



118-132 NEW OXFORD STREET,
LONDON

HERITAGE ASSESSMENT



PREPARED BY PEGASUS GROUP
ON BEHALF OF LLOYDS BANKING GROUP

P17-1505 | AUGUST 2017

Pegasus
Group





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PLANNING | **DESIGN** | **ENVIRONMENT** | **ECONOMICS**



HERITAGE STATEMENT

118-132 NEW OXFORD STREET, LONDON, WC1A 1HL

ON BEHALF OF: LLOYDS BANKING GROUP

PLANNING (LISTED BUILDING AND CONSERVATION AREAS) ACT 1990

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1. Introduction

1.1 Pegasus Planning Group have been commissioned by Lloyds Banking Group to carry out a Heritage Assessment of the proposed internal and external alterations at 118-132 New Oxford Street as shown on the Site Location Plan provided at Plate 1.

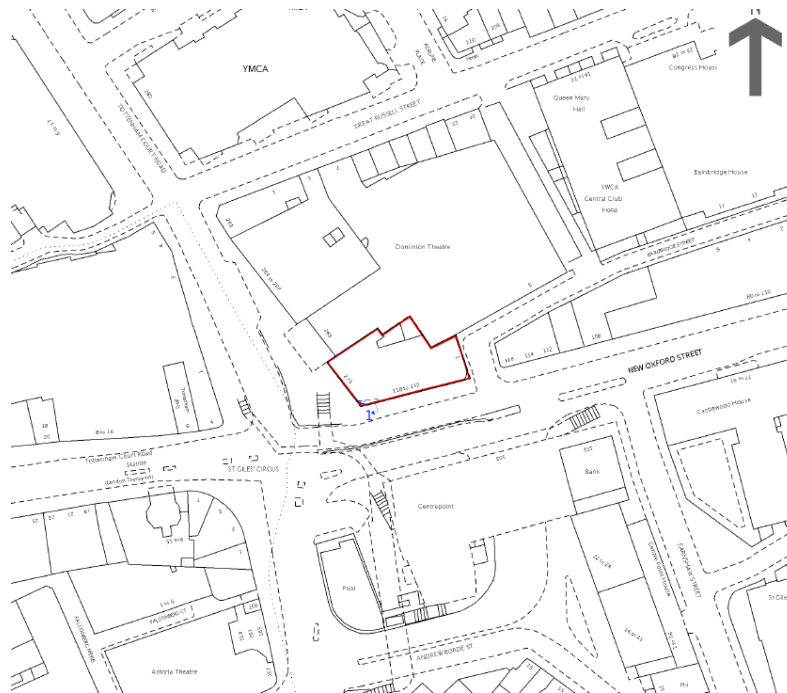


Plate 1: Site Location Plan

1.2 The application site comprises the ground, basement and first floor of the premises at 118-132 New Oxford Street. The

property is Grade II Listed and located within the Bloomsbury Conservation Area.

1.3 The development proposals are set out in full at Section 3 of this report, as well as on the submitted plans, but comprise internal and external alterations to facilitate the occupation of the building by Halifax Bank as their flagship branch.

1.4 This Heritage Statement provides information with regards to the significance of the historic environment, to fulfil the requirement given in paragraph 128 of NPPF which requires:

“an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.”

1.5 In order to inform an assessment of the acceptability of the scheme in relation to impacts to the historic environment, following paragraphs 132 to 135 of NPPF, any harm the historic environment resulting from the proposed development is also described, including impacts to significance through changes to setting.

1.6 As required by paragraph 128 of the NPPF, the detail and assessment in this report is considered to be *“proportionate to the asset’s important and no more than is sufficient to understand the potential impact of the proposal on their significance”*.

1.7 Pre-application discussions, including a site visit, have been held with Officers at Camden Council and a detailed response was received on the 21st August 2017, the comments contained within which will be considered and discussed within the assessment section of this report (Section 7).

2. Site Description and Location

2.1 The application site comprises the basement, ground and first floor of Corinthian House, 118-132 New Oxford Street, a Grade II Listed Building, located on the edge of the Bloomsbury Conservation Area.



Plate 2: 118-132 New Oxford Street

2.2 The building is prominently located on the corner of New Oxford Street and Tottenham Court Road.

2.3 The property was designed and constructed by Harry Wilson in 1928-1930 as the flagship store of 'Burtons'. The six storey

building, plus basement, was designed in the art deco style which was used by Wilson in order to establish an architectural identity for the retailer across their stores throughout the country.

2.4 The existing shopfront is a modern insertion (see Plate 3), with the primary access being from the entrance on the corner of New Oxford Street and Tottenham Court Road. Access to the offices on the upper floors is from the Tottenham Court Road entrance, with secondary service entrances to the Bainbridge Road elevation, including the only remnant of the original shopfront (see Plate 4).

2.5 The windows on ground and first floors are blocked internally with modern shop fittings, whilst the glazing to the Bainbridge Street and half of the New Oxford Street shopfront is obscured with black vinyls.

2.6 The primary frontage is that which fronts on to New Oxford Street and continues around to Tottenham Court Road.



Plate 3: Detail of modern shopfront



Plate 4: Retained element of the original shopfront

Site Development

- 2.7 The application site is located at the junction between New Oxford Street and Tottenham Court Road, an area which has seen great change over the past 120 years and continues to evolve and change with the redevelopment of Tottenham Court Tube Station ongoing.
- 2.8 Plans from the late 19th and early 20th century (see [Plate 5](#) and [Plate 6](#)) show the layout of the area prior to the construction of the building in 1928, where the block was dominated by a brewery and the corner plot where the property now stands being subdivided in to a number of smaller units.
- 2.9 The building and its current footprint are shown on the 1952-193 Map ([Plate 7](#)), along with the 1965-1968 Map ([Plate 8](#)) which demonstrate the evolution of the area during this time which is particularly visible in the clearance of the properties on the southern side of New Oxford Street.

