

**Heritage Statement**  
**University of London Pavilion**  
**Proposal**

Relating to a site at the disused car park adjacent to Senate House,  
University of London, Malet Street, WC1E 7HU



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## 1. Introduction

- 1.1. The purpose of this Heritage Statement is to provide a brief architectural significance assessment and commentary on Senate House to accompany the Planning and Listed Building Application for the temporary installation of a pavilion structure within the disused car park adjacent to Senate House.
- 1.2. The report is also to advise and guide development within the curtilage of site to ensure that the development proposals will preserve the listed buildings and enhance the setting of the Heritage Asset whilst having the least impact on the fabric and setting of the buildings.
- 1.3. Senate House is owned by the University of London. The building was designed specifically for its educational use.
- 1.4. The buildings of Senate House occupy a significant site adjacent to the British Museum and are composed of three distinctive areas: Senate House Tower and the South and North courtyard Blocks either side of the Tower.
- 1.5. The University is submitting revised designs for the temporary installation of a pavilion structure within the car park following pre-application advice. This is reviewed in the
- 1.6. The heritage investigation has included the following methods:

## On-Site Examination

- 1.7. The site examination indicates that when assessing the materials that survive onsite, most of the external areas have been retained.

## Written Documentation

- 1.8. This consists of the following planning documents:
  - University of London Senate House Listed Building Management Guidelines – AHP Nov 2015
  - NPPF
  - National Planning Practice Guidance
  - The London Plan
  - LB Camden Local Plan
  - Bloomsbury Conservation Area Management Appraisal
  - Planning Practice Guide (2010) Listed Building Description

- English Heritage's Conservation Principles
- The University of London Archives London Metropolitan Archives Historic England Archives

## Drawings

### 1.9. Reviewing the proposals against the research and the planning drawings

