



**Gloucester Lodge, 12 Gloucester Gate, London, NW1 4HG:**

## **Heritage Statement:**

**Heritage Significance, Impact Assessment and Justification Statement**

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**January 2020**

Gloucester Lodge, London – Heritage Statement

Issued 24 January 2020

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## 1.0. INTRODUCTION

- 1.1 The subject site at “Gloucester Lodge”, 12 Gloucester Gate, London, NW1 4HG is a Grade I listed building within the Regent’s Park Conservation Area, London Borough of Camden. The full list description can be found in **Appendix 1**. The building comprises a three-storey with lower ground floor semi-detached Regency villa designed by James Burton in 1828 as part of John Nash’s Regent’s Park development; a mews building to the rear also forms part of the site at 12 and 13 Gloucester Gate Mews. The building was extended during the 1830s and was subject to two comprehensive programmes of works during the 20<sup>th</sup> century in the 1930s and 1990s.
- 1.2. Planning Permission and Listed Building Consent were granted in December 2016 for the erection of a single storey link between the main house and mews building, the remodelling of the mews buildings, and the installation of a lift and other alterations to the first and second floors within the main house (ref **2016/4554/L**). An application for minor material amendments to the consented scheme under Section 73 (ref **2017/4111/P**) and associated Listed Buildings consent application (ref **2017/4133/L**) were both granted at appeal in June 2019 (refs **APP/X5210/D/18/3204334**, **APP/X5210/Y/18/3206252**); the upheld amendments included the additional doorway into the living room at ground floor level, the reinstatement of the rear window opening and internal side window opening at ground floor level, the change to a solid roof for the previously consented link building, the amended internal arrangement of the mews building, the lowering of the floor within the consented link to match the main building, the removal of the previously consented stairs from the ground floor to the link, and a new rooflight to the second floor. The amendments involving the proposed relocation of the lift and proposed alterations to the utility room (otherwise known as the gallery) at lower ground floor level were dismissed. The full text of the appeal decision can be found in **Appendix 4**.
- 1.3. This Heritage Statement has been produced to inform pre-application discussions and to accompany an application for Listed Building Consent. The proposals involve a number of internal and external alterations, including:
- The relocation of the consented stairs between the basement and lower ground floor to below the existing stairs from the ground floor;
  - The change from a rooflight to the new consented basement within the courtyard garden to a lightwell adjacent to the rear wall of the mews building;
  - The lowering of the rear window opening within the kitchen at lower ground floor level and the installation of a pair of French doors.
- 1.4. This Heritage Statement complies with the requirements of the National Planning Policy Framework, February 2019 (NPPF) and the online Planning Practice Guidance (PPG) in respect of Heritage issues. No archaeological assessment has been undertaken as part of this report.

1.5. This Heritage Statement sets out:

- Section 1: Introduction including summary of findings.
- Section 2: An appraisal of the context of the subject site.
- Section 3: An historical background of the building.
- Section 4: A detailed description of the subject site as existing;
- Section 5: An appraisal of the historical significance of the building.
- Section 6: An assessment of the potential or actual impact of the proposed works upon the significance of the building and any other heritage assets.
- Section 7: How the proposed works comply with relevant policies in the NPPF and the PPG, and how the works are in accordance with local and regional planning policies.

1.5. **Summary**

- The subject site at Gloucester Lodge is a Grade I statutorily listed building located within the Regent's Park Conservation Area, London Borough of Camden.
- An assessment of the significance of Gloucester Lodge concludes that it possesses low to medium evidential and communal values, and medium to high historical and aesthetic values.
- An assessment of the impact of the proposals concludes there would be a **minimal and neutral impact** on the significance of the Grade I listed building at Gloucester Lodge. The proposals are considered to cause **no harm** to any historic fabric or plan form of significance. Indeed, the amendments to the existing consents are considered to have much less of an impact on any historic fabric and plan form by nature of their more appropriate design and discreet locations.

1.6. **Authorship**

- **Dorian A T A Crone** BA BArch DipTP RIBA MRTPI IHBC - Heritage and Design Consultant. Dorian has been a Chartered Architect and Chartered Town Planner for over 30 years. He has also been a member of the Institute of Historic Building Conservation for 25 years. Dorian is a committee member of The Society for the Protection of Ancient Buildings, the International Committee on Monuments and Sites (ICOMOS), ICOMOS UK and Institute of Historic Building Conservation. He has been a court member with the Worshipful Company of Chartered Architects and a trustee of the Hampstead Garden Suburb. He is also a trustee of the Drake and Dance Trusts.

Dorian has worked for over 30 years as Historic Buildings and Areas Inspector with English Heritage, responsible for providing advice to all the London Boroughs and both the City Councils. Dorian has also worked as a consultant and expert witness for over 20 years advising a wide variety of clients on heritage and design matters involving development work, alterations, extensions and new build projects associated with listed buildings and conservation areas in design and heritage sensitive locations. He is a panel member of the John Betjeman Design Award and the City of London Heritage Award, and is a Design Review Panel member of the South West Region, the London Boroughs of Richmond upon Thames, Islington, Lewisham and Wandsworth, and the Design Council/CABE. Dorian has also been

involved with the Royal Academy Summer Exhibition Architectural Awards and the Philip Webb Award along with a number other public sector and commercial design awards.

- **Dr Daniel Cummins** MA (Oxon) MSc PhD – Historic Environment Consultant. Daniel is an historian with a BA and Master's in History from Oxford University and a doctorate from the University of Reading, where he specialised in ecclesiastical buildings and estates and had his work published in leading academic history journals.

Daniel has a Master's in the Conservation of the Historic Environment and provides independent professional heritage advice and guidance to leading architectural practices and planning consultancies, as well as for private clients. He undertakes detailed historical research, significance statements, character appraisals, impact assessments and expert witness statements for new development projects, as well as for alterations and extensions which affect the fabric and settings of Listed Buildings and Locally Listed Buildings, the character and appearance of Conservation Areas, the outstanding universal value of World Heritage Sites, and all other types of heritage assets.

## 1.7. Methodology

This assessment has been carried out gathering desk-based and fieldwork data. The documentary research was based upon primary and secondary sources of local history and architecture, including maps, drawings and reports. A detailed Heritage Statement which was based on comprehensive and thorough archival research was undertaken by Montagu Evans conservation team in 2016 to inform the consented scheme (ref **2016/4554/L**). Additional research was undertaken by Montagu Evans in 2017 for the refused Listed Buildings application (ref **2017/4133/L**). This Heritage Statement refers to both those previous documents in order to provide a summary of the historical background and development of Gloucester Lodge. Site visits were conducted on 17<sup>th</sup> April 2019 and 13<sup>th</sup> August 2019, when a review of the subject site was conducted by visual inspection to analyse the building and identify the elements which contribute to its significance in order to establish how that significance might be affected by the proposed works.



## 2.0. LOCATION AND CONTEXT

- 2.1. Gloucester Lodge is located at 12 Gloucester Gate and is accessed from the Outer Circle on the north-east side of Regent's Park (a Grade I Registered Park and Garden). Gloucester Gate Mews to the rear of the subject site is accessed from Albany Street. The subject site is located within the Regent's Park Conservation Area, London Borough of Camden (Figure 1). The proposals are not considered to have any detrimental impacts on the character and appearance of the Regent's Park Conservation Area and the Grade I Registered Park: external works are limited to the enclosed rear courtyard garden which will be imperceptible from the Conservation Area and the Registered Park.

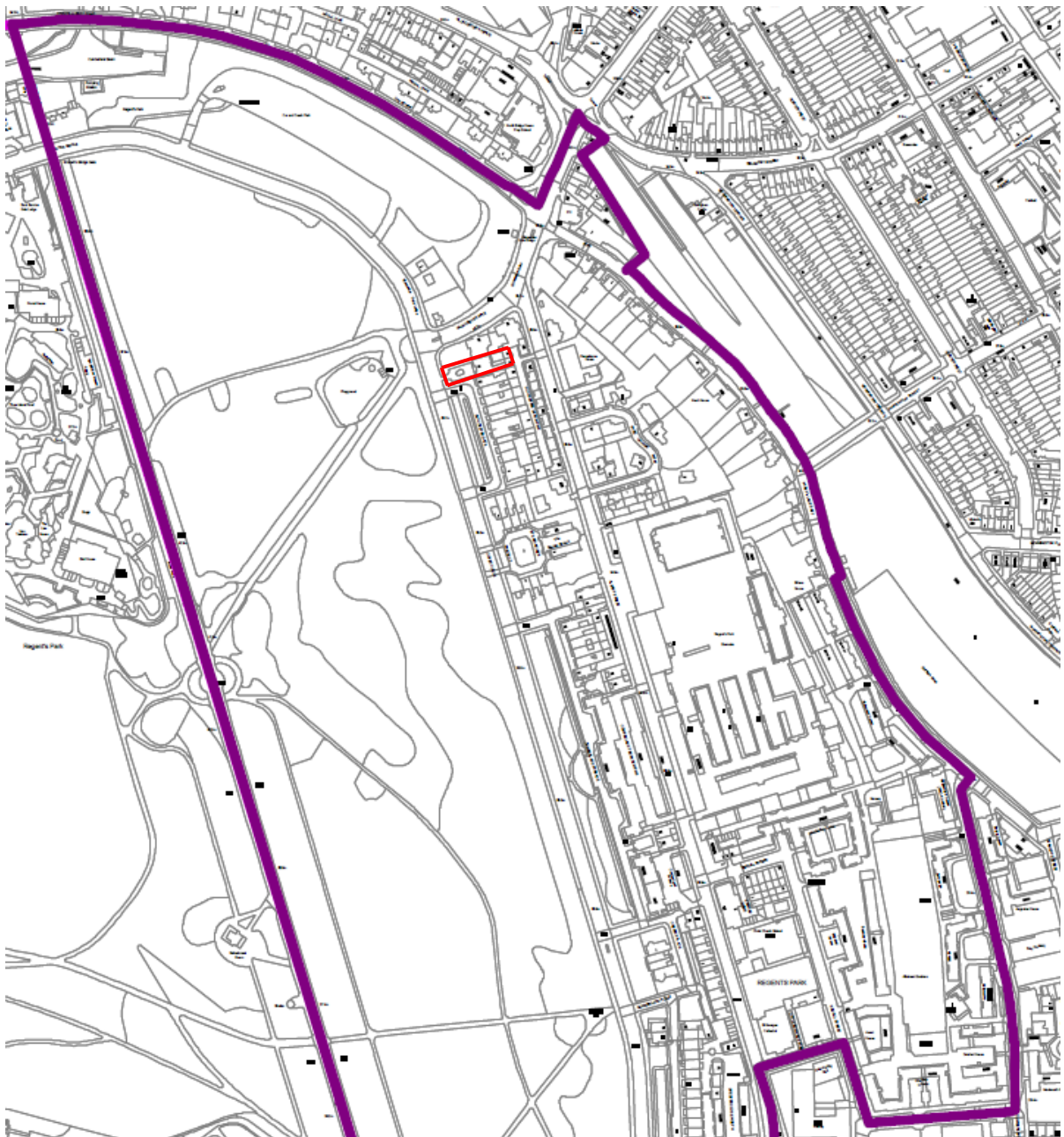


Figure 1: The location of the subject site within the Regent's Park Conservation Area.