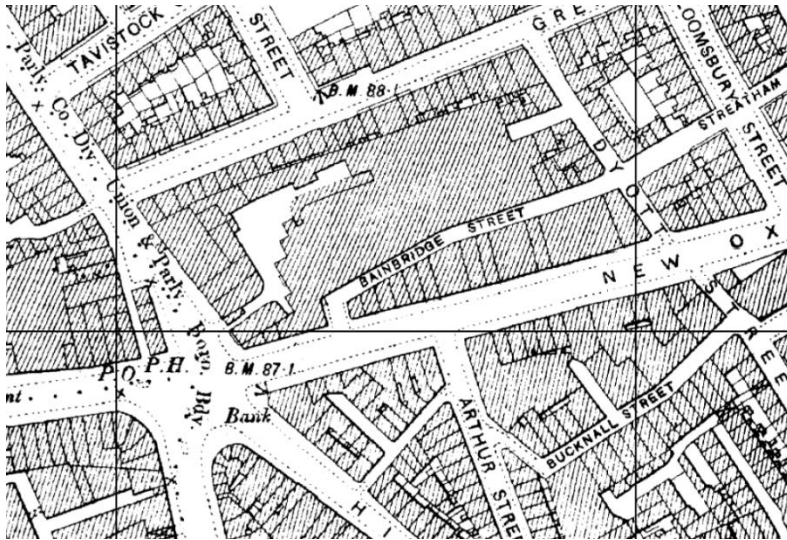


Plate 5: 1896 Map



Plate 6: 1916 Map

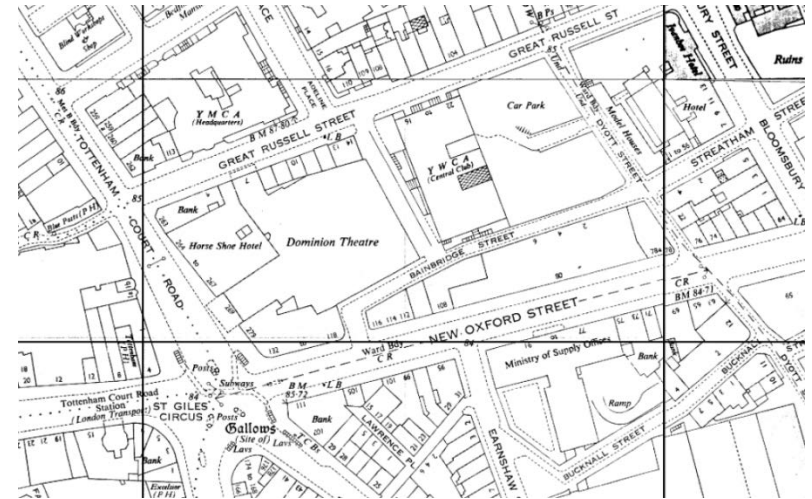


Plate 7: 1952-1953 Map



Plate 8: 1965-1968 Map

Planning History

- 2.10 Whilst the historic mapping described above indicates the development of the local area, a review of the recent planning history records held online by Camden Council has also indicated a number of applications which are relevant to the current proposals, as follows:
- 2.11 Listed Building application **2016/3767/L** – Erection of outer doors and replacement of inner doors at ground floor level, creation of internal lightwell (following removal of part of 6th floor slab) and internal roof terrace at 5th floor and 6th floor level; alterations and extension to 6th floor level including rooflights; relocation of plant to 2 plant rooms at 7th floor roof level; and creation of roof terrace at 7th floor level including access and balustrade; and external repair and refurbishment of existing offices. Approved 23rd September 2016.
- 2.12 Planning application **2016/3484/P** – Erection of outer doors and replacement inner doors at ground floor level, creation of internal lightwell and internal roof terrace at 5th and 6th floor level; extension and rooflights to 6th floor; relocation of plant to 2 plant rooms at roof level; and creation of roof terrace at 7th floor level including access and balustrade. Approved 23rd September 2016.
- 2.13 Listed building consent application **2007/2003/L** - Alterations to fascia including display of individually illuminated lettering to fascia signs on elevations fronting Tottenham Court Road and Oxford Street. Approved 14th June 2007.
- 2.14 Advertisement consent application **2007/1588/A** - Display of individually illuminated lettering to fascia signs on elevations fronting Tottenham Court Road and Oxford Street. Approved 14th June 2007.
- 2.15 Listed building application **2004/2598/L** and advertisement consent 2004/2602/A - The display of a halo illuminated fascia sign and 3 high level banners. Part granted/refused 31st August 2004.
- 2.16 Planning application **2004/0842/P** – The retention of alterations to an existing shop front and installation of a new security shutter to a Bainbridge Street emergency exit. Approved 16th July 2004.
- 2.17 Listed building application **2004/0869/L** – Internal alterations at basement, ground and first floor levels of existing retail premises. Approved 16th July 2004.
- 2.18 The above permissions provide the context against which the current proposals will be considered below.

3. Proposed Development

3.1 The application seeks full Planning Permission and Listed Building Consent for a package of internal and external works to the property to facilitate its occupation by the Halifax Bank. The full schedule of works is as follows:

Exterior Works

- **Removal of existing modern shop front and replacement with new glazed shopfront, incorporating a new entrance, ATMs, fascia and signage; and**
- **Installation of new projecting sign.**

Internal Works

Basement

- **Removal of existing shop fittings and partitions, including suspended ceilings and escalators;**
- **Installation of new stairs, lift and escalators;**
- **Insertion of new partitions to form offices, toilets and back of house areas; and**
- **Redecoration throughout, including new floor, wall and ceiling finishes.**

Ground Floor

- **Removal of existing shop fittings and partitions, including suspended ceilings and**

escalators;

- **Installation of new shopfront and glazing;**
- **Installation of new stairs, lift and escalators;**
- **Installation of new atrium opening to first floor;**
- **Insertion of new partitions to form offices, and back of house areas; and**
- **Redecoration throughout, including new floor, wall and ceiling finishes.**

First Floor

- **Removal of existing shop fittings and partitions, including suspended ceilings and escalators and opening up of windows;**
- **Installation of new stairs, lift and escalators;**
- **Installation of new atrium opening to ground floor;**
- **Insertion of new partitions to form offices, and back of house areas; and**
- **Redecoration throughout, including new floor, wall and ceiling finishes.**

3.2 The proposals are detailed on the following plans which form the application package and which this assessment considers:

- **Ground Floor Plan Demolitions and Removals ref: 50941725-AREX-00-0021 PL rev. A;**
- **Ground Floor Plan Proposed Plan ref: 50941725-AR01-00-0001-PL rev. J;**
- **Ground Floor Plan Internal Elevation Sheet 1 ref: 50941725-AR01-00-0202-PL rev. D;**
- **Ground Floor Plan Internal Elevation Sheet 2 ref: 50941725-AR01-00-0202-PL ref. D;**
- **Ground Floor Plan Floor Finishes ref: 50941725-AR01-00-0601-PL rev. A;**
- **Ground Floor Plan Wall Finishes ref: 50941725-AR01-00-0602-PL rev. A;**
- **Ground Floor Plan Skirting Board Type Locations ref: 50941725-AR01-00-0603-PL rev. A;**
- **Ground Floor Plan RCP-Proposed Ceiling Plan ref: 50941725-AR01-00-0801-PL rev. A;**
- **First Floor Plan Demolitions and Removals ref: 50941725-AREX-00-0021-PL rev. A;**
- **First Floor Proposed Plan ref: 50941725-AR01-01-0001-PL rev. H;**
- **First Floor Plan Internal Elevation Sheet 1 ref: 50941725-AR01-01-0201-PL rev. D;**
- **First Floor Plan Internal Elevation Sheet 2 ref: 50941725-AR01-01-0202-PL rev. D;**
- **First Floor Plan Internal Elevation Sheet 4 ref: 50941725-AR01-0204-PL rev. D;**
- **First Floor Plan Floor Finishes ref: 50941725-AR01-0601-PL rev. A;**
- **First Floor Plan Wall Finishes ref: 50941725-AR01-01-0602-PL rev. C;**
- **First Floor Plan Skirting Boards Type Locations ref: 50941725-AR01-01-0603-PL rev. A;**
- **First Floor Plan RCP – Proposed Ceiling Plan ref: 50941725-AR01-01-0801-PL rev. A;**
- **Basement Plan Demolition and Removals ref: 90541725-AREX-B1-0021-PL rev. A;**
- **Basement Plan Proposed Plan ref: 50941725-AR01-B1-0001-PL rev. K;**
- **Basement Plan Floor Finishes ref: 50941725-AR01-B1-0601-PL rev. A;**
- **Basement Plan Wall Finishes ref: 50941725-AR01-B1-0602-PL rev. C;**
- **Basement Plan Skirting Boards Type Locations ref: 50941725-AR01-B1-0603-PL rev. A;**
- **Basement Plan RCP-Reflective Ceiling Plan ref: 50941725-AR01-B1-0801-PL rev. A;**
- **Basement Floor Plan Internal Elevation Sheet 1 ref: 50941725-AR01-BM-0201-PL rev. D;**
- **Basement Floor Plan Internal Elevation Sheet 2 ref: 50941725-AR01-BM-0202-PL rev. D;**

- **Main Elevations Tottenham Court Road & New Oxford Street As Proposed ref: 50941725-AR01-E1-0202-PL rev. C; and**
- **Proposed new hanging sign ref: S DAYNES.**

3.3 Section 7 of this report presents an analysis of the harm or benefits of these proposal on the identified heritage assets.

4. Methodology

4.1 The aims of this Heritage Assessment are to assess the significance of the Grade II Listed Building and assess contribution that the Site makes to the heritage significance of the Bloomsbury Conservation Area and the other Listed Buildings within the vicinity of the application site, and to identify any harm or benefit to them which may result from the implementation of the development proposals, along with the level of any harm caused.

Site Visit

4.2 A site visit was undertaken by Pegasus Group on 20th July 2017, during which the site and its surrounds were assessed. Heritage Assets were visited as closely as possible from publicly accessible areas.

Sources

4.3 The following key sources have been consulted as part of this assessment:

- **The National Heritage List for England;**
- **The Bloomsbury Conservation Area Appraisal and Management Strategy as prepared by Camden;**

- **Archival sources held at the London Metropolitan Archive and Historic England Archives, Swindon;**
- **Online resources at Camden Council; and**
- **Aerial photographs and satellite imagery.**

Assessment of significance

4.4 In the NPPF, heritage significance is defined as:

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

4.5 Historic England’s Historic Environment Good Practice advice in Planning Note 2: Managing Significance in Decision Taking in the Historic Environment¹ (henceforth referred to as ‘GPA 2: Managing Significance’) gives advice on the assessment of significance as part of the application process. It advises understanding the nature, extent, and level of significance of a heritage asset. In order to do this, GPA 2: Managing Significance also advocates considering the four types of heritage value an asset may hold, as identified in Historic England’s Conservation

¹ Historic England, 2015, *Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision Taking in the Historic Environment*

Principles²; **aesthetic, communal, historic** and **evidential**.

These essentially cover the heritage 'interests' given in the glossary of the NPPF, which comprise archaeological, architectural, artistic and historic interest.

4.6 *Conservation Principles* provides further information on the heritage values it identifies:

- **Evidential value:** the potential of a place to yield evidence about past human activity. This value is derived from physical remains, such as archaeological remains, and genetic lines.
- **Historical value:** the ways in which past people, events and aspects of life can be connected through a place to the present - it tends to be illustrative or associative. Illustrative is the perception of a place as a link between past and present people and depends on visibility. It has the power to aid interpretation of the past through making connections with and providing insights into past communities and their activities through shared experience of a place. By contrast, associative value need not necessarily be legible at an asset. But gives a particular resonance through association with a notable family, person, event or movement.
- **Aesthetic value:** the ways in which people draw sensory and intellectual stimulation from a place. Aesthetic values can be the result of conscious design or fortuitous outcome or a combination of the two aspects. The latter can result from the enhancement of the appearance of a place through the passage of time.

² English Heritage 2008 *Conservation Principles, Policies and Guidance for the Sustainable Management of the Historic Environment*

- **Communal value:** the meanings of a place for the people who relate to it, or for whom it figures in their collective experience or memory. This can be through widely acknowledged commemorative or symbolic value that reflects the meaning of the place, or through more informal social value as a source of identity, distinctiveness, social interaction and coherence. Spiritual value may also be part of communal value.

4.7 Significance results from a combination of any, some or all of the values described above.

4.8 Listed Buildings and Conservation Areas are usually designated for their special architectural and historic interest. Scheduling is predominantly, although not exclusively, associated with archaeological interest.

