



## **39 and 40 Chester Terrace, London, NW1 4ND**

Design & Access / Heritage Statement – Application for Listed  
Building Consent

*Formation of 3 no. internal door openings between 39 and 40 Chester  
Terrace at lower ground floor, ground floor, and first floor and  
associated internal works; demolition of external wall dividing rear  
courtyards to 39 and 40.*

**AZ Urban Studio Limited**  
2 John Street  
London  
WC1N 2ES

T +44 (0)20 7234 0234  
[www.azurbanstudio.co.uk](http://www.azurbanstudio.co.uk)

# AZ URBAN STUDIO

## Design & Access / Heritage Statement

**39 and 40 Chester Terrace, London,  
NW1 4ND**

Client: Mrs Neves

Reference: AZ1836  
Status: Submission  
Date: 17.03.21

Name            Author:  
Signature       Martin Harradine BA MA MSc MRTPI

Telephone:       020 7234 0234  
Fax:                020 7403 9030

Position        .....  
Director

[martin@azurbanstudio.co.uk](mailto:martin@azurbanstudio.co.uk)  
[www.azurbanstudio.co.uk](http://www.azurbanstudio.co.uk)

## 1. Introduction

### *The proposals and context*

1.1. This combined *Design & Access / Heritage Statement* has been prepared on behalf of Mrs Neves (“the Applicant”) and is submitted in support of an application for Listed Building Consent for minor internal and external works to the dwelling houses at 39 and 40 Chester Terrace, London, NW1 4ND (“the Site”).

1.2. The description of development we have given to this application is:

*“Formation of 3 no. internal door openings between 39 and 40 Chester Terrace at lower ground floor, ground floor, and first floor and associated internal works; demolition of external wall dividing rear courtyards to 39 and 40.”*

1.3. An application for a Lawful Development Certificate for the proposed amalgamation of the two dwellings into one single dwelling has been submitted to the LB Camden, and this listed building consent application concerns the minor physical works that the Applicant desires to facilitate the proposed use as a single dwelling.

### *Content and structure of this Statement*

1.4. This report sets out a brief history of 39 and 40 Chester Terrace and their relevant context including planning history, provides an assessment of the significance of the listed building and the conservation area within which they are located, describes the works that are the subject of the application, and then provides an assessment of the impact of the works upon that significance. It goes on to set out the legislative and planning policy framework for assessment of the proposals, and then provides an assessment of the proposals against that framework. It concludes setting out why the works proposed are considered appropriate and should be granted listed building consent.

1.5. This Statement should be read in conjunction with and with reference to the other documents submitted as part of the application which are listed below:

- Site location plan, block plan, existing, proposed drawings (by Groves Natcheva Architects);
- Structural Report (by Whitby Wood);
- Mechanical and Electrical Services Report (by RS MEP Design Ltd)

## 2. The site and its context

### *Description*

- 2.1. 39 and 40 Chester Terrace are single dwelling houses that form part of a neo-classical terrace designed by John Nash and built in the early-mid 19<sup>th</sup> century. The terrace as a whole designed by Nash comprises 37 terraced houses which boast an unbroken façade of circa 280 metres, and 5 semi-detached houses. The terrace is located on the eastern side of Regents Park and is separated from the park by both private gardens and the public highway.
- 2.2. Both 39 and 40 Chester Terrace comprise four storeys above ground with a basement level below, and benefit from a small rear courtyard at basement level. No. 40 has a sizable private garden to its northern elevation at ground floor level.



*39 and 40 Chester Terrace – front and side elevation (north-west)*

- 2.3. The dwellings are faced with Stucco with a brick rear elevation. The northern elevation to no.40 has a number of blind windows, and a small side lightwell enclosed by modern metal railings with metal steps bridging the lightwell to

serve French doors. Both properties have a slate and zinc roof, and timber framed sash windows to the main elevations.



*View south from within rear courtyard of no.40 showing wall dividing property from no.39*

### *Designated Heritage Assets*

2.4. A range of sources have been consulted to research and examine the history of the designated heritage assets engaged (listed building, conservation area), and these include the Greater London Historic Environment Record, London Metropolitan Archives (including the London Picture Archive), Ordnance Survey mapping, Historic England published information, and history of the development of the site help by LB Camden on the planning register. Secondary published sources have also provided commentary and information to aid understanding, including references and reporting of historic Crown Estate publications and reports.

2.5. The buildings themselves have also been carefully examined to understand the process of change that they have experienced, including extensive refurbishment internally. It has been widely accepted by LB Camden and Historic England in determining applications at the Site and at other buildings within the terrace that the process of internal rebuilding during the 20<sup>th</sup>

century was one of effectively façade retention, and there is little heritage significance to the internal fabric and in many cases layout of the buildings as they are found today.

### *The listed building*

2.6. The two properties were statutorily listed on 14<sup>th</sup> May 1974 at Grade I, as part of the wider terrace composition, with the list description providing the following:

*“Grand palace-style terrace of 37 houses & 5 semi-detached houses. c1825. By John Nash. For the Commissioners of Woods, Forests and Land Revenues. Built by J Burton. Stucco. Slate mansard roofs with attic dormers. EXTERIOR: the longest unbroken facade in Regent's Park (approx 280m) with an alternating system of bays (ABCBABCBA). At either end projecting pavilion blocks connected to main facade by thin triumphal arches. Main Block (Nos 6-38): symmetrical composition of 3 and 4 storeys. 3 windows to each house. "A" bays, screen of 8 free-standing, fluted Corinthian columns supporting an entablature with modillion cornice above which a recessed attic storey with round-arched windows. Round-arched ground floor openings; architraved heads linked by impost bands. Recessed doorways with panelled doors and fanlights. Windows with margin glazing. 1st floors with architraved sashes and continuous cast-iron balconies. "B" bays, round-arched ground floor openings; architraved heads linked by impost bands. Recessed doorways with panelled doors and fanlights. Windows with margin glazing. Architraved 1st and 2nd floor sashes; 1st floor with continuous cast-iron balcony. Main projecting modillion cornice at 3rd floor level. Cornice and blocking course above 2nd floor. "C" bays, slightly projecting with screen of 6 attached, fluted Corinthian columns supporting an entablature with modillion cornice above which 2 recessed attic storeys with cornice at 3rd floor level and pediment above. Round-arched ground floor openings; architraved heads linked by impost bands. Recessed doorways with panelled doors and fanlights. Windows with margin glazing. 1st & 2nd floors with architraved sashes; 1st floor with continuous cast-iron balcony. INTERIORS: not inspected. SUBSIDIARY FEATURES: attached cast-iron railings to areas. Linking triumphal arches with round-arched vehicle entrance flanked by pedestrian entrances. Inner elevations with 4 attached Corinthian columns*

