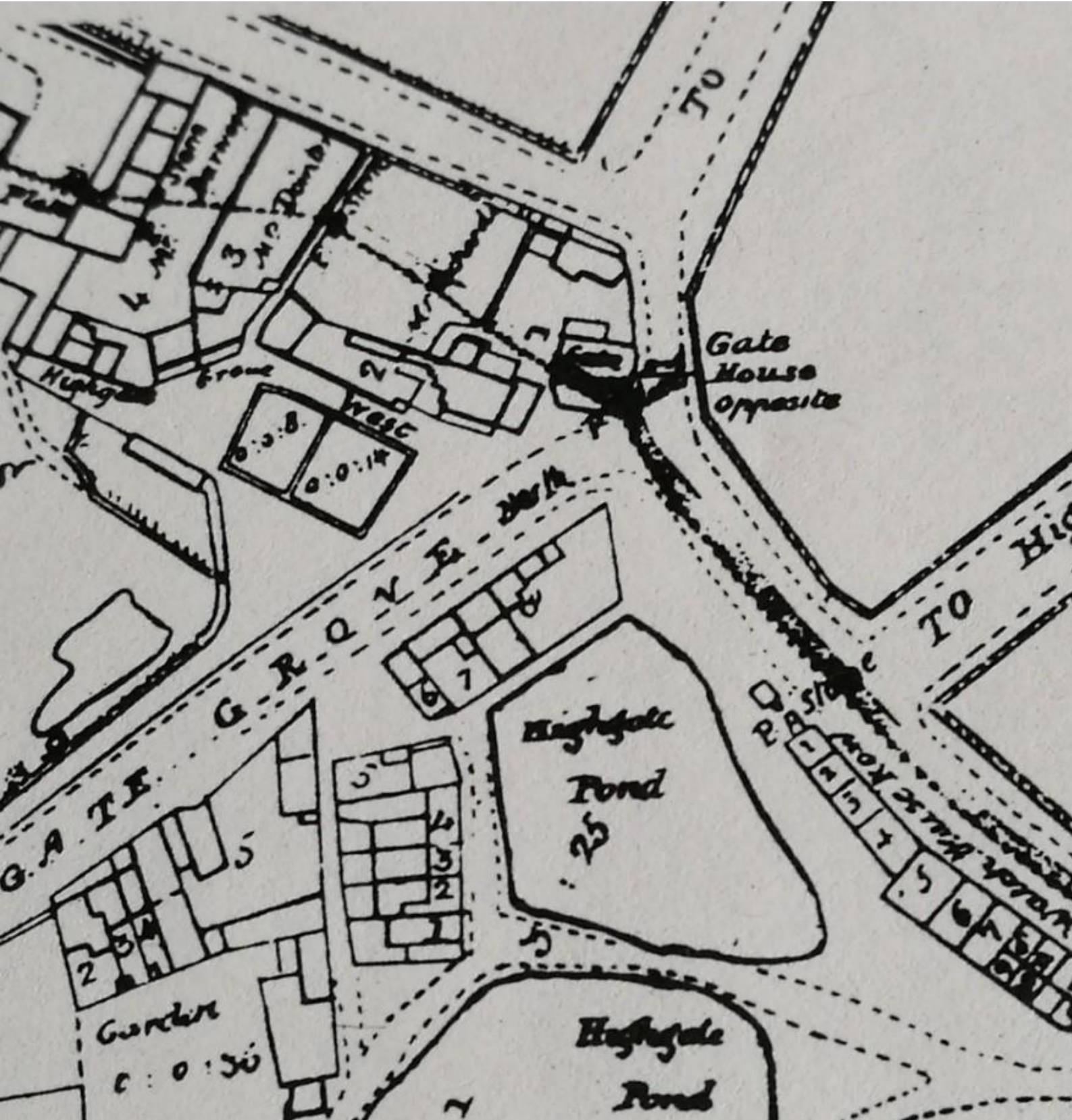
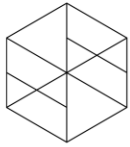


The
Heritage
Practice

10 Bloomsbury Way, London WC1A 2SL
+44 (0)20 3871 2951
www.theheritagepractice.com
info@theheritagepractice.com

Heritage Appraisal – Proposed Outbuilding,
No. 45 Highgate West Hill, London, N6 6DB
June 2020





1 Introduction

1.1 The following Heritage Appraisal has been prepared in support of proposals to provide an outbuilding within the residential curtilage of no. 45 Highgate West Hill, London, N6 6DB. This report sets out the relevant historic development and special interest of the site of the new outbuilding (the site) and considers the proposed building against relevant historic environment policy, particularly in relation to the setting of listed buildings and the character and appearance of the Highgate Conservation Area.