Setting and significance

4.9 As defined in NPPF:

"Significance derives not only from a heritage asset's physical presence, but also from its setting."³

4.10 Setting is defined as:

"The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may contribute to the significance of an asset, may affect the

³ NPPF, Annex 2

ability to appreciate that significance or may be neutral.”⁴

4.11 Therefore, setting can contribute to, affect an appreciation of significance or be neutral with regards to heritage values.

4.12 It is also important to note that whilst a physical or visual connection between a heritage asset and its setting will often exist, it is not essential or determinative. This was recently considered in a High Court Judgement⁵ where it was concluded that:

“The term setting is not defined in purely visual terms in the NPPF which refers to the “surroundings in which a heritage assets is experienced”. The work “experienced” has a broad meaning, which is capable of extending beyond the purely visual”.

Assessing change through alteration to setting

4.13 How setting might contribute to these values has been assessed within this report with reference to *Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets*⁶ (henceforth referred to as *GPA 3: The Setting of Heritage Assets*), particularly the checklist given on page 9. This advocates the clear articulation of ‘*what matters and why*’.

⁴ Ibid.

⁵ EWHC 1456, *Steer v. Secretary of State for Communities and Local Government, Catesby Estates Limited, Amber Valley Borough Council*, 2017.

4.14 In *GPA 3: The Setting of Heritage Assets*, a stepped approach is recommended, of which Step 1 is to identify the heritage assets affected and their settings. Step 2 is to assess ‘*whether, how and to what degree settings make a contribution to the significance of the heritage asset(s)*’. The guidance includes a (non-exhaustive) check-list of elements of the physical surroundings of an asset that might be considered when undertaking the assessment including, among other things: topography, other heritage assets, land use, green space, functional relationships, degree of change over time and integrity. It also lists points associated with the experience of the asset which might be considered, including: views, intentional intervisibility, tranquility, sense of enclosure, accessibility, rarity and associative relationships.

4.15 Step 3 is to assess the effect of the proposed development on the significance of the asset(s). Step 4 is ‘*maximising enhancement and minimising harm*’. Step 5 is ‘*making and documenting the decision and monitoring outcomes*’.

4.16 Descriptions of significance will naturally anticipate the ways in which impacts will be considered. Hence descriptions of the significance of Conservation Areas will make reference to their special interest and character and appearance, and the significance of Listed buildings will be discussed with reference

⁶ Historic England, 2015, *Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets*

to the building, its setting and any features of special architectural or historic interest which it possesses.

Levels of significance

4.17 In accordance with the level of significance articulated in NPPF, three levels of significance are identified:

- **Designated heritage assets of the highest significance**, as identified in paragraph 132 of NPPF comprising Grade I and II* Listed buildings; Grade I and II* Registered Parks and Gardens; Scheduled Monuments; Protected Wreck Sites and Registered Battlefields (and also including some Conservation Areas);
- **Designated heritage assets of less than the highest significance**, as identified in paragraph 132 of NPPF, comprising Grade II Listed buildings and Grade II Registered Parks and Gardens (and also some Conservation Areas);
- **Non-designated heritage assets.** Non-designated heritage assets are defined within the Government's Planning Practice Guidance as "buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated heritage assets⁷".

4.18 Additionally, it is of course possible that sites, buildings or areas have **no heritage significance**.

⁷ DCLG, Planning Practice Guidance, Paragraph: 039 (ID: 18a-039-20140306, Revision date: 06 03 2014)

Assessment of harm

4.19 Assessment of any harm will be articulated in terms of the policy and law that the proposed development will be assessed against, such as whether a proposed development preserves or enhances the character or appearance of a Conservation Area, and articulating the scale of any harm in order to inform a balanced judgement/weighting exercise as required by the NPPF.

4.20 In order to relate to key policy, the following levels of harm may potentially be identified:

- **Substantial harm or total loss.** It has been clarified in a High Court Judgement of 2013⁸ that this would be harm that would 'have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced'; and
- **Less than substantial harm.** Harm of a lesser level than that defined above.

4.21 It is also possible that development proposals will cause **no harm or preserve** the significance of heritage assets. A High Court Judgement of 2014 is relevant to this⁹. This concluded that with regard to preserving the setting of a Listed building or preserving the character and appearance of a Conservation Area, 'preserving' means doing 'no harm'.

⁸ EWHC 2847, R DCLG and Nuon UK Ltd v. Bedford Borough Council

⁹ EWHC 1895, R (Forge Field Society, Barraud and Rees) v. Sevenoaks DC, West Kent Housing Association and Viscount De L'Isle

4.22 It is also important to note that preservation does not mean no change; it specifically means no harm. *GPA 2: Managing Significance* states that “*Change to heritage assets is inevitable but it is only harmful when significance is damaged*”. Thus, change is accepted in Historic England’s guidance as part of the evolution of the landscape and environment. It is whether such change is neutral, harmful or beneficial to the significance of an asset that matters.

4.23 As part of this, setting may be a key consideration. For an evaluation of any harm to significance through changes to setting, this assessment follows the methodology given in *GPA 3: The Setting of Heritage Assets*, described above. Again, fundamental to the methodology set out in this document is stating ‘*what matters and why*’. Of particular relevance is the checklist given on page 11 of *GPA 3: The Setting of Heritage Assets*.

4.24 It should be noted that this key document states that:

“setting is not a heritage asset, nor a heritage designation”

4.25 Hence any impacts are described in terms of how they affect the significance of a heritage asset, and heritage values that contribute to this significance, through changes to setting.

4.26 With regards to changes in setting, *GPA 3: The Setting of Heritage Assets* states that “protection of the setting of heritage assets need not prevent change”.

4.27 Additionally, it is also important to note that, as clarified in the Court of Appeal¹⁰, whilst the statutory duty requires that special regard should be paid to the desirability of not harming the setting of a Listed Building, that cannot mean that any harm, however minor, would necessarily require planning permission to be refused.

Benefits

4.28 Proposed development may also result in benefits to heritage assets, and these are articulated in terms of how they enhance the heritage values and hence significance of the assets concerned.

¹⁰ Palmer v Herefordshire Council & Anor [2016] EWCA Civ 1061 (04 November 2016)

5. Planning Policy Framework

5.1 This section of the Statement sets out the legislation and planning policy considerations and guidance contained within both national and local planning guidance which specifically relate to the application site, with a focus on those policies relating to the protection of the historic environment.

Legislation

5.2 Legislation relating to the Historic Environment is primarily set out within the Planning (Listed Buildings and Conservation Areas) Act 1990 which provides statutory protection for Listed Buildings and Conservation Areas.

5.3 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

“In considering whether to grant planning 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.”

5.4 In the 2014 Court of Appeal judgement in relation to the Barnwell Manor case¹¹, Sullivan LJ held that:

“Parliament in enacting section 66(1) did intend that the desirability of preserving the settings of listed buildings should not simply be given careful consideration by the decision-maker for the purpose of deciding whether there would be some harm, but should be given “considerable importance and weight” when the decision-maker carries out the balancing exercise.”

5.5 Recent judgement in the Court of Appeal¹² (‘Mordue’) has clarified that, with regards to the setting of Listed Buildings, where the principles of the NPPF are applied (in particular paragraph 134, see below), this is in keeping with the requirements of the 1990 Act.

5.6 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 relates to development within Conservation Areas and 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 that area”

5.7 Notwithstanding the statutory presumption set out within the Planning (Listed Buildings and Conservations Area) Act 1990, Section 38(6) of the Planning and Compulsory Purchase Act

¹¹ East Northamptonshire District Council v SSCLG (2015) EWCA Civ 137

¹² Jones v Mordue Anor (2015) EWCA Civ 1243

2004 requires that all planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise.

National Planning Guidance

The National Planning Policy Framework (March 2012)

- 5.8 National policy and guidance is set out in the Government's National Planning Policy Framework (NPPF) published in March 2012. This replaced the previous suite of national Planning Policy Statements, Planning Policy Guidance notes and some Circulars, including those related to heritage, with a single streamlined document. The NPPF needs to be read as a whole, and is intended to promote the concept of delivering sustainable development.
- 5.9 The NPPF sets out the Government's economic, environmental and social planning policies for England. Taken together, these policies articulate the Government's vision of sustainable development, which should be interpreted and applied locally to meet local aspirations. The NPPF continues to recognise that the planning system is plan-led and that therefore Local Plans, incorporating Neighbourhood Plans where relevant, are the starting point for the determination of any planning application, including those which relate to the historic environment.
- 5.10 The overarching policy change applicable to the proposed development is the presumption in favour of sustainable development. This presumption in favour of sustainable development (the 'presumption') sets out the tone of the

Government's overall stance and operates with and through the other policies of the NPPF. Its purpose is to send a strong signal to all those involved in the planning process about the need to plan positively for appropriate new development; so that both plan making and development management are proactive and driven by search for opportunities to deliver sustainable development, rather than barriers. Conserving historic assets in a manner appropriate to their significance forms part of this drive towards sustainable development.