supporting a modillion entablature above which a scrolled frieze, cornice and blocking course. Outer elevations with 4 Corinthian pilasters supporting a modillion entablature with panel inscribed "Chester Terrace", cornice and blocking course. Nos 4 & 5 and Nos 39 & 40: to south and north of arches respectively. Channelled stucco ground floors. Square-headed doorways with panelled doors and fanlights. Recessed sashes, upper floors with architraves; 1st floors with continuous cast-iron balconies. Main cornice at 3rd floor level. Cornice and blocking course above 3rd floor. Right hand return of No.4 pedimented with blind windows. No.3: fronting on to Chester Gate. 2 storeys and basement. 4 windows. Forms the terminal return to main block. 3 central bays slightly projecting. Greek Doric prostyle portico; panelled door and fanlight. Recessed sashes, those flanking the portico with shouldered architraves (left hand blind). Right hand bay with projecting bay window surmounted by parapet with central balustraded panel. Cornice and blocking course with central feature of segmental-headed cut out block flanked by panelled dies. Left hand angle with enriched pilaster strip and surmounted by anthemion acroterion; right hand angle with anthemion acroterion only. Symmetrical west frontage to garden; 2 windows, 1st floor with balconies. Bust of Nash on bracket between 1st floor windows. Parapet with central urn. INTERIOR not inspected. SUBSIDIARY FEATURES: attached cast-iron railings to garden and flanking steps. Nos 1, 2 & 41, 42: projecting pavilion blocks fronting Regent's Park and linked to main block by triumphal arches. Similar to "C" bays. 4 storeys. 5 windows and 3-window returns. Attached Corinthian columns (paired at angles) rise through 1st and 2nd floors to support entablature with projecting cornice; Corinthian pilasters to other fronts. Round-arched ground floor openings; windows architraved with margin glazing. Upper floors with recessed sashes; 1st floor with cast-iron balconies except central window. 2nd and 3rd floor form attic storeys (2nd floor windows architraved) with cornice at 3rd floor sill level and cornice and blocking course above 3rd floor. INTERIORS: not inspected. HISTORICAL NOTE: No.13 was the residence of CR Cockerell, architect and antiquary (English Heritage plaque). (Survey of London: Vol. XIX, Old St Pancras and Kentish Town (St Pancras II): London: -1938: 120)".

## *The Regents Park Conservation Area*

2.7. The site is located within the Regents Park Conservation Area, designated on 1<sup>st</sup> July 1969. The Regent's Park Conservation Area Appraisal and Management Strategy (July 2011) describes the special character of the conservation area stating that *"the area covers the eastern segment of John Nash's early 19th century Regent's Park development. It is a small part of a greater scheme that extends to the west into the City of Westminster and comprises a unique planned composition of landscape and buildings, at once classical and picturesque"*.

2.8. The Appraisal continues setting out how *"the significance of the Regent's Park area is of national and international importance. The comprehensive masterplanning of the park, terraces, villas and the (largely redeveloped, but still appreciable in plan form) working market and service area served by canal to the east was on an unprecedented scale of urban design in London. The integration of all elements of a living area, from aristocrat to worker, from decorative to utilitarian, in a single coherent scheme were exhibited here"*.

2.9. The Conservation Area Appraisal and Management Strategy provides the following description for Chester Terrace:

*"Chester Terrace is set back from the park with a strip of contained shared gardens with flowering plants, shrubbery and trees. Chester Terrace is the longest unbroken façade in the park (287m/840 ft) with a complex alternating system of bays (ABCBABCBA) totalling 99 bays, marked by giant Corinthian columns attached and detached in groups which rise from ground floor level. Balconies run continuously between and behind the columns. At either end are projecting wings, connected to the main façade by theatrically thin triumphal arches inset with the name 'Chester Terrace' across the full street width"*.

2.10. The Appraisal states that one of the key views emphasising the relationship of city to green space is the view of Chester Terrace from Chester Road and from Chester Place. It notes at page 90 with regard to Chester Terrace that *'the whole of the internal construction of each house is new'*.

### 3. Planning History

3.1. The planning history associated with the two properties has been obtained from the London Borough of Camden online planning register and reviewed. The planning history associated with no.40 is extensive and is provided in full at Appendix 1.

3.2. As with all properties in the terrace, 39 and 40 have been heavily refurbished both before and since their listing in 1974. As described in detail below the whole terrace was requisitioned by the Government for war time use in the mid twentieth century, and during that period historic interior fabric and any fixtures were mostly removed from the properties in what was essentially a façade-retention refurbishment.

#### *40 Chester Terrace*

3.3. No.40 was the subject of approvals for basement development and internal works in 2012 (not implemented).

3.4. Planning permission and listed building consent (2016/1104/P and 2016/1226/L) were granted (subject to conditions) on the 16<sup>th</sup> May 2016 for development and works described as:

*“Creation of a roof terrace and conversion of the garage into habitable space. Internal layout alterations and external glazing alterations.”*

3.5. The 2016 approvals have been carried by a previous owner of the property.

3.6. Upon securing an interest in the Site, the present Applicant submitted applications for works of refurbishment and alteration to no.40. Planning permission and listed building consent (2019/6345/P and 2020/0349/L) were granted on the 23<sup>rd</sup> October 2020 for development and works described as:

*“Internal works: alterations to replace modern fixtures, fittings, finishes, services and partitions. External works: alterations to infill side lightwell to lower ground floor, remove associated modern metal steps and railings to lightwell and create new stone steps; waterproofing of lower ground floor; widened opening at lower ground floor to rear patio; new window opening*

*and door in rear wing at ground floor; new skylight, replacement roof covering, enlarged inner courtyard window opening, and new render panel at lower ground floor to link element; minor works of repair to front balcony, railings and chimneys.”*

- 3.7. The most recent planning permission and listed building consent have not yet been implemented by the Applicant, as they now wish to amalgamate the property with the neighbouring property.

### *39 Chester Terrace*

- 3.8. There is a limited planning history for no.39 available on the Council’s online planning register.

- 3.9. Listed building consent (2003/0809/L) was granted on the 23<sup>rd</sup> October 2010 for works described as:

*“General refurbishment and redecoration of single family private house involving alterations to internal layout and to rear facade.”*

- 3.10. The works approved included various reconfiguration of rooms and new openings between rooms. The officer report concluded:

*“Due to the large amount of modern work that has taken place to this property on every level in respect of the plan form, there is little evidence of any plan form on many of the floors.”*

- 3.11. The works appear to have been carried out.

### *Other relevant planning history in the area*

- 3.12. There are other cases within the same listed terrace where listed building consent has been granted for new openings through the party wall of two properties to achieve amalgamation.

- 3.13. At nos 41 and 42 Chester Terrace, directly opposite the application site, listed building consent was granted (2013/1888/L) on the 12<sup>th</sup> June 2013 for works described as:

*“Excavation of vaults at basement level and other internal and external alterations in connection with the conversion of two houses to form a single family dwelling (Class C3).”*

- 3.14. New openings through the party wall were approved on each floor of the properties.