### 3.0. HISTORY AND DEVELOPMENT OF THE SUBJECT SITE

- 3.1. Gloucester Lodge (originally known as Strathern Villa) was constructed as a detached dwelling to designs by James Burton in 1827-28; it did not form part of the designed landscape of Regent's Park undertaken by John Nash. It was designed with a central pediment with four ionic columns supporting an entablature and two lower side wings. No original drawings which reveal the original plan form survive, but the exterior appearance can be seen in a contemporary print (Figure 2).

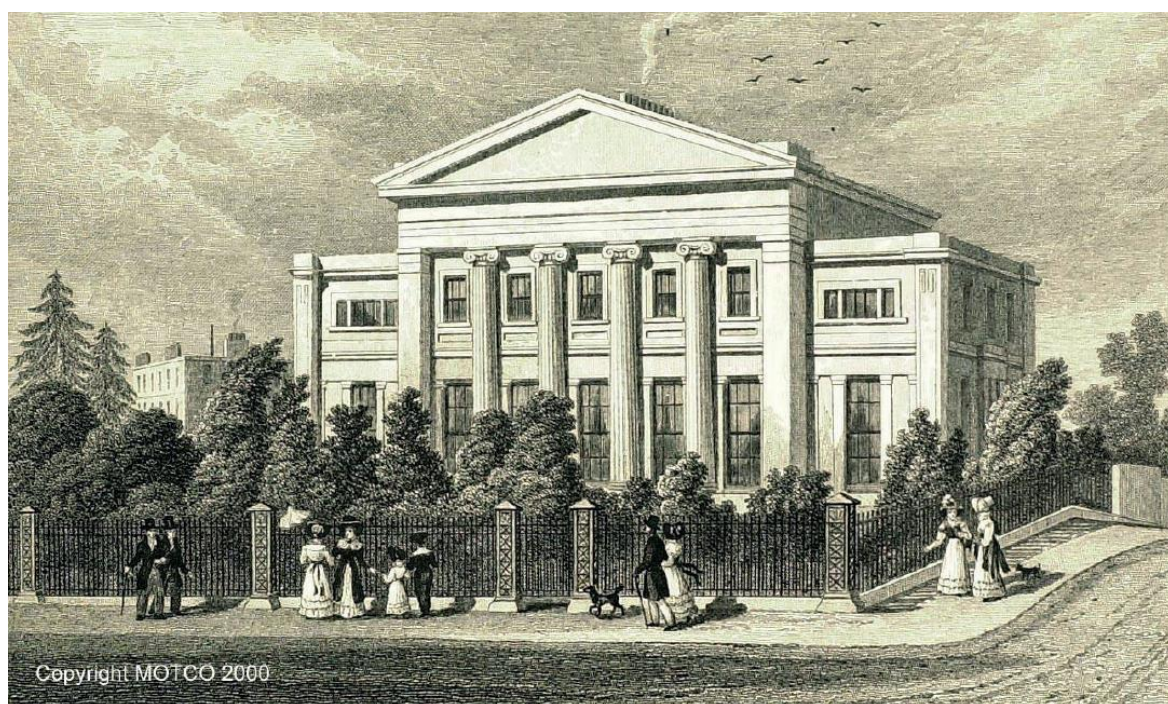


Figure 2: Gloucester Lodge as built by James Burton in 1827-28.

- 3.2. Substantial alterations were undertaken by J B Papworth in 1836 to create two semi-detached houses, the southern element becoming Gloucester Lodge. An additional south wing was added at this time at ground floor level in a classical style to accommodate a new dining room to the rear with an apse overlooking the garden. The main entrance was relocated to a former window opening in the original south wing. The cantilevered stone stair likely dates from Papworth's alterations. Plans of the house as existing made in 1929 are likely to depict much of Papworth's work prior to extensive alterations during the early 1930s; these plans can be seen in **Appendix 3**.
- 3.3. During the early 1930s, a substantial two-storey extension was added to the south side of the building by architect Harold Currey, removing Papworth's glazed entrance vestibule; a lightwell was created on the south side between the new work to the west and Papworth's work to the east. Papworth's dining room extension was also extended to first-floor level. At the same time, the interiors were substantially remodelled by Robert Lutyens (son of architect Edwin Lutyens) in the Art Deco style. It is likely at this time that many of the original interior architectural features and details were lost with replacement Art Deco cornices, floor coverings and chimneypieces. The newly created hall space adjacent to the Papworth extension was remodelled to accommodate a cocktail bar. The plan of the first floor was reconfigured to create a central bathroom beneath a domed rooflight. The second floor was also reconfigured and an earlier mansard roof form was replaced by a sheer external wall. A photographic



survey of the building was undertaken in 1934 for *Country Life* which illustrates the extent of the alterations; a selection of these photographs can be found in **Appendix 2**.

- 3.4. Additional works are thought to have taken place during the 1950s, including the reinstatement of some classical detailing and fireplaces, and the addition of a single-storey structure linking the rear of the Papworth extension to the mews buildings. During the 1990s, extensive refurbishment, restoration and remodelling was undertaken by Donald Insall Associates architects; a selection of plans can be found in **Appendix 2**. These works demolished the 1950s extension and remodelled the rear of the Papworth extension to terminate in a rectangular façade. The plan form of the first floor was reinstated with the removal of the domed bathroom, whilst many of the windows and shutters were either repaired or reinstated. Classical cornices, skirtings and mouldings were reinstated throughout the ground and first floors.

## 4.0. DESCRIPTION OF THE SUBJECT SITE

- 4.1. The lower ground floor of the house comprises the historic service rooms. Whilst there is little if any surviving historic fabric of interest, the plan form of smaller spaces and simplicity of architectural detailing reflects the secondary uses and hierarchy of this part of the house in contrast to the principal rooms above. The lower ground floor is accessed from the ground floor via a staircase constructed beneath the principal cantilevered staircase; it is enclosed by a timber screen and has a cupboard accessed from the kitchen built beneath it (Figure 3). The spaces beneath the 1830s Papworth extension are vaulted, which includes the existing utility room (or gallery); this has a window at the east end which was replaced during the 1990s (Figure 4). A small window overlooking the south lightwell within the adjoining space was blocked as part of the 1930s works and is now concealed by modern cabinetry. The lightwell area appears to have been part of a side service access adjacent to the 1836 extension leading to the rear of the building at lower ground floor level. This access was blocked off when the 1930s extension was constructed, leaving the external space for storage. The kitchen/family room within the footprint of the original Burton villa has already been opened up into one space, although is still readable as two historically separate areas – likely the kitchen and scullery. The rear room now houses the kitchen with a window opening overlooking the rear courtyard garden; this window opening retains some original or early timber shutters (Figure 5).



Figure 3: The lower ground floor stairs to the ground floor.



Figure 4: The vaulted utility room (or the gallery).



Figure 5: The kitchen in the rear room of the lower ground floor overlooking the rear courtyard garden.

- 4.2. The ground floor has little if any fabric of historic interest, as almost all internal architectural detailing and joinery visible today was reinstated during the second half of the 20<sup>th</sup> century (Figure 6). The exception is the high-quality stone cantilevered staircase with its continuous elegant handrail and cast iron railings which is typical in its Regency design and was added by Papworth during the mid-1830s (Figure 7) into the rear part of the south wing of the Burton villa. The stairs are enclosed from the main reception hall, in which space there is a modern dumb waiter. The plan form and hierarchy of rooms remain clearly readable – the main reception hall, stairhall and principal living rooms are located within the original Burton villa. Papworth's dining room is accessed via a hall area adjacent to the main reception hall was created during the 1930s. This hall area adjacent to the main reception hall and the exterior lightwell to the south is a creation of the 1930s alterations by Currey, specifically the building of the two-storey south extension and the removal of Papworth's glazed vestibule. Whilst Papworth's work is still extant towards his dining room, the remainder of the fabric in this area dates from the 1930s, with the cornicing and joinery added during the 1990s (Figure 6).
- 4.3. The first floor has been subject to substantial alterations throughout the 20<sup>th</sup> century. The entire south wing at this level of the house was added during the 1930s. Openings into the extension were made through original window openings to the south wing of the Burton villa.



Figure 6: The principal ground floor rear room, illustrating all internal architectural detailing and joinery dating from the second half of the 20<sup>th</sup> century.



Figure 7: The high-quality 1830s main staircase looking towards the ground floor reception hall.



## 5.0. THE SIGNIFICANCE OF THE SUBJECT SITE

- 5.1. The aim of a Significance Assessment is, in the terms required by Paragraphs 189-190 of the NPPF, a “*description of the significance of a heritage asset*”. In the context of a historic building which has been the subject of a series of alterations throughout its lifetime, it is also a useful tool for determining which of its constituent parts holds a particular value and to what extent. *Good Practice Advice in Planning Note 2* (March 2015) states that understanding the nature of significance is important for understanding the need for and best means of conservation. Understanding the extent of that significance leads to a better understanding of how adaptable a heritage asset may be. Understanding the level of significance provides the essential guide as to how policies should be applied.
- 5.2. The descriptive appraisal will evaluate the building against listed selection criteria of ‘Principles of Selection for Listing Buildings’, DCMS, 2018. Historic England’s criteria outlined in ‘Conservation Principles, Policies and Guidance,’ which partially overlap with the Statutory Criteria, have also been considered and encompass the following values:
- **Evidential Value** – relating to the potential of a place to yield primary evidence about past human activity;
  - **Historical Value** – relating to ways in which the present can be connected through a place to past people, events and aspects of life;
  - **Aesthetic Value** – relating to the ways in which people derive sensory and intellectual stimulation from a place;
  - **Communal Value** – relating to the meanings of place for the people who relate to it, and whose collective experience or memory it holds.

