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5 Jeffrey's Street, London, NW1 9PS

Heritage Impact Assessment

For Nicholas Cohen and Erika Huszar



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## 1.0 Summary of Heritage Impact Assessment

### 1.1 Introduction and Methodology

Donald Insall Associates were commissioned by Nicholas Cohen and Erika Huszar on 23 January 2025 to provide heritage consultancy services after an intervention by the London Borough of Camden's Planning Enforcement Team at 5 Jeffrey's Street, London, NW1 9PS. The purpose of this report is to provide a comprehensive review of all works that have taken place at the property without listed building consent, and to accompany a request for listed building consent for proposals to rectify any harm inadvertently caused to the building. This is to ensure that the future refurbishment of the building is done in compliance with the relevant legislation and policies on the historic environment. Initial proposals were submitted to the London Borough of Camden for pre-application advice (reference 2025/0850/PRE) and the proposals have been updated following comments received from Officers on 04 April 2025, in order to reflect their advice.

This assessment has been prepared in accordance with the requirement of the National Planning Policy Framework (2024), paragraph 207, which asks that applicants 'describe the significance of any heritage assets affected' by proposals for change. This assessment takes account of the guidance provided by Historic England in 'Statements of Heritage Significance: Analysing Significance in Heritage Assets. Historic England Advice Note 12' (2019); and IEMA, IHBC and ClfA: 'Principles of Cultural Heritage Impact Assessment in the UK' (2021).

The investigation has comprised historical research, using both archival and secondary material and a site inspection. An illustrated history of the building, with sources of reference and bibliography, is in Section 2; the site survey findings are in Section 3. The investigation has established the significance of the building, which is set out in Section 4 and summarised below. Section 5 examines the impact of the changes, both already implemented without listed building consent and now proposed, on the significance of heritage assets and provides a justification of the scheme according to the relevant legislation, planning policy and guidance on the historic environment.

### 1.2 The Building, its Legal Status and Policy Context

Number 5 Jeffrey's Street forms part of the Grade II-listed terrace of buildings at 3-9 Jeffrey's Street, located in the Jeffrey's Street Conservation Area in the London Borough of Camden. It is in the setting of the following listed buildings:

- Number 1 and 1a and attached wall (NHLE 1379150, Grade II)
- Number 11 to 33 and attached railings (NHLE 1379153, Grade II)
- Numbers 4 to 20 Jeffrey's Street and No. 10 Prowse Place and attached railings (NHLE 1379152, Grade II)
- Numbers 22 to 28 and attached railings (NHLE 1379154, Grade II)
- 46 Kentish Town Road (NHLE 1379234, Grade II)

The view from Prowse Place through the railway arch towards Nos. 5 and 7 Jeffrey's Street is designated as an important view in the conservation area character appraisal.

The proposed alterations require listed building consent. Development in conservation areas or within the setting of a listed building or conservation area also requires local authorities to assess the implications of proposals on built heritage. The statutory list description of the listed building is included in Appendix I and a summary of guidance on the Jeffrey's Street Conservation Area provided by the local planning authority is in Appendix II, along with extracts from the relevant legislation and planning policy documents.

Full relevant extracts of relevant law, policy and guidance for change in the historic environment are contained in Appendix II of this report. In summary, the relevant legal and policy backgrounds is as follows.

#### 1.2.1 The Planning (Listed Buildings and Conservation Areas) Act 1990

The Planning (Listed Buildings and Conservation Areas) Act 1990 is the legislative basis for decision-making on applications that relate to the historic environment. Sections 16 and 66 of the Act impose statutory duties upon local authorities to have special regard to the desirability of preserving a listed building or its setting, or any features of special architectural or historic interest which it possesses. Section 72 requires local authorities to pay special regard to the desirability of preserving or enhancing the character or appearance of a conservation area.

### 1.2.2 The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. The development plan applicable to the Site comprises the Camden Local Plan (June 2017) and The London Plan (March 2021). The Camden Draft Local Plan (January 2024) is also a material consideration.

The Camden Local Plan (2017) has policies that set out stipulations for development affecting the historic environment, and these state that the Council will preserve and where appropriate, enhance Camden's designated heritage assets and their settings (Policy D2 and Draft Policy D5).

The London Plan (March 2021) has policies which seek to protect heritage assets (Policy HC1) with which the local plan policies broadly align.

### 1.2.3 The National Planning Policy Framework (December 2024)

The courts have held that following the approach set out in the policies on the historic environment in the National Planning Policy Framework (2024) will effectively result in a decision-maker complying with its statutory duties. The Framework forms a material consideration for the purposes of section 38(6). At the heart of the Framework is '*a presumption in favour of sustainable development*' and there are also specific policies relating to the historic environment.

The Framework requires that proposals for change give 'great weight' to the conservation of heritage assets (paragraph 212), that harm to the significance of heritage assets requires 'clear and convincing justification' (213), and that such harm is outweighed by public benefits. Harm is to be categorised as substantial (214) or less than substantial (215).

The Framework requires local planning authorities to look for positive opportunities for new development within conservation areas and within the setting of heritage assets. Proposals that preserve positive elements or enhance/ better reveal their significance, are required to be treated favourably (219).

## 1.3 Unauthorised Works and Enforcement Action

### 1.3.1 Enforcement Action

On 20 January 2025, an email was received from a Planning Officer (Enforcement), following up from a visit to the property. This advised the current owners that carrying out works without listed building consent was a criminal offence, and formally cautioned them. They instructed them to:

1. Cease all works immediately.
2. Retain all materials removed on site.
3. Provide the Council with any photos of the property taken before works began; particularly those showing the areas recently affected by works.

Further steps would then include:

4. Engaging a heritage consultant or conservation specialist to assess the current condition of the building and provide a report on the necessary works.
5. Submitting an application for listed building consent detailing the proposed works, ensuring they are in line with conservation principles.

It is in this context that Donald Insall Associates were appointed. This report seeks to address Items 4 and 5.

### 1.3.2 Recent Works by Current Owners

Since their purchase of the property in December 2024 the current owners have carried out the following works without the appropriate consents:

- The removal of some ceilings, both historic plaster and modern boarding; from rooms basement rooms B3 and B4 (boarded ceilings) and ground floor rooms G1 and G2 and the hallway (plaster ceilings) and G3 (boarded ceiling) and the entire first floor.
- The removal of some historic plaster from the walls;
- The removal for the historic fire surround from the ground floor rear room;
- The removal of built-in cupboards from several rooms, which may have been historic;
- The chasing out of plasterwork to allow for rewiring.

In compliance with the Officer's request, remaining materials have been retained on site.

These changes, and their impact on the architectural and historic interest of the property are discussed in more detail in Section 5 below.

### 1.3.3 Historic Alterations

The property was listed in 1974, so any works carried out since that time which impact its architectural or historic interest would have required listed building consent. Unfortunately the Camden Local Studies Archives are closed until April 2025 so it has not been possible to access any planning records prior to 2000. This has made it impossible to determine which historic changes in the property have been carried out with appropriate consent. The relevant changes are:

- The removal of chimney pieces from the basement and first floors;
- The removal of all cornicing, if it ever existed;
- The replacement of some floors and joists;
- Installation of a skylight in the entrance hall;
- Installation of modern ceilings in rooms G4, B3 and B4
- The replacement of some of the sash windows;
- The installation of secondary glazing;
- The remodelling of the basement floor, including new internal doors, new floors, the possible lowering of the floor level, the removal of plaster from its walls, and the creation of new openings in the rear wall;
- The removal of the wall between the entrance hall and the ground floor front room;
- The installation of a WC on the ground floor;
- Rebuilding the lower flight of the staircase;
- Creation of a window between the kitchen and the staircase;

These works are also addressed in Section 5.

### 1.4 Summary Assessment of Significance

A detailed assessment of significance with guidance on the relative significance of elements of setting, fabric and plan form and the extent to which these elements are sensitive to alteration is included in Section 4 of this report. A brief summary is below:

The house was built in approximately 1820 as part of the development of Lord Camden's estates. It is one of a group of four semi-detached houses, paired under a shared pediment and central blind window. The builder is believed to be Samuel Collard. It is an unusual design for the area, reminiscent of the Greek-revival style of the Lloyd Baker Estate in Islington, rather than contemporary Camden developments. A larger version of the same design appears in the same block at 48-50 Kentish Town Road, also by Collard. Internally the arrangement varies slightly from a standard London townhouse and is more reflective of Regency design. The front door opens onto a large entrance hall, almost as wide as the main house, from where a door led into the central hall. The rooms are small, suggesting this was always a modest property, probably a fourth-rate townhouse. The entrance hall appears to have been extended to the rear prior to 1887 at ground and basement level creating two additional small rooms.

The primary significance of the building lies in its front and side elevations, and the contribution these make to the listed group of buildings, the character and appearance of the Jeffrey's Street Conservation Area and to the setting of other nearby listed buildings. The rear elevation is plainer and has

been altered at basement level, but is nonetheless of high significance, but less so than the front and side elevations.

Internally, the original floorplan and elements of original joinery, including the main staircase, survive and are of high significance. The original construction materials, including plaster on the ceiling and walls contribute to the building's historic character and significance.