1.2 No. 45 Highgate West Hill is a grade II* listed building, added to the statutory list in 1954. The list description for nos. 45 and 46 reads as follows:

2 semi-detached houses. c1729. For J Davis, with later alterations and mid C19 extension at south end. Brown brick with plain brick bands at floor levels and beneath parapet; stucco extension. Massive slate mansard roofs with dormers. 3 storeys, attics and basements. No.45, 3 windows and half blind window; No.46, 5 windows. No.45, entrance in side extension has wooden doorcase with Corinthian fluted pilasters on pedestals and architrave curved upwards to centre of frieze; panelled door with overlight. No.46, wooden prostyle portico with Doric columns on pedestals and dentil pediment; fanlight and panelled door. Gauged red brick flat arches to flush C20 2-pane sashes. Lead rainwater head between houses has inscription "DIE 1729" [sic]. INTERIORS: not inspected but interior of No.46 noted to retain fine panelling, in particular C18 entrance hall. No.45 noted to retain panelling and other features. SUBSIDIARY FEATURES: attached wrought-iron railings to areas. (Survey of London: Vol. XVII, The Village of Highgate (Parish of St Pancras part I): London: -1936: 95-102).

1.3 No. 45 also forms part of the Highgate Conservation Area (designated by LB Camden in 1968 and extended in 1978 and 1992). As

the significance of the listed building and its setting have been taken into account in the development of the proposals so too has the contribution the site makes to the character and appearance of the conservation area.

1.4 There are also a number of nearby listed buildings, the significance and setting of which have also been taken into account in the development of the proposals and in the preparation of this appraisal. The most relevant include:

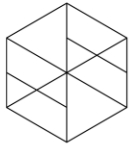
- No. 46 Highgate West Hill - grade II* (listed as a pair with no. 45);
- Apothecary House, 47 Highgate West Hill – grade II*;
- Reservoir pavilion – grade II.

1.5 This appraisal has been prepared following detailed research into no. 45's historic development and site and context assessment. Research has been undertaken at the London Metropolitan Archives, the Highgate Literary and Scientific Institution and the London Borough of Camden's Local Studies and Archive Centre. A number of online sources have also been used including British History Online, and the London Borough of Camden's historic planning records. Historic England's national archive has also been consulted.

1.6 This report is focused on the effect of the proposed outbuilding on the site and on the setting of nearby listed buildings and the character and appearance of the Highgate Conservation Area.

Relevant planning history

1.7 Applications for planning permission and listed building consent for the extension and alteration of no. 45 Highgate West Hill were approved in December 2019 (2019/3223/P and 2019/4270/L). These applications were accompanied by a detailed Heritage Appraisal that set out the historic development of the listed building and its context. As part of this work, the significance of the proposed site and



its setting was also examined, as far as possible with the existing available sources. An account of the site's development as it relates to its context is provided at Appendix A and summarised in Section 2 below.

1.8 During the pre-application process for the consented scheme, the potential for an outbuilding in the chosen location was discussed with LB Camden. Formal written advice received from the council set out that: *'The proposed wooden garage would be located within the triangular piece of land with trees and shrubbery which fronts the main road. It is considered that the garage would cause harm to the setting of the listed building. Although the woodland to the front of the property is not designated open space, its unaltered nature is considered to hold townscape and amenity value that contributes to the setting of the listed building and the wider Highgate Conservation area.'*

1.9 The points made by LB Camden in respect of the setting of the listed building (taken to be no. 45 Highgate West Hill) and the contribution made by the proposed site to the conservation area are described in more detail below.

Report structure

1.10 The following report provides an overview of the historic development and significance of the proposed site within its context and then considers the effects of the proposal on significance and against relevant historic environment policy. Section 2 describes the proposed site and its relationship with its context and Section 3 considers their proposals and their effects on the historic environment.

Author

1.11 This appraisal has been prepared by Kate Graham of The Heritage Practice. Kate Graham (MA (Hons) MA PG Dip Cons AA) has extensive experience in dealing with proposals

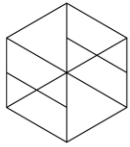
that affect the historic environment having in recent years been Design and Conservation Manager at the London Borough of Islington and Senior Historic Buildings at Areas Adviser at Historic England. She also has an extensive background in research, in policy analysis and in understanding historic buildings and places. She has trained as a historian and has a specialist qualification in building conservation. Kate is also a member of the London Borough of Islington Design Review Panel.