The level of significance for each value will be assessed using the following grading:

- **High** – values of *exceptional or considerable* interest;
- **Medium** – values of *some* interest;
- **Low** – values of *limited* interest.

### 5.3. Evidential Value

This value is derived from the potential research value of physical or buried fabric in revealing past activities or previous uses. The original Burton villa remains clearly readable to the principal west elevation and is of considerable architectural interest. However, Gloucester Lodge has been subject to substantial alterations throughout its lifetime, most notably during the 1830s when the original villa was subdivided and extended, leading to significant changes in planform and the blocking of original openings – these alterations and the fabric associated with them are now also considered to possess some significance in illustrating the early development of the building and the wider social history of Regent’s Park which necessitated them. The substantial alterations and extensions of the 1930s removed significant amounts of original historic fabric dating from both the Burton villa and Papworth additions. Subsequent works during the 1950s, including a rear extension and reinstatement of some classical elements, and then comprehensive restoration in the 1990s replaced or reinstated most of the



joinery, cornicing, fireplaces and windows. These works cumulatively are considered to have eroded the evidential value of the building. The 1830s planform remains largely legible on the ground floor, but has been substantially altered on the first and second floors during the 20<sup>th</sup> century. The rear elevation was never designed with the same architectural interest as the principal west elevation and has been subject to a high degree of alteration and rebuilding, particularly to the southernmost bay in the location of Papworth's extension, which has eroded its evidential value. **Evidential value is therefore considered to be low to medium.**

#### 5.4. Historical Value

The historical value of Gloucester Lodge lies in its association with the wider planned landscape of Regent's Park as part of John Nash's original design; it forms part of the later and northernmost developments at Gloucester Gate and was designed originally by an architect responsible for a number of other terraces on Gloucester Gate and Regent's Street collaborating with Nash – James Burton. Burton is now regarded as one of the most significant architects of Georgian London, not only at Regent's Park but also in developing large areas of Bloomsbury. The association with J B Papworth is also of significance – Papworth was a prolific architect of the early 19<sup>th</sup> century and a founding member of the RIBA. The building does not appear to be associated with any residents or events of national note. Although the original classical villa was subdivided at an early stage, the legibility of the original design of the principal west elevation and its architectural quality remain clearly readable. **Historical value is therefore medium to high.**

#### 5.5. Aesthetic Value

The aesthetic value of Gloucester Lodge lies in the well-conceived classical design of the principal west elevation alongside Gloucester House, and its group value and architectural relationship with both the adjoining Gloucester Gate and the wider Regent's Park landscape. The rear elevation is considered to contribute only minimally to the overall aesthetic value of the building owing to previous alterations and replacement of original fabric. The almost total loss of the internal cornices, joinery and fireplaces has been detrimental to the aesthetic value of the building. **Aesthetic value is therefore medium to high.**

#### 5.6. Communal Value

Gloucester Lodge has been a private residence for all its history and there is therefore limited potential for collective memory and experience. However the building is an important component of one of the most significant developments of Georgian London at Regent's Park and contributes positively to a strong sense of place and cultural association. **Communal value is therefore low to medium.**

#### 5.7. Setting

The most significant element of the setting of Gloucester Lodge is that of the principal front west elevation which includes the Grade I Registered Regent's Park landscape, together with other nearby Grade I statutorily listed buildings at Gloucester Gate. The front elevation is largely enclosed by mature trees, affording only glimpses from the Outer Circle and Park. The rear elevation is enclosed by the building itself and by the mews buildings on Gloucester Gate Mews; it is not readily experienced from the

public realm although is overlooked from the upper storeys of neighbouring buildings. The site as a whole is located within the Regent's Park Conservation Area. **The value of the setting is therefore considered to be medium to high.**

## 5.8 Summary of Significance

The significance of Gloucester Lodge is therefore derived principally from its front west elevation and its association with leading architects of the early 19<sup>th</sup> century who contributed to one of the most important set pieces of Georgian town planning at Regent's Park. The levels of significance and values as outlined above are in line with those assessed by Montagu Evans in their earlier Heritage Statements (2016 and 2017) which formed part of the previous applications. The most significant architecture is considered to have been designed by John Burton. Papworth's work, along with that of R. Lutyens and Currey, has been severely compromised and eroded by later alterations to their work during the 1950s and 1990s.

## 6.0. IMPACT ASSESSMENT

6.1. A scheme detailing proposals at the subject site has been prepared by Make Architects in October 2019. The proposals involve a number of internal and external alterations, including:

- The relocation of the consented stairs between the basement and lower ground floor to below the existing stairs from the ground floor;
- The change from a rooflight to the new consented basement within the courtyard garden to a lightwell adjacent to the rear wall of the mews building;
- The lowering of the rear window opening within the kitchen at lower ground floor level and the installation of a pair of French doors.

6.2. The proposals may have an impact on the significance of the Grade I listed subject site.

6.3. For the purposes of assessing the likely impact to result from the proposals and the subsequent impact on the settings of the identified heritage assets, established criteria have been employed. If the proposed development will enhance heritage values or the ability to appreciate them, then the impact on heritage significance within the view will be deemed **positive**; however, if they fail to sustain heritage values or impair their appreciation then the impact will be deemed **negative**. If the proposals preserve the heritage values then the impact will be deemed **neutral**.

6.4. Within the three categories there are four different levels that can be given to identify the intensity of impact:

- **"negligible"** – impacts considered to cause no material change.
- **"minimal"** - impacts considered to make a small difference to one's ability to understand and appreciate the heritage value of an asset. A minor impact may also be defined as involving receptors of low sensitivity exposed to intrusion, obstruction or change of low to medium magnitudes for short periods of time.

- “**moderate**” - impacts considered to make an appreciable difference to the ability to understand or appreciate the heritage value of an asset.
- “**substantial**” - impacts considered to cause a fundamental change in the appreciation of the resource.

- 6.5. Proposals affecting the utility room (or the gallery) were dismissed at the appeal in June 2019. The full appeal decision can be found in **Appendix 4**. The Inspector expressed concern over the detrimental impact on an understanding of the hierarchy of rooms and historic plan form at lower ground floor level; this was principally owing to the use of the area to provide access to the stairs to the consented basement, which would lead to the use of the space to provide a means of circulation rather than an enclosed room. It is considered that the proposals which form part of this scheme have responded fully to the concerns raised by the Inspector which led to their being dismissed at the appeal.
- 6.6. It is proposed to locate the stairs to the consented basement from the lower ground floor beneath the stairs leading from the ground floor. It is considered that this is a much more historically appropriate and discreet location, which reflects the existing treatment of the staircases in the house and which will have no impact on the historic plan form of the building and would only necessitate the removal of a non-original cupboard beneath the existing stairs; the proposal would not therefore cause the loss of any historic fabric. The proposed new location for the stairs from their consented location within the existing storeroom to the south side of the building also negates the need for access to be provided from the vaulted gallery. This part of the building would not therefore be affected beyond what has already been consented, thereby sustaining its enclosed character and also its place in the hierarchy of the building.
- 6.7. It is proposed to remove the rooflight to the consented basement within the courtyard garden and instead to create a lightwell adjacent to the mews building. It is considered that this is a far more appropriate location in historic buildings terms - where basements formed part of a building, they were almost exclusively lit and ventilated by means of a lightwell adjacent to the elevations at ground level. The proposals will leave a more open courtyard garden space which enhances the rear garden setting of the listed building.
- 6.8. The proposal to create an opening to create French doors in place of the existing kitchen window opening to the rear of the lower ground floor is understood to have been considered likely acceptable by the Council in an email from the planning officer dealing with the case at the time dated 3<sup>rd</sup> November 2017 subject to joinery details. It is considered that the proposed design of the French doors within the opening is appropriate to the period and character of the subject site, whilst the historic shutters will be retained, overhauled into working order and extended to floor level in order to accommodate the new opening.
- 6.9. Overall it is considered there would be a **minimal and neutral impact** on the significance of the Grade I listed building at Gloucester Lodge. The proposals are considered to have responded positively to the comments provided by the Inspector at the appeal and and affect almost exclusively non-original fabric and plan form of little if any significance. The current proposals are considered to have much less of an impact on any historic fabric or plan form by nature of their more appropriate design and/or locations - particularly the stairs to the consented basement and the creation of a lightwell as opposed to the

consented rooflight within the rear courtyard garden. Indeed, both these proposals were welcomed by planning officers in pre-application advice provided by email dated 14<sup>th</sup> January 2020.

## 7.0. POLICY COMPLIANCE AND JUSTIFICATION STATEMENT

### 7.1. Camden Local Plan (2017)

7.1.1. The Local Plan was adopted by the Council on 3 July 2017 and has replaced the Core Strategy and Camden Development Policies documents as the basis for planning decisions and future development in the borough.

#### 7.1.2. Policy D2 deals with heritage:

*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.*

The proposals are considered to cause no harm to the significance of the Grade I statutorily listed subject site.

#### **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;*

The proposals have been based on a detailed understanding of the history and development of the statutorily listed building which has informed an understanding and appreciation of the relative significance of its constituent elements. The proposals are considered to preserve the heritage values identified in this Heritage Statement. The proposals will not harm any historic fabric or plan form of significance. Indeed, the proposed amendments to the existing consents relating to the stairs to the basement and the rooflight to the basement are considered to have much less of an impact on any historic fabric or plan form by nature of their more appropriate and discreet design and/or locations. The relocation of the consented stairs to the basement ensures the character of the vaulted utility room (or gallery) as a service room is sustained. **The proposals therefore comply with Policy D2 in relation to Listed Buildings.**

### 7.2. London Plan (2016)

7.2.1. The London Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2036. Chapter 7 sets out policies on a range of issues about the places and spaces in which Londoners live, work and visit. The policies are designed to create a city of diverse, strong, secure and accessible neighbourhoods, and a city that delights the senses which has the best of modern architecture while also making the most of London's built heritage (London Plan, para. 7.1.).