### 1.5 Summary of Proposals and Justification

Details of the proposals and their impact on the architectural and historic interest of the building are in Section 5 of this report. In summary, the purpose of the application is to gain retrospective consent for some works which have recently been carried out by the current owners, to gain consent for further modest works, and to ensure that any other renovations made to the property prior to the current owners' purchase are brought to the Council's attention and regularised. The proposals are to:

- Replace plaster ceilings removed without consent with lath-and-plaster ceilings using traditional materials;
- Replace boarded ceilings removed without consent with modern boarded ceilings;
- Remove unauthorised repairs to plaster on the walls, and complete repairs using a lime plaster;
- Plaster the walls of two basement rooms (B3, B4) currently not plastered, using a breathable plaster;
- Remove a modern partition in the basement (B4);

- Continue work to rewire the property;
- Reinstall historic cupboards, removed without consent;
- Gain retrospective consent for the removal of later cupboards;
- Recreate the chimneypiece in the ground floor rear room;
- Strengthen some floors and ceilings;
- Replace a modern panel, removed without consent from the lowest flight of the basement stairs with a small glazed panel;
- Install a handrail on the outer wall of the stairs connecting the ground and basement floors;
- Replace skirting boards on the first floor, removed without consent;
- Install loft insulation;
- In-fill an access hatch to the loft in the front bedroom, created without consent;
- Refurbish the historic front door;
- Repoint the garden walls, using an appropriate mortar mixture of hydraulic lime with sharp sand;
- Upgrade the existing kitchen and bathroom to modern standards.

It is also proposed to retain historic alterations made to the property prior to the current owners' purchase of it, as detailed in Section 5.

This report has identified some changes which could be perceived to result in less-than-substantial harm to the special interest of the Grade-II listed building, according to the terminology of the NPPF (2024). These are:

- The loss of historic lath and plaster from the ceilings and walls, although this harm is mitigated by the poor condition of the plaster removed, and its replacement on the ceilings with new lath and lime plaster;
- The recreation of the chimneypiece from the ground floor rear room;
- The loss of some of the historic first floor skirting boards.

Both the Camden Draft Local Plan and the NPPF make provision for harm to heritage significance to be weighed directly against public benefits. Paragraph 215 of the NPPF, which is a material planning consideration, states that any less than substantial harm to the significance of a designated heritage asset should be weighed against the public benefits of the proposal. It is considered that in this case, the proposals would accord with paragraph 215 as any perceived 'less than substantial' harm would be outweighed by the public benefit of upgrading a historic building to modern habitable standards, including strengthening its floors, reducing the fire risk from its old wiring and bringing a basement floor back into viable use. These enhancements would improve the long-term viability of the dwelling and therefore contribute towards the long-term conservation of the listed building in its optimum viable use.

The benefits offered by the proposals would outweigh any perceived 'less than substantial harm' caused and are, therefore, considered a material consideration which overcomes the presumption against proposals set out in the Planning (Listed Buildings and Conservation Areas) Act 1990.

## 2.0 Historical Background

### 2.1 The Development of the Area

The residential development of the Jeffrey's Street area began in 1791 when the landowner, the Lord Camden, obtained an Act of Parliament giving permission to develop his lands to the east of Camden High Street **[Plate 2.1]**. This development soon expanded to his lands further north, joining up with the southern end of the existing settlement of Kentish Town, where Jeffrey's Street is now located.

Deed plans from 1816 in the London Archives show an outline block plan of the north side of Jeffrey's Street **[Plate 2.2]**. The document is damaged and unfortunately unreadable, but it contains two sketches of houses, one a standard terraced dwelling with a single arched window to the ground floor **[Plate 2.3]**, and a second showing a pair of terraced houses joined by a single-storey entrance block **[Plate 2.4]**.<sup>1</sup> Neither of these drawings show the built design for 5 Jeffrey's Street.

Other deeds in the London Archives show that leases were granted by the Right Honourable John Jefferys Pratt, the Marquis of Camden to individual plots along Jeffrey's Street between 1816 and 1820. The plot lengths are all 100 feet, suggesting that none of these are the application site.

A lease dated 1820 shows the layout of the application site with two pairs of small dwellings on a wedge-shaped plot **[Plate 2.5]**. The section of road is referred to as Molesworth Place, rather than Jeffrey's

Street. The name is probably derived from Frances Molesworth, wife of John Jeffries Pratt who was painted by Joshua Reynolds in 1777. The *Welcome to Jeffrey's Street* website, which seems to be based on historic tax office data, says that three houses on Kentish Town Road and Nos. 1-9 Jeffrey's Street were originally referred to as Molesworth Terrace and were given their current addresses in 1863 and 1881 respectively.<sup>2</sup>

C & J Greenwood's map shows that by 1828, the northern side of Jeffrey's Street was fully constructed, with the section facing Kentish Town Road referred to as Jeffrey's Terrace and Molesworth Place **[Plate 2.6]**.



2.1 Ordnance Survey Map 1798-1809 (LoL)



2.2 Early block plan for the northern side of Jeffrey's Street (LMA)

1 London Archive, E/CAM/0199

2 Welcome To Jeffreys Street, available at <https://www.jeffreysstreet.co.uk/5-jeffreys-st>





**2.3** Drawing of a proposed townhouse in Jeffrey's Street, 1816 (LMA)



**2.4** Drawing of proposed townhouses in Jeffrey's Street, 1816 (LMA)





## 2.2 The Development of 5 Jeffrey's Street

Number 5 Jeffrey's Street was constructed in around 1820 and was originally known as 6 Molesworth Place. The builder was probably Samuel Collard.<sup>3</sup> The site survey in Section 3 below has established that the rear room behind the entrance hall was not part of the original construction. The earliest indication of the layout of the property comes from Goad's Insurance Map of 1887, which shows the two pairs of houses from Nos. 3-9 as occupying their current footprint with no rear outriggers, suggesting that the room behind the entrance hall had been constructed at this stage [Plate 2.7].

A sheet of early drainage plans for 5 Jeffrey's Street is held at the Camden Local Studies Archive. This would provide more information about the historic internal layout. Unfortunately the archive is currently closed until April 2025 so this could not be accessed.

During the 20<sup>th</sup> century the property was subject to various changes, including new openings in the rear elevation (clearly readable in the brickwork on the rear elevation), the opening of the wall between the entrance hall and ground floor front room, the removal of all fireplaces except on the ground floor, the replacement of some windows, and a complete refurbishment of the basement floor including new floors, ceilings and joinery and the rebuilding of the bottom flight of stairs. This may suggest historic



2.7 Goad's Map, 1887 (LoL)

damp problems and/or a lowering of the floor. If there were originally cornices in the property, these were also removed.

A photograph from 1969 shows the exterior in 1969 [Plate 2.8] The concrete tiles on the main roof are clearly visible.

3 Camden Town History, available at [<https://www.camdentownhistory.info/wp-content/uploads/2018/11/Building-2Canal.pdf>] and [<https://www.camdentownhistory.info/wp-content/uploads/Builders-lives.pdf>]



2.8 Terrace in 1969 (LPA)

## **2.3 Relevant Planning History**

### **2007/1152/P and 2007/1153/L 23 May 2007 Granted**

Erection of black iron railings to front of residential properties (between 5 & 7 Jeffrey's Street)

More records may be identified when the Camden Archives reopen.

## **2.4 Sources and Bibliography**

### **London Archives**

Records relating to Jeffrey's Street, E/  
CAM/0199 to E/CAM/210

### **Published Sources**

The London Gazette, 12 February 1861 pp. 636-37  
available at [<https://www.thegazette.co.uk/London/issue/22479/page/637/data.pdf>]

Camden Town Local History, available at [<https://www.camdentownhistory.info/2019/05/>]

Welcome To Jeffreys Street, available at [<https://www.jeffreysstreet.co.uk/5-jeffreys-st>]



## 3.0 Site Survey Descriptions

### 3.1 The Setting of the Building and the Conservation Area Context

Jeffrey's Street is a residential street lined mostly with late-Georgian regular terraced housing, with some late 20<sup>th</sup>-century infill at the eastern end near the junction with Royal College Street. The terraces are of three storeys of brick and stucco with roofs concealed behind parapets, and show signs of multiple modifications over the years [Plate 3.1]. The four houses on the north side at the western end, including the application site, are exceptions, presenting a pair of stuccoed Greek revival-style villas connected by a lower arcade. There are other pairs of villas nearby on Kentish Town Road.

### 3.2 The Building

The building is appropriately described in the list description as follows:

2 pairs linked semi-detached houses. Early C19. Stucco fronts with brick returns. Slated pitched roofs with central tall slab chimney-stacks. 2 storeys and basements. 3 windows, central bays blind. Entrances in round-arched side porticoes linked by central blind arch to form arcaded screens. Square-headed doorways with reeded jambs, cornice-heads and panelled doors. Recessed sashes. Gable ends with moulded coping and plain band forming pediments. INTERIORS: not inspected. SUBSIDIARY FEATURES: attached cast-iron railings with urn finials to areas.<sup>4</sup>



3.1 Jeffrey's Street, north side

4 NHLE, <https://historicengland.org.uk/listing/the-list/list-entry/1379151>

### **3.3 The Building Externally**

#### **3.3.1 Front Elevation**

The front elevation has two floors over a basement, each with a single street-facing window. These windows appear to be modern replacements (including horns suggesting a later date) of the original style. The basement is set in a small lightwell surrounded by spear-headed railings, one of which is missing. The basement window is protected by metal grilles. The railings to the right of the front door, separating the approach from No. 7 are modern in a historic style. The four-panelled front door appears original. The party wall between Nos. 3 and 5 rises tall above the shared pediment, and has various TV aerials attached.