- 5.11 The purpose of the planning system is to contribute to the achievement of sustainable development and the NPPF sets out three 'dimensions' to sustainable development: an economic role, a social role, and an environmental role. The presumption is key to delivering these ambitions, by creating a positive pro-development framework which is underpinned by the wider economic, environmental and social provisions of the NPPF. The presumption is set out in full at paragraph 14 of the NPPF and reads as follows:

"At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

For plan-making this means that:

- **local planning authorities should positively seek opportunities to meet the development needs of their area;**

- **Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:**
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

For decision-taking this means:

- **approving development proposals that accord with the development plan without delay; and**
- **where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless:**
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.”

5.12 However, it is important to note that footnote 9 of the NPPF

applies in relation to the final bullet of paragraph 14. This provides a context for paragraph 14 and reads as follows:

“For example, those policies relating to sites protected under the Birds and habitats Directives (see paragraph 119) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion.” (our emphasis)

5.13 The NPPF continues to recognise that the planning system is plan-led and that therefore, Local Plans, incorporating Neighbourhood Plans, where relevant, are the starting point for the determination of any planning application.

5.14 The NPPF also sets out 12 no. core planning principles for delivering sustainable development. For the purposes of this Statement, particular regard should be had to the tenth core principle, which identifies at paragraph 17 of the NPPF that planning should:

“conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations”

5.15 Heritage Assets are defined in Annex 2 of the NPPF as:

“A building, monument, site, place, area or landscape meriting consideration in planning decisions, because of its heritage interest. Heritage assets include designated heritage

assets and assets identified by the Local Planning Authority (including Local Listing)”

5.16 The NPPF goes on to define a Designated Heritage Asset as:

“World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under relevant legislation¹³” (our emphasis)

5.17 As set out above, significance is also defined as:

“The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting¹⁴”

5.18 Section 12 of the NPPF relates to ‘Conserving and enhancing the historic environment’ and states at paragraph 129 that:

“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 assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal”

5.19 Paragraph 131 goes on to state that:

¹³ NPPF, Annex 2

“In determining planning applications, local planning authorities should take account of:

- **The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;**
- **The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and**
- **The desirability of new development making a positive contribution to local character and distinctiveness”**

5.20 With regard to the impact of proposals on the significance of a heritage asset, paragraph 132 is relevant and reads as follows:

“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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alterations or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens,

¹⁴ IBID

and World Heritage Sites should be wholly exceptional”

5.21 In the context of the above, it should be noted that paragraph 133 reads as follows:

“Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, 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:

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

5.22 Paragraph 134 goes on to state:

“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 securing its optimum viable use”

5.23 With regards to non-designated heritage assets, paragraph 135 of NPPF states that:

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

5.24 The NPPF also provides specific guidance in relation to development within Conservation Areas, stating at paragraph 137 that:

“Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably”

5.25 Paragraph 138 goes on to recognise that *“not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance”* and with regard to the potential harm from a proposed development states:

“Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated as substantial harm under paragraph 133 or less than

substantial harm under paragraph 134, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole" (our emphasis)

- 5.26 Overall, the NPPF confirms that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent it. Local Authorities should approach development management decisions positively, looking for solutions rather than problems so that applications can be approved wherever it is practical to do so. Additionally, securing the optimum viable use of sites and achieving public benefits are also key material considerations for application proposals.
- 5.27 As set out later in this Statement, it can be demonstrated that the proposals would serve to preserve the character and appearance of the designated heritage asset of the Bloomsbury Conservation Area and the historic and architectural importance of the Grade II Listed Building and thus both Planning Permission and Listed Building Consent can and should be granted as per the requirements of paragraphs 186 and 187 which state that:

"Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development...Local authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that

improve the economic, social and environmental conditions of the area."

National Planning Guidance

- 5.28 The Department for Communities and Local Government (DCLG) launched the planning practice web based resource in March 2014, accompanied by a ministerial statement which confirmed that a number of previous planning practice guidance documents were cancelled.
- 5.29 This also introduced the national Planning Practice Guidance (PPG) which comprised a full and consolidated review of planning practice guidance documents to be read alongside the NPPF.
- 5.30 The PPG has a discrete section on the subject of 'Conserving and enhancing the historic environment' which confirms that the consideration of 'significance' in decision taking is important and states:

"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 proposals¹⁵

5.31 In terms of assessment of substantial harm, the PPG confirms that whether a proposal causes substantial harm will be a judgement for the individual decision taker having regard to the individual circumstances and the policy set out within the NPPF. It goes on to state:

“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 setting¹⁶.

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 inappropriate additions to historic buildings which harm their 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

¹⁵ PPG, paragraph 009 (ID: 18a-009/20140306 revision date 06.03.2014)

¹⁶ PPG, paragraph 017 (ID: 18a-017-20140306 revision date 06.03.2014)

potential to cause substantial harm” (our emphasis)

5.32 With regard to design the PPG states at paragraph 02 that:

“Good design should:

- **ensure that development can deliver a wide range of planning objectives**
- **enhance the quality of buildings and spaces, by considering amongst other things form and function; efficiency and effectiveness and their impact on well being**
- **address the need for different uses sympathetically¹⁷.**

5.33 Paragraph 23 goes on to explain how to consider buildings and the spaces between them and reads as follows:

“Plans, policies and decisions can effectively manage physical form at a variety of scales. This is how planning can help achieve good design and connected objectives. Where appropriate the following should be considered:

- **layout – the way in which buildings and spaces relate to each other**
- **form – the shape of buildings**

¹⁷ PPG, paragraph 02 (ID: 26-002-20140306 revision date 06.03.2014)

- **scale – the size of buildings**
- **detailing – the important smaller elements of buildings and spaces”¹⁸**

Local Planning Policy

5.34 Planning applications within Camden are currently considered against the policy and guidance set out within the Consolidated London Plan (March 2016) and the Local Plan (July 2017).

The London Plan

5.35 The London Plan provides the spatial strategy for London. Development affecting heritage assets such as Listed Buildings and Conservation areas is considered in Chapter 7 and specifically within Policy 7.8 which reads as follows:

“Policy 7.8 Heritage Assets and Archaeology

Strategic

A London’s heritage assets and historic environment, including listed buildings, registered historic parks and gardens and other natural and historic landscapes, conservation areas, World Heritage Sites, registered battlefields, scheduled monuments, archaeological remains and memorials should be identified, so that the desirability of sustaining and enhancing their significance and of utilising their positive role in place shaping can be taken into account.

¹⁸ PPG, Paragraph 23 (ID: 26/023/20140306 revision date 06.03.2014)

Planning decisions

C Development should identify, value, conserve, restore, re-use and incorporate heritage assets, where appropriate.

D Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.”

5.36 The supporting text at paragraph 7.31 and 7.31A goes on to state that:

“Crucial to the preservation of this character is the careful protection and adaptive re-use of heritage buildings and their settings. Heritage assets such as conservation areas make a significant contribution to local character and should be protected from inappropriate development that is not sympathetic in terms of scale, materials, details and form. Development that affects the setting of heritage assets should be of the highest quality of architecture and design, and respond positively to local context and character outlined in the policies above.

Substantial harm to or loss of a designated heritage asset should be exceptional, with substantial harm to or loss of those assets designated of the highest significance being wholly exceptional. Where a development proposal will lead to less than substantial harm to the significance of a designated asset, this harm should be weighed against the public benefits of the proposal, including securing its

optimal viable use. Enabling development that would otherwise not comply with planning policies, but which would secure the future conservation of a heritage asset should be assessed to see if the benefits of departing from those policies outweigh the disbenefits.”

Camden Local Plan (July 2017)

5.37 The Camden Local Plan was adopted by the Council on 3rd July 2017 and sets out the Council’s planning policies, covering the period 2016-2031.

5.38 Policy D2 relates to Heritage and reads as follows:

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

Designated heritage assets

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

a. the nature of the heritage asset prevents all reasonable uses of the site;

b. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;

c. conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and

d. the harm or loss is outweighed by the benefit of bringing the site back into use.

The Council will not permit development that results in harm that is less than substantial to the significance of a designated heritage asset unless the public benefits of the proposal convincingly outweigh that harm.

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.

Archaeology

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

Other heritage assets and non-designated heritage assets

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

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

5.39 These development proposals will be considered in the context of the guidance set out within this in Section 7 of this report.

6. The Historic Environment

6.1 As set out above, the application site is located within the defined boundaries of the Bloomsbury Conservation Area, which contains numerous Listed Buildings and comprises part of a Grade II Listed Building itself. The characteristics of each will be discussed in turn.

Bloomsbury Conservation Area

6.2 The Bloomsbury Conservation Area was initially designated in 1968 and there have been numerous subsequent extensions since that date. The current boundaries are shown on the plan provided at Appendix 1.

APPENDIX 1: CONSERVATION AREA PLAN

6.3 The Conservation Area covers an area of approximately 160 hectares, extending from Euston Road in the north to High Holburn and Lincoln's Inn Fields in the south and from Tottenham Court Road in the west to King's Cross in the east¹⁹.

6.4 A Conservation Area Appraisal and Management Strategy was adopted by Camden Council in April 2011 which was prepared in order to *"define the special interest of the Conservation Area in order that its key attributes are understood and can be protected, and that measures are put in place to ensure*

appropriate enhancement."

6.5 The Appraisal goes on to describe the *"quintessential character"* of the Conservation Area as deriving from:

"the grid of streets enclosed by mainly three and four-storey development which has a distinctly urban character of broad streets interspersed by formal squares which provide landscape dominated focal points".