7.2.2. **Policy 7.8** deals with heritage assets and archaeology:

- **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.
- **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.

The proposals have been based on a detailed understanding of the heritage significance of the subject site. The proposals are considered to be subordinate to the historic interest of the listed building and allow the original plan form and hierarchy of the spaces to be better understood and appreciated, particularly with regards to the relocation of the stairs to the consented basement to a more appropriate location which has less of an impact on the historic fabric and plan form, and the removal of the rooflight from the rear courtyard garden and the creation of a lightwell adjacent to the mews building. **The proposals therefore comply with Policy 7.8 of the London Plan.**

7.3. **The National Planning Policy Framework (February 2019)**

- 7.3.1. The revised National Planning Policy Framework (NPPF) was introduced in February 2019 and provides a full statement of the Government's planning policies.
- 7.3.2. The NPPF contains a presumption in favour of sustainable development sympathetic to the conservation of designated heritage. The government's definition of sustainable development is one that incorporates all the relevant policies of the Framework, including the protection and enhancement of the historic environment.
- 7.3.3. Relevant NPPF Policies are found in Section 16 "Conserving and Enhancing the Historic Environment".
- 7.3.4. Section 16 deals with Conserving and Enhancing the Historic Environment. Paragraph 184 states that heritage assets "an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations".

*Paragraph 194. 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.*

*Paragraph 196. 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.*



It is considered that the proposal would not cause any damage or loss of significance to the statutorily listed building. Efforts have been made as far as possible to sustain and to ensure a better understanding of the original plan form and hierarchy of spaces within the listed building. The proposals will not detract from an appreciation and understanding of the significance of the listed building; indeed, they are a more appropriate response than the consented scheme with regards to the rooflight within the rear courtyard garden, and the location of the stairs to the consented basement. There will be a minimal and neutral impact on the significance of the listed building. Therefore, it is argued that the proposals have placed the required “great weight” on the conservation of the Grade I listed building and will not cause loss or harm to the significance and setting of any heritage assets; the proposals will constitute neither substantial nor less than substantial harm. **The proposals therefore comply with Section 16 of the NPPF.**

#### **7.4. National Planning Guidance (PPG)**

7.4.1. Revised in July 2019, the PPG is an online guidance resource which is updated continuously.

#### **7.4.2. Paragraph: 002 Reference ID: 18a-002-20190723 - What is meant by the conservation and enhancement of the historic environment?**

- *The conservation of heritage assets in a manner appropriate to their significance is a core planning principle...Conservation is an active process of maintenance and managing change. It requires a flexible and thoughtful approach to get the best out of assets...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.*

The proposals recognise that the conservation of heritage assets must be in a manner appropriate to its determined significance and that heritage assets are an irreplaceable resource. Equally important is the definition of ‘conservation’ as the ‘active process of maintenance and managing change’. This is implicit in the appropriate works to the Grade I statutorily listed subject site by nature of limiting proposals to spaces and fabric of limited significance, and by offering alternative designs and locations to the consented alterations which would be more appropriate to the character of the building and which have less of an impact on any plan form or fabric of historic interest.

#### **7.4.3. Paragraph: 008 Reference ID: 18a-008-20190723 - How can proposals avoid or minimise harm to the significance of a heritage asset?**

- *Understanding the significance of a heritage asset and its setting from an early stage in the design process can help to inform the development of proposals which avoid or minimise harm. Analysis of relevant information can generate a clear understanding of the affected asset, the heritage interests represented in it, and their relative importance.*

A detailed significance assessment has been undertaken as part of this application and its findings incorporated into the scheme. Visual inspection of the building informed constraints and opportunities and there was a conscious effort to minimise the impact of the proposed works upon the significance of the statutorily listed subject site.

## 8.0. CONCLUSION

- 8.1. The proposals have been designed so as to cause no harm to the statutorily listed Gloucester Lodge. The subject site possesses medium to high historical value and aesthetic values, and low to medium evidential and communal values value, as well as a setting of medium value. It is considered that these values which express the special architectural and historic interest and setting of the Grade I statutorily listed Gloucester Lodge will be preserved – there will be no harm caused by any of the proposals because the proposals affect only fabric and plan form of little or no significance.
- 8.2. The proposals are considered to have responded positively to the comments and concerns raised by the Inspector expressed in the appeal decision of June 2019, particularly in relation to the proposed treatment of the vaulted utility room (or gallery) at lower floor level. The proposals are considered to have a minimal and neutral impact on the significance of the Grade I statutorily listed subject site. Indeed, the proposed amendments to the existing consents are considered to have much less of an impact on any historic fabric and plan form by nature of their more appropriate design and discreet locations.
- 8.3. The applicant has recognised the importance of performing investigations and analysis necessary for the assessment of the effects of the proposed works on the special interest of the surrounding heritage assets. This approach has been beneficial with regard to the process of acknowledging the best practice guidance as outlined in the NPPF and in local policies. It is considered that the information provided in this Heritage Statement is proportionate to the exceptional significance of the subject site. It sets out an appropriate level of detail sufficient to understand the potential heritage implications of the proposals in accordance with the proportionate approach advocated by Paragraph 189 of the NPPF.
- 8.4. The proposal is considered to sustain the special historic and architectural interest of the statutorily listed building by preserving those elements of significance that have been identified as contributing to that special interest and removing those elements which are detrimental to that interest. It is therefore concluded that the proposed works satisfy the relevant clauses of the NPPF. These are consistent with the spirit of local, regional and national planning policies and conservation principles.

## APPENDIX 1: LIST DESCRIPTION

Name: GLOUCESTER LODGE (NUMBER 12) GLOUCESTER HOUSE (NUMBER 14) AND ATTACHED BOUNDARY WALL

List entry Number: 1078323

County: Greater London Authority

District: Camden

District Type: London Borough

Grade: I

Date first listed: 14-May-1974

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

CAMDEN

TQ2883SE GLOUCESTER GATE 798-1/82/570 (East side) 14/05/74 Nos.12 AND 14 Gloucester Lodge (12), Gloucester House (14) and attached boundary wall

GV I

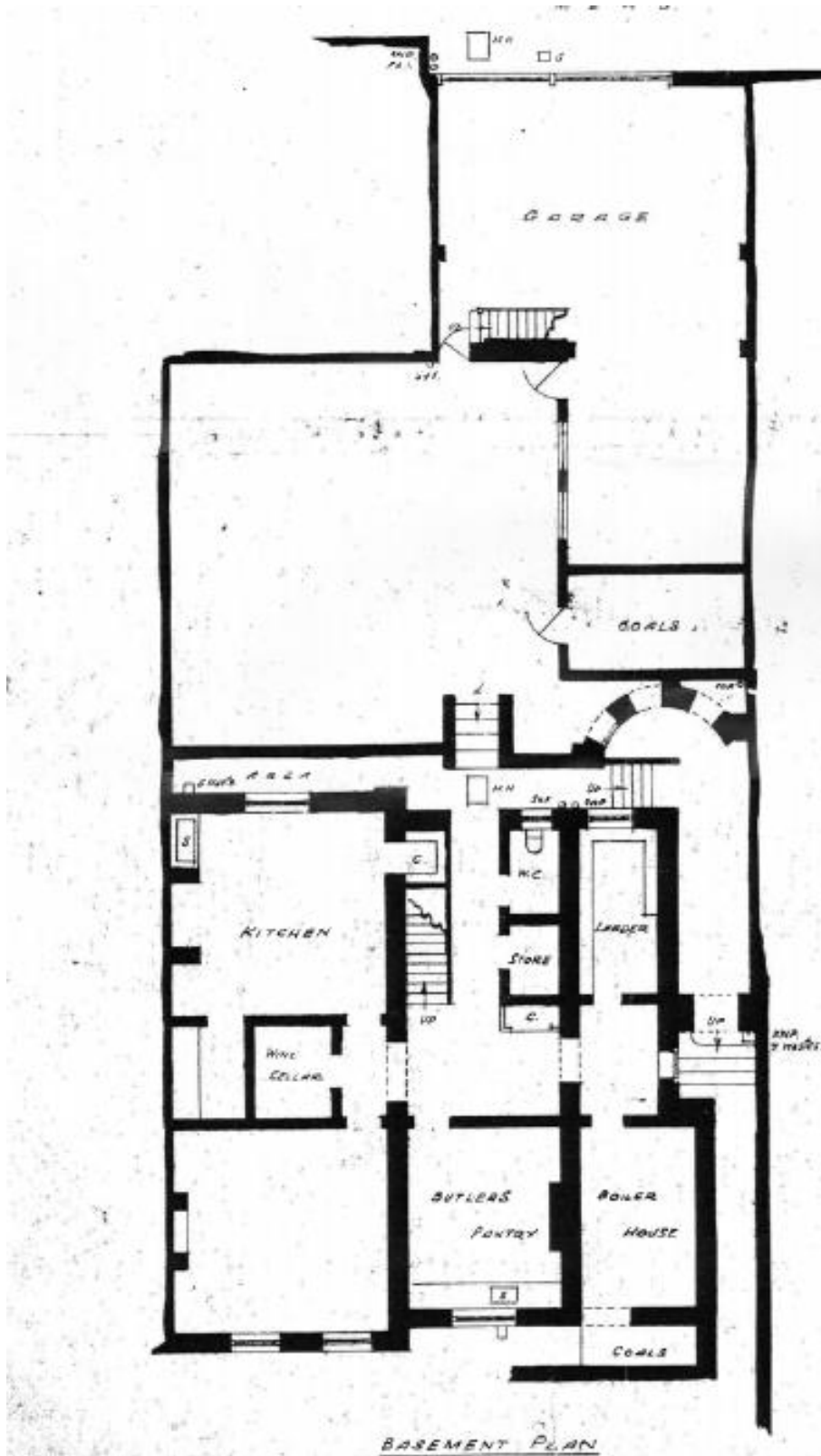
Pair of semi-detached houses. 1827-8 by James Burton; wings added 1836 by JB Papworth. Stucco. Irregular facade of 2 and 3 storeys and semi-basement. Central Ionic pedimented tetrastyle in antis portico with 3/4 engaged columns rising through ground and 1st floors to carry entablature. Recessed sashes, those to portico with blind boxes. Flanked by single window recessed links to 2 window block with parapet to the right and to the left, distyle-in-antis portico the columns rising through ground and 1st floor to carry the balustraded entablature, forming a balcony to the recessed attic storey of 3 architraved windows (outer, blind) with arcaded balustraded parapet. 4 window return to Gloucester Gate with entrance to No.14 of prostyle Greek Doric portico in antis; architraved doorway and panell ed doors. Pilasters carry entablature at attic storey level and continue above to carry cornice with arcaded (mostly) parapet. Architraved, recessed sashes. INTERIORS: not inspected. SUBSIDIARY FEATURES: attached, stone capped boundary wall with pilaster strips to Gloucester Gate. (Survey of London: Vol. XIX, Old St Pancras and Kentish Town (St Pancras II): London: -1938: 97).