#### **3.3.2 Return Elevation**

The brick return elevation is visible in oblique views from Jeffrey's Street **[Plate 3.2]**. It shows a central segmental-headed sash window without horns, and a flat-headed blind window adjacent at first floor level, which is faced in render. The main chimney stack is on the central party wall, but a secondary one rises up the rear of the side elevation built of brick laid in stretcher bond, though the upper part of the chimney has been removed and capped. The sloping roof of the lower bay is just visible above the parapet wall to the front door. The Velux window from the hallway skylight is not visible.

#### **3.3.3 Rear Elevation**

The rear elevation is visible from the small, overgrown garden at the rear of the property. The main section of the house has two historic window openings, but a crudely-inserted door under a concrete lintel at basement level **[Plate 3.3]**. To its left the lower section of the building is clearly a later addition, marked by a straight joint in the brickwork **[Plate 3.4]**. It has a single, modern window at ground floor level, and a small window and door at basement level.

#### **3.3.4 Roof**

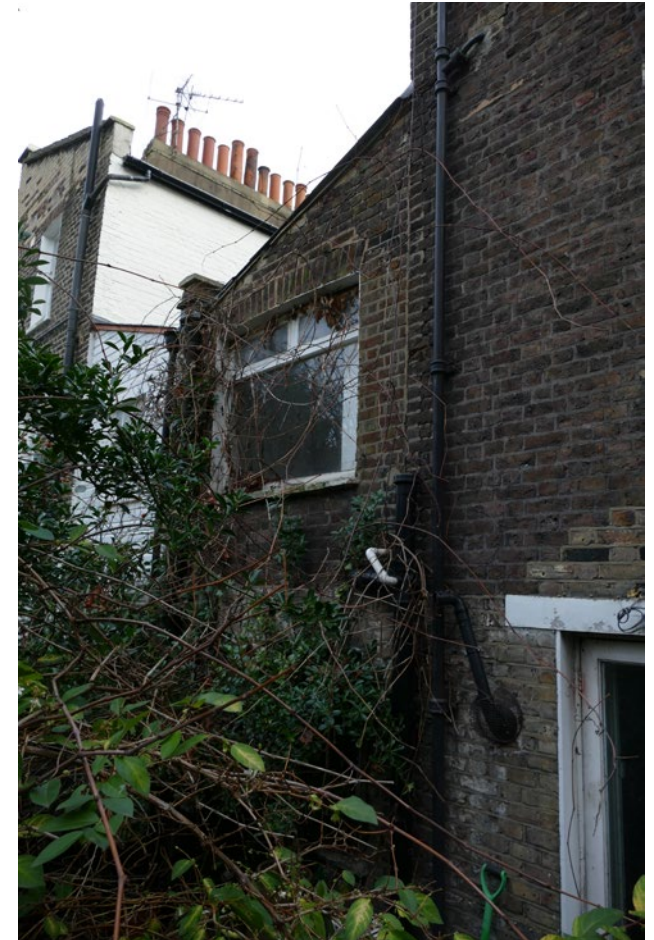
The main roof is visible in long views along Jeffrey's Street. It has a single pitch of what appear to be concrete tiles, with a similar profile to those shown in the 1969 photograph (plate 2.8) confirming it was installed before the building was listed. Aerial photographs show that the side roof is hipped towards the front parapet wall, and there is a break in the roofline roughly aligning to the original end-wall of the entrance hall.



**3.2** Front and rear elevations



**3.3** Rear elevation of main section



**3.4** Rear elevation with clear building break to left



### 3.4 The Building Internally

A staircase in the centre of the house connects all three levels. The flights between ground and first floor appear to have historic treads and the original square-profile stick balusters, balustrade and turned newel posts **[Plate 3.5]**. The flight to the basement has later treads, and an wooden archway on the return. The lowest section has been rebuilt, but in the original location, including a section of brick wall with Fletton bricks laid in stretcher bond. The flooring underneath the stairs is concrete **[Plate 3.6]**. It is unclear when this was rebuilt, but the fabric looks late-20<sup>th</sup> century in date. The concrete floor underneath, points either to the basement floor having been lowered, or to historic damp issues, which may have resulted in the necessary reconstruction of the stair.

The skirting on the stairs is not original.

On the lower flight a modern window has been inserted to allow light from the kitchen into the staircase. It appears to have been done in the mid-20<sup>th</sup> century.

A boarded partition separating the return of the two lowest flights of the stairs has been removed by the current owners. It is likely to have dated from when the stairs were rebuilt and does not appear to have been of any architectural or historic interest.





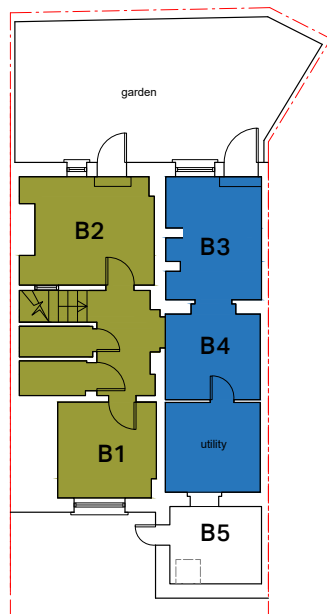
**3.5** Upper section of staircase



**3.6** Underside of the bottom flight of stairs

**Legend**

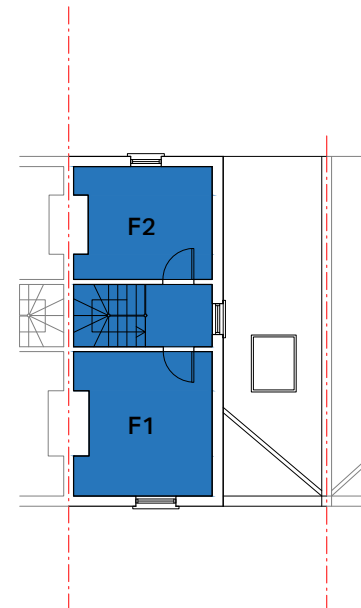
-  Ceiling removed
-  Ceiling intact



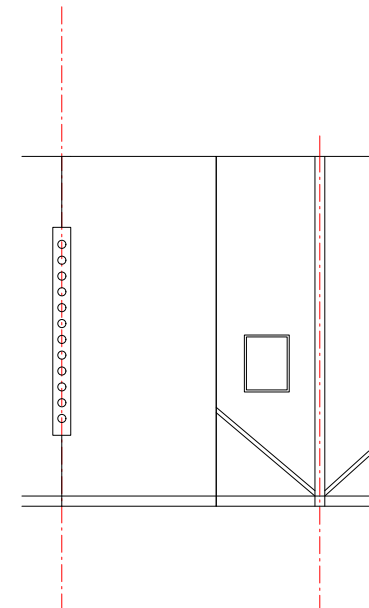
Lower Ground Floor Plan



Ground Floor Plan



First Floor Plan



Roof Plan



### 3.4.1 Basement

#### B1 Front Room, Bathroom

The bathroom has a modern plasterboard ceiling, no cornice, and old blue tiles on the floor which appears solid. There is some historic skirting, which looks like a floor screed has been applied to the lower sections. The windows is six-over-six sliding sashes with no architrave, behind secondary glazing. They are in an appropriate style but are not original to the building. The door is modern. The room contains nothing of historic interest and has not been updated for many years.

#### B2 Rear Room, Kitchen

The kitchen has a modern boarded ceiling, no cornice and similar floor and skirting to the bathroom. There is a Crittall-type window, and a 20<sup>th</sup>-century door leading to the garden, protected by a sliding grille. There is nothing of historic interest, and it has not been changed recently.

#### B3 Rear Side Room

This room is believed to be an extension to the original building. The ceiling has been recently removed without consent, traces left indicate it was modern boarding of no interest. A photograph from before the recent works show it water-stained and bowed [Plate 3.7]. The walls are plain, painted brick, including a chimneypiece on the wall with the kitchen, aligning with the capped-off chimneystack on the side elevation. [Plate 3.8]. A section of a niche in the spine wall may be a former window when this wall was the rear of the house [Plate 3.9].

The window is a historic likely late-19<sup>th</sup> century three-over-three sliding sash, although the glazing bar profiles are different on the two sashes. One glazing bar is missing and a plastic ventilator has been inserted into one pane. The door next to it is dates from the mid-20<sup>th</sup> century with wired security glazing and an attached security grille.

The floor appears to have a concrete screed with solid projections at the base of the walls which suggest that the floor could have been lowered at some stage, revealing the base of the foundations.

As a later addition to the building this room is of lower significance. It has been much-altered with the replacement ceiling (now removed), alterations to the window, the insertion of a new door, the loss of chimneypiece, the concrete flooring, and the possible lowering of the floor level. The existence of window and fireplace suggests this was once a habitable room which would either have had plaster or tiles on the walls, but there is no obvious sign of either.

#### B4 Front cellar area

The cellar is beneath the entrance hall, and is currently divided in two by a slim partition wall of modern materials [Plate 3.10]. The walls are painted brick and a concrete screed floor. The ceiling has been removed by the current owners exposing modern floor joists above. From the lack of lath and plaster marks and pattern of nail marks, the ceiling appears to have been plasterboard.