- 3.15. The officer report for that approved scheme provides a very useful summary of the heritage considerations associated with the interior of this group of buildings in the context of further proposed internal changes, and is copied below as it forms a useful reference point:

*“... the Council have often taken a more flexible view regarding works to the interiors of these buildings than on terrace houses which retain their historic fabric and features, but would usually seek to ensure that the general plan form of the principal floor levels – ground and first – is retained, and that any proposed internal alterations do not have an impact on the appearance of the buildings from the outside which would confuse the understanding of the original domestic layout of the buildings or the proportions of the principal rooms in relation to the exterior. This is echoed in a recent Inspector’s decision for internal works to no. 56 Cumberland Terrace, which has a similar history, which stated that, “works within the house should complement and enhance the special character arising from the front elevation. As a result, they should not harm the elements of the dwelling that reflect the historic origins of the building as a London townhouse of some stature.”*

*Historic breaches in the party wall line dating from the later part of the 20<sup>th</sup> century have been confirmed during the opening up and investigative works. This scheme seeks to reopen lateral links through the spine wall, positioned so as not to impact on the exterior of the buildings and one’s appreciation of these properties as a pair of two distinct houses from Chester Terrace, given the aforementioned significance of the front facade.*

*The principal rooms remain relatively unaffected in terms of their scale and relationship to the front elevation. With the above in mind, the lateral conversion and alterations to the partitioning proposed here are considered to be acceptable in principle.”*

- 3.16. At nos 36 and 37 Chester Terrace, planning permission and listed building consent were granted (2009/4544/P and 2009/4515/L) on the 10<sup>th</sup> December 2009 for development and works described as:

*“Unification of No. 36 and No. 37 to form a single family dwelling and formation of new roof terrace (Class C3).”*

- 3.17. Within the submission documentation for that application, the pre-application advice of the LB Camden Conservation Officer is quoted as:

*“... the lateral conversion proposed is not considered to be unacceptable in principle, but I consider that any evidence of this – namely breaches in the party wall line - should be confined to the rear portion of the building, behind the spine wall line, so as not to impact on the exterior of the buildings and one’s appreciation of these properties as two distinct terraced houses.”*

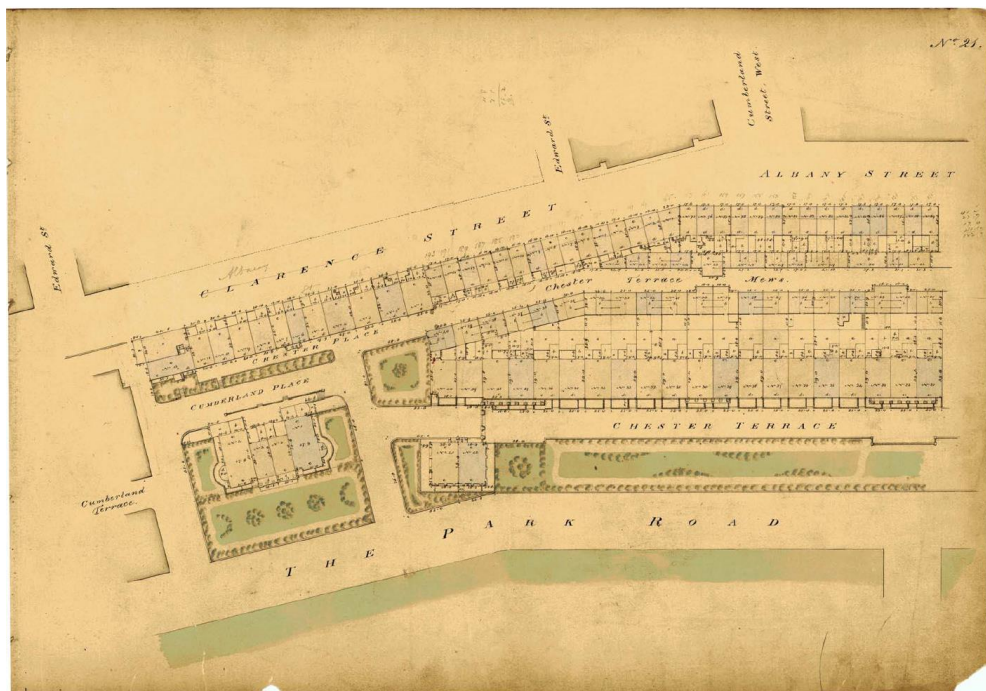
- 3.18. Listed building consent was granted for new openings in the party wall at each floor, with the openings located mainly at the base of the stair on each floor, beyond the spine wall line.

- 3.19. The above two examples of comparable cases at 41/42 and 36/37 Chester Terrace are both within the immediate neighbouring context of present application, and within the same Grade I listed terrace, and are therefore important reference points and material considerations.

## 4. The historic development of the Site, and its heritage significance

### *Historic development*

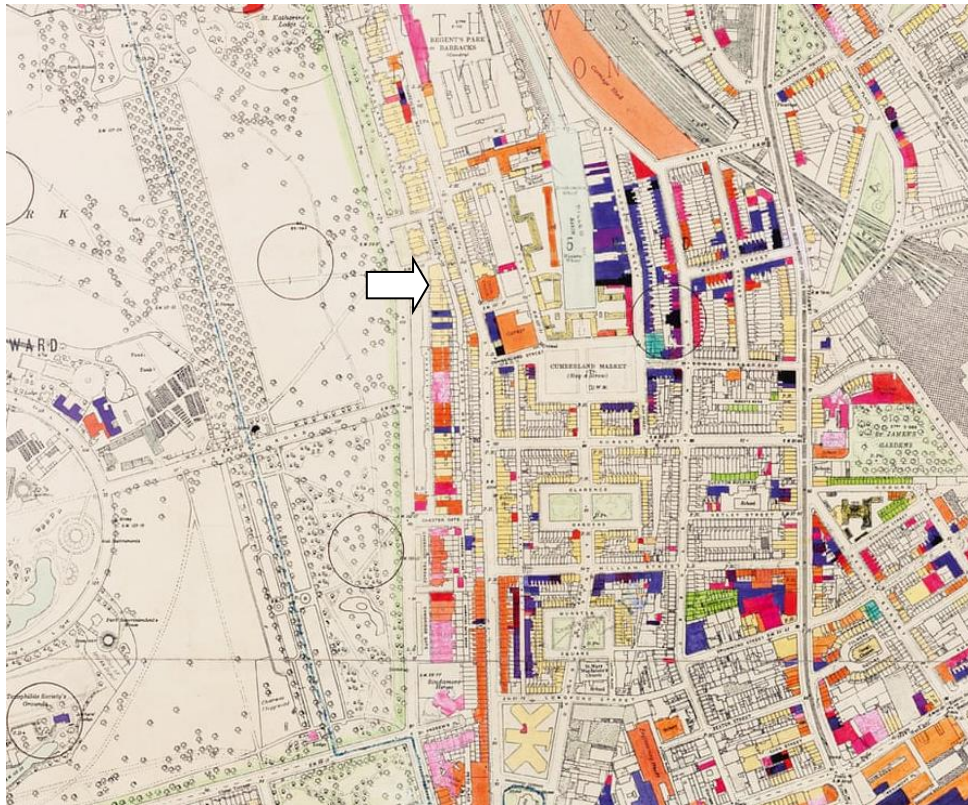
- 4.1. As set out in the list entry description, the façade of Chester Terrace was designed by John Nash and constructed in 1825. The remainder of the building was the work of the project architect, James Lansdown. The Terrace was developed by James Burton, who also developed Cornwall and Clarence Terrace. The 1834/35 Mayhew Survey below provides a detailed record of the form of Chester Terrace, together with Chester Terrace Mews and the immediate area, shortly after completion.