## APPENDIX 2: 1934 PHOTOGRAPHS (COUNTRY LIFE)



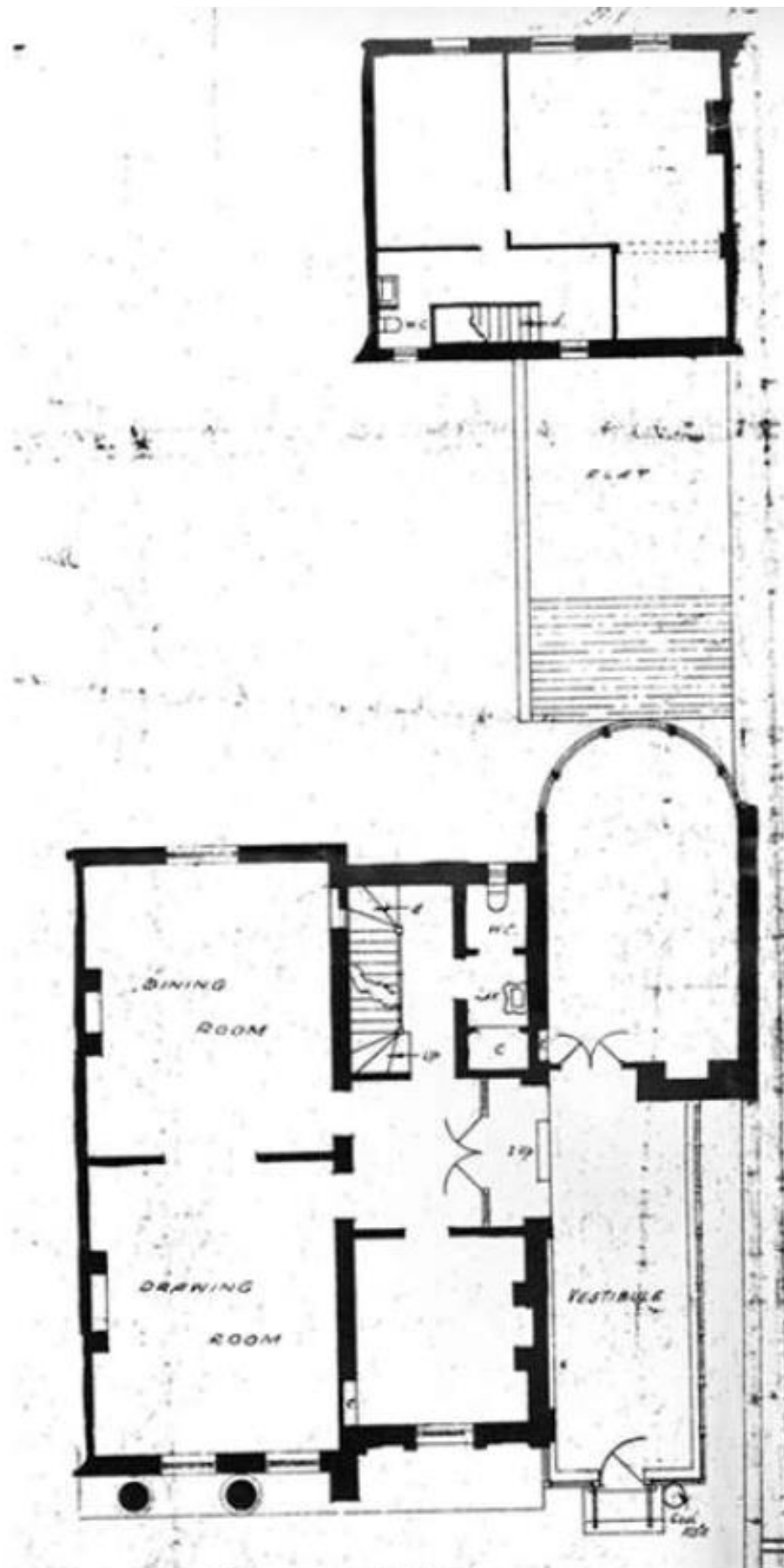
Photograph of the drawing room from *Country Life* in 1934 depicting the wholesale alteration of the interior to accommodate an Art Deco style.

## APPENDIX 3: HISTORIC PLANS

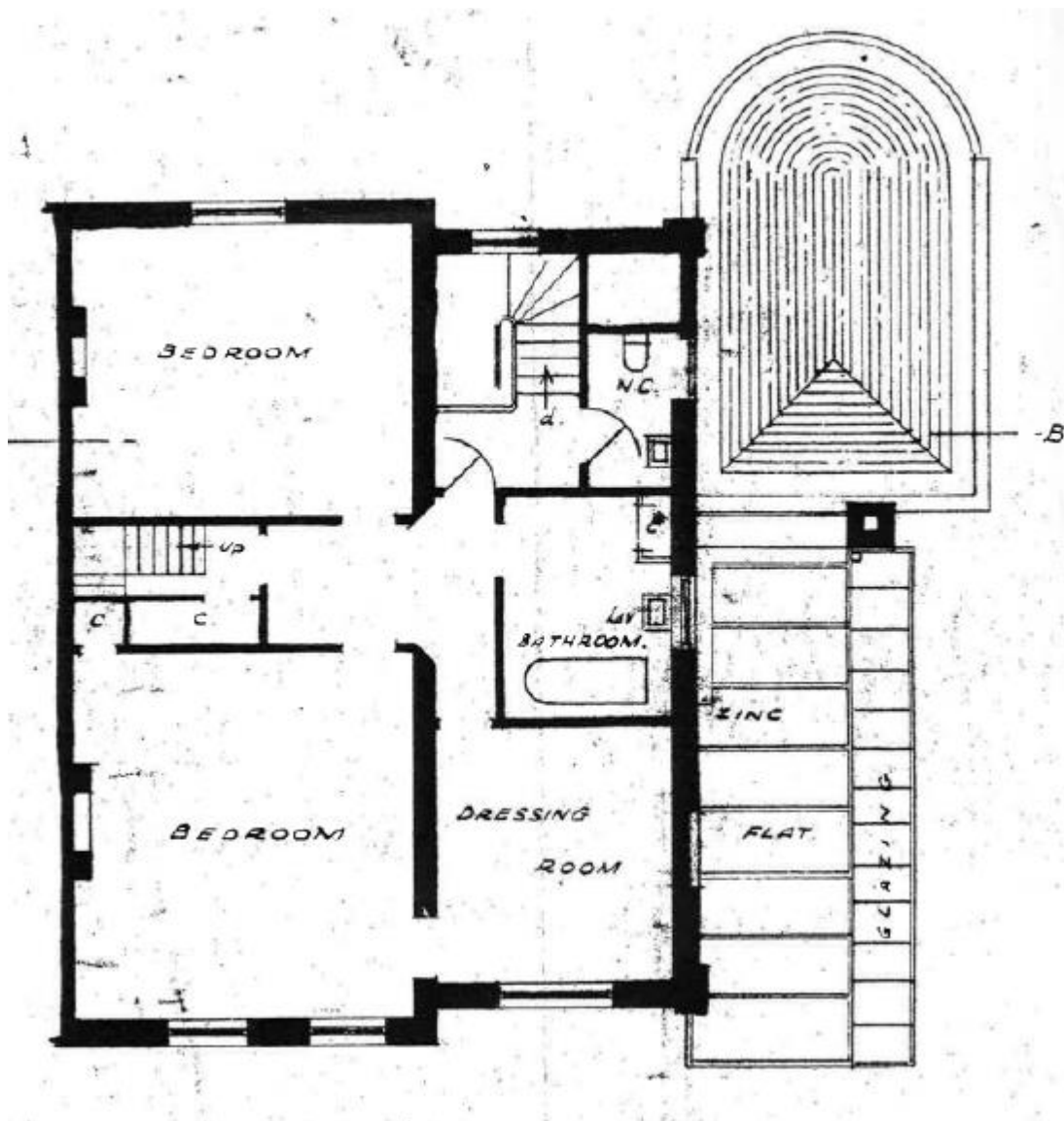


Lower Ground Floor as existing in 1929.