6.6 The buildings within the Conservation Area can be described as having a predominantly classical derived architectural style, regardless of period or building type. The appraisal goes on to describe how the main arterial routes within the Conservation Area, such as New Oxford Street and Tottenham Court Road, tend to have larger scale buildings, addressing broader, busier streets.

6.7 In terms of important views within the Conservation Area, the Appraisal describes how the *"visual characteristics of the Conservation Area therefore derive from the experience of moving between streets, squares and other spaces, and the contrast created between enclosure and open spaces"*.

6.8 The Application Site is located within the character sub area 8

¹⁹ Bloomsbury Conservation Area Appraisal and Management Strategy. Camden Council, April 2011

(New Oxford Street/High Holburn/Southampton Row) as defined within Conservation Area Appraisal, which is characterised by:

“Areas of large-scale, late 19th and early 20th century blocks fronting busy thoroughfares. Development followed the construction of new routes combined with the widening of earlier streets, thereby cutting through the earlier 17th and 18th century street pattern.....The predominant use is commercial , with a range of shops, banks, offices, hotels and theatres. Residential accommodation generally takes the form of mansion blocks”.

- 6.9 The application site is a landmark building which contributes to the significance of the Conservation Area due to its corner location, scale and architectural detailing.
- 6.10 The modern shopfronts however do not contribute to the character and appearance of the Conservation Area, and whilst are at odds with the detailing of the upper floors of the building, are not incongruous in the wider streetscene where similar modern shopfronts are located throughout the Conservation Area.

Listed Buildings

- 6.11 The application site comprises the basement, ground and first floor levels of 118 – 132 New Oxford Street, London. The Building is Grade II Listed, being first designated on 11th September 1990, with the following List Description:

“Headquarters office and shop. c1929-30. By Harry Wilson. For Montague Burton. Stone faced steel frame. EXTERIOR: 7 storeys on a

corner site. 7 bays to main Oxford Street facade, recessed canted angles 1 bay each, left hand return to Tottenham Court Road 3 bays, right hand return 2 bays. Ground floor shop altered late C20. Mezzanine 1st floor with margin glazed, tripartite metal framed windows in plain rectangular recesses. Main facade with Greek detailing to 6 Corinthian pilasters rising from 1st to 3rd floor to support an entablature with projecting cornice surmounted by antefixae. Within this frame, metal framed tripartite windows with spandrel panels to 2nd and 3rd floors. Outer bays with narrow, vertically set windows to 1st, 2nd and 3rd floors. Attic storey has short, horizontally set windows above which a stepped parapet with shaped, architraved, horizontally set window surmounted by a winged cartouche. Tottenham Court Road facade similar. Recessed angles with distyle-in-antis fluted columns, otherwise similar with stepped back parapets. Right hand return, plain recessed openings on 4 floors, tripartite to left bay, paired to recessed left bay. INTERIOR: not inspected. HISTORICAL NOTE: this store and offices was the flagship of an organisation founded in 1914 which became the largest men's clothing organisation in the world, offering quality clothes at the cheapest possible prices. Burton was also a pioneer in the field of industrial welfare in an exploitative industry.”

- 6.12 A full copy of the List Description is provided at Appendix 2.

APPENDIX 2: LIST ENTRY DESCRIPTION

- 6.13 The List Description provides a comprehensive description of the exterior of the property as well as its architectural detailing as it stands today, which clearly represent the most significant

elements of the historic and architectural importance of the Listed Building.

- 6.14 The modern shopfront is of no historic interest, having been installed in the 20th century, with little regard to the detailing of the upper floors.
- 6.15 The internal shop fittings have obscured views in to the building at ground and first floor level, with this being compounded by the black vinyl which creates blank frontage to the Bainbridge Street elevation and the majority of the New Oxford Street frontage (see Plate 9 and Plate 10).



Plate 9: Modern shopfront with windows blocked by shop fittings and displays



Plate 10: Bainbridge Street frontage

- 6.16 Aside from the retained element of the original shop front which fronts on to Bainbridge Street (see Plate 4), there is little of historic interest at ground floor level.
- 6.17 Internally, the building has been refitted many times since the original construction of the building. Historic floor plans show the various early layouts of the property and which clearly have been much altered including the staircases and lift which are modern insertions. As such the plan form is also of no historic interest. An original secondary staircase is still present and has a terrazzo finish and a simple metal handrail.