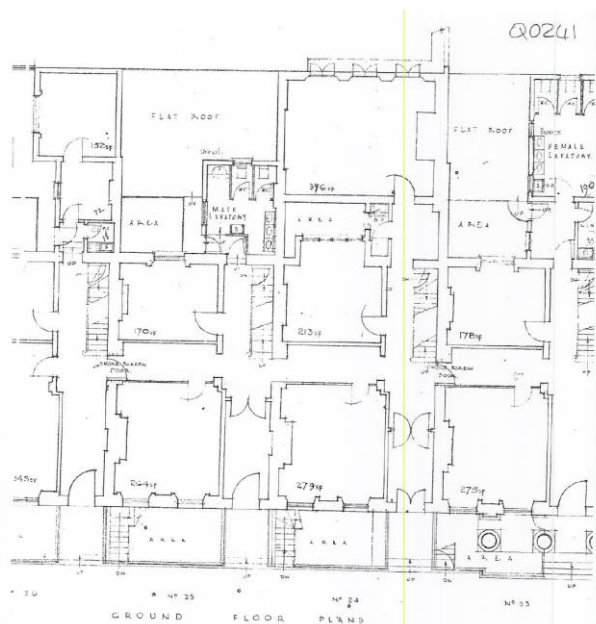
Mayhew Survey Plan 1834/5 Crown Estate Archives

- 4.2. The Regent's Park Estate was heavily impacted during the war by bomb damage, with properties in Chester Terrace damaged and some destroyed. Ordnance survey plans published in 1953, and the LLC Bomb Damage Maps held by London Metropolitan Archives for example, show extensive damage in the area including a number of properties within Chester Terrace (nos 35 and 33 for example) in the 'damaged beyond repair' category.
- 4.3. Following the Second World War, the Government Ministry of Works requisitioned the leases for the entire terrace, and following repair works the buildings were occupied as Government offices, including the Ministry of

Fuel and Power. The buildings were heavily altered internally during this period, including removal of internal stairs to increase usable space, partitioning of spaces to create private office rooms, and connections through party walls to enable multiple units to be occupied as one office space. We know from MoW plans dated 1946 that nos. 23-25 Chester Terrace were connected laterally on all floors, and it is likely that many others were also.



WWII Bomb Damage Map *London Metropolitan Archives*



MoW Plans 1946 23-25 Chester Terrace *Crown Estate Archives*

- 4.4. Between 1959 and 1968, as explained in detail below, the vast majority of the mews and connecting link elements to the rear of the terrace were wholly removed (rear of nos. 39 and 40 being the exception), and extensive works of 'making good' carried out to the rear elevation of the terrace. The painted render seen at rear ground and first floor with regularised and squared fenestration along the whole terrace replacing what would have originally been a complex series of link elements and courtyards between the terrace and the mews.
- 4.5. Whilst the form of the mews to the rear of nos. 39 and 40 (together with the link element between no.40 and the mews) is retained, the brickwork and form of openings to the mews strongly indicates that – like much of the rear elevation of the terrace – was rebuilt in that 1960s major phase of development.
- 4.6. We note the following below reported in the D&A / Heritage Statement prepared by Kerr Parker Associates Limited for the 2012 applications at no.40 and it is a very useful and valid summary of how the whole terrace was in the 1960s the subject of extensive internal fabric removal and replacement:

"The Crown Estate qualified matters relative to "preservation" in their publication *The Future of The Regent's Park Terraces - Third Statement* by The Crown Estate Commissioners June 1962. They decreed under Clause 25(i) that: - *"We have said that the fronts of the Terraces would remain as in the original design. This will apply to the ends and to any other ornaments part covered by the original Nash design"*.

The Crown Estate Commissioners reported specifically for Chester Terrace in Schedule C of their Third Statement of June 1962 that: "Roofs, floors, internal (not party) walls, timberwork and loose brickwork were renewed and internal plaster stripped from the walls. Small passenger lifts were installed, so that the whole of the internal construction of the houses is new. The repairs being made to the shell of the buildings are of such a nature that their strength and stability is very materially increased, resulting in their being given a new life which will surely be at least equal to the 99 years lease which has been granted. The new wood floors and the domestic loading on them is no more than the structure was originally designed to sustain. Smaller houses, a block of flats, shops and an underground garage are approved for the Mews site and the Albany Street frontage. The first section of this work is also under construction. Good progress is being made with the work which started in April 1961. This is the largest Terrace and the project will take a number of years to complete. Forty-two restored single houses will be

*provided. These will represent not far short of one half of the expected market demand for single large houses in Regent's Park".*

Chester Terrace was reconstructed behind the original retained Nash façade. Other than the front façade hardly any of the original fabric remains. All of the Terrace was kept as individual houses within the front existing main wall, except for two destroyed houses that were renewed.