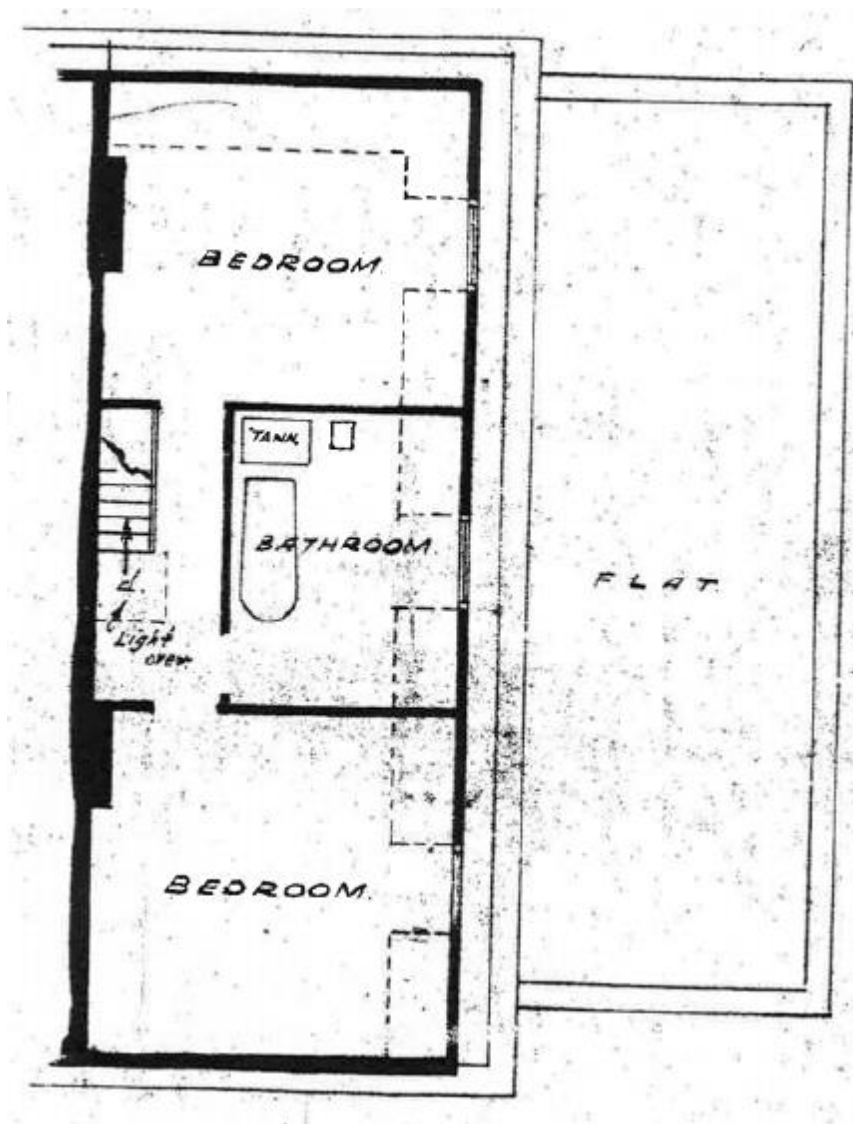




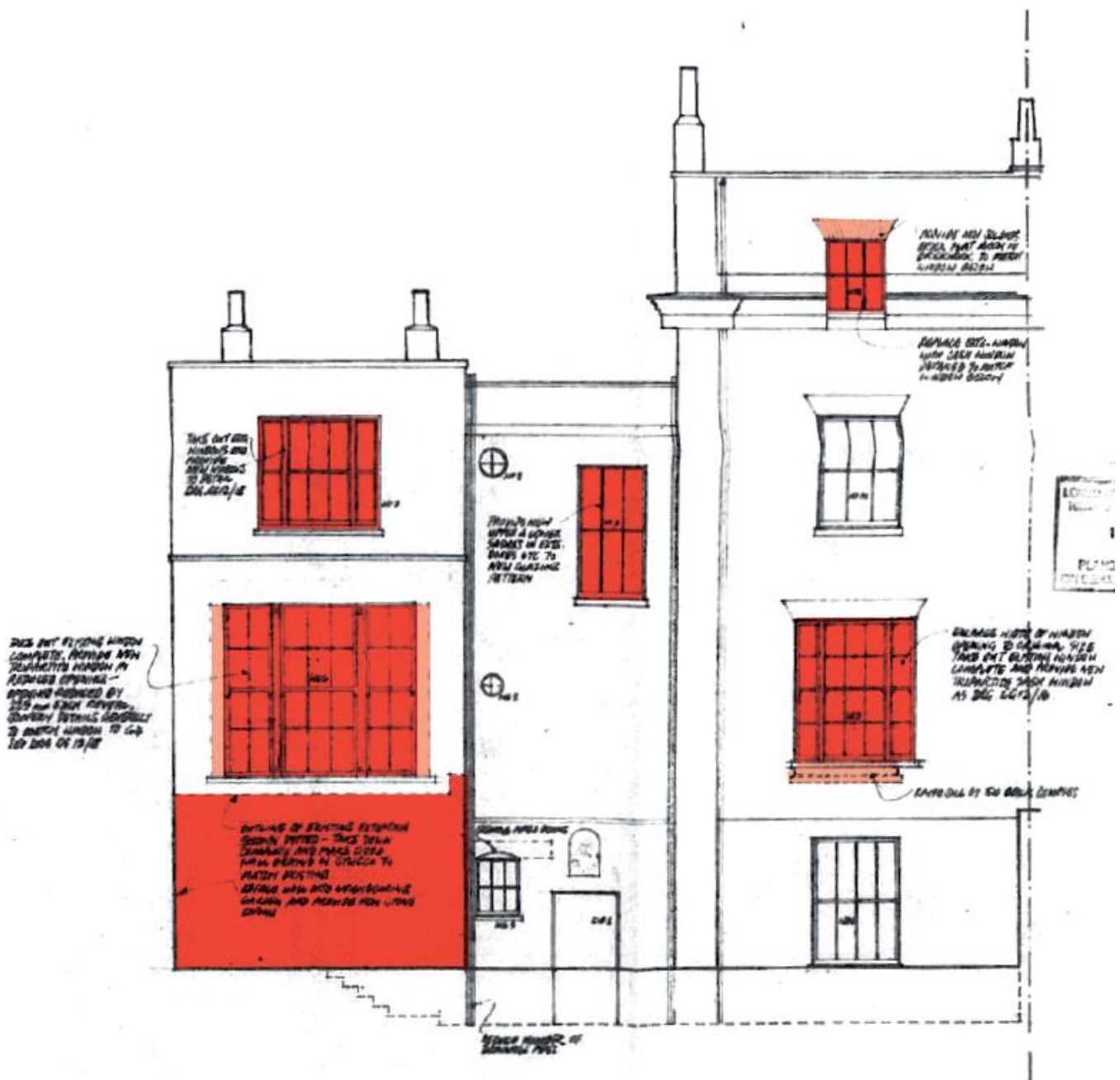
Ground Floor as existing in 1929.



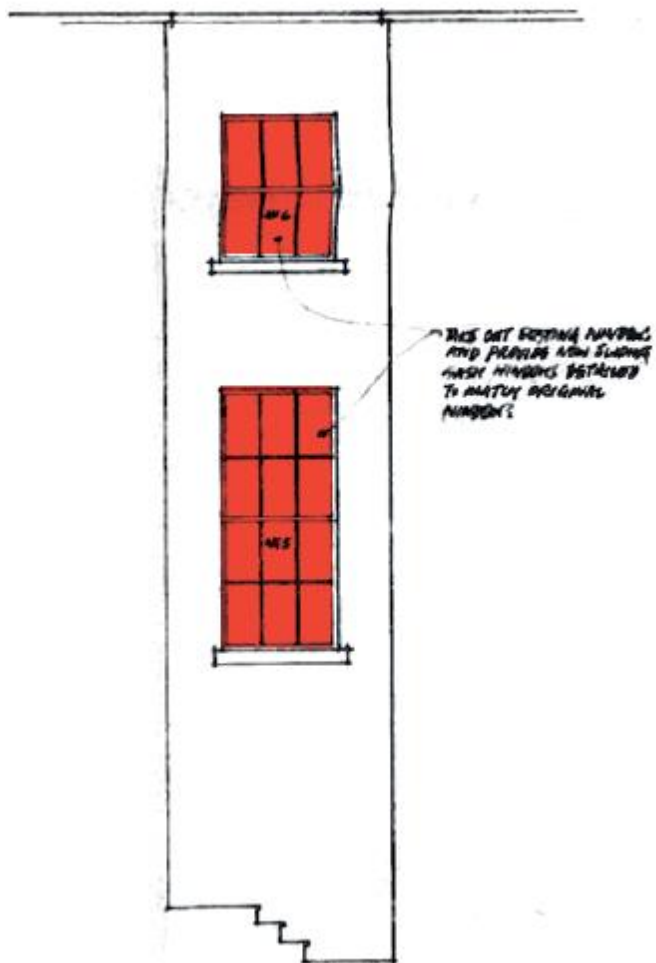
First Floor as existing in 1929.



Second Floor Plan as Existing in 1929.



Rear elevation as proposed for the 1990s restoration works, illustrating the extent of replacement fabric.



South elevation as proposed for the 1990s restoration works, illustrating the two new sash windows within the lightwell.



## APPENDIX 4: APPEAL DECISION (JUNE 2019)



The Planning Inspectorate

### Appeal Decisions

Hearing held on 17 April 2019

Site visit made on 17 April 2019

by Elaine Gray MA(Hons) MSc IHBC

an Inspector appointed by the Secretary of State

Decision date: 10 June 2019

#### Appeal A - Appeal Ref: APP/X5210/W/18/3204334 Gloucester Gate Lodge, Outer Circle, London NW1 4HA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Mr & Mrs Mansour Namaki against the decision of the Council of the London Borough of Camden.
- The application Ref 2017/4111/P, dated 17 July 2017, was refused by notice dated 15 March 2018.
- The application sought planning permission for variation of condition 3 (approved drawings) of planning permission 2016/4549/P dated 22/12/2016 (for erection of single storey extension connecting 12 Gloucester Gate to mews building and associated alterations), namely lowering of garden level by 200mm, insertion of lift to lightwell, setting back of bay on east elevation, a flat solid roof to garden room, insertion of roof light over lift shaft, reconfigured / additional windows at 2nd floor on south elevation, reconfigured roof lights at 2nd floor roof, relocation of door and widening of garage door to east elevation of 12 Gloucester Gate Mews without complying with a condition attached to planning permission Ref 2016/4549/P, dated 22 December 2016.
- The condition in dispute is No 3 which states that: *'The development hereby permitted shall be carried out in accordance with the following approved plans: Design and access statement prepared by Make dated August 2016; Daylight and Sunlight Report prepared by EB7 dated 5th August 2016; Planning statement prepared by Montague Evans dated August 2016; Heritage Statement prepared by Montague Evans dated August 2016; Basement Impact Assessment with Appendix A-J prepared by Technicker dated 12.08.2016; Outline Construction Management Plan prepared by Technicker dated 12.08.2016; Basement Impact Assessment - Addendum 01 & 02 prepared by Technicker dated 21.09.2016 & 04.10.2016; Arboricultural Impact Assessment prepared by Environmental Services dated 11th August 2016; Addendum To Arboricultural Impact Assessment prepared by Environmental Services dated 14th November 2016; PD2200 01; PD2201 02; PD2202 02; PD2203 01; PD2204 02; PD0010 01; PD0011 01; PD0999 01; PD1000 01; PD1000A 01; PD1001 01; PD1002 01; PD1003 01; PD1100 01; PD1101 01; PD1200 01; PD1201 01; PD1202 01; PD1203 01; PD1204 01; PD1205 01; PD1499 01; PD1500; PD1501; PD1502; PD1503; PD1601; PD1701; PD1703; PD1704; PD1999 05; PD2000 02; PD2000A 03; PD2002 02; PD2003 02; PD2100 01; PD2101 01; PD1998 03; PD2001 03; PD2205 06; PD391'.*
- The reason given for the condition is: *'For the avoidance of doubt and in the interest of proper planning'.*

#### Appeal B - Appeal Ref: APP/X5210/Y/18/3206252 Gloucester Gate Lodge, Outer Circle, London NW1 4HA

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
- The appeal is made by Mr & Mrs Mansour Namaki against the decision of the Council of

the London Borough of Camden.

