Historic England Good Practice Advice Note (GPA3): The Setting of Heritage Assets (December 2017)*

This is used to understand the surroundings of a heritage asset which may contribute to its significance. It aids practitioners with the implementation of national policies and guidance relating to the historic environment found within the NPPF and PPG, once again advocating a stepped approach to assessment.

It amalgamates 'Seeing the History in the View' (2011) and 'Setting of Heritage Assets' (2015) forming one succinct document which focuses on the management of change within the setting of heritage assets.

The guidance is largely a continuation of the philosophy and approach of the previous documents, albeit now with a greater emphasis on the contribution that views to and from heritage assets make to their significance. It reaffirms that setting should be understood as the way in which an asset is experienced.

The guidance emphasises that setting is not a heritage asset, nor a heritage designation, and that its importance lies in what it contributes to the significance of the heritage asset. It also states that elements of setting may make a positive, negative or neutral contribution to the significance of the heritage asset.

While setting is largely a visual term, 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 noise, vibration and odour, while setting may also incorporate perceptual and associational attributes pertaining to the asset's surroundings.

This document provides guidance on practical and proportionate decision making with regards to the management of proposed development and the setting of heritage assets. It identifies 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, as well as further weighing up the potential public benefits associated with the proposals. It clarifies that changes within the setting of a heritage asset may have positive or neutral effects.

It highlights that the contribution made to the significance of heritage assets by their settings will vary depending on the nature of the heritage asset and its setting and that different heritage assets may have different abilities to accommodate change within their settings without harming the significance of the asset 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, noting that any approach should be demonstrably compliant with legislation, national policies and objectives, Historic England recommend using a '5-step process' in order to assess the potential impact of a proposed development on the setting and significance of a heritage asset, with this 5-step process similar to that utilised in earlier guidance:

Step 1: Identify which heritage assets and their settings are affected

Step 2: Assess the degree to which these settings make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated

Step 3: Assess the effects of the proposed development, whether beneficial or harmful, on that significance or on the ability to appreciate it

Step 4: Explore ways to maximise enhancement and avoid or minimise harm

Step 5: Make and document the decision and monitor outcomes

*Historic England Advice Note 12 (HEA12): Statements of Heritage Significance (October 2019)*

HEA12: Statements of Heritage Significance covers the National Planning Policy Framework requirement for applicants for heritage and other consents to describe heritage significance to help local planning authorities to make decisions on the impact of proposals for change to heritage assets.

The document states that understanding the significance of heritage assets, in advance of developing proposals for their buildings and sites, enables owners and applicants to receive effective, consistent and timely decisions. It explores the assessment of significance of heritage assets as part of a staged approach to decision-making in which assessing significance precedes designing the proposal(s).

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

Conservation Principles outlines English Heritage's approach to the sustainable management of the historic environment. While primarily intended to ensure consistency in English Heritage's own advice and guidance through the planning process, the document is commended to local authorities 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 and is currently in the process of being updated. Nevertheless, it remains relevant to the current policy regime in that emphasis is placed upon the importance of understanding significance as a means to properly assess the effects of change to heritage assets. The guidance describes a range of heritage values which enable the significance of assets to be

established systematically, with the four main 'heritage values' being: evidential, historical, aesthetic and communal. The Principles emphasise 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' (paragraph 25).

## **Strategic Policy**

### **The London Plan 2021**

The new London Plan was adopted in March 2021. The Plan forms part of the strategic Development Plan and sets out an integrated economic, environmental, transport and social framework for the development of London over the next 20-25 years. It replaces all previous versions of the London Plan.

Chapter 7 of the Plan sets out the relevant policies concerning development within the historic environment, stating that the built environment, combined with its historic landscapes, provides a unique sense of place within the city, whilst layers of architectural history provide an environment that is of local, national and international value. The Plan seeks to identify and promote sensitive management of London's heritage assets, in tandem with the promotion of the highest standards of architecture, maintaining the blend of old and new that contributes to the city's unique character. Policy HC1: 'Heritage conservation and growth' states:

- A. Boroughs should, in consultation with Historic England, local communities and other statutory and relevant organisations, develop evidence that demonstrates a clear understanding of London's historic environment. This evidence should be used for identifying, understanding, conserving, and enhancing the historic environment and heritage assets, and improving access to, and interpretation of, the heritage assets, landscapes and archaeology within their area.
- B. Development Plans and strategies should demonstrate a clear understanding of the historic environment and the heritage values of sites or areas and their relationship with their surroundings. This knowledge should be used to inform the effective integration of London's heritage in regenerative change by:
  - 1. setting out a clear vision that recognises and embeds the role of heritage in place-making
  - 2. utilising the heritage significance of a site or area in the planning and design process
  - 3. integrating the conservation and enhancement of heritage assets and their settings with innovative and creative contextual architectural responses that contribute to their significance and sense of place
  - 4. delivering positive benefits that conserve and enhance the historic environment, as well as contributing to the economic viability, accessibility and environmental quality of a place, and to social wellbeing.
- 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 enhancement opportunities by integrating heritage considerations early on in the design process.

- D. Development proposals should identify assets of archaeological significance and use this information to avoid harm or minimise it through design and appropriate mitigation. Where applicable, development should make provision for the protection of significant archaeological assets and landscapes. The protection of undesignated heritage assets of archaeological interest equivalent to a scheduled monument should be given equivalent weight to designated heritage assets.
- E. Where heritage assets have been identified as being At Risk, boroughs should identify specific opportunities for them to contribute to regeneration and place-making, and they should set out strategies for their repair and re-use.

Essentially the London Plan 2021 seeks to celebrate London's rich history, ensuring the character of an area underpins how it will grow and develop in the future. The Plan encourages the enhancement of the historic environment and looks favourably upon proposals which seek to maintain the significance and setting of the city's heritage assets.

## **Local Policy**

### **Camden Local Plan – Adopted 3 July 2017**

#### *Policy D2 Heritage*

The Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens and locally listed heritage assets.

#### *Designated heritage assets*

Designated heritage assets include conservation areas and listed buildings. The Council will not permit the loss of or substantial harm to a designated heritage asset, including conservation areas and Listed Buildings, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a. the nature of the heritage asset prevents all reasonable uses of the site;
- b. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;
- c. conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- d. the harm or loss is outweighed by the benefit of bringing the site back into use.

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.

#### *Listed Buildings*

Listed buildings are designated heritage assets and this section should be read in conjunction with the section above headed 'designated heritage assets'.

To preserve or enhance the borough's listed buildings, the Council will:

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