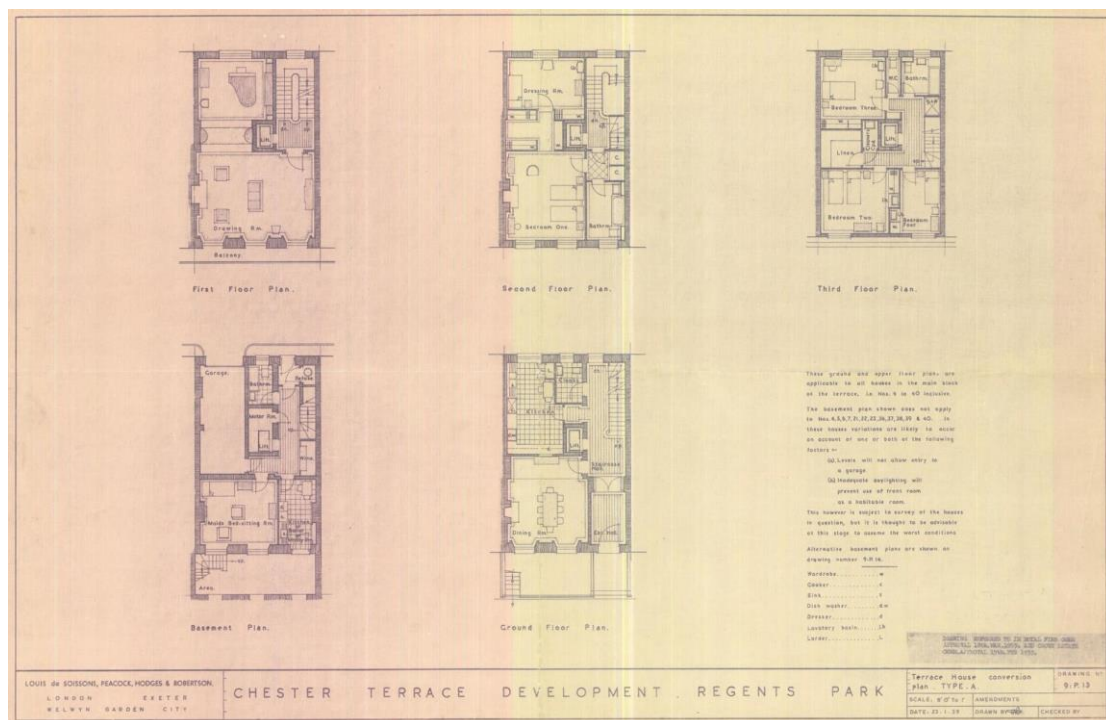
Louis de Soissons, Peacock, Hodges & Robertson submitted a planning application in February 1959 for the erection of shops, maisonette, flats, houses and garage and the conversion of the existing houses at Chester Terrace, Chester Terrace Mews and Albany Street, St Pancras which was approved by the London County Council on 16th October 1959. In July 1961 the architects submitted a further application for the erection of 19 dwelling houses and six lock-up garages at Chester Terrace, Chester Terrace Mews and Albany Street which was also approved by the LCC. Yet another application was submitted in July 1961 and approved in November 1961 for The erection of six-storey building including basement for use as ten shops and seven lock up garages on the ground floor and fifty two roomed self contained flats on first to fourth floors over and a garage for seventy-five cars at basement level forming Area 2, Chester Terrace, Chester Terrace Mews and Albany Street, St Pancras. These applications formed the core of the proposals to demolish the existing back additions and Mews houses in Chester Terrace Mews together with the houses in Albany Street (a terrace of approximately 35 houses) and undertake a comprehensive redevelopment at the rear of the retained front façade of Chester Terrace.

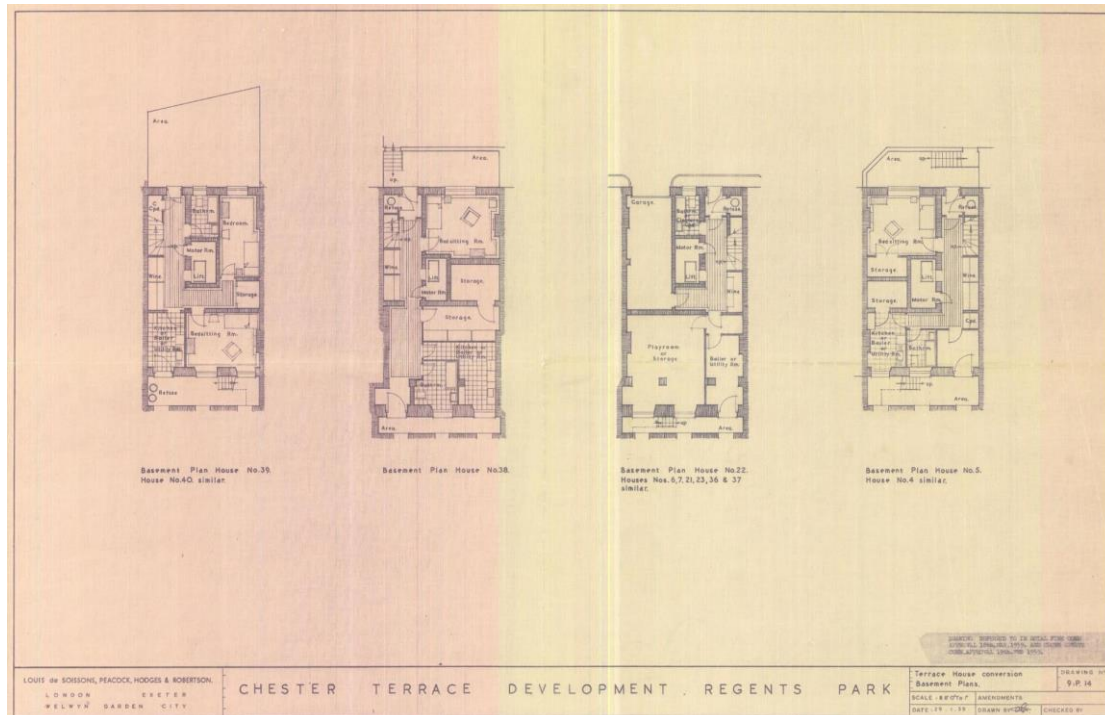
The planning application for the reconstruction of Chester Terrace proposed a number of standard plan forms. From the architects notes the ground and upper floor plans were applicable to all of the houses in the terrace i.e. Nos: 4 to 40 inclusive. The basement plans varied by the inclusion or omission of a garage space as the ground levels in some instances did not allow entry to a garage. The levels at the front of the terrace also varied with the slope of the ground and as such habitable rooms were not able to be incorporated at front basement level due to inadequate daylight. Nos: 36 and 37 have garages at basement level. Any resemblance to the original plan forms was more by accident than design. The inclusion of the new lifts from basement to third floors destroyed the historic layout of accommodation. The vaulted cellar in the centre of the basement plan was not renewed. The traditional Regency ground floor plan of a deeper front room and smaller annexe room behind was lost, the front room being reduced in depth to accommodate the lift in the new floor plan. The interiors of the building were re-modelled to a style that bears no relationship to Nash's original detailing. The four panelled doors common to Nash's design were replaced with two panelled doors that had no historical source within The Park.

This reconstruction work took place between 1959 and 1964. At the same time Chester Terrace Mews was demolished and redeveloped into 19 three storey houses (now Chester Close North).

The rear external wall was taken down as part of the demolition works and reconstructed. The size and configuration of the window openings were altered. All internal joinery and cornicing were renewed commonly to historically incorrect patterns and profiles. Sections of the party walls and chimneybreasts were reconstructed in common brickwork as evidenced by work carried out on other properties within the Terrace. Lift installations serving all floors were provided at the time of reconstruction and the floor plans did not follow the original layouts. In some instances where the ground levels permitted the design incorporated integral garages. The existing chimney pots were taken off and the flues capped and ventilated apart from those required for the boiler flues. The basic context of the Terrace as a “set-piece” composition facing The Park remains unchanged. Architecturally, the front of the building has changed very little. What has changed is the use of the building behind the façade, given the Change of Use from mixed residential and commercial as originally intended to use as office space after the war to the present use of residential.”