1.12 Historical research for this report was undertaken by Dr Ann Robey FSA, a conservation and heritage professional with over twenty years experience. She has worked for leading national bodies as well as smaller local organizations and charities. She is a researcher and writer specialising in architectural, social and economic history, with a publication record that includes books, articles, exhibitions and collaborative research.

2 The site and context

2.1 The site of the proposed outbuilding is located to the south-east of nos. 45 and 46 Highgate West Hill on a triangular area of land now planted with trees. This site is within the ownership of no. 45. The history of this area's development is set out at Appendix A. The main points in its historic development, based on available mapping evidence are:

- Nos. 45 and 46 Highgate West Hill constructed in 1729;
- A late 18th century image may indicate a treed area in the existing location although this is not certain. The area depicted may relate to the then adjoining village green/nursery. The existing trees are all 20th century in date;
- 1803 mapping indicates a rectangular garden enclosure between the houses and Highgate West Hill;
- The same site layout is seen in 1813;



- An 1842 map shows no such enclosure on the site although this may relate to the mapping scale;
- An 1862 map shows a triangular area with tree planting between the houses and Highgate West Hill – a similar arrangement to that seen today.

2.2 Evidence as to the original early 18th century layout and appearance of the site is unavailable. While some planting may or may not have characterised the site in the later 18th/early 19th century, it is clear that by 1803, the forecourt area to no. 45 had a rectilinear form which only became triangular later in the 19th century. The existing trees and planting on the site are not of an 18th century date but are more recent planting examples. Clearly whatever garden area was here originally, it has evolved significantly over time and, according to the Arboricultural Report submitted with the application, has developed naturally.

2.3 The pair of listed houses at nos. 45 and 46 Highgate West Hill are separated from the road by the wooded area of the proposed site. The Arboricultural Report submitted with the application describes the areas as: *'Based on the species mix the woodland/soft landscape area is likely a mix of plantings which have developed naturally alongside the more recent managed hedge/tree planting schemes which have been implemented in order to provide evergreen screening for the dormant months.'*

2.4 This suggests that the woodland has developed naturally and where its growth and development has been managed, this has been in more recent years. The area does not constitute a designed area of historic landscape planting intended to complement the listed building at no. 45 or any other listed building.

2.5 The same reports notes that certain trees provide a dominance of canopy cover and mature tree stock and provide a focal point within the Highgate Conservation Area. This fact is not disputed. It is clear that the trees within the site contribute positively to the

character and appearance of the conservation area and add to the semi-rural character of the village.

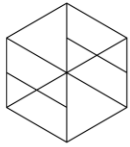
Contribution to the Highgate Conservation Area

2.6 The Highgate Conservation Area Appraisal and Management Strategy (2007) notes that the 'wooded landscape of the northern part of Highgate West Hill' (assumed to the site, together with other nearby planted areas) contributes to a rural character together with the character of the conservation area's western boundary as noted above.



Figure 1: View of no. 45 from Highgate West Hill.

2.7 In describing the houses themselves, the conservation area appraisal does not link the buildings to the treed area that forms part of their context: *'Two drives lead to the well set back Nos 45 & 46 a substantial pair of semi-detached houses consisting of a ten-bay frontage, built for J Davis in 1729 (listed grade II*)*. The text describes the driveways in the context of the houses but excludes the wooded area from the discussion. The wooded area is appraised and valued for its contribution to the character and appearance of the conservation



area but not for its contribution to the setting of nearby listed buildings (see below).

2.8 Views north towards the site along Highgate West Hill are characterised by the open space of the reservoir together with street planting. The northern part of Highgate West Hill (north-west side) does have an open, green feel. When in closer proximity to the site, at the junction of the road with the southernmost driveway (figure 1) the site is one element of the wider area's open, green character. The site and canopy cover are enhanced by the greened reservoir, street planting and planting within the reservoir compound. Although no. 45 is glimpsed in this view, the site effectively screens the property and its neighbour at no. 46 and acts as barrier which separates the historic buildings from the road. The mix of planting on the site ensures that this is maintained in winter months.

2.9 The site also blends with surrounding planting and open areas in views southwards along Highgate West Hill. It also screens no. 45 and 46 from this direction providing a break in the built environment along Highgate West Hill which is continued by the reservoir. The site clearly provides a verdant outlook for the buildings on the south-east side of Highgate West Hill and for nos. 45-47 Highgate West Hill. It also provides a leafy backdrop to development on the north side of Pond Square to the south-east of the site. It adds texture and visual interest and softening to the conservation area.

