

*Jones Lang LaSalle**August 2020*

## Summary Proof of Evidence

### Section 78 Town and Country Planning Act 1990

London Borough of Camden Planning Application Nos: 2019/2375/P (Planning Permission) & 2019/2491/L (Listed Building Consent)

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In Respect of an Appeal under Section 78 of the Town & Country Planning Act 1990 for:

*Change of use of the site from a police station (sui generis) to a one-form entry school (Use Class D1) for 210 pupils and business/enterprise space (Class B1) including alterations and extensions to the rear and associated works at the Former Hampstead Police Station, 26 Rosslyn Hill, London, NW3 1PD.*

In relation to:

Heritage Issues

Prepared for

Department for Education

# Summary

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This Proof of Evidence has been prepared by Paul Crisp, Director, Head of Heritage & Townscape at Jones Lang LaSalle (JLL) in respect of the appeal against the decision made by the London Borough of Camden (hereinafter referred to as 'LBC') to refuse planning permission<sup>1</sup> and listed building consent<sup>2</sup> for the redevelopment of the Former Hampstead Police Station, 26 Rosslyn Hill, London, NW3 1PD'

The description of development is the same for the applications for planning permission and listed building consent and comprise:

*'Change of use of the site from a police station (sui generis) to a one-form entry school (Use Class D1) for 210 pupils and business/enterprise space (Class B1) including alterations and extensions to the rear and associated works at the Former Hampstead Police Station, 26 Rosslyn Hill, London, NW3 1PD'.*

This Proof of Evidence is only concerned with heritage matters.

The application for listed building consent was refused by decision notice dated 19<sup>th</sup> December 2019, citing a single reason for refusal. In respect of heritage matters, reason for refusal no. 1 states:

*'The proposed internal works would result in the loss of plan form and original fabric including the fixtures and fittings of the magistrates court which would fail to preserve the special architectural and historic interest of the host building, contrary to policy D2 (Heritage) of the London Borough of Camden Local Plan and policy DH2 (Conservation areas and listed buildings) of the Hampstead Neighbourhood Plan.'*

In line with the reason for refusal, my evidence will therefore solely consider the impact of the application proposals and the significance of the listed building and, in particular, compliance with the policy D2 (Heritage) of the London Borough of Camden Local Plan and policy DH2 (Conservation areas and listed buildings) of the Hampstead Neighbourhood Plan.

On the basis of the reason for refusal, whilst the works to the building must be considered in their entirety, I consider that the Council have concluded that the works to the exterior of the building would preserve the significance of the listed building and therefore the Hampstead Conservation Area.

I consider that there are four matters relevant to the determination of this appeal (as identified from the respective Statements of Case. These are:

- The use of the Police Station by a school is not the Optimum Viable Use and other uses would have a lesser impact on the original fabric and plan form of the building;
  - HCRD, Statement of Case, paragraph 3.17;
- The loss of the original plan form of the building as a result of the appeal proposal;
  - LBC, Statement of Case, paragraph 6.35;
  - HCRD, Statement of Case, paragraph 3.15 & 3.16;

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<sup>1</sup> Application Reference: 2019/2375/P

<sup>2</sup> Application Reference: 2019/2491/L

- The removal of the wall panelling and magistrates' bench;
  - LBC, Statement of Case, paragraph 6.36;
  - HCRD, Statement of Case, paragraph 3.16;
- Alterations to the front elevation of the building to allow for the introduction of an access ramp:
  - HCRD, Statement of Case, paragraph 3.16;

I consider that the proposed educational use of the building is wholly commensurate with the historic use as a Police Station and Magistrates Court. The educational use will be maintain an element of controlled public access and, as agreed with LBC, will be less harmful than the conversion of the building to a residential use.