4.7. It can be seen that the Site experienced massive change internally in the 1960s works, and this is confirmed on the plans associated with that phase of redevelopment shown below.





Chester Terrace basement plan (proposed) 1959: Louis de Soissons, Peacock, Hodges and Robertson  
*Crown Estate Archives*

- 4.9. The basement plan for no.40 from the 1959 proposals is noted as being *similar* to that shown on the left (no.39) in the drawing above.
- 4.10. More recently, the implementation of the 2016 permission (2016/1104/P) and consent (2016/1226/L) at no.40 and the 2003 consent at no.39 has subsequently further adjusted the form of and added a further layer of modern work into the buildings, beyond that imposed in the 1960s.
- 4.11. The 2020 approvals, although yet unimplemented, have secured a further level of change at no.40, with various works of minor further demolition and alteration approved.

### *Heritage Significance*

#### *39 and 40 Chester Terrace as a component part of the group listing of the Terrace*

- 4.12. The houses in Chester Terrace are listed as of “group value” being part of the composition of neo classical buildings built around Regent’s Park

designed to John Nash's plan of the 1820's. The significance and special interest is found in the architectural style and the completeness of execution on the grandest of scales, and the historic (and arguably artistic) interest in the role that the terrace as a whole plays in the overall Nash architectural and urban composition. That overall grand architectural composition remains largely intact and of primary significance to the group. Beyond the façade, each of the properties has been wholly reconfigured and effectively rebuilt internally following wartime damage and subsequent comprehensive development by the Crown Estate. The significance of nos.39 and 40 within that overall composition, and the contribution made to it, is set out below.

4.13. *Architectural / aesthetic value and significance:* 39 and 40 Chester Terrace are of high architectural and aesthetic value through the external form, design and appearance, of the western and northern elevations, and the contribution they collectively make to the above described grand terrace composition, designed by John Nash.

4.14. The special interest of the buildings would normally be expected to include the internal layout and finishes and fittings that formed part of the original construction phase. However, as set out above, the interior of the buildings and indeed the whole of Chester Terrace were entirely replaced and re-planned in the 1960's, and further extensive internal refurbishment took place at no.40 post-2016, and at no.39 post-2003. The significance of the interior is therefore minimal beyond the basic elements of plan form and fabric.

4.15. *Historic value / significance:* 39 and 40 Chester Terrace are of historic value embodied in the external form and design of the house, as a component part of the wider group that was designed by the influential architect John Nash, with the terrace itself being one of the primary elements of the wider masterplan for Regent's Park by Nash.

4.16. The 1960s alterations to the rear of the building and the wider group are of some mild historic interest in revealing and communicating the process of change that occurred following WWII, and the ability to deliver such wholesale change behind a retained primary façade without compromising the original architectural composition.

- 4.17. The interiors date from the 1960s comprehensive and 2016 / 2003 further works and are of no historic interest.
- 4.18. *Artistic value / significance:* 39 and 40 Chester Terrace are of some artistic value associated with the external form and design, and its relationship to and role within the design of the Terrace as a whole. The interior is of no artistic interest.
- 4.19. *Archaeological and evidential value / significance:* 39 and 40 Chester Terrace have some evidential value as examples of architect designed houses built to meet the tastes and requirements of the wealthy in the early 19<sup>th</sup> century, and as a representation of how comprehensive redevelopment to fashionable designs of the time generated value and transformed parts of London.
- 4.20. In summary, 39 and 40 Chester Terrace are of high and primarily architectural / aesthetic interest as a result of the primary elevations and their contribution to achieving the wider architectural composition of the Terrace. They have strong historic interest in representing the period of holistic and planned change in the area in the early 19<sup>th</sup> century. The interiors are of limited interest, having been wholly removed and replaced in the post-war period, and then reconfigured further from 2003 / 2016. The plan form of the buildings has changed over time, but the basic elements of hierarchy and layout remain on the ground and upper floors in terms of stair position, hall and landing, and front and rear rooms.

### *The Regent's Park Conservation Area*

- 4.21. A description of the Regents Park Conservation Area is set out in 2.7-2.11 above.
- 4.22. The Site falls within the '*Regents Park and Terraces fronting the park and their mews*' sub-area. The significance of this part of the Conservation Area lies in the execution of the planned layout by Nash, comprising imposing and theatrical long facades containing views from within the park.

4.23. 39 and 40 Chester Terrace are each one component of the overall terrace, and the retained architectural completeness of the western façade as a whole is at the heart of its contribution to the significance of the Regents Park Conservation Area.

4.24. The garden to the north of 40 Chester Terrace is of some significance as it formally manages the transition in scale from the imposing terraces lining the park, to the more 'garden square' scale of Chester Place beyond.

## 5. The Proposed Works

5.1. The proposed works for which listed building is sought are:

- Formation of 3 no. internal door openings between 39 and 40 Chester Terrace at lower ground floor, ground floor, and first floor
- demolition of external wall dividing rear courtyards to 39 and 40.

5.2. As noted in the introduction, these works are proposed in the context of the proposed amalgamation of the existing two dwellings to form a single larger dwelling, for which a separate Lawful Development Certificate has been submitted.

5.3. The works have been carefully considered and designed in the context of a full understanding of the identified heritage significance of the buildings, and with reference to the previous decision making of the Council in directly comparable cases at neighbouring properties within the same listed terrace. Accordingly the following specific design decisions are reflected in the proposals by Groves Natcheva Architects:

- The proposed openings are located beyond the central spine wall of the properties, as advised by LB Camden at 36-37 Chester Terrace
- The proposed openings are located where there will be no resulting impact upon the existing stair
- At lower ground floor, existing services are required to be relocated to the adjacent existing cupboard
- The rear courtyard wall (1960s) is located in highly contained rear area of the buildings and removal will provide a more usable and attractive amenity space for the occupants of the resulting dwelling

5.4. Detailed internal elevation drawings at 1:20 are provided for each of the proposed openings. Where minor further adjustments to or removal of modern cupboards / cabinets etc is required this is shown clearly on the proposed drawings. The Structural Report submitted sets out how the proposed new openings will be formed, and how they will not have any adverse impact upon the wider structure of the two buildings.

5.5. The M&E report confirms how the existing services located within the areas of the openings will be relocated, and this is shown on the architect's drawings submitted.

5.6. Photographs are provided below showing the existing condition in the three areas where the new openings are proposed.