There is nothing of heritage significance in this area. Even its original purpose, other than a corridor giving access to the coal cellar, is unclear.

#### B5 Front Coal Cellar

Beyond the cellar is a vaulted space with a chute from the former coal hole. The walls and ceiling are brick laid in English bond. Gas and water supplies lead from underneath the pavement. A hatch leads to the front light well where modifications in the brickwork indicate that the size of the opening has been reduced [Plate 3.11].

This area has some significance as a surviving Regency coal cellar.



**3.7** Ceiling in B3 before its removal



**3.8** B3 LG rear room, including chimneypiece



**3.9** B3 Niche in wall of rear side room



**3.10** B4 showing modern joists and modern partition wall



**3.11** B4 Vault under stair bridge, with hatch to front light well

### 3.4.2 Ground Floor

#### G1 Front Room

The ceiling of this room has recently been removed without consent, exposing historic joists and floorboards from the room above [Plate 3.12]. Marks on the underside of the joists suggest that the ceiling was lath-and-plaster. The walls are plain plaster, patched with gypsum in places. The floor is historic floorboards. The chimneypiece is mostly obscured by sacks of rubble, but appears to be original, matching the chimneypieces in neighbouring properties, but painted. The six-over-six sliding sash window is not original but is in a historic style, with secondary glazing. The architrave is an odd arrangement of shutters with fit into shutter pockets flush against the walls. This appears to be a historic arrangement, although the shutters have been rehung and no longer align with the pockets. The four-panelled door and its architrave are historic. The opening to the entrance hall has no architrave and is a later modification which appears to date from the 20<sup>th</sup> century. The historic skirting is visible in places behind retained material.

Photos from before the recent works do not show the ceiling, however the wall colour rises as far as the remains of the ceiling, suggesting that, as with the rest of the house, there were no cornices in this room prior to the unauthorised works.

Significant features in this room include the historic joinery including the door, architrave and the shutters. The window is significant in its form but not its material. The fireplace is significant but in a poor condition. The opening into the entrance hall has eroded the historic

floorplan and detracts from its significance. The recent loss of the historic ceiling has caused some less-than-substantial harm harmed the significance of this room.

#### G2 Rear Room

The ceiling has also been recently removed from this room, and appears to have been lath-and-plaster. The exposed floorboards of the room above are not original. The walls are bare plaster, stripped in places and patched with gypsum in others [Plate 3.13]. The window is unhorned and appears to be a historic six-over-six sliding sash. The shutters and architraves are the same as in G1. Some historic skirting remains. The four-panelled door and architrave are historic. The fire surround and plaster from the chimneybreast have been recently removed without consent. The grate, which appears to date from the first half of the 20<sup>th</sup> century, remains.

Photographs prior to the works show that the fire surround was of similar design to the one in G1 and matched the fire surround in neighbouring properties. They also show built-in cupboards and shelving the alcoves [Plate 3.14]. The cupboards to the right of the chimney match those in neighbouring houses and are likely to have been original to the property. The shelving to the left of the fireplace is of no interest. Both the fire surround and the right-hand cupboards were of historic significance and their removal has caused some less-than-substantial harm to the heritage interest of the building. The removal of the ceiling has also caused some harm.

The door and its architrave, the skirting and the window and its architrave and shutters are of significance.

#### G3 Ground Floor Entrance Hall

The ceiling has been removed revealing a single-pitched felted roof above. The rafters do not appear to be original and one rafter has been clearly replaced more recently. This suggests a relatively recent re-roofing. A modern skylight with Velux window has been inserted in the centre of the ceiling. The surrounding rafters are bowed suggesting that additional supports are needed. The skylight is a relatively recent addition. No planning records have been identified for either the works to the roof or the skylight, but they pre-date the current ownership and are likely to date to the late-20<sup>th</sup> century.

The ceiling was recently removed without consent. The marks on the joists suggests that at one stage the ceiling was lath-and-plaster, but it was likely replaced with board, evidenced by the modern nails [Plate 3.15]. It is unclear whether this took place prior to the installation of the skylight.

The wall adjoining the main section of the house is double-skin brick laid in Flemish bond, with single-skin relieving arches above the doors into the main house. The relieving arches are fairly crudely executed and appear structural rather than decorative, suggesting this wall was not meant to be seen, implying that the building has always had a hallway in this location.

The front door is original with a historic architrave. The floor is in two levels. At the lower level the skirting appears historic, but at the upper level it is much more modern.

#### **G4 Ground Floor Rear Side Room**

One further step leads up the rear side room. The door and surround are historic but not original to the house. It is believed that this wall was originally the end of the house, and that G5 is an extension added prior to 1887 with later modifications. The ceiling is plasterboard, with no cornice. It is unclear when this was installed. The window and architrave are wooden-framed dating from the mid-20<sup>th</sup> century. A grate in the chimneybreast has been blocked. A WC has been inserted into one alcove, cutting across the modern window. A cupboard with a plain, unpanelled door, which couldn't be accessed, is in the other alcove. It is unclear when the WC was inserted but it appears to have been in the late-20<sup>th</sup> or early 21<sup>st</sup> century. The sanitary fittings are modern **[Plate 3.16]**

As a later, albeit historic addition to the house which has been altered, this room is of lower significance. The WC has altered the historic floorplan of the room and caused a low degree of less-than-substantial harm to the significance, as has the loss of the fireplace and the modern window.





**3.12** G1 Ground floor front room



**3.13** G2 Ground floor rear room



**3.14** G2 prior to works



**3.15** G3 Entrance hall, with modern skylight



**3.16** G4 side rear room, showing modern WC and blocked fireplace

### 3.4.3 First Floor

#### F1 Front Room

This room has a new plasterboard ceiling installed recently without consent. There is no cornice or skirting. The window is modern in a historic style, the architrave is also modern. There is secondary glazing. The four-panelled door and door architrave are historic. The walls are plaster, with significant amounts of recent gypsum applied. There is a blocked grate in the chimneybreast with a small, cacked hearth slab **[Plate 3.17]**.

Photos of this room prior to works show there was no cornice, and historic-looking skirting which runs across the front of the chimney breast, indicating that it has either been patched or replaced **[Plate 3.18]**. A cupboard in the left-hand chimney breast alcove protrudes into the room. It has a two-panelled door, with a smaller cupboard above. In the right-hand chimneybreast a cupboard can be glimpsed in a video previously submitted to the Council.<sup>5</sup> It is flush with the chimneybreast with a two- or four-panelled door. Both these cupboards have been removed without consent. Given the way the left hand cupboard protrudes into the room, with the historic skirting visibly running within the cupboard, it is unlikely it was original and it looks like a much later insertion with applied timber panelling.

In this room the door and its architrave are significant. The form but not the material of the window is also significant. The architrave is not. The right-hand

cupboard may be of some historic significance, but as a later addition which projects into the room, the left-hand cupboard is a detracting feature .

The loss of the historic ceiling and its replacement with plasterboard has caused some less-than-substantial harm to the significance of the room.

#### F2 Rear Room

This room also has a new plasterboard ceiling, installed recently without consent. The plaster walls are patched with gypsum. There is no cornice or skirting. The window is unhorned and is historic . The architrave appears original, as are the door and its architrave. The grate is sealed with a board, and it appears that shelving in the chimney alcoves has been removed. A hatch in one corner gives access to the attic.

A photograph of this room prior to works shows a plain ceiling with no cornice. There was a built-in cupboard to the left of the chimneybreast, but not the right **[Plate 3.19]**. Photographs taken during the recent works show that the ceiling structure had failed **[Plate 3.20]** and it collapsed during the work **[Plate 3.21]**. These photographs show that the existing ceiling had historic laths with what appears to be modern plasterboard or a plasterboard skim over the top.

As with F1, the historic joinery is significant. The cupboard to the left of the chimneypiece appears to be historic and of significance. The loss of the ceiling and its replacement with plasterboard has harmed the significance of the room, as has the use of modern plaster on the walls.

### 3.4.4 Landings

The top landing has a single, historic window with an original architrave. The ceiling has been recently removed without consent revealing a felted roof above with modern repairs to the timberwork **[Plate 3.22]**.

The small ground-floor hall has historic skirting which is of some significance. Sections of plaster have been removed from the walls exposing laths behind **[Plate 3.23]**.

The lower hallway has a relatively modern floor, matching the kitchen and bathroom, an old plasterboard ceiling and plain modern doors of no significance **[Plate 3.24]**.

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5      WhatsApp Video 2025-02-07 at 10.47.30.mp4





**3.17** F1 front bedroom showing recent ceiling and patched plasterwork



**3.18** F1 prior to works





**3.19** F2 prior to works



**3.20** Ceiling in F2 during works showing failure of joists



**3.21** Room F2 after the ceiling collapse



**3.22** Top landing





**3.23** Ground floor hallway, looking towards front of house



**3.24** Basement hall, looking toward front

## 4.0 Assessment of Significance

### 4.1 Introduction

The purpose of this section is to provide an assessment of significance of 5 Jeffery's Street, so that the impact of works already carried out without consent can be understood, and further proposals for change to the building are fully informed as to its significance and the effect on that significance can be evaluated.