Contribution to the setting of nearby listed buildings

2.10 The proposed site has not been considered as a contributing factor to the significance of nearby listed buildings (nos. 45-47 Highgate West Hill) in the conservation area appraisal. It does however form part of the listed buildings' context and characterises part of their setting. The site contributes to the significance of the buildings' setting to a degree for reasons explained below.

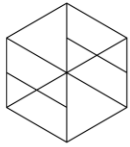
2.11 Firstly, and based on the wider site's historic development, it is not considered that the triangular wooded area relates to the original 18th century buildings or the original site layout. The planting of trees, or the gradual seeding of what appears to have been a more open area historically, came later during the 19th century along with the layout of the area delineated by two driveways and Highgate West Hill.

2.12 There is no evidence to suggest a formal planting design for the site and it has clearly evolved over time in form and in planting. The original intention for the planting of the area may have been to provide screening of the properties from the road or simply to provide some visual amenity.



Figure 2: View south-east from nos. 45 and 46 Highgate West Hill showing the visual character of the site from the forecourt of the former.

2.13 There is clearly a link between the site and no. 45 Highgate West Hill through ownership although the length of this period of ownership is unknown. There is an association here but the contribution of this to the site's



overall significance cannot be determined as the history of ownership is unknown.

2.14 The main contribution of the site to the setting of no. 45 and neighbouring listed buildings at nos. 46 and 47 is through the role it plays in adding texture and character to their setting as well as visual amenity. In addition, the site acts as a visual barrier between nos. 45 and 46 and the street which contributes to their semi-rural setting, at least to the south-east. The principal elevations of no. 45 and no. 46 have a close relationship with the site which provides the former with a green outlook and soft, planted setting (figure 2). Whether this was a historic characteristic of the site is unknown.

2.15 The site also offers a degree of privacy to the properties and contributes to a sense of enclosure within this small enclave. It helps to preserve the character of the small group of 18th century buildings at nos. 45-47 Highgate West Hill, separating them off from later phases of Highgate's development.

3 The proposals and their effects

3.1 The following paragraphs provide a brief description of the proposals and consider their effects against the character and appearance of the Highgate Conservation Area and in relation to the setting of nearby listed buildings. It also considers the proposals in relation to relevant historic environment policy (Appendix B). This section should be read in conjunction with the Design and Access Statement prepared by Chris Dyson Architects.

3.2 The proposals involve the construction of a simple, single-storey, shingle-clad outbuilding well set back from the nearby driveway, at the centre of the wooded area between no. 45 and Highgate West Hill (figure 3). The building would be used as a garage and for a workshop and storage. The plan of the building has been designed so that it relates to

the form and layout of the site with the shortest elevation directed towards the street. The cedar shingles to the walls and roof are a natural and recessive fabric in this context allowing light and shadow to break down across the elevation and for the building to form a materially appropriate component within the wooded area.

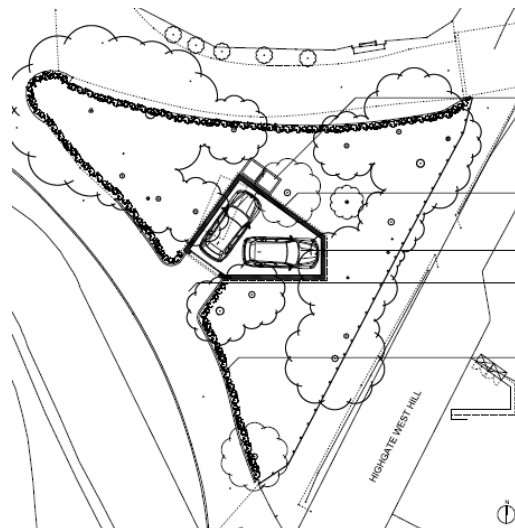
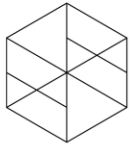


Figure 3: The proposed site layout.

3.3 The proposed building is intended to be a simple addition to no. 45's residential curtilage and achieves this aim. The Arboricultural Report demonstrates that the outbuilding can be constructed without the loss of any trees and will not affect the existing canopy cover. In addition, the proposed method of construction has been designed so as to avoid causing harm to the site and its planting. New planting will be provided so as to further screen the new building in winter months when cover is reduced.