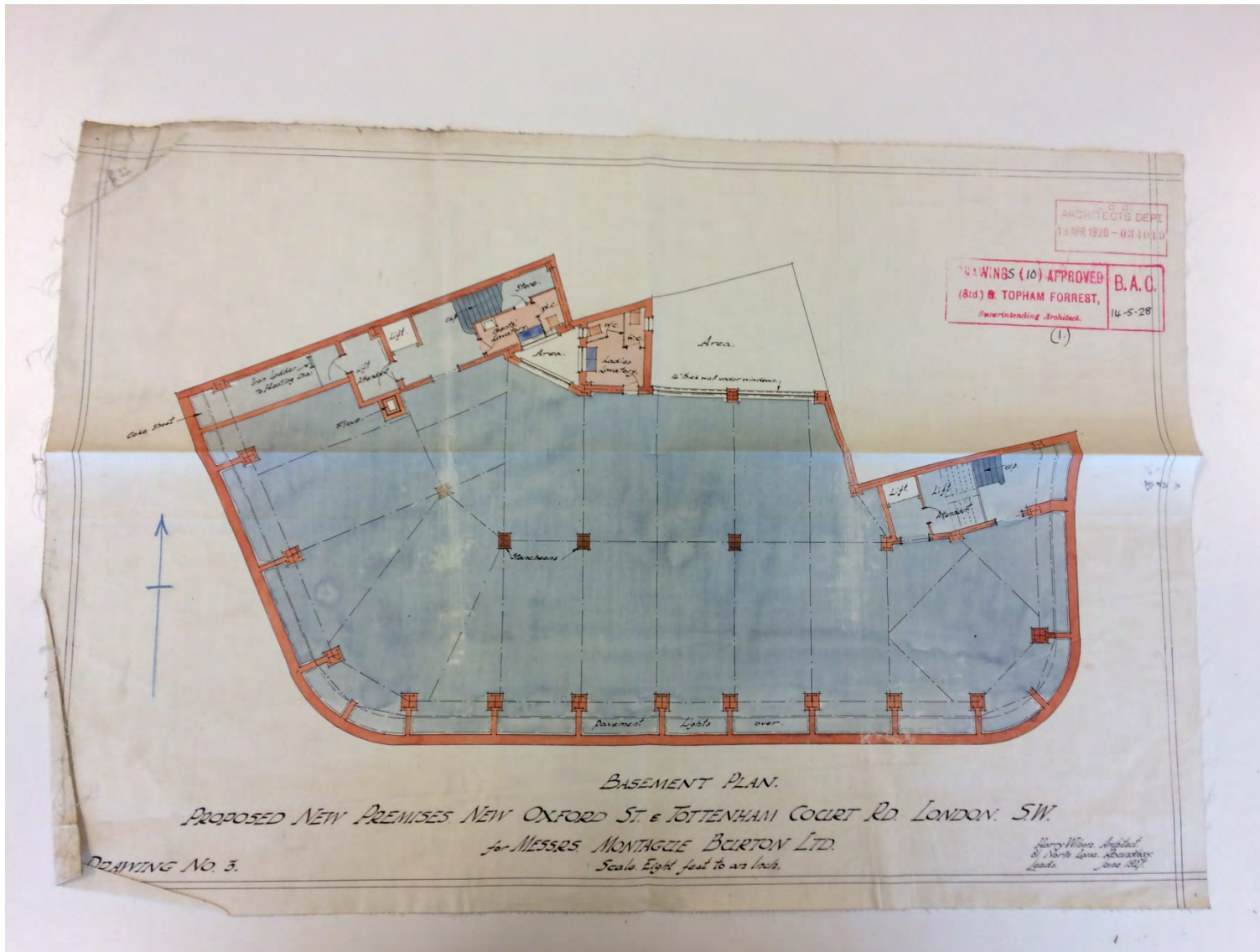


Plate 11: Original Basement Layout

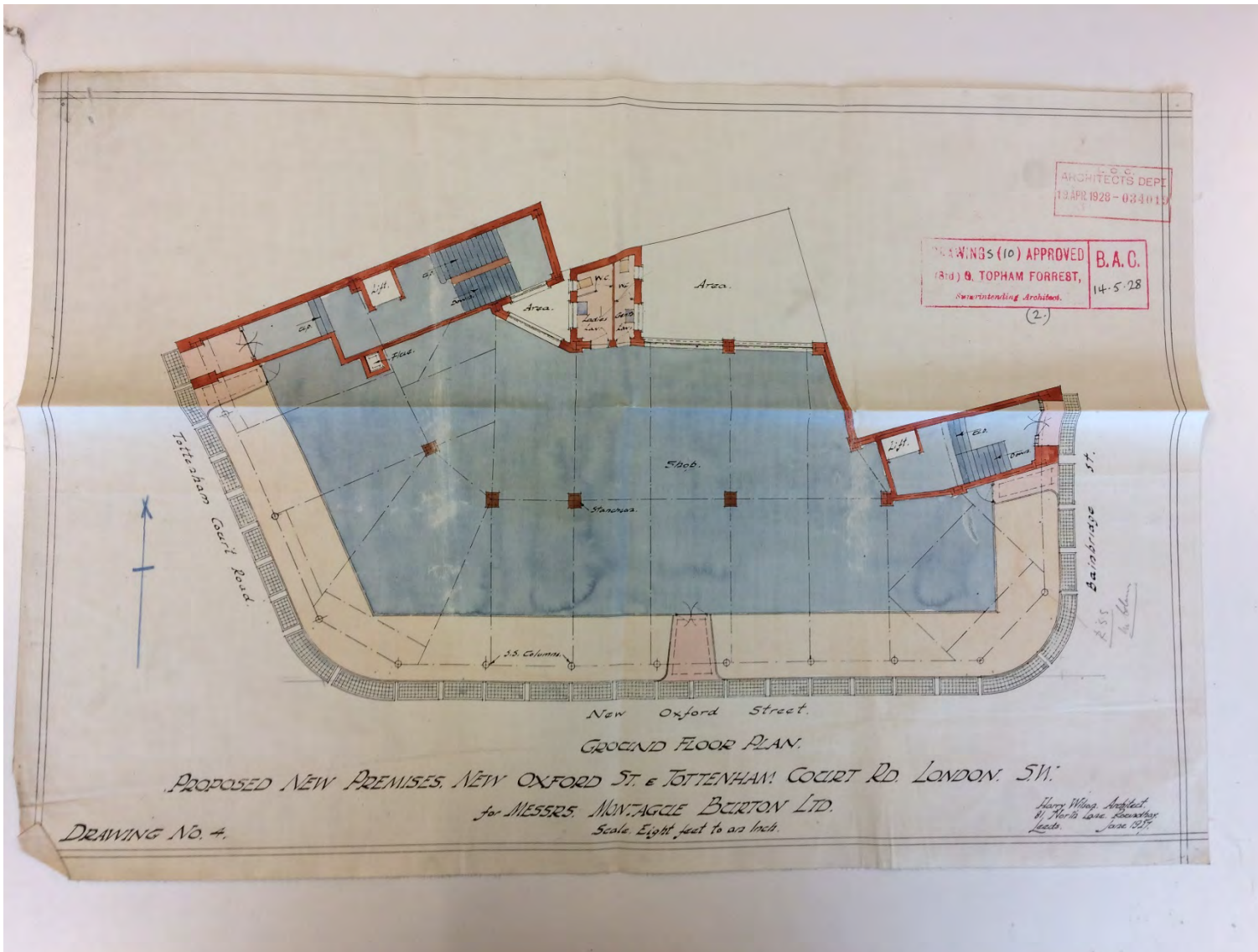


Plate 12: Original Ground Floor Layout

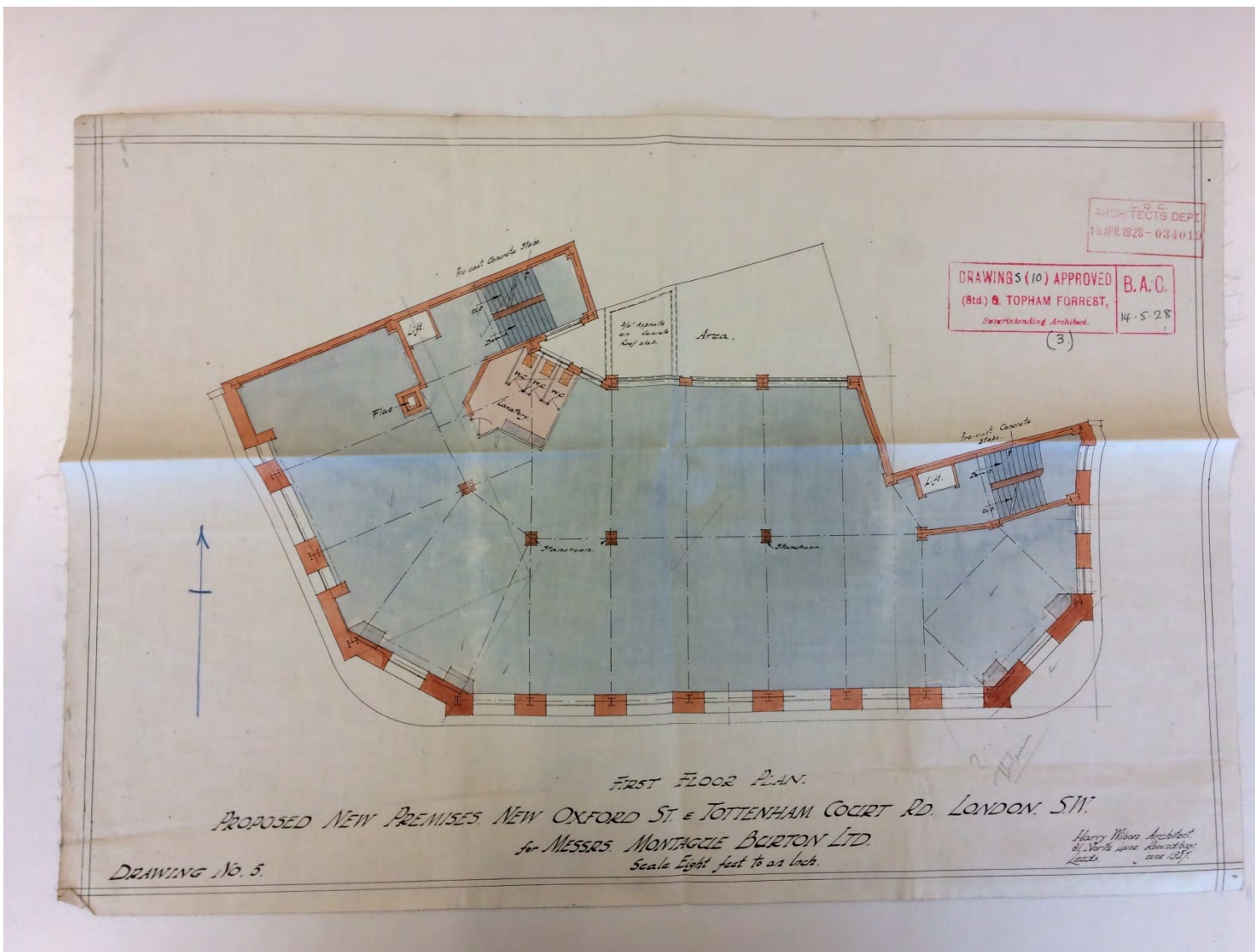


Plate 13: Original First Floor Layout

6.18 There is limited historic fabric remaining within the basement, ground and first floors, including the ceilings and floors, which whilst originally concrete have also undergone significant change and are thus of no historic interest, with the original timber block floor covering being lost during the various phases of previous refurbishment.

Other Listed Buildings within the vicinity of the Application Site

6.19 There are a number of other Listed Buildings within the direct vicinity of the application site, including the adjacent Dominion Theatre (Grade II Listed), 5 Great Russel Street to the north (Grade II), Center Point to the south (Grade II) and the Former Oxford Corner House to the east (Grade II).

6.20 Whilst the application site forms part of the setting of these Listed Buildings, it is considered proportionate to consider the impact of the proposed development upon the significance of the other Listed Buildings within the vicinity of the site through the assessment of the Conservation Area as a whole, and thus they will not be individually discussed in detail.

Statement of Significance

6.21 It is widely accepted (paragraph 138 of the NPPF) that not all parts of a heritage asset will necessarily be of equal significance. In some cases, certain elements of a heritage asset can accommodate substantial changes whilst preserving the

significance of any asset which may potentially be affected by development proposals in order to understand the scope for and acceptability of change. Significance can be derived from many elements, including the historic fabric of a building, the layout of space or land use associated with a building or an area.

6.22 The Grade II Listing of the building highlights that it is a heritage asset of less than the highest significance as defined by the NPPF, as well as the historic and architectural significance of the property. This is further cemented by its inclusion within the boundaries of the Bloomsbury Conservation Area. The heritage significance of the Listed Building is principally embodied in the following:

- **The main elevations to Tottenham Court Road, New Oxford Street and Bainbridge Street (excluding the modern shop fronts);**
- **The remaining historic fabric which includes, but is not limited to the retained element of shopfront to Bainbridge Street and the secondary staircase; and**
- **Its location on the corner plot of New Oxford Street and Tottenham Court Road which results in it being a landmark building within the Conservation Area.**

6.23 The setting of the asset also contributes to the significance of the asset, although the significance derived from the setting is less than that from its historic fabric. The principal elements of the physical surrounds and experience of the asset (its 'setting') which are considered to contribute to its heritage significance

comprise:

- **The other various Listed Buildings adjacent to and within the vicinity of the property with which the building forms part of the wider historic, commercial setting of the area.**

6.24 It is clear that the significance and special interest of the Conservation Area lies in the street pattern and relationship between the historic buildings and squares throughout the Conservation Area, as well as the architectural detailing of these properties.