This assessment responds to the requirement of the National Planning Policy Framework to 'recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance'. The NPPF defines significance as:

*'The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological (potential to yield evidence about the past), architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting'.*

### 4.2 Assessment of Significance

Number 5 Jeffery's Street was built in approximately 1820 as part of the development of Lord Camden's estates. It is one of a group of four semi-detached houses, paired under a shared pediment and central blind window. The builder is believed to be Samuel Collard. It is an unusual design, reminiscent of the Greek-revival style of the Lloyd Baker Estate in Islington, rather than contemporary Camden developments. A larger version of the same design

appears in the same block at 48-50 Kentish Town Road, also by Collard. Internally, the arrangement varies slightly from a standard London townhouse and is more representative of Regency design. The front door opens onto a large entrance hall, almost as wide as the main house, from where a door led into the central hall. The rooms are small, suggesting this was always a modest property, probably a fourth-rate townhouse. The entrance hall appears to have been extended to the rear prior to 1887 at ground and basement level creating two additional small rooms.

The special interest of the building is manifest in its setting, fabric and plan form which has the following hierarchy of significance.

Of the **highest significance** is:

- The front and side elevations, which have individual and joint significance, as they contribute to the group of four jointly-listed buildings, which form a shared and consistent composition. Together they make a positive contribution to the character and appearance of the Jeffery's Street Conservation Area, and with their traditional stucco finish, historic railings and historic fenestration pattern make a positive contribution to the setting of nearby listed buildings.

Of **high significance** are:

- The original rear elevation, though it is only visible in private conservation area views. The clear building break with the later extension and other modifications detract from this;

- The surviving original floor plan, which is particularly evident on the ground and first floor;
- Surviving historic features within the building including the fireplaces, staircase and historic doors and architraves;
- The fenestration pattern, which makes a positive contribution to the listed building and the conservation area. The windows themselves are mostly later replacements so their significance is in their form and not the actual fabric.

Of **moderate significance** are:

- The late-19<sup>th</sup> century rear extension, which is of lesser architectural quality both internally and externally;
- The plain interiors in the basement, which are heavily altered and of minimal architectural merit or historic interest;
- Historic non-decorative fabric, including original plasterwork on walls and ceilings where it is still in a stable condition;
- The historic cupboards in the chimney alcoves in the ground floor rear room right hand alcove, the first floor front room right-hand alcove, and the first floor rear room left-hand alcove.

Of **neutral significance**, neither contributing to or detracting from the significance of the whole are:

- Modern skylight in the entrance hall, which brings natural light into an otherwise dark area and is not visible in public views;
- The modern basement flight of the staircase;



- Heavily-altered cupboard in right-hand alcove of the ground floor rear room;
- The modern WC in the ground floor extension.

**Factors which detract** from the building's significance are:

- The modern opening between the entrance hall and the ground floor front room, which erodes the historic floorplan;
- Modern board partition in the basement B4;
- The inserted toilet in the ground floor rear room in G4;
- The missing fireplaces in rooms G2, F1 and F2;
- The cupboard door in the first floor front room left-hand alcove which is a later addition and protrudes beyond the chimney breast, disrupting the traditional arrangement of the floorplan;
- The modern door and concrete lintel in the original rear elevation at basement level;
- The modern window in the ground floor rear elevation of the late-19<sup>th</sup> century side extension.

## 5.0 Commentary on the Proposals

### 5.1 Description of the Proposals and their Impact on the Listed Building

The current proposals are as a result of an intervention by the Planning Enforcement Team from the London Borough of Camden in January 2025. The purpose of the proposals is to gain retrospective consent for some works which have recently been carried out by the current owners, to gain consent for further modest works, and to ensure that any other renovations made to the property prior to the current owners' purchase are brought to the Council's attention and regularised.

The proposals are illustrated on drawings by The Gillett MacLeod Partnership and are described in detail below, with the impact on the listed building set out in italics. With the exception of re-pointing the garden wall, all the works are internal and have no impact on the conservation area or the setting of other heritage assets.

The proposals have been informed by pre-application advice (reference 2025/0850/PRE) following a site visit by Officers on 25 March 2025. As a result, proposals to replace the front door, install an external security light and garden trellis, create a new loft access hatch and to remove historic cupboards have been withdrawn from this revised scheme. The proposals for replacement of the ground floor ceilings have also been modified to use historic materials throughout, in order to reflect officers' advice.

The current owners purchased the property on 13 December 2024. It had been owned by the previous occupant for 47 years and had fallen into a state of disrepair. It is our clients' plan to use it as their own family

home. It is not their intention to radically alter the house, but rather to carry out a modest programme of works to refurbish and update it to become a comfortable family home, in turn securing the long-term optimum viable use of the building as a residential dwelling.

The owners were advised by their contractor that the plaster in many of the ceilings had failed and required replacing. This can be seen in Plate 3.17 and in a separate video (*VIDEO-2025-01-20-13-21-00.mp4*) previously submitted to the Council's Enforcement team. The owners were unaware that this work would require consultation with the LPA, and regret that in their haste to move into their new home they did not take further advice at the time.

The proposals are described in detail below, with the impact on the significance of the listed building set out in italics.

#### 5.1.1 Replacement of Plaster Ceilings

Retrospective consent is sought for the removal of the ceilings in the front and rear rooms on the ground and first floors (G1, G2, F1 and F2), and the stair halls on the ground and first floors. It is proposed to replace them with lath-and-plaster ceilings, using a traditional lime plaster (natural hydraulic lime NHL 3.5). The ceilings will have a central pendant light fitting. The recently-installed plasterboard ceilings on the first floor will be removed. The loft access hatch created in the first floor front room (F1) will be infilled, and the hatch in the first floor rear room (F2) retained.

*It is acknowledged that the loss of historic ceilings has caused a **low level of less than substantial harm** to the historic interest of the property. This is considered to be a low level of less than substantial harm in terms of the terminology of the NPPF (2024). This is mitigated by the condition of the ceilings which were judged to have reached the end of their natural lives. The replacement in with traditional laths and traditional lime plaster will also mitigate any harm caused.*

#### 5.1.2 Replacement of Entrance Hall Ceiling

The boarded ceiling in the entrance hall (G3) was removed without consent. Following Officers' advice, it is proposed to replace this with a lath-and-plaster ceiling using a traditional lime plaster as above.

*It is unclear whether the boarded ceiling in the hall was installed before or after the building was listed. If it was before this listing, replacing it with traditional materials would bring a **heritage benefit**.*

#### 5.1.3 Replacement of Boarded Ceilings

Retrospective consent is sought for the replacement of modern, boarded ceilings with plasterboard in rooms B3 and B4, and to retain the boarded ceiling in G4. It is unclear when these ceilings were installed but they do not appear to be recent.

*This is considered to be a like-for-like replacement of failed modern materials. In their advice, Officers confirmed that the use of plasterboard in these areas is not of concern. This proposal would therefore have a **neutral** impact on the architectural and historic interest of the listed building*

#### 5.1.4 Removal of Plaster from Areas of Wall

Retrospective consent is sought for the removal of areas of plaster from the walls of all rooms on the ground and first floors where it appeared to have lost its adhesion to the underlying structure, and the replacement with a lime plaster (natural hydraulic lime NHL 3.5).

*As with the plaster ceilings, it is acknowledged that the loss of historic plaster has caused **a low degree of less than substantial harm** to the historic interest of the property. This is mitigated by the plaster having lost its adhesion to the walls and replacement was judged necessary. This was not a wholesale re-plastering and has only impacted areas where it was judged that the plaster had reached the end of its life. In most areas the majority of historic plaster survives. In their advice, Officers supported the use of lime plaster for the walls.*

#### 5.1.5 Rewiring

The electrical installation in the property is in need of upgrading. Work on this has been started without consent. Wires have been channelled into some walls which pass down to a new distribution board in room B4. It is proposed to complete this work with as little impact on historic fabric as possible, by chasing the wires into new and existing fabric and running them within floor voids. The new electrical installation will include the pendant light fittings in each room, and low-level wall lights on the staircase.

*This work is necessary for the electrical safety of the home. The wires will be run as discreetly as possible, using existing cable routes where possible. This will not cause any harm to the historic interest of the listed building, but by reducing its fire risk and increasing its residential amenity, it will support its long-term conservation and thus provide a **heritage benefit**, as it will secure the building in its original and optimum-viable use as a residential dwelling. Officers raised no objections to the rewriting during pre-application advice.*

#### 5.1.6 Built-in Cupboards

Prior to the recent works there were built-in cupboards next to the chimneybreasts of the ground floor rear room, and both first floor bedrooms. These have different styles of panelling, some with beading, and arranged in different ways, with some projecting into the room beyond the chimneybreast and others flush with it.