3.4 In short, the outbuilding can be constructed and used without harming the appearance, character or amenity value of the woodland. It would not be visible from the street or from nos. 45-47 Highgate West Hill.



Pre-application advice

3.5 Pre-application advice received from LB Camden in 2019 set out that: *'The proposed wooden garage would be located within the triangular piece of land with trees and shrubbery which fronts the main road. It is considered that the garage would cause harm to the setting of the listed building. Although the woodland to the front of the property is not designated open space, its unaltered nature is considered to hold townscape and amenity value that contributes to the setting of the listed building and the wider Highgate Conservation area.'*

3.6 While it was concluded that the outbuilding proposal caused harm to the setting of listed buildings and the conservation area, there was no detailed explanation of why this was the case. The advice did however state that LB Camden did consider the site to be unaltered and to have townscape and amenity value.

3.7 While it is agreed that the site has townscape and amenity value, the findings of this appraisal and the Arboricultural report make it clear that the planted site has been altered historically both in form and in planting. There is no dispute that the site has value in these terms and contributes to local character and setting. However, it is the view of this report that a building can be accommodated within the site without its townscape and amenity value being compromised and without causing harm to the conservation area or the setting of nearby listed buildings.

Assessment

3.8 The following paragraphs set out why it is considered that the proposal does not affect those elements of the site that contribute to the significance of nearby listed buildings. They also establish that the proposals would preserve the site's existing contribution to the character and appearance of the conservation area and would therefore ensure that character and appearance is preserved overall. This is all

considered alongside the policies set out at Appendix B.

Listed buildings

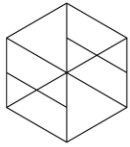
3.9 The setting of heritage assets is a relatively broad concept. It is defined in the Glossary to the NPPF as *'The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.'*

3.10 This means that setting includes how an asset is experienced in its context and that aspects of its setting can contribute to overall significance.

3.11 Historic England's *Good Practice Advice Note 3: Setting of Heritage Assets* (GPA3) was issued in July 2015 and replaced an earlier similar document of 2011. The guidance advocates an approach to assessing the effect of development proposals on the setting of heritage assets against the background of the NPPF and the associated Planning Policy Guidance.

3.12 It sets out that at paragraph 9 that *'Setting is not a heritage asset, nor a heritage designation, though land within a setting may itself be designated. Its importance lies in what it contributes to the significance of the heritage asset [our emphasis]. This depends on a wide range of physical elements within, as well as perceptual and associational attributes pertaining to, the heritage asset's surroundings.'*

3.13 The importance of setting, and the degree to which it can be affected, is inextricably linked therefore to what setting contributes to the significance of the heritage asset – in this case, nearby listed buildings. The setting of a listed building in a densely built up locality could in theory encompass a wide variety of buildings. In order for setting to be important and to be appropriately protected in



planning decisions, it must contribute to the overall significance of the listed building.

3.14 In this case, it is considered that the site:

- contributes to an understanding of the historic development of the wider site at no. 45;
- acts as a means of enclosure to the 18th century group;
- provides a soft barrier between the listed buildings at nos. 45 and 46 and the street and later phases of development;
- contributes to a verdant setting in the foreground of nos. 45 and 46 together with street planting, the reservoir and garden planting – the site is one element in an open and green context;
- provides a degree of texture, colour and visual interest within the setting of the listed buildings;
- contributes to the semi-rural character of the listed building's context;
- may reflect the aim of past owners to provide screening from the street or to provide additional amenity, thereby reflecting a degree of design intent in the absence of a formal planting scheme or a more formal garden space.

3.15 The site contributes to the setting and therefore the significance of the listed buildings at nos. 45-47 Highgate West Hill for these reasons. It is not the principal focus of the buildings' significance and the special interest of the buildings does not depend on the site to be of value. In this way, the site makes a limited, as opposed to substantial, contribution to the significance of the listed buildings.

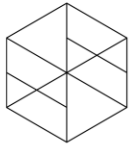
3.16 Statute and relevant policy provision rightly seek to protect the setting of listed buildings where it contributes to their significance and special interest. Causing harm to setting should clearly be avoided unless it is justified and/or outweighed by other considerations.

3.17 Taking the various elements as noted in 3.14 above, it is considered that all of these contributing factors will be retained following the implementation of the proposed scheme. The site:

- will continue to contribute to the site's history of ownership and historic development;
- will continue to act as a means of enclosure;
- will continue to provide a soft barrier between nos. 45 and 46 and the street;
- will continue to contribute to a verdant setting (with trees on the site unaffected by the proposals);
- will continue to provide visual interest;
- will continue to contribute to the local semi-rural character which more broadly contributes to the significance of the listed buildings;
- will continue to reflect any historic design intent to provide screening and amenity.