6.25 It is however clear that there is scope for refurbishment works and the renovation of the property as some elements currently detract from or are of little significance to the historic or architectural significance of the property, including the following:

- **The modern shopfront;**
- **The internal fixtures and fittings which obscure the ground floor shopfront and first floor windows;**
- **The internal plan form and dated interior decoration.**

7. Assessment of Harm or Benefits

- 7.1 This Section addresses the heritage planning issues that warrant consideration in the determination of the applications for Planning Permission and Listed Building Consent in line with the proposals set out in Section 3 of this report.
- 7.2 The Planning and Compulsory Purchase Act (2004) requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The policy guidance set out within the NPPF is considered to be a material consideration which attracts significant weight in the decision-making process.
- 7.3 The statutory requirement set out within the Planning (Listed Buildings and Conservation Areas) Act 1990, at Sections 66(1) and 72(1) confirms that considerable weight should be given to the preservation of the historic and architectural interest of Listed Buildings and their settings, as well as the protection of the character and appearance of a Conservation Area. In addition, the NPPF states that development proposals should preserve or enhance the significance of heritage assets such as Listed Buildings and Conservation Areas, and therefore this needs to be the primary consideration when determining the proposed application. It is also important to consider where the

proposals cause harm. If they do, then one must consider whether any such harm represents 'substantial harm' or 'less than substantial harm' to the Bloomsbury Conservation Area and the Grade II Listed Building in the context of paragraphs 133 and 134 of the NPPF.

- 7.4 The guidance set out within the PPG states that substantial harm is a high test, and that it may not arise in many cases. Whilst the proposals see the renovation of the property, including some alterations to historic fabric, the PPG makes it clear that it is the degree of harm to the significance of the asset rather than the scale of development which is to be assessed. In addition, it has been clarified in both a High Court Judgement of 2013²⁰ that substantial harm would be harm that would "*have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced*".
- 7.5 Given that the Site is located within the Bloomsbury Conservation Area and close to a number of other Listed Buildings, the proposals also have the potential impact upon the character and appearance of the Conservation Area and the Listed Buildings via a change in setting.
- 7.6 When considering potential impacts of the proposed

²⁰ EWHC 2847, R DCLG and Nuon UK Ltd v. Bedford Borough Council

development on the character and appearance of the Conservation Area, it is important to recognise that the Conservation Area covers a large area, and includes a wide variety of areas of differing characters. The Site itself represents an extremely small portion of the total area covered by the Conservation Area and, as noted in the NPPF at paragraph 138, it is necessary to consider the relevant significance of the element which has the potential to be affected and its contribution to the significance of the designation as a whole, i.e. would the application proposals undermine the significance of the Conservation Area as a whole?

Listed Building

- 7.7 The primary consideration with regards to the impact of the development proposals upon the significance of the Listed Building is would the development have a detrimental impact upon the historic and architectural importance of the Listed Building through physical changes to its fabric, including the loss of any historic fabric. The works will be considered against the existing baseline condition of the Listed Building which include the existing modern shopfront and internal fabric and fixtures and fittings across the basement, ground and first floors.

External works

- 7.8 As set out above, the existing modern shopfront is of no historic interest and officers have confirmed in their pre-application response that:

“it is acknowledged that the existing shopfront is not historic and of no historic value. Therefore, the principle of a replacement shopfront would be supported.”

- 7.9 The proposed new shopfront will see the reconfiguration of the entrance to locate it at the corner of the building, as well as the opening up of the formerly blocked window openings which will allow clear views into the ground floor.
- 7.10 The new shopfront will include ATMs on both the Tottenham Court Road and Bainbridge Street elevations, which will have the benefit of revitalising these areas which are currently blank facades. The extent of the obscured glazing has also been reduced to ensure that an active frontage runs along the length of the New Oxford Street frontage.
- 7.11 The new shopfront will sit within the existing space utilised by the existing modern shopfront, with the simple fascia running along the existing fascia band.
- 7.12 It is acknowledged that the replacement shopfront will still be a clearly modern insertion in the building, but it has a more lightweight appearance than the existing shop front which has a heavy and dominating appearance. The new shopfront will also be seen in the context of the existing streetscene which is characterised by modern shopfronts with historic buildings rising up above, such as the Carphone Warehouse store to the west (see Plate 15) and Starbucks to the east.



Plate 15: Carphone Warehouse to the west

- 7.13 The proposals will not involve the loss of any historic fabric, with the existing portion of historic shopfront being retained to Bainbridge Street.
- 7.14 The new projecting sign is simple in design and will not have an appreciable impact upon the external appearance of the Listed Building.
- 7.15 On balance and in the context of the existing modern shopfront the proposals are considered to represent an enhancement to the architectural and historic interest of the Listed Building as they will see the replacement of the heavy and dominating shopfront, with a lightweight replacement which will provide an

active frontage to a large proportion of the ground floor and will not see the removal of any historic fabric.

Internal Works

- 7.16 Internally, it is intended to strip out all of the existing fixtures and fittings, including the staircases, escalators, lift, partitions and other finishes. None of the interior is considered to be original as has been variously changed since the construction of the building during the early 20th century. As such there will be no loss of historic fabric.
- 7.17 It is intended to construct a new atrium opening between the ground and first floors which will involve the partial blocking up of the existing escalator opening and the opening up of a new section of the ceiling/floor to form the new atrium opening.
- 7.18 It is documented that due to fire regulations, the floors were originally constructed of concrete with steel stanchions, and that there was an original block timber covering to the ground and first floors. This has since been removed and lost. The flooring, whilst remaining on the same plane, has been variously changed with new openings being made to facilitate the insertion of new staircases, escalators and lifts. The building has also been extended to the rear so that the floor plan is now much changed since the original construction.
- 7.19 Whilst there will be some loss of fabric through the insertion of the new atrium opening, this is not considered to have any special historic or architectural significance which would merit its special protection. The new atrium has been designed to

create an interior scheme which maximizes the customer experience and opens up the space to the benefit of the building.

- 7.20 The new partitions which will form offices and other meeting rooms, as well as back of house areas, have been laid out so as to ensure that all the majority of the windows at both ground and first floor are opened up, with the existing shop fittings being removed, to the benefit of the historic and architectural significance of the building.
- 7.21 The refurbishment and redecoration works form a package of investment into the building which will ensure its long-term use by the national banking chain and which will revitalise the tired and dark interior which will be reinvigorated by the proposed works.
- 7.22 In summary, and on balance the proposed works to the Listed Building are considered to have a positive impact upon the historic and architectural significance of the Listed Building and its historic, aesthetic and communal values.

Conservation Area

- 7.23 As discussed above, the Conservation Area covers a vast area, with the property being on the very edge of its boundaries, although it occupies a commanding corner position between two of the main thoroughfares. The building as a whole is a key landmark within the Conservation Area, however the ground floor shop front is of no historic interest and does not positively contribute to the character and appearance of the Conservation Area in this location, or as a whole. Similarly, the building, as a

whole, contributes to the setting of the other historic buildings within the vicinity, however the existing modern shopfront is of no interest and does not contribute to their setting.

- 7.24 The proposed new shopfront will have a more lightweight appearance and will reduce its impact on the wider streetscene. The opening up of the windows will positively enhance the streetscene and thus the character and appearance of the Conservation Area and the setting of the other Listed Buildings contained therein.
- 7.25 The works to improve the appearance of the Bainbridge Street elevation is a positive enhancement, which will see the original element of the original shopfront retained, whilst the installation of the ATM will ensure that this façade is no longer 'dead' space within the Conservation Area.
- 7.26 The use of the building as a flagship branch of the bank will also bring positive benefits to the Conservation Area, through the use of a heritage asset, in a prominent location, in a manner which is entirely appropriate, with few physical interventions and which will bring both investment and footfall into the Conservation Area, positively enhancing the vitality and viability of the area and thus its character.
- 7.27 Given the nature of the proposals and the small scale of the application site when considered against the size of the Conservation Area as a whole, notwithstanding the buildings prominent location, the proposed scheme would, on balance, represent a positive enhancement to the Conservation Area as

a whole, in accordance with the statutory requirement set out within Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as local and national policy guidance.