- The application Ref 2017/4133/L, dated 17 July 2017, was refused by notice dated 15 March 2018.
  - The works proposed are erection of single storey extension connecting 12 Gloucester Gate to mews building; insertion of rooflight; excavation of basement to extend below rear courtyard and mews properties; remodelling of mews properties with sash windows at upper ground floor (facing courtyard), parapet height raised, and erection of hipped, pitched roof to 12 Gloucester Gate Mews following demolition of 12 and 13 Gloucester Gate Mews behind retained elevation facing Gloucester Gate Mews and internal alterations to 12 Gloucester Gate including installation of lift and alterations at 1<sup>st</sup> and 2<sup>nd</sup> floor level (all aforementioned approved under 2016/4554/L) and including the following: insertion of lift to lightwell, additional door at ground floor level; new window on rear elevation at ground floor level; new internal window at ground floor level; change to solid roof for link building; internal rearrangement of mews layout; lowering of floor level of link building to match main building; removal of stairs from ground floor to link; retain kitchen in existing location; flush rooflight over new lift shaft; new rooflight to 2<sup>nd</sup> floor roof.
- 

## Decisions

1. Appeal A is allowed and planning permission is granted for variation of condition 3 (approved drawings) of planning permission 2016/4549/P dated 22/12/2016 (for erection of single storey extension connecting 12 Gloucester Gate to mews building and associated alterations), namely lowering of garden level by 200mm, insertion of lift to lightwell, setting back of bay on east elevation, a flat solid roof to garden room, insertion of roof light over lift shaft, reconfigured / additional windows at 2nd floor on south elevation, reconfigured roof lights at 2nd floor roof, relocation of door and widening of garage door to east elevation of 12 Gloucester Gate Mews at Gloucester Gate Lodge, Outer Circle, London NW1 4HA in accordance with the application Ref 2017/4111/P, dated 17 July 2017, without compliance with condition number 3 previously imposed on planning permission 2016/4549/P dated 22 December 2016, subject to the further conditions in the attached schedule, and so far as relevant to those parts of the development hereby permitted:
  - additional door at ground floor level;
  - new window on rear elevation at ground floor level;
  - new internal window at ground floor level;
  - change to solid roof for link building;
  - internal rearrangement of mews layout;
  - lowering of floor level of link building to match main building;
  - removal of stairs from ground floor to link;
  - retain kitchen in existing location;
  - new rooflights to 2nd floor roof.
2. The appeal is dismissed insofar as it relates to:
  - insertion of lift to lightwell;
  - works to utility room at lower ground floor level.

3. Appeal B is allowed insofar as it relates to the following parts of the works:

- additional door at ground floor level;
- new window on rear elevation at ground floor level;
- new internal window at ground floor level;
- change to solid roof for link building;
- internal rearrangement of mews layout;
- lowering of floor level of link building to match main building;
- removal of stairs from ground floor to link;
- retain kitchen in existing location;
- new rooflights to 2nd floor roof.

4. Listed building consent is granted for these works at Gloucester Gate Lodge, Outer Circle, London NW1 4HA in accordance with the terms of the application, Ref 2017/4133/L, dated 17 July 2017, and the plans submitted with it, so far as relevant to those parts of the works hereby consented, and subject to the conditions in the attached schedule. The appeal is dismissed insofar as it relates to:

- insertion of lift to lightwell;
- works to utility room at lower ground floor level.

### **Preliminary Matters**

5. A number of the works described within the applications are not considered by the Council to be contentious in terms of their impact on the listed building. I have no basis on which to take a different view, and so I have not considered these elements of the scheme further. In the interests of conciseness and clarity, I have dealt with both appeals together in my reasoning.
6. The plans that were submitted with the applications have formed the basis of my consideration of the appeals. However, the main parties agree that a further amendment was to be considered as part of the appeal, namely, the removal of the proposed courtyard doors at lower ground floor level and the retention of the existing window.
7. In view of these amendments, I have had regard to the 'Wheatcroft' principles - including whether the amendments would materially alter the nature of the application and whether anyone who should have been consulted on the changed development would be deprived of that opportunity. In my view, the amendments would be minor, and would not materially alter the proposed development such that to grant it would result in a development substantially different from that previously consulted upon. As such, I find that there is no prejudice that would justify re-consultation. In these circumstances, I see no material conflict with the Wheatcroft principles. I note that the Council have no objections to the amendments, and I have taken the amended plans into consideration.



## **Main Issue**

8. The Council objected to the appeal scheme in terms of whether or not it would make adequate provision for public and highway safety. In the light of this concern, the main parties have completed a deed of variation to the s106 agreement agreed as part of planning permission Ref 2016/4549/P. I received a copy of the signed document at the hearing. Whilst I will address this matter in more detail in my reasoning, I am satisfied that the Council's first reason for refusal has been resolved by this agreement.
9. Therefore, the remaining main issue is the effect of the proposal on the special interest of Gloucester Gate Lodge, a grade I listed building, and whether it would preserve or enhance the character or appearance of the Regent's Park Conservation Area.

## **Reasons**

10. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires, when considering whether to grant listed building consent for any works to a listed building, that special regard be had to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses. Section 72(1) of the Act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of conservation areas in the exercise of planning functions.
11. The National Planning Policy Framework (NPPF) directs that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
12. Planning permission and listed building consent were previously granted for works and development at the appeal site (Refs 2016/4549/P & 2016/455/L). At the hearing, the appellant explained that this scheme was somewhat rushed as they wished to secure the permissions prior to changes to the Council's policies on basement developments. The scheme before me therefore represents the alterations they would have previously wished to pursue.
13. The appeal site is listed grade I under the entry 'Gloucester Lodge (Number 12) Gloucester House (Number 14) and attached boundary wall'. Gloucester Lodge was originally constructed as a detached dwelling, designed by James Burton in 1827-1828. The front elevation is finished in stucco, and the design incorporates a striking central pediment with four Ionic columns supporting a large entablature. On either side of the imposing frontage are two lower side wings.
14. To the rear are two-storey mews buildings that are believed to date from the 1830s. These have been substantially altered internally, and consent has been obtained to demolish them, retaining the façade to Gloucester Gate Mews, which remains of significance.
15. In 1836, a scheme of internal internal works was carried out by JB Papworth to convert the villa into two semi-detached dwellings. The southern-most dwelling became Gloucester Lodge, which is the appeal site. At this time, an

additional south wing was added to accommodate a new dining room to the rear. The main entrance was also located to the original south wing.

16. There are no drawings of the original plan form, but plans from 1929 survive. During the 1930s, further works were carried out by architect Harold Currey. At this time, the interiors were substantially modelled in the Art Deco style by Robert Lutyens. Later works were undertaken during the mid to late 20<sup>th</sup> century, partially restoring lost Classical details and reinstating the plan form of the first floor. The lower ground floor housed the service quarters, reflecting the hierarchy of spaces that would be expected in a building of this status. The lower ground floor shows a similar sequence of alterations to those seen on the floors above.
17. Externally, the original form, dimensions and appearance of the main building and the mews remain largely apparent, and make a positive contribution to the Regent's Park Conservation Area. Internally, whilst the building has been much altered, the surviving fabric and plan forms, be they original or later, add to the special interest of the building and the understanding of how it has evolved over time. All these features contribute to the significance of the listed building.
18. Overall, it is clear that this is an impressive building of considerable architectural and historic importance, as is reflected in the high grade of its listing. This is accorded to only a small proportion of listed buildings, and demands a careful and exacting approach to the assessment of proposed works.

#### *Proposed new lift*

19. The 2016 scheme allowed a new lift to be located in an area adjacent to the existing staircase, within the original southern wing of the Burton villa. It is now proposed to construct the new lift in an existing lightwell in the later southern extension. Although the consented lift would be in an older part of the building, it would occupy a discreet location, replacing an existing dumb waiter. On the ground floor, the consented lift door would not be visible from the main entrance hall. The 2016 scheme would also retain part of the existing enclosure in the stair area on the ground floor.
20. With the lift in a different location, it is proposed to remove the two small enclosures next to the stair, and leave this area open. In the Council's view, it is unlikely that the stairs would have had a large landing. They consider that the enclosures are likely to represent the original form and layout of the area. It is certainly the case that these, or similar enclosures appear on the 1929 floor plan. That being the case, the proposal would result in the loss of plan form dating from at least the early 20<sup>th</sup> century phase of the building. As the original plans are no longer available, there is insufficient evidence to show that these works would result in the restoration of an earlier iteration of the floor plan.
21. On the first floor, it is proposed to widen the corridor by removing a section of wall in front of the lift entrance. This would represent a part of the historic masonry of the flank elevation of the original building, and it is therefore of intrinsic significance. In addition to the loss of fabric from the line of the original wall, this work would open up the hallway in area where the sense of enclosure is an important element of the character of the building. I accept



that a relatively small section of wall would be removed. Nevertheless, the proposal would result in both the loss of historic fabric and the erosion of the original plan form, and this harm would require clear justification.

22. At the lower ground floor level, sections of the vaults and brickwork would be affected in order to accommodate the base of the new lift. The Council are concerned that there is insufficient information to be certain of whether or not this impact would be harmful to the significance of the building.
23. At the top of the lift shaft, a new flush rooflight would be installed, with an amendment to the parapet. The Council do not object to this, but wish to see details of the internal appearance of the new rooflight. Were the lift element to be found acceptable, I am satisfied that this matter could be dealt with by condition.
24. The new lift would be larger than the previously consented one and would therefore make the building somewhat more inclusive and accessible. It would also be located in a later part of the building that is of less sensitivity than the original core structure. In terms of the external appearance, the appellant confirmed that it would be possible to design the outside of the lift doors to resemble the historic doors in the building. These factors would count in favour of the proposed relocation of the new lift.
25. Conversely, although the consented lift would be in an older part of the building, it would be located more discreetly, and so would have a more limited visual impact on the interior. The enclosure in the stairs area would be retained, and the historic masonry on the first floor would be preserved, as would the areas in the basement that the Council have voiced concern over. Therefore, whilst I consider that the issue is finely balanced, taking the above factors into account, I conclude that the revised lift proposal would fail to preserve the character and appearance of the listed building, thereby harming its significance.