3.18 In short, the proposals would not cause harm to the site or the contribution that it makes to the setting of nearby listed buildings. The proposed scheme would not be visible from any of the listed buildings – there would be no visual interrelationship.

3.19 The only manifestation of the proposed scheme would be on the driveway where an opening in the cover is proposed. This will be detailed and managed so as to have a minimal visual impact and the opening would not be visible from either end of the driveway or other important views of or from the listed buildings. In addition, it is not uncommon or unreasonable for ancillary structures to be positioned within the residential curtilage of listed buildings. There is precedent on the site for historic timber buildings, and the proposed structure clearly resonates with the wider site's historic development. The proposals also have the benefit of removing cars from the forecourt of



no. 45 which better reveals the significance of the listed building.

Highgate Conservation Area

3.19 Local policy is in line with the statutory provision in that development should preserve the character and appearance of conservation areas. It is acknowledged that the existing site contributes positively to local character and appearance and has townscape value.

3.20 The proposed scheme would not affect the appearance of the site and its relationship with the surrounding conservation area and would not in any way affect its townscape value. The site would:

- continue to contribute to Highgate's semi-rural feel;
- continue to visually coalesce and relate to the green character and planting of the reservoir, street planting and nearby garden planting – the site is not isolated in its townscape contribution but is part of a wider planted landscape in this part of the conservation area;
- continue to provide a break in the built environment together with the reservoir which contributes to the green and spacious character of this part of Highgate West Hill;
- continue to provide a leafy backdrop to Pond Square and other nearby development;
- continue to separate the early 18th century houses at nos. 45 and 46 from the street and later phases of development within the conservation area.

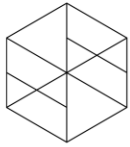
3.21 Again, it is the case that the site's contribution to local character and appearance would remain unaffected by the proposed scheme. The trees within the site which essentially provide the contribution to local character will be unaffected by the proposals. Therefore, the proposals will not cause harm to

the Highgate Conservation Area but will preserve its character and appearance.

Summary

3.22 It is therefore considered that the proposed scheme does not cause harm to those qualities of the site that contribute to the setting and therefore the significance of nearby listed buildings. Further, it is considered that the proposed scheme does not cause harm to the characteristics of the site that contribute to the character and appearance of the Highgate Conservation Area.

3.23 For these reasons and for those set out above, it is considered that the proposals comply with the relevant statutory provision and relevant historic environment policy.



Appendix A

Historically, the centre of Highgate village grew up around the gate to the Bishop of London's deer park (near today's Gate House Public House) and Pond Square. The main period of the development of Highgate was during the 18th century, by which time it had become a residential village with shops, schools, doctors and healthy air, just five miles from the bustle and pollution of London. In the 19th century Highgate remained one of the most desirable parts of London in which to live, with smaller scale houses being built among the fine 18th century residences.



Figure 1: Nos. 45 (left) and 46 (right) Highgate West Hill.

Even today central Highgate retains its 'country village' character, especially in the area around nos. 45 and 46 Highgate West Hill which have stood at the heart of the village centre since the first half of the 18th century (figure 1).¹ Two drives lead to nos. 45 and 46, with a treed area between them (the proposed site of the outbuilding). Nos. 45 and 46 are a substantial pair of semi-detached houses with a ten-bay frontage that are well set back from West Hill.

¹ A lead rainwater head between the pair of houses has the inscription 'IDE 1729'.



Figure 2a: Detail showing no. 45 in 1803.



Figure 2b: Closer view of forecourt area.

The History of No. 45 Highgate West Hill

Nos. 45 and 46 Highgate West Hill were originally built in 1729 for Joseph Davis (a draper of Aldgate) and Eleanor his wife. The rainwater head is inscribed with their initials (IDE) as well as the date of construction.²

² Camden History Society, Streets of Camden, (2007), p.22.