Room	Left Alcove	Right Alcove	Date and Significance
GF Front Room	Open Shelves, modern and of no significance. It is not proposed to reinstate these, so consent is sought for their removal.	Open Shelves, modern and of no significance. It is also not proposed to reinstate these.	Modern and of no significance.
GF Rear Room	<p>A low cupboard with one door with a single beaded panel flush with chimneybreast. Modern shelves over. The skirting appears to run behind the cupboard <b>[Plate 5.4]</b>.</p> <p>The skirting indicates that this cupboard is not original to the building. The door appears historic but has been substantially altered and reset into modern frames, in what appears to be a new position in the plan form. It is not in its original arrangement and it is therefore of no architectural or historic significance.</p> <p>Consent is sought for its removal.</p>	<p>Three cupboards rising to ceiling height, flush with chimneybreast. Each with single panel door, beaded on the front face and slightly raised-and-fielded on the rear <b>[Plate 5.4]</b>. Similar cupboards observed in neighbouring properties. The doors have mortice and tenon joints. The architrave had been held in place by square hand-cut nails, indicating a date in the 19<sup>th</sup> century.</p> <p>These cupboards are historic, probably installed when the property was built or soon afterwards. They have moderate significance.</p> <p>It is proposed to reinstate these cupboards.</p>	The right-hand cupboards are likely to be historic. More details will be provided.
1 <sup>st</sup> Floor Front Room	<p>Full height cupboard projecting beyond chimneybreast <b>[Plates 5.1 and 5.2]</b>. One large two-panel door with smaller door over, both unbeaded. Skirting continues inside the cupboard. The door is noticeably lighter than other doors in the property and has suffered from rot at the base of the door frame, suggesting a later softwood.</p> <p>This cupboard is a later addition in different materials and is of no architectural or historic interest. The projection beyond the chimneybreast detracts from the historic floorplan.</p> <p>Consent is sought for its removal.</p>	<p>Three-quarter height cupboard flush with chimneybreast. Door is two-panelled, unbeaded on the front but raised-and-fielded to the rear <b>[Plate 5.2]</b>.</p> <p>This cupboard is historic, likely to date from when the property was built. It has moderate significance.</p> <p>It is proposed to reinstate these cupboards.</p>	<p>Left alcove: Appears to be a <i>later addition</i>, detracting from the floorplan</p> <p>Right alcove: Appears to be historic, more details to follow.</p>



1 <sup>st</sup> Floor Rear Room	<p>Full height cupboard flush with chimneybreast with a two-panelled historic door <b>[Plate 5.3]</b>.</p> <p>This cupboard is also likely to date from when the property was built and is of moderate significance.</p> <p>It is proposed to reinstate this cupboard.</p>	None.	
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*Table 1: Summary of built-in cupboard doors*

*Reinstating the historic cupboards, and removing the later additions was supported by Officers at pre-app, and would have a **neutral** impact overall on the significance of the building.*



**5.1** *Upstairs front room, prior to works*



**5.2** *Upstairs front room, prior to works with glimps of the right-hand cupboard*



**5.3** *Upstairs rear room prior to works*

### 5.1.7 Ground Floor Rear Room Chimneypiece

A photograph from before the recent works show a small fireplace in the ground floor rear room (see plate 5.4). This was removed without consent, and a small grate, which probably dates from the early 20<sup>th</sup> century, revealed [Plate 5.5]. A photograph of the equivalent room in No. 3 next door shows a fire surround of similar design [Plate 5.6]. This is a humble version of a Regency fire surround and is a historically-significant feature of the listed building.

It is proposed to reinstate the removed fireplace. Most of the original materials have been identified in the property, but are damaged, requiring the fireplace to be re-made. This will be informed by the detail on the surviving elements, and the fireplace in neighbouring houses.

*Enough remains of the original fireplace that the an exact replica can be made, retaining the original design. However, the loss of the original fabric will cause some **less-than-substantial harm**.*



5.4 Ground floor rear room fireplace and cupboards prior to works





**5.5** Ground floor rear room as existing



**5.6** Rear ground floor room of No. 3 (Rightmove)



#### 5.1.8 First Floor Skirting Boards

The skirting boards in the two upstairs room (F1 and F2) were removed without consent. It is proposed to reinstate these using the retained materials where possible that are stored on site, and replacing like-for-like where the retained materials are not available.

*Where the original materials can all be identified, the reinstatement of the skirting boards will have a **neutral** impact on the significance of the listed building. Where modern like-for-like materials are introduced, it would cause a low degree of **less-than-substantial harm**.*

#### 5.1.9 Basement Floor Changes

It is proposed to upgrade the existing kitchen (B2) and bathroom (B1) to modern standards. The rooms will retain their current functions, but the locations of sanitaryware will be changed.

*The fittings in these two rooms, including the ceilings, are entirely modern. Upgrading the facilities will have a **neutral** impact on the significance of the listed building.*

It is proposed to plaster the walls in rooms B3 and B4 using a traditional lime plaster as above.

*These rooms currently have bare brick walls. Given that there was a fireplace in B4 it is likely that they were previously plastered. A traditional, permeable material will be used. This will bring the area back into family use and will have a **beneficial** impact on the significance of the listed building.*

Retrospective consent is sought for the removal of a modern panel from the side of the lower flight of stairs. It is proposed to replace it with a clear glass panel.

*This panel was presumably installed when this section of the stairs was rebuilt. It was of no historic interest and its replacement with glass will allow borrowed light from the kitchen onto the lower flight of stairs and would have a **neutral** impact on the significance of the building.*

It is proposed to remove the modern partition wall in room B3.

*This poor-quality partition wall has no historic interest. The historic planform of this area is unclear, but the partition has created a windowless space. Removing it will cause no harm and by removing a detracting feature it will provide a modest heritage **benefit**. Officers supported this position in their pre-application advice.*

#### 5.1.10 Other Proposed Changes

##### Strengthen Hall Ceiling

It is proposed to strengthen the ceiling in the entrance hall around the skylight, as the existing ceiling joists appear to sag around it. The work would be done by adding additional timbers to strengthen the existing roof structure.

*This change is necessary to ensure the structural integrity of the building. No historic fabric will be removed and it will have a **neutral** impact on the interest of the listed building.*

##### Strengthen Floors

It is proposed to strengthen some of the historic floors by adding additional nogging. No historic material will be removed.

*This change is also necessary to ensure the structural integrity of the building. It will not cause any harm and by reinforcing the historic structure it will extend its life and be **beneficial** to the long-term conservation of the listed building.*

##### Loft Insulation

It is proposed to insulate the loft using glass mineral wool. Following Officers' advice it is proposed to use IndiTherm, a natural product with a vapour resistivity of 1.3 MNs/g, within the range recommended. Care will be taken to ensure sufficient ventilation to prevent a build-up of condensation.

*The proposed loft insulation will therefore cause no harm to historic fabric, or to the architectural or historic interest of the building. By enhancing the thermal performance of the building it provides a **public benefit** of reducing overall carbon emissions, and a **heritage benefit** of enhancing the residential amenity of the historic property.*

##### Stair Handrail

It is proposed to install a handrail on the outer wall of the stairs leading from ground to basement floors using a Rothley 40mm ebony rail with antique brass fittings. Details have been provided as part of this application. It would be installed on the outside walls of the stair so as not to interfere with the original joinery on the inside of the turn. The proposal was not

discussed with Officers during the pre-application, but is felt necessary for safety reasons, as the occupants of the house have young children.

*The handrail is necessary for safety reasons. It would have a modern appearance to distinguish it from the historic stair and on balance, it would have a **neutral** impact on the significance of the building.*

### Repair of Glazing

In their pre-application advice Officers were supportive of a proposal to replace cracked windowpanes like-for-like, and to remove the plastic ventilator set into the glass in B3. It is proposed to replace this ventilator, and the following panes:

- Room G2: replace two panes, top left and bottom left of the six-over-six sliding sash
- Room B3: remove the plastic ventilator, and reinstate like-for-like glazing bar where one is missing.

*Repairs to the glazing are like-for-like repairs and would have a **neutral** impact on the significance of the building. Removing the ventilator and reinstating the glazing bar would provide a modest **heritage benefit**.*

### Floor Finishes

In their pre-application advice Officers requested details of the floor finishes. It is proposed to fit carpet in the main rooms, including the entrance hall. The stairs, hallways and landings will be treated with a shellac and wax finish and a carpet runner fitted on the stairs. The kitchen and bathroom will

be fitted with lino. All historic floors will be retained underneath and separated from the new floors with a reversible membrane.

*Carpet is an appropriate material for the main rooms in this house, and lino is appropriate for the modern floors in the basement and in the wet rooms. The historic floorboards will be protected, and the timber treads of the stairs will be protected and exposed. Overall this will have a **neutral** impact on the significance of the building.*

### 5.1.11 External Changes

#### Front Door

It is no longer proposed to replace the front door. Isolated repairs will be made to the existing door.

*This is a like-for-like repair which would have a **neutral** impact on the significance of the listed building, the character and appearance of the Jeffrey's Street Conservation Area and the setting of surrounding listed buildings.*

#### External Security Light

It is no longer proposed to install an external security light. The new wiring will be removed and the area made good.

*This will reverse any less than substantial harm identified to the listed building.*

### Repoint Garden Walls

It is proposed to repoint the garden wall using a natural hydraulic lime NHL 3.5 mixed one part lime with 2.5 or 3 parts sharp sand.

*This will have a **neutral** impact on the significance of the building.*

### 5.1.12 Changes by Previous Owners

It has not been possible to identify a planning history for the building so it is unclear whether some changes were executed before the building was listed in 1974. For the avoidance of doubt, the new owners have included the following changes on the drawings accompanying this application:

- A skylight has been fitted in the ceiling over the entrance hall. This brings natural light into what would otherwise be a windowless area.

*Externally this is concealed from view behind the parapet wall above the front door, so it is not visible in any external views. The roof has been replaced in the past, likely the mid-20<sup>th</sup> century, and so there has been minimal loss of historic fabric involved in the installation. As such no harm has been caused and it has had a **neutral** impact on the external appearance and architectural interest of the listed building, and no impact on the setting of nearby listed buildings and the character and appearance of the Jeffrey's Street Conservation Area.*

- A WC has been installed in the chimney alcove of the rear side room on the ground floor, which has the character of a mid or late-20<sup>th</sup> century insertion

This causes some disruption to the historic floorplan of what is a late-19<sup>th</sup> century addition to the listed building. It also cuts across a modern window.