*Lower Ground Floor – location of proposed door opening is within existing modern cupboard in each property, each of which will be altered to accommodate the opening.*



No.39

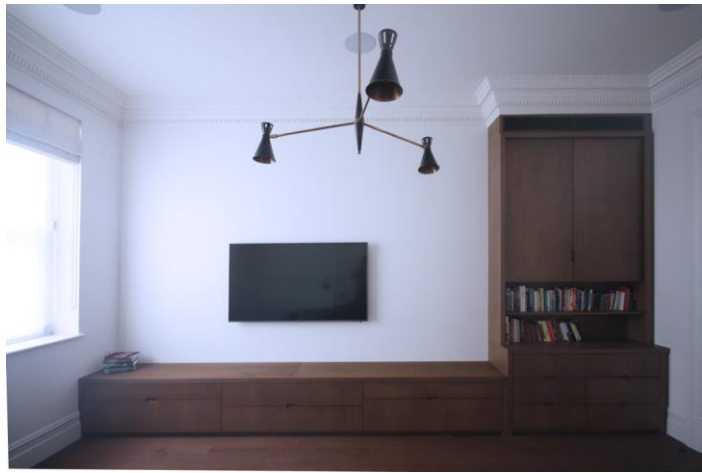


No.40

Ground floor – location of proposed door opening at base of stair in no.39, and in place of modern cabinet in no. 40.



No. 39



No.40

*First Floor – at no.39 the opening will be located between the base of the stair and the spine wall, and at no.40 the modern dressing room cabinetry will be removed.*



No.39



No.40

## 6. Heritage Impact Assessment

6.1. Section 4 above sets out the historical development of the Site and concludes with a summary of *heritage significance*. Section 5 above describes the proposals for 3 new openings and removal of an external courtyard wall. This section examines the impact of the proposals upon that identified significance.

### *39 and 40 Chester Terrace as component parts of the group listing of the Terrace*

#### *Architectural / aesthetic value and significance*

6.2. The external form, design, and appearance of the buildings, and the contribution they collectively make to the grand terrace composition designed by John Nash – at the heart of the architectural and aesthetic value and significance - will remain unaltered by the proposals.

6.3. It should be noted that due to the original design of 39 and 40 with a recessed door to 40, and an entrance door to 39 centralised within the pair, the two buildings do as existing appear as one.

6.4. The internal openings are located rearward of the principal rooms at GF and FF in discrete positions where there will be no discernible impact upon the appearance of the buildings and the reading of them as two separate dwellings, despite their use as one.

6.5. The internal spatial character of the buildings, already the subject of much alteration in the past and of low significance beyond the core hierarchy of the principal ground and first floor and others then being secondary, will remain unchanged and unharmed.

6.6. The removal of the rear boundary wall separating the courtyards is located in a very enclosed and sunken part of a secondary elevation that has been the subject of extensive change and remodelling in the post war period. The removal of this modern wall and the creation of a single larger courtyard to serve both properties will not impact upon the perception of the buildings within the wider elevation. *Neutral impact upon significance.*

*Historic value / significance*

6.7. The historic value identified as being embodied in the external form and design of the houses, as a component part of the wider group that was designed by the influential architect John Nash, with the terrace itself being one of the primary elements of the wider masterplan for Regent's Park by Nash, will remain unchanged by the proposals.

6.8. There will be a minor loss of fabric associated with forming the openings, but it should also be noted that many of the buildings within the terrace are known to have been linked in the past in similar locations and it may well be the case that the fabric to be removed will date from the 20<sup>th</sup> century post-war works. *Negligible impact on significance.*

*Artistic value / significance*

6.9. The artistic value identified associated with the external form and design, and its relationship to and role within the design of the Terrace as a whole will remain unaffected by the proposals. *Neutral impact on significance.*

*Archaeological and evidential value / significance*

6.10. The evidential value as an example of two architect designed houses built to meet the tastes and requirements of the wealthy in the early 19<sup>th</sup> century, and as a representation of how comprehensive redevelopment to fashionable designs of the time generated value and transformed parts of London will remain unchanged. *Neutral impact on significance*

6.11. In summary, the high and primarily architectural / aesthetic interest of the Site as a result of the primary elevations and their contribution to achieving the wider architectural composition of the Terrace will remain unchanged. This is achieved through the careful positioning of the openings within the plan of the buildings. The historic interest in representing the period of holistic and planned change in the area in the early 19<sup>th</sup> century will remain unaltered, and the basic elements of hierarchy and layout with the primacy of the ground and first floors will remain unaffected by the proposals.

6.12. These findings are supported by the decision making of the Council and Historic England in the past upon comparable applications.

*The Regent's Park Conservation Area*

6.13. The significance of the '*Regents Park and Terraces fronting the park and their mews*' part of the Conservation Area identified as the execution of the planned layout by Nash, comprising imposing and theatrical long facades containing views from within the park, will remain unimpacted and unchanged by the proposals, due to the minor nature and location of the proposals.

6.14. The architectural completeness of the western façade as a whole at the heart of the contribution of the Terrace to the significance of the Regents Park Conservation Area will remain unaltered.

6.15. The contribution to significance of the CA made by the garden as it formally manages the transition in scale from the imposing terraces lining the park, to the more 'garden square' scale of Chester Place beyond, will similarly be preserved and remain unaltered, together with the contribution of the retained large London Plane tree at the Site.

### *Summary*

6.16. The assessment set out above of the current proposals concludes that the proposed basement development will have negligible / neutral impact on the designated heritage assets engaged.

6.17. That conclusion accords with the assessment of both Historic England and LB Camden in assessing other comparable cases within neighbouring properties in the same terrace.

## 7. Planning Policy and Assessment

### *Statutory provisions*

7.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that when making any determination under the Planning Acts, that determination should be made in accordance with the Development Plan unless material considerations indicate otherwise.

7.2. Section 66(1) of the Planning (Listed Buildings and Conservation) Act 1990 requires that decision makers, in considering whether to grant planning permission for development which affects a listed building or its setting, *'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'*.

7.3. Section 72 of the Act requires that the local planning authority, in exercising their planning functions within conservation areas, pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

### *Planning policy*

#### *National Planning Policy Framework (NPPF) 2019*

7.4. Chapter 16 of the National Planning Policy Framework (NPPF) (2019) seeks to conserve and enhance the historic environment. Paragraph 189 of the NPPF states that *"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"*.

7.5. It goes on to set out how, 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, with any harm to or loss of significance requiring clear and convincing justification.

### *Camden Local Plan 2017*

- 7.6. Policy D1 *Design* details how the Council will seek to secure high quality design in development, setting out a number of criteria for consideration.
- 7.7. Policy D2 states that “*the Council will preserve and, where appropriate, enhance Camden’s rich and diverse heritage assets and their settings, including (inter alia) listed buildings*”. Policy D2 sets out that “*To preserve or enhance the borough’s listed buildings, the Council will: (i) resist the total or substantial demolition of a listed building; (j) resist proposals for a change of use or alterations and extensions to a listed building where this would cause harm to the special architectural and historic interest of the building; and (k) resist development that would cause harm to significance of a listed building through an effect on its setting*”.
- 7.8. The *Regent’s Park Conservation Area Appraisal and Management Strategy* (July 2011) provides an appraisal of the special character of the Conservation Area, and sets out positive actions for the preservation and enhancement of that character.