#### *Lower ground floor*

26. On the lower ground level, the appeal scheme would necessitate alterations in and around the part of the building referred to as the utility room. The presence of the service area on the lower ground floor, as noted above, is an important part of the architectural hierarchy of the listed building.
27. The morphological plans of the lower ground floor show that these areas form part of the Papworth extensions, or are of the later 19th century. The long, narrow area, with its low vaulted roof, very much retains the sense of a utilitarian, workaday space, and contrasts markedly with the finer rooms upstairs in the main body of the building. It has clear illustrative value as a physical document of the difference between upstairs and downstairs life in a fine Victorian house. It also offers tangible evidence of the layout and function of the household, and how it was used and experienced by its various occupants. The floorplan and historic fabric that remain in these rooms are therefore of importance to the special interest of the heritage asset. Therefore, despite the previous alterations that have occurred, I am unable to agree with the appellant's stance that this part of the building is of little, if any, historic significance.

28. The consented scheme allows a 1930s infill to be unblocked, creating a doorway to access new stairs down to the basement within the southern-most part of the building. The revised scheme would see the infill removed to form the doorway to the new lift. The new doorway to access the stairs would be formed in the side of the utility room. In addition, fabric would be removed from the end of this room, where there is now a window, to allow access to the new link structure.
29. The creation of two new doorways in this area would necessitate the loss of historic fabric. Also, the form of the room would change substantially, in that it would become a through corridor rather than an enclosed room. By introducing these additional means of circulation, the proposal would not respect the original function and layout of the space. These changes would harm the ability to understand the layout and previous domestic character of this room and would require clear justification.

*The removal of intermediate structures at lower ground floor level*

30. It is proposed to remove intermediate structures at lower ground floor level between the link building, which was allowing in 2016, and the main house. The 2016 scheme allowed a stair leading from the ground floor dining room to the level below and the formation of a garden storeroom between the location of the stair and the rear elevation of the main building. The store would be accessed from an external door. The appeal scheme would both remove the stair and leave open the garden store room area, so as to form a single volume with the link structure.
31. The Council are concerned that these changes would result in one interconnected space which would harm the significance of the listed building and lessen the appreciation of the domestic nature of this area. However, the removal of the awkward consented staircase would be of benefit to the character and appearance of the listed building, and alterations to the area to form the garden store have already been allowed. The single volume space now proposed would be read as part of the new structure, and so, in my view, would have little impact on the significance of the listed building. This element of the scheme would therefore preserve its special interest.

*Changes to the proposed glazed link*

32. As part of the 2016 scheme, the new link building was to have a glazed roof. The revised proposal would change the fully glazed roof to a solid roof, which the Council consider to be acceptable in principle. However, it is also proposed to lower the floor level of the new link by approximately 0.9m, to match the corresponding level of the main house. The Council voice concern that this would further diminish the courtyard garden which was historically all at the same level. The proposed lowering of glazed link floor would, in their view, further erode the levels of the historic courtyard, thereby harming its significance. The breaking up of the courtyard into separate elements would detract from the attractive external space and the setting of the listed building.
33. However, it seems to me that the new link structure, in itself, would break up the courtyard into very distinct elements. It would introduce a substantial development where none previously existed, which would bring about a marked change to the historic form of the courtyard. The change in floor level would be internal, and would not be readily perceptible from the garden area.



To that extent, it would not bring about any significant change over and above the effect of the link building. Taking these factors into account, I consider that the change to the floor level inside the link would not harm the significance of the listed building, or its setting.

#### *Changes to mews building*

34. As noted above, the interior of the mews building has been substantially altered, with the result that only the external elevation, which is to be retained, has any historic significance. The appeal scheme would remodel the interior to a different layout to that allowed in 2016. In light of these changes, the Council have concerns with regard to how the retained external garage doors would relate to the new proposed floorplan inside the building.
35. I recognise these concerns, and I accept that the proposed new layout behind the garage doors would be less than optimal in terms of their function, and would represent a departure from the way the doors were used in the past. However, the external appearance of the doors would remain intact, and I am confident that their condition would be maintained. As a result, there would be no harm to the significance of the listed building.

#### *Rooflight*

36. On the second floor, it is proposed to remove an existing rooflight and replace it with an enlarged rooflight. A number of issues arise, firstly the effect of removing part of the roof to accommodate the new rooflight. No investigation of the roof structure has been carried out, and so its age and significance are uncertain. However, at the hearing, I heard that it is likely that the roof would have been modified in some way to accommodate the roof tanks, which are to be removed.
37. The Council are concerned about the loss of the existing roof light, and the design of the proposed roof light, including the flush detailing. The morphological plan of the second floor shows that the partitions in the area date from the 1930s, or early 20<sup>th</sup> century. The existing rooflight is estimated to date from the 1930s or later. The 2016 scheme allows for the comprehensive remodelling of this floor, with the existing partitions removed and replaced with new partitions.
38. I agree that the existing rooflight is generally sympathetic to the building. However, within the context of the permitted changes on this floor, I consider that its replacement would be similarly acceptable in principle. Whilst I acknowledge the Council's concerns, I am satisfied that the detailed design of the new rooflight may be agreed by condition.

#### *Conservation area*

39. The appeal site is located within the Regent's Park Conservation Area (CA), and so I am required to have special regard to the desirability of preserving or enhancing the character or appearance of the conservation area. The proposals relate primarily to the interior of the listed building, and so would not affect the CA. Any perceptible changes would be minimal and would not adversely affect the character or appearance of the CA. The statutory duty is therefore satisfied.

## Planning balance

40. Following from the analysis above, I find that the proposed works to create the new lift and the alterations to the utility room at lower ground floor level, would harm the significance of the listed building. Accordingly, conflict arises with the overarching statutory duty as set out in the Planning (Listed Buildings and Conservation Areas) Act 1990, which must be given considerable importance and weight, and with the NPPF. In addition, the scheme would fail to comply with Policy D2 of the Camden Local Plan (LP), insofar as it resists 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.
41. Although serious, the harm to the heritage asset would be less than substantial in this case, within the meaning of the term in paragraph 195 of the NPPF. Paragraph 194 states that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. Paragraph 196 requires that, where a proposal would lead to less than substantial harm, the harm should be weighed against the public benefits of the proposal.
42. The appellant has outlined a number of heritage benefits that would arise. Although I do not agree that the removal of the enclosure from within the Papworth stair hall would be beneficial, the reinstatement of a number of former door and window openings would be welcome, and would allow the building to be better understood. However, these benefits could be achieved independently of the appeal scheme, and so would not count in its favour.
43. The works and development might arguably result in a more attractive home. However, there is no compelling evidence to suggest that the future use of the listed building would be at risk, or that it would be less likely to be looked after if the works in question were not implemented. As a result, any improvement to the standards of accommodation would amount to a private benefit which would not count in favour of the proposal.
44. I have been referred to LP Policy D1, which amongst other things, requires new development to be inclusive and accessible for all. However, this aim would not outweigh the great weight that is to be given to the conservation of a heritage asset, particularly one within the highest listing category. I have taken into account the public benefits that attended the permitted 2016 scheme. Whilst such benefits should be afforded modest weight, they would not justify the harmful effects that would arise from the appeal proposal.
45. I therefore find that insufficient public benefits have been identified that would outweigh the harm I have identified to the heritage asset. The harmful elements of the scheme therefore conflict with the NPPF, which directs, at paragraph 193, that great weight should be given to the asset's conservation ... irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

## Planning obligation

46. As noted above, a completed planning obligation pursuant to section 106 of the Town and Country Planning Act 1990 (the s106 Agreement) was submitted at the hearing. It includes provisions to secure a highways contribution, which

would meet the cost of any construction damage, and reinstate any affected road and footpath surfaces after the development. It would also ensure compliance with a Construction Management Plan. These outcomes would meet the requirements of LP Policy A1, which seeks to manage the impact of development, and LP Policy DM1, which relates to delivery and monitoring. The provisions of the s106 Agreement are necessary to enable the development to proceed and I am satisfied that the tests set out in paragraph 56 of the NPPF have been met.

### **Conditions**

47. The Council have suggested a number of planning conditions which were discussed at the hearing. I have also considered them against the relevant advice in the Planning Practice Guidance (PPG). For certainty, it is necessary that the works and development are carried out in accordance with the approved plans.
48. With regard to Appeal A, conditions relating to landscaping, planting and tree protection are appropriate in the interests of character and appearance. Conditions relating to the basement development are necessary to ensure an appropriate form of development. A condition to control noise levels is required to protect the living conditions of neighbours. It is essential that the requirements of conditions 3, 6 and 9 are agreed prior to the development commencing to ensure that the development is acceptable in respect of the matters they address.
49. With regard to Appeal B, conditions requiring the matching of new works to existing methods and materials, the salvage and reuse of materials, the submission of detailed drawings and samples of materials, and sealing of the garage doors are necessary in the interests of the character and appearance of the listed building.
50. Conditions seeking details of the method statement for demolition and excavation works, and requiring the retention/salvage of uncovered historic fabric are appropriate to protect the existing fabric of the listed building. A condition securing a photographic record of 13 Gloucester Gate Mews is necessary for the understanding of the listed building.

### **Conclusion**

51. In carrying out the statutory duty under the Planning (Listed Buildings and Conservation Areas) Act 1990, I confirm that the works which have been found acceptable in this analysis would preserve the building and its setting and its features of special architectural or historic interest. They accord with the development plan policies referred to, and hence the development plan overall. They also meet the aims of the NPPF.
52. Conversely, those items found unacceptable would conflict with the development plan overall. With regard to the NPPF, the public benefits of the items found unacceptable do not outweigh the harm identified.

*Elaine Gray*

INSPECTOR