*The property is a 3-bedroom family home with small rooms. While this is not the most elegant insertion, it is hard to see other places on the principal floors where a W.C. could be added. The only other facilities are in the basement, two floors below the main bedrooms. As part of adapting the home to meet modern sanitary and lifestyle expectations, this seems to be the least harmful location to add an extra toilet as it is located in a later extension that is of lesser more modest significance overall, with a plain interior on the ground floor. As such it is felt, on balance, to have had a **neutral** impact on the significance of the building.*

- The chimneypieces have been removed from the basement and first floors.

*The London Clean Air Act was passed in 1956. It is likely that the removal of the chimneypieces pre-dates the listing of the building. It has caused heritage harm in contemporary terms, but is judged to be beyond the scope of the current application.*

Other changes which also appear historic include:

- The possible removal of all cornicing. Given the small gap between the ceiling and the top of the windows, and that there the neighbouring houses also do not have cornicing apart from No.9 which looks like a modern introduction, it is possible that these houses never had cornices.

- Installation of modern ceilings in rooms G4, B3 and B4. The boarded ceilings in B3 and B4 had been in place for a long time, the one in G4 is more recent.
- The replacement, probably at different times, of some sash windows. The replacement windows are in an appropriate style and materials. The exception is the window in G4 which is a detracting feature likely to have been installed in the mid-20<sup>th</sup> century.
- The installation of secondary glazing;
- The remodelling of the basement floor, including new internal doors, new floors, the removal of plaster from the walls of B3 and B4, the possible lowering of the floors, and the creation of new openings in the rear wall;
- The replacement of some floors and joists;
- The removal of the wall between the entrance hall and the ground floor front room. This also appears to be an old alteration. Similar changes have been made in the neighbouring houses. The change in floor levels retains the historic floor plan, and the opening-up of two small spaces to form a family living room contributes to the live-ability of the property.
- Rebuilding the lower flight of the staircase which also appears to be an old alteration and has retained the historic form of the stairs.
- Creation of a window between the kitchen and the staircase, which judging by the joinery happened many years ago.

In pre-application advice, Officer's did not raise concerns about any of these changes. It is proposed that they should be regularised through this application.

The photographic evidence from 1969 (plate 2.8) shows that the main roof was installed before the building was listed.

## 5.2 Justification of the Proposals and Conclusion

These proposals, both retrospective and prospective, are designed to renovate a somewhat neglected listed building to become a family home for its new owners. It is a matter of regret to the owners that the works were started before the relevant consents were granted and they wish to remedy this by providing fully transparent information to the Council.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. The development plans applicable to the site are the Camden Local Plan (June 2017) and The London Plan (March 2021). The Camden Draft Local Plan (January 2024) is also a material consideration. Decision-makers must also comply with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990. This section therefore assesses the proposed development first against the Camden Local Plan, the policies of the London Plan, and finally brings to bear heritage policies in the NPPF and the requirements of the 1990 Planning Act.

The relevant policy in the Camden Local Plan is D2 – Heritage - which states that the Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings. Policy D5 – Heritage of the Draft Local Plan has similar

wording and states that the Council will not permit development that results in less-than-substantial harm to the significance of a designated heritage asset, unless the public benefits of the proposal convincingly outweigh that harm. The relevant sections in the London Plan (2021) include Policy HC1 Heritage Conservation and Growth which requires that development proposals affecting heritage assets should conserve their significance by being sympathetic to the assets' significance.

This report has identified some changes which could be perceived to result in less-than-substantial harm to the special interest of the Grade-II listed building, according to the terminology of the NPPF (2024). These are:

- The loss of historic lath and plaster from the ceilings and walls, although this harm is mitigated by the poor condition of the plaster removed, and its replacement on the ceilings with new lath and lime plaster;
- The replacement of the chimneypiece from the ground floor rear room with a faithful replica;
- The loss of some of the historic first floor skirting boards.

Both the Camden Draft Local Plan and the NPPF make provision for harm to heritage significance to be weighed directly against public benefits. Indeed, paragraph 215 of the NPPF, which is a material planning consideration, states that any less than substantial harm to the significance of a designated heritage asset should be weighed against the public benefits of the proposal. It is considered that in this case,

the proposals would accord with paragraph 215 as any perceived 'less than substantial' harm would be outweighed by the public benefit of upgrading a historic building to modern habitable standards, including strengthening its floors, reducing the fire risk from its old wiring and bringing a basement floor back into viable use. These enhancements would improve the long-term viability of the dwelling and therefore contribute towards the long-term conservation of the listed building in its optimum viable use.

The benefits offered by the proposals would outweigh any perceived 'less than substantial harm' caused and are, therefore, considered a material consideration which overcomes the presumption against proposals set out in the Planning (Listed Buildings and Conservation Areas) Act 1990.

It is therefore the conclusion of this report that the proposals would be acceptable in heritage terms.



## Appendix I - Statutory List Description

Numbers 3 to 9 and Attached Railings, Jeffrey's Street

Heritage Category: Listed Building

Grade: II

List Entry Number: 1379151

Date first listed: 14-May-1974

2 pairs linked semi-detached houses. Early C19. Stucco fronts with brick returns. Slated pitched roofs with central tall slab chimney-stacks. 2 storeys and basements. 3 windows, central bays blind. Entrances in round-arched side porticoes linked by central blind arch to form arcaded screens. Square-headed doorways with reeded jambs, cornice-heads and panelled doors. Recessed sashes. Gable ends with moulded coping and plain band forming pediments. INTERIORS: not inspected. SUBSIDIARY FEATURES: attached cast-iron railings with urn finials to areas. (Survey of London: Vol. XIX, Old St Pancras and Kentish Town (St Pancras part II); London: -1938: 49).

## Appendix II - Planning Policy and Guidance

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

The Act is legislative basis for decision making on applications that relate to the historic environment.

Sections 16, 66 and 72(l) of the Act impose a statutory duty upon local planning authorities to consider the impact of proposals upon listed buildings and conservation areas.

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 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.

Similarly, section 66 of the above Act states that:

In considering whether to grant permission for development which affects a listed building or its setting, the local planning authority, or as the case may be the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Similarly, section 72(l) of the above Act states that:

[...] with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

### **Local Policy**

#### **Camden Local Plan Adopted version June 2017**

**The local plan was adopted by the Council on 3 July and has replaced the Core Strategy and Camden Development Policies documents as the basis for planning decisions and future development in the borough.**

#### **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**

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

- a. the nature of the heritage asset prevents all reasonable uses of the site;
  - b. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;
  - c. conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
  - d. the harm or loss is outweighed by the benefit of bringing the site back into use.
- The Council will not permit development that results in harm that is less than substantial to the significance of a designated heritage asset unless the public benefits of the proposal convincingly outweigh that harm.

#### **Conservation areas**

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

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

### Listed Buildings

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.

### Camden Draft Local Plan Consultation Version January 2024

#### Policy D5 – Heritage

A. 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

B. 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:

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

C. 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.

D. The Council will resist any cumulative, incremental, changes to a designated heritage asset, where there is concern that the changes may impact on the significance of the designated heritage asset or may cause harm to the character or appearance of the conservation area.

#### Sustainability Improvements to Designated Heritage Assets

E. The Council will support proposals to adapt and improve listed buildings, and buildings within conservation areas, to reduce energy demand,

mitigate the impacts of climate change and ensure they are adaptable to a changing climate provided they do not cause significant harm to the special historic or architectural interest of the heritage asset. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, the Council will weigh that harm against the public benefits of the proposal, giving significant weight to measures that respond to the climate emergency in a sensitive manner.

#### Conservation Areas

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

G. The Council will:

- i. require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area;
- ii. resist the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a conservation area;

- iii. resist development outside of a conservation area that causes harm to the character or appearance of that conservation area; and
- iv. preserve trees and garden spaces which contribute to the character and appearance of a conservation area, or which provide a setting for Camden's architectural heritage.

### Listed Buildings

H. 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;
- ii. resist proposals for a change of use or alterations and extensions, including cumulative or incremental changes to a listed building where this would cause harm to the special architectural and historic interest of the building;
- iii. resist development that would cause harm to the significance of a listed building through an effect on its setting; and
- iv. require any works to a listed building to be carried out in an appropriate manner informed by relevant specialists.

### London Borough of Camden Conservation Area Statement: Jeffrey's Street (November 2002)

The Jeffrey's Street Conservation Area was designated in November 1985, and was extended in 2002.

Jeffrey's Street is one of the oldest streets in Camden, being laid out in 1800. The main growth of development in the area was from the mid-1840s to 1870.

The Conservation Area is an enclave of quiet, predominantly residential streets and narrow lanes between busy thoroughfares. It consists mainly of 18<sup>th</sup> and 19<sup>th</sup>-century terraced houses, dissected by the brick viaduct of the North London Railway. Jeffrey's Street runs from one small triangular open space at the junction of Kentish Town Road to another, at St Pancras Way.