### *Assessment*

- 7.9. The proposed works to create 3 internal door openings to connect the two properties, and remove the rear courtyard-dividing wall at LFG level, have been described in section 6 above and then examined in terms of heritage impact in section 7.
- 7.10. As set out in section 7 above, the works proposed are considered to have a negligible / neutral impact upon the significance of the listed building. The statutory requirements in section 66(1) are therefore met, together with those of the NPPF section 16 and policy D2 and D1 of the Local Plan.
- 7.11. Further, the works proposed are considered to have no adverse impact upon the significance of the Regent’s Park Conservation Area, and therefore the statutory requirements in section 72 of the Act are met, together with those in the NPPF and policy D2 as it relates to Conservation Areas.

## 8. Conclusion

8.1. This combined Design and Access / Heritage Statement has set out in detail the history of the application site, the significance of the listed building and the conservation area, the relevant statutory policy and framework in heritage and planning terms, and an assessment of how the proposed works accord with the requirements of that framework.

8.2. The works proposed have been demonstrated to be acceptable in heritage terms, as they will not cause harm to the significance of the designated heritage assets engaged.

8.3. The works proposed have also been referenced within the context of decision making upon directly comparable neighbouring properties at Chester Terrace where near identical proposals have been found acceptable by the Council and Historic England within the same listed terrace. The detailed advice and assessment contained within those applications and decisions (including reference to the Cumberland Terrace appeal decision) have both informed our proposals, and provide a strong reference point for consideration and determination of them.

**APPENDIX 1 – Planning history at 40 Chester Terrace**

<b>Application Number</b>	<b>Site Address</b>	<b>Development Description</b>	<b>Status</b>	<b>Date Registered</b>	<b>Decision</b>
<b>2020/0349/L</b>	40 Chester Terrace London NW1 4ND	Internal works: alterations to replace modern fixtures, fittings, finishes, services and partitions. External works: alterations to infill side lightwell to lower ground floor, remove associated modern metal steps and railings to lightwell and create new stone steps; waterproofing of lower ground floor; widened opening at lower ground floor to rear patio; new window opening and door in rear wing at ground floor; new skylight, replacement roof covering, enlarged inner courtyard window opening, and new render panel at lower ground floor to link element; minor works of repair to front balcony, railings and chimneys	FINAL DECISION	21-07-2020	Granted

<b>2019/6345/P</b>	40 Chester Terrace London NW1 4ND	Internal works: alterations to replace modern fixtures, fittings, finishes, services and partitions. External works: alterations to infill side lightwell to lower ground floor, remove associated modern metal steps and railings to lightwell and create new stone steps; waterproofing of lower ground floor; widened opening at lower ground floor to rear patio; new window opening and door in rear wing at ground floor; new skylight, replacement roof covering, enlarged inner courtyard window opening, and new render panel at lower ground floor to link element; minor works of repair to front balcony, railings and chimneys	FINAL DECISION	21-07-2020	Granted
<b>2016/1226/L</b>	40 Chester Terrace London NW1 4ND	Creation of a roof terrace and conversion of the garage into habitable space.	FINAL DECISION	10-03-2016	Granted

		Internal layout alterations and external glazing alterations.			
<b>2016/1104/P</b>	40 Chester Terrace London NW1 4ND	Creation of a roof terrace and conversion of the garage into habitable space. Internal layout alterations and external glazing alterations.	FINAL DECISION	10-03-2016	Granted
<b>2014/7850/L</b>	40 Chester Terrace London NW1 4ND	Excavation to enlarge basement to side and rear of building with skylight at ground floor level and associated works of landscaping, excavation to increase depth of front basement vaults to accommodate condensing unit and mechanical plant, installation of new louvers and door to vaults, installation of new windows at first floor level on north side elevation, new balcony on ground floor at rear court yard and associated internal alterations to dwelling.	WITHDRAWN	07-07-2015	Withdrawn Decision
<b>2014/7699/P</b>	40 Chester Terrace	Excavation to enlarge basement to side and rear of	WITHDRAWN	07-07-2015	Withdrawn Decision

	London NW1 4ND	building with skylight at ground floor level and associated works of landscaping, excavation to increase depth of front basement vaults to accommodate condensing unit and mechanical plant, installation of new louvers and door to vaults, installation of new windows at first floor level on north side elevation and new balcony on ground floor at rear court yard.			
<b>2012/2439/L</b>		Enlargement of basement to side and rear of building to provide cinema, gym, pool and plant room with skylight at ground floor level and associated works of landscaping, excavation to increase depth of front basement vaults to accommodate condensing unit and mechanical plant, installation of new louvers and door to vaults, installation of new	FINAL		

	40 Chester Terrace London NW1 4ND	windows at first floor level on north side elevation, new balcony on ground floor at rear court yard and internal alterations all in connection with existing residential dwelling (Class C3).	DECISION	16-05-2012	Granted
<b>2012/2295/P</b>	40 Chester Terrace London NW1 4ND	Enlargement of basement to side and rear of building to provide cinema, gym, pool and plant room with skylight at ground floor level and associated works of landscaping, excavation to increase depth of front basement vaults to accommodate condensing unit and mechanical plant, installation of new louvers and door to vaults, installation of new windows at first floor level on north side elevation and new balcony on ground floor at rear court yard all in connection with existing residential dwelling (Class C3).	FINAL DECISION	16-05-2012	Granted

<b>2006/3991/T</b>	40 Chester Terrace, London, NW1 4ND	SIDE GARDEN: 1 x Plane - Reduce crown by 15%. Reshape and tidy up.	FINAL DECISION	30-08-2006	No Objection to Works to Tree(s) in CA
<b>2006/2327/T</b>	40 Chester Terrace, London, NW1 4ND	SIDE GARDEN: 1 x Norway Maple - Thin regrowth by 20%. Remove epicormic shoots from lower crown. 1 x Plane - Lift crown to 4.5m all round. Thin canopy by 20%. Remove dead wood.	FINAL DECISION	22-05-2006	No Objection to Works to Tree(s) in CA
<b>TCX0006409</b>	40 Chester Terrace London NW1 4ND	Reduce one London Plane and one Maple on property.	FINAL DECISION	11-05-2000	No objection to works
<b>9192101</b>	40 Chester Terrace NW1	Works to Maple and Plane.	FINAL DECISION	24-05-1991	Approve works(TPO )specified by Council
<b>9070445</b>	40 Chester Terrace NW1	Alterations to existing sash window to provide french doors to garden as shown on drawing no.K-90081	FINAL DECISION	18-05-1990	Grant List.Build. or Cons.Area Consent
<b>8892089</b>	40 Chester Terrace NW1	Prune trees.	FINAL DECISION	05-05-1988	Agree to pruning of Trees

END.