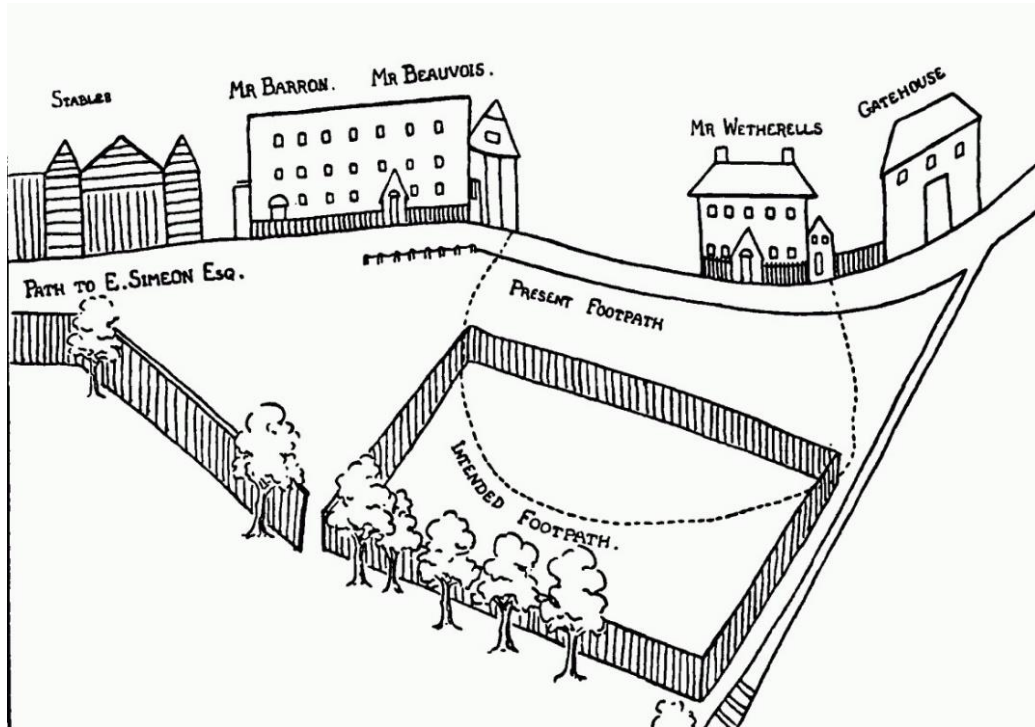
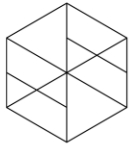


Figure 3: Sketch plan from 1813 showing no. 45 (occupied by Mr Barrow). This early image would seem to suggest that the pair of houses were not originally constructed with the large mansard storeys at third floor.

The site where nos. 45 and 46 were built had been occupied by two cottages from about 1656, on land enclosed from Highgate Green.³ The original rear garden lines of nos. 45 and 46 Highgate West Hill mark the parish boundary, being the line of Hampstead Lane.⁴

The earliest available mapping evidence of the site is John Thompson's map of c.1803 (figure 2). The houses are located in what was then called Highgate Grove West, with no. 45 numbered no. 4 and labelled as the property of 'Mr Burwood'.⁵

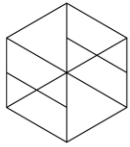
At that time, the area between nos. 45 and 46 and Highgate West Hill (the site of the existing treed area) was shown as a more rectangular area, fenced and divided into two smaller areas. There is no indication of any planting in this area but its earlier formality with area measurements provided suggests that the land was usable as a garden area or other open area of land (perhaps belonging jointly at that time to nos. 45 and 46 Highgate West Hill).

The next available mapping evidence for the site shows a similar layout out to that depicted in 1803. Figure 3 provides a somewhat naïve drawing of the site and its immediate context with a fenced off rectangular forecourt between nos. 45 and 46 and Highgate West Hill. Though the drawing is naïve in character, the elevations of nos. 45 and 46 Highgate West Hill and

³ Camden History Society, *Streets of Camden*, (2007), p.22

⁴ John Richardson, *Highgate: Its History since the Fifteenth Century*, (1983), p.99

⁵ Anne Burwood was there c.1787 - John Richardson, *Highgate: Its History since the Fifteenth Century*, (1983), p.238.



Apothecary House are quite recognisable.⁶ Here, trees are indicated outside the enclosure but not within. This perhaps suggests again that the enclosure was originally a garden area.

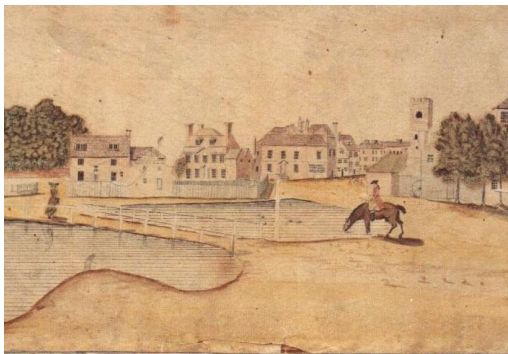


Figure 4: 1780 image of Pond Square with trees on right hand side of frame.