The terraces of houses that line the frontages of Jeffrey's Street (Nos.1-33 and 2-28) and Kentish Town Road (Nos.46-64) were built in the late 1790s and early 1800s and are statutorily listed for their architectural or historic interest. Most of the houses in Jeffrey's Street have three storeys plus a basement with the two upper storeys of plain stock brick above a ground floor and a basement of stucco with channelled rustication. Each house makes an individual contribution to the Georgian character and rhythm of Jeffrey's Street; with narrow basement areas enclosed with iron railings, they have decorative fanlights, first floor balconies and a strong parapet, which unifies the terrace at roof level.

Nos. 3-9 Jeffrey's Street are only two storeys high and also of stucco. Their entrances are set Jeffrey's Street 9 back slightly so that the houses read as two semi-detached pairs, each pair with a pedimented roof. The houses are linked by arcaded screen walls, allowing a view of the rear of the tall brick terraces facing onto Kentish Town Road. To the west end of Jeffrey's Street, the pair which turn the corner with Kentish Town Road (No.1 Jeffrey's Street and 46 Kentish Town Road) are statutorily listed; they have stucco facades and their roof pitches unite to form a distinctive pediment on the splayed corner.

The following are designated as important views:

College Gardens from Jeffrey's Street  
From Prowse Place through railway arch  
towards 3-9 Jeffrey's Street and the rear of  
Kentish Town Road terraces

### Regional Policy

#### The London Plan (March 2021)

In March 2021 the Mayor adopted The London Plan. This is operative as the Mayor's spatial development strategy and forms part of the development plan for Greater London. Policies pertaining to heritage include the following:

Policy HC1 Heritage Conservation and Growth

(C) Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and



appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.

## National Planning Policy Framework

Any proposals for consent relating to heritage assets are subject to the policies of the NPPF (December 2024). This sets out the Government's planning policies for England and how these are expected to be applied. With regard to 'Conserving and enhancing the historic environment', the framework requires proposals relating to heritage assets to be justified and an explanation of their effect on the heritage asset's significance provided.

Paragraph 7 of the Framework states that the purpose of the planning system is to 'contribute to the achievement of sustainable development' and that, at a very high level, 'the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs'.

At paragraph 8, the document expands on this as follows:

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued

in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives:

*a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

*b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*

*c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

and notes at paragraph 10:

10. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).

With regard to the significance of a heritage asset, the framework contains the following policies:

*208. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.*

In determining applications local planning authorities are required to take account of significance, viability, sustainability and local character and distinctiveness. Paragraph 210 of the NPPF identifies the following criteria in relation to this:

*a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*  
*b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*

*c) the desirability of new development making a positive contribution to local character and distinctiveness.*

With regard to potential 'harm' to the significance designated heritage asset, in paragraph 212 the framework states the following:

*... 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.*

The Framework goes on to state at paragraph 213 that:

*Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:*

*a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*  
*b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

Where a proposed development will lead to 'substantial harm' to or total loss of significance of a designated heritage asset paragraph 214 of the NPPF states that:

*...local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total 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; and*  
*b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*  
*c) conservation by grant-funding or some form of not for profit, 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.*

With regard to 'less than substantial harm' to the significance of a designated heritage asset, paragraph 215 of the NPPF states the following:

*Where a development proposal will lead to 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, where appropriate, securing its optimum viable use.*

The Framework requires local planning authorities to 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. Paragraph 219 states that:

*... Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.*

## **National Planning Practice Guidance**

The National Planning Practice Guidance (NPPG) was published on 23 July 2019 to support the National Planning Policy Framework (NPPF) and the planning system. It includes particular guidance on matters relating to protecting the historic environment in the section: Conserving and Enhancing the Historic Environment.

The relevant guidance is as follows:

Paragraph 2: What is meant by the conservation and enhancement of the historic environment?

Conservation is an active process of maintenance and managing change. It requires a flexible and thoughtful approach to get the best out of assets as diverse as listed buildings in every day use and as yet undiscovered, undesignated buried remains of archaeological interest.

In the case of buildings, generally the risks of neglect and decay of heritage assets are best addressed through ensuring that they remain in active use that is consistent with their conservation. Ensuring such heritage assets remain used and valued is likely to require sympathetic changes to be made from time to time. In the case of archaeological sites, many have no active use, and so for those kinds of sites, periodic changes may not be necessary, though on-going management remains important.

Where changes are proposed, the National Planning Policy Framework sets out a clear framework for both plan-making and decision-making in respect of applications for planning permission and listed building consent to ensure that heritage assets are conserved, and where appropriate enhanced, in a manner that is consistent with their significance and thereby achieving sustainable development. Heritage assets are either designated heritage assets or non-designated heritage assets.

Part of the public value of heritage assets is the contribution that they can make to understanding and interpreting our past. So where the complete or partial loss of a heritage asset is justified (noting that the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted), the aim then is to:

- capture and record the evidence of the asset's significance which is to be lost
- interpret its contribution to the understanding of our past; and

- make that publicly available (National Planning Policy Framework paragraph 218)

Paragraph 6: What is "significance"?

'Significance' in terms of heritage-related planning policy is defined in the Glossary of the National Planning Policy Framework as the value of a heritage asset to this and future generations because of its heritage interest. Significance derives not only from a heritage asset's physical presence, but also from its setting.

The National Planning Policy Framework definition further states that in the planning context heritage interest may be archaeological, architectural, artistic or historic. This can be interpreted as follows:

- **archaeological interest:** As defined in the Glossary to the National Planning Policy Framework, there will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.
- **architectural and artistic interest:** These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skill, like sculpture.

- **historic interest:** An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation's history, but can also provide meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity.

In legislation and designation criteria, the terms 'special architectural or historic interest' of a listed building and the 'national importance' of a scheduled monument are used to describe all or part of what, in planning terms, is referred to as the identified heritage asset's significance.

Paragraph 7: Why is 'significance' important in decision-taking?

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

Paragraph 13: What is the setting of a heritage asset and how should it be taken into account?

The setting of a heritage asset is defined in the Glossary of the National Planning Policy Framework.

All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not. The setting of a heritage asset and the asset's curtilage may not have the same extent.

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

The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights of way or an ability to otherwise access or experience that setting. The contribution may vary over time.

When assessing any application which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change. They may also need to consider the fact that developments which materially detract from the asset's significance may also damage its economic viability now, or in the future, thereby threatening its ongoing conservation.

Paragraph 15: What is the optimum viable use for a heritage asset and how is it taken into account in planning decisions?

The vast majority of heritage assets are in private hands. Thus, sustaining heritage assets in the long term often requires an incentive for their active conservation. Putting heritage assets to a viable use is likely to lead to the investment in their maintenance necessary for their long-term conservation.

By their nature, some heritage assets have limited or even no economic end use. A scheduled monument in a rural area may preclude any use of the land other than as a pasture, whereas a listed building may potentially have a variety of alternative uses such as residential, commercial and leisure.

In a small number of cases a heritage asset may be capable of active use in theory but be so important and sensitive to change that alterations to accommodate a viable use would lead to an unacceptable loss of significance.

It is important that any use is viable, not just for the owner, but also for the future conservation of the asset: a series of failed ventures could result in a number of unnecessary harmful changes being made to the asset.

If there is only one viable use, that use is the optimum viable use. If there is a range of alternative economically viable uses, the optimum viable use is the one likely to cause the least harm to the significance of the asset, not just through necessary

initial changes, but also as a result of subsequent wear and tear and likely future changes. The optimum viable use may not necessarily be the most economically viable one. Nor need it be the original use. However, if from a conservation point of view there is no real difference between alternative economically viable uses, then the choice of use is a decision for the owner, subject of course to obtaining any necessary consents.

Harmful development may sometimes be justified in the interests of realising the optimum viable use of an asset, notwithstanding the loss of significance caused, and provided the harm is minimised. The policy on addressing substantial and less than substantial harm is set out in paragraphs 212-215 of the National Planning Policy Framework.

Paragraph 18: How can the possibility of harm to a heritage asset be assessed?

What matters in assessing whether a proposal might cause harm is the impact on the significance of the heritage asset. As the National Planning Policy Framework makes clear, significance derives not only from a heritage asset's physical presence, but also from its setting.

Proposed development affecting a heritage asset may have no impact on its significance or may enhance its significance and therefore cause no harm to the heritage asset. Where potential harm to designated heritage assets is identified, it needs to be categorised as either less than substantial harm or



substantial harm (which includes total loss) in order to identify which policies in the National Planning Policy Framework (paragraphs 212-215) apply.

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

Whether a proposal causes substantial harm will be a judgment for the decision-maker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework. In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.

While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all, for example, when removing later additions to historic buildings where those additions are inappropriate and harm the buildings' significance. Similarly, works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all. However, even minor works have the potential to cause substantial harm, depending on the nature of their impact on the asset and its setting.

The National Planning Policy Framework confirms 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). It also makes clear that any harm to a designated heritage asset requires clear and convincing justification and sets out certain assets in respect of which harm should be exceptional/wholly exceptional (see National Planning Policy Framework, paragraph 213).

Paragraph 20: What is meant by the term public benefits?

The National Planning Policy Framework requires any harm to designated heritage assets to be weighed against the public benefits of the proposal.

Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.

Examples of heritage benefits may include:

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- reducing or removing risks to a heritage asset
- securing the optimum viable use of a heritage asset in support of its long term conservation

### **Other Relevant Policy Documents**

*Historic England: Historic Environment Good Practice Advice in Planning (December 2017)*

*Historic England: Conservation Principles and Assessment (2008)*