I have concluded that there are elements of harm arising from the loss of plan form, however, I consider that this harm is at the lower end of the scale of 'less than substantial' and that the proposals affect the most significant element of the listed building which is the external appearance. The interior makes a lesser contribution to significance and is reflective of Dixon Butler's approach to very utilitarian interiors. In line with Historic England guidance, it has been demonstrated that these alterations are necessary to allow for the conversion of the building to an educational use. Further, as guidance states, harm can be mitigated and minimised. These proposals seeks to restore key elements of interest (which includes the sequence of spaces to approach the Magistrates Court as well as the entrance from Rosslyn Hill. With an internal balancing exercise, which considers the application in its entirety, I conclude that the appeal proposals would preserve and enhance the significance of the listed building and, by virtue of the site being within the Hampstead Conservation Area, would also preserve and enhance its character and appearance.

The submitted drawings<sup>3</sup> show the retained doors, wall panelling and magistrates bench within the Magistrates Court and, importantly, these elements are not shaded in red (to include removal or loss) on the demolition drawings. Contrary to LBC's Statement of Case paragraph 6.36, these features will be retained in situ and form part of the proposed business use of this space. I consider that this clarification is important as LBC specifically highlight that retention of these elements in situ would be considered to be best practice and their removal transforms these items into architectural salvage. That is simply not the case. There are some elements of the magistrates court that will be removed (the dock and advocates seating), but the retention of the elements as shown within the DAS is therefore in line with LBC's suggestion of best practice.

The submitted plans the illustrative image illustrate that the proposed access ramp can be accommodated within the lightwell without affecting the ability to appreciate those elements on the front elevation that contribute to the significance of the listed building. The submitted drawings indicate that only the uppermost parts of the balusters would sit alongside the windows sills on the front elevation, and they would remain discernible. The rest of the façade would remain discernible.

The bringing forward of the steps allows a level landing to be made by the access ramp. The steps and lamps will be replicated (which will include re-using elements as far as possible). We note that the Council have suggested that

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<sup>3</sup> Drawing Reference D-1732-102E (First Floor Plan: Demolition) and P-1732-102G (Proposed First Floor Plan)

a condition be added to secure the details of handrail and balusters etc. I consider that this is not an unreasonable request and would allow these details to be agreed prior to implementation.

The proposed access ramp on the Rosslyn Hill elevation would provide 'Equality of Access' to a building which is currently deficient. Similar works would be required for any future use of the building.

I consider that the proposed access ramp does not affect the ability to appreciate the Rosslyn Hill elevation of the building. Further, the ramp allows for the building to be fully accessible. As demonstrated, the access ramp within the front lightwell is the least intrusive means of achieving this objective.

In my assessment above, I concluded that the proposals do cause an element of harm arising from the loss of some elements of plan form. This has been minimised by focussing on those areas which make a lesser contribution to significance. I also consider that there are elements of the proposals which are positive which must be taken into account in the 'internal' balance. These benefits are:

- The reinstatement of the experience of the route from the Magistrates Court entrance to the Court room itself through:
  - Removal of the modern partition within the stairwell to the Magistrates Court to restore the original appearance of this route to the Court room;
  - Removal of the modern ceiling to the reception area outside of the Magistrates Court;
  - The restoration of the decorative plasterwork to the reception area to the Magistrates Court;
- The removal of the modern accretions to the rear of the building to better reveal the original rear elevations. This is supported by a comprehensive approach to servicing;
- The restoration of the external envelope of the building;
- The removal of modern additions to the Stable block;
- The sensitive re-use of the Stable block which would allow for the refurbishment and renewal of the exterior envelope.

These benefits are also confirmed by LBC in their Statement of Case at paragraph 6.37.

I therefore consider that taking into account the minor level of harm arising from the loss of elements of the plan form of the building and undertaking an 'internal' heritage balance considering the proposed benefits that, as a minimum, the proposals would preserve the significance of the listed building. I also consider that bringing the building back into a viable use which would allow for the upkeep of the building for future generations is a further benefit derived from the proposals. On this basis, I also consider that the proposals would lead to enhancement as a result of the importance of the building in the conservation area.

I therefore conclude the appeal proposals are in accordance with the statutory duty and national and local planning policy.

**JLL**

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