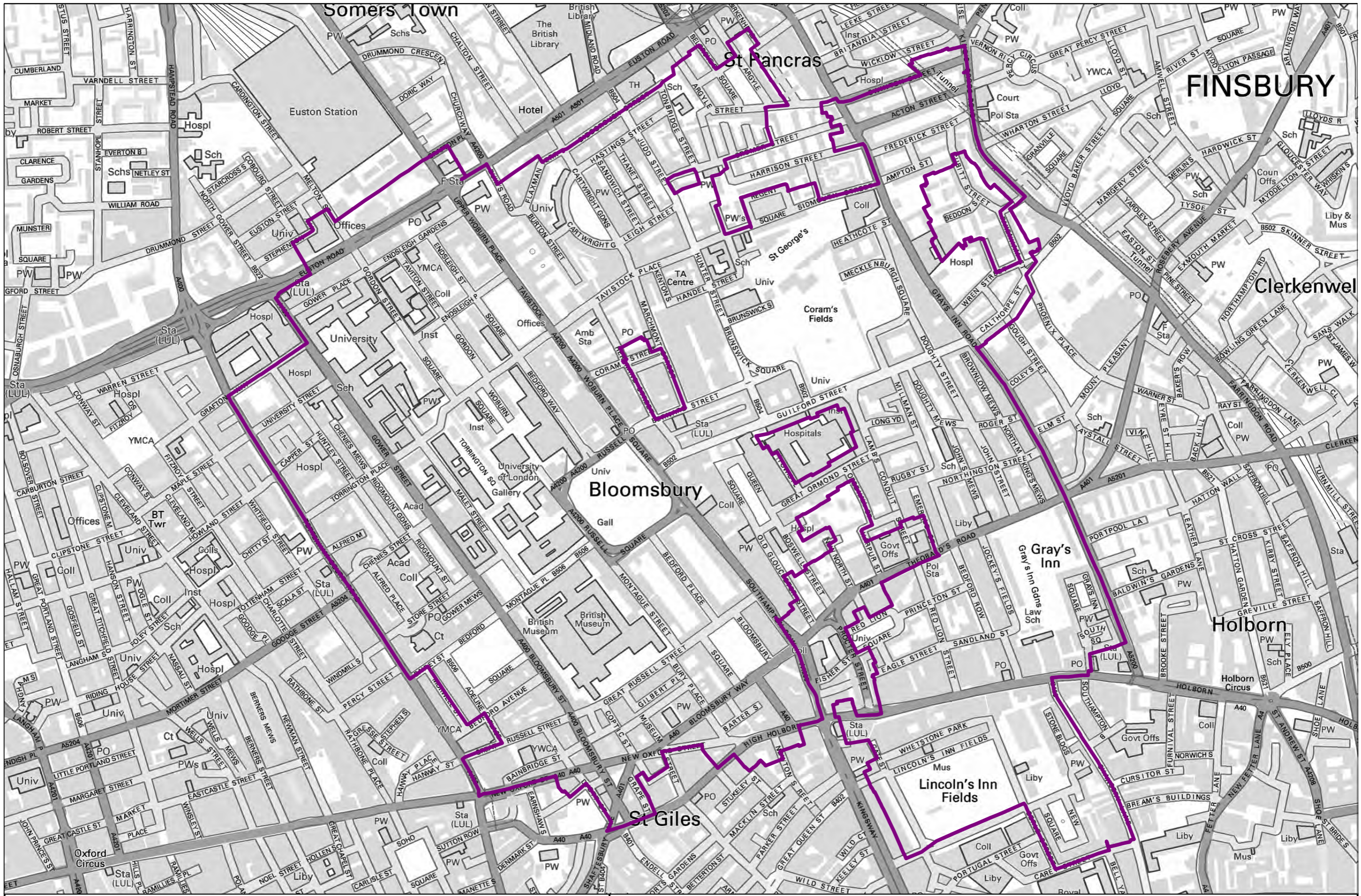
8. Conclusions

- 8.1 Overall, it is considered that the application proposals represent an acceptable and appropriate form of development, when considered against the special historic and architectural interest of the Grade II Listed Building. They would also serve to enhance the character and appearance of the Bloomsbury Conservation Area and the setting of the other Listed Building within the vicinity of the application site.
- 8.2 It is accepted that the proposed new atrium opening will involve the limited loss of some of the fabric of the building, however this is not considered to be historically or architecturally important fabric and this loss would be outweighed by the renovation scheme which will see the windows and trading floors opened up and the existing shopfront replaced.
- 8.3 With regards to the levels of harm prescribed by the NPPF, as there would be no harm to the significance of the Listed Building, and the scheme would result in a positive enhancement to the Conservation Area and the other Listed Buildings contained therein, paragraphs 133 and 134 of the NPPF would not be engaged.
- 8.4 As such, notwithstanding the considerable importance and weight attributed to the presumption in favour of preservation

of the architectural and historic interest of the Listed Building and the character and appearance of the Conservation Area required by the statutory obligation set out within the Planning (Listed Buildings and Conservation Areas) Act 1990, the proposals can and should be supported.

- 8.5 Additionally, it is considered that the proposed development would comply with the requirements of the NPPF, PPG and local policy, through the sympathetic re-use of a heritage asset and the various physical and economic enhancements that this will bring to the Listed Building and the wider area.

Appendix 1 : Conservation Area Plan



Bloomsbury CA



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#Map for Internal Use Only#

Scale 1: Not Usable Scale

Print Date: 10/05/2013

Printed By: L.Small



Map Ref No: c03632

Appendix 2: List Description Entry

BURTONS HEADQUARTERS AND SHOP

List Entry Summary

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

Name: BURTONS HEADQUARTERS AND SHOP

List entry Number: 1379031

Location

BURTONS HEADQUARTERS AND SHOP, 118-132, NEW OXFORD STREET

BURTONS HEADQUARTERS AND SHOP, 279, TOTTENHAM COURT ROAD

The building may lie within the boundary of more than one authority.

County: Greater London Authority

District: Camden

District Type: London Borough

Parish:

National Park: Not applicable to this List entry.

Grade: II

Date first listed: 11-Sep-1990

Date of most recent amendment: Not applicable to this List entry.

Legacy System Information

The contents of this record have been generated from a legacy data system.

Legacy System: LBS

UID: 478396

Asset Groupings

This list entry does not comprise part of an Asset Grouping. Asset Groupings are not part of the official record but are added later for information.

List entry Description

Summary of Building

Legacy Record - This information may be included in the List Entry Details.

Reasons for Designation

Legacy Record - This information may be included in the List Entry Details.

History

Legacy Record - This information may be included in the List Entry Details.

Details

CAMDEN

TQ2981SE NEW OXFORD STREET 798-1/104/1642 Nos.118-132 (Even) 11/09/90 Burton's Headquarters and Shop

GV II

See under: No.279 Burton's Headquarters and Shop
TOTTENHAM COURT ROAD.

CAMDEN

TQ2981SE TOTTENHAM COURT ROAD 798-1/104/1642 (East side) 11/09/90 No.279 Burton's Headquarters and Shop

GV II

Includes: Nos.118-132 Burton's Headquarters and Shop NEW OXFORD STREET. Headquarters office and shop. c1929-30. By Harry Wilson. For Montague Burton. Stone faced steel frame. EXTERIOR: 7 storeys on a corner site. 7 bays to main Oxford Street facade, recessed canted angles 1 bay each, left hand return to Tottenham Court Road 3 bays, right hand return 2 bays. Ground floor shop altered late C20. Mezzanine 1st floor with margin glazed, tripartite metal framed windows in plain rectangular recesses. Main facade with Greek detailing to 6 Corinthian pilasters rising from 1st to 3rd floor to support an entablature with projecting cornice surmounted by antefixae. Within this frame, metal framed tripartite windows with spandrel panels to 2nd and 3rd floors. Outer bays with narrow, vertically set windows to 1st, 2nd and 3rd floors. Attic storey has short, horizontally set windows above which a stepped parapet with shaped, architraved, horizontally set window surmounted by a winged cartouche. Tottenham Court Road facade similar. Recessed angles with distyle-in-antis fluted columns, otherwise similar with stepped back parapets. Right hand return, plain recessed openings on 4 floors, tripartite to left bay, paired to recessed left bay. INTERIOR: not inspected. HISTORICAL NOTE: this store and offices was the flagship of an organisation founded in 1914 which became the largest men's clothing organisation in the world, offering quality clothes at the cheapest possible prices.

Burton was also a pioneer in the field of industrial welfare in an exploitative industry.

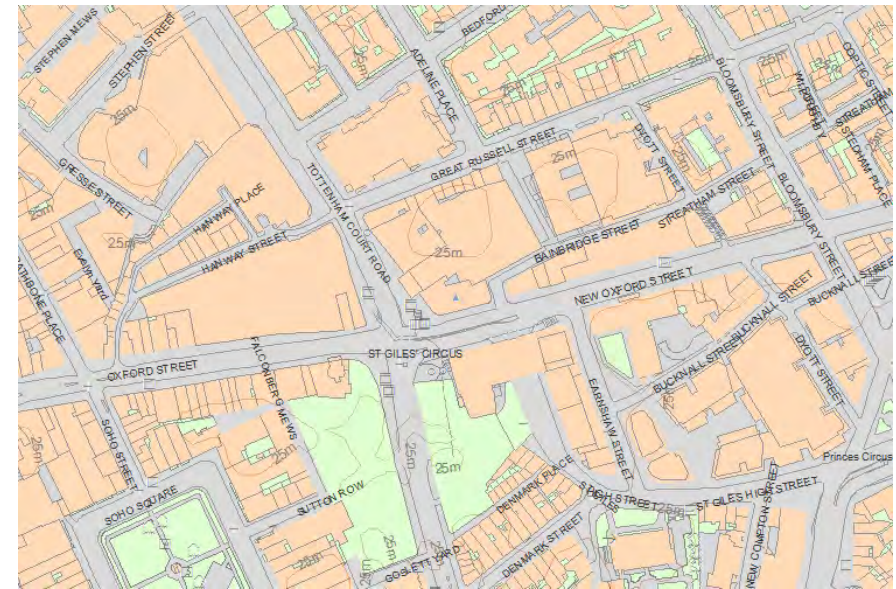
Listing NGR: TQ2985781402

Selected Sources

Legacy Record - This information may be included in the List Entry Details

National Grid Reference: TQ 29857 81402

Map



www.pegasuspg.co.uk

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DRAWINGS
(Std.) & TOP
Superintendent

Go to

ELEVATION TO NEW OXFORD STREET

PREMISES NEW OXFORD ST & TOTTENHAM COURT RD LONDON

for MESSRS MONTAGUE BURTON LTD.

Scale Eight feet to an Inch