Figure 5: Map of 1842 showing nursery ground to the south of no. 45.

However, a drawn image of Pond Square from 1780 may indicate planting on the site or the area adjacent to the south (figure 4). This image takes in the north side of Pond Square and Apothecary House and may suggest a

⁶ 'Nos 52-54 South Grove', in *Survey of London: Volume 17, the Parish of St Pancras Part 1: the Village of Highgate*, ed. Percy Lovell and William McBMarcham (London, 1936), pp. 95-102. British History Online.

certain level of planting beyond no. 54 Highgate West Hill to the north on or close to the existing site.

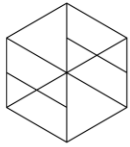
As a map of 1842 shows (figure 5), the land immediately adjoining no. 45 to the south was by then described as 'nursery ground'. It appears to have joined directly onto the garden of no. 45. In 1844 the New River Company purchased the nursery gardens adjacent to no. 45, which was also the site of one of the three village ponds (as is shown on the map of 1803), and built the Highgate Service Reservoir in 1846.⁷ The area in front of nos. 45 and 46 Highgate West Hill is shown here as being very open without any enclosures or planting indicated. This may of course relate to the scale of the 1842 map.



Figure 6: Stanford's map of 1862.

By 1862, large detached buildings (perhaps stables and coach house) were located in close proximity to no. 45 to the west and north-west. The triangular area of land between no. 45 and the street had begun to take shape (figure 6). Here, it appears to be unplanted. By the time of the publication of the 1st edition OS Map in

⁷ www.londongardensonline.org.uk/gardens-online-record.php?ID=CAM054



1869 (figure 7), the forecourt area is shown with trees.

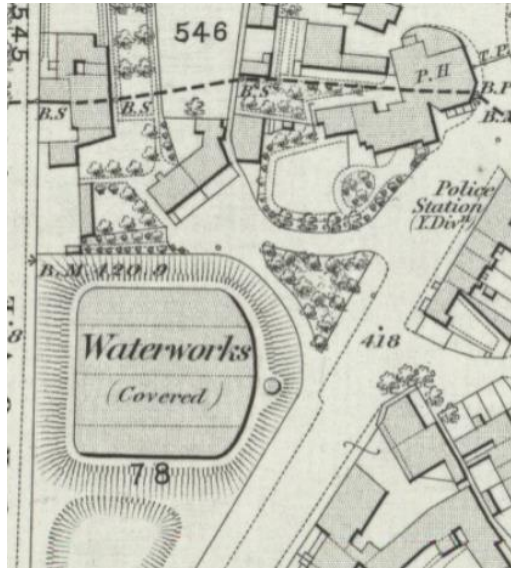
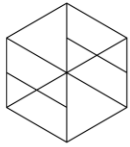


Figure 6: OS map 1869.

The 1862 layout is broadly recognisable as the treed, triangular forecourt seen today. The form of the area may have been influenced by the layout of the reservoir as this appears to have been a relatively concurrent landscape change.



Appendix B

Relevant Policy Context

The following paragraphs briefly set out the range of national and local policy and guidance relevant to the consideration of change in the historic built environment. The relevant statutory provision for the historic environment is the Planning (Listed Buildings and Conservation Areas) Act 1990.

National Planning Policy & Legislation

Section 16 of the **Planning (Listed Buildings and Conservation Areas) Act 1990** requires that:

“In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that:

“...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

The revised **National Planning Policy Framework 2018** (NPPF) sets out the Government’s planning policies and how these are expected to be applied. There is a general presumption in favour of sustainable development within national planning policy guidance. Paragraphs 189, 190, 192 and 193 are relevant to this application.

Paragraph 189

In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record

should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

Paragraph 190

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

Paragraph 192

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

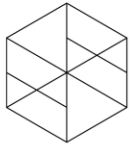
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability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

Paragraph 193

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.

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.

London Borough of Camden Local Plan

Camden's Local Plan was adopted in June 2017. The most relevant policy in this case is Policy D2: Heritage.

With regard to Conservation Areas, the policy states that the Council will:

- Require that development within conservation areas preserves or, where possible, enhances the character and appearance of the area.

With regard to the setting of Listed Buildings, the policy sets out that the Council will:

- resist development that would cause harm to significance of a listed building through an effect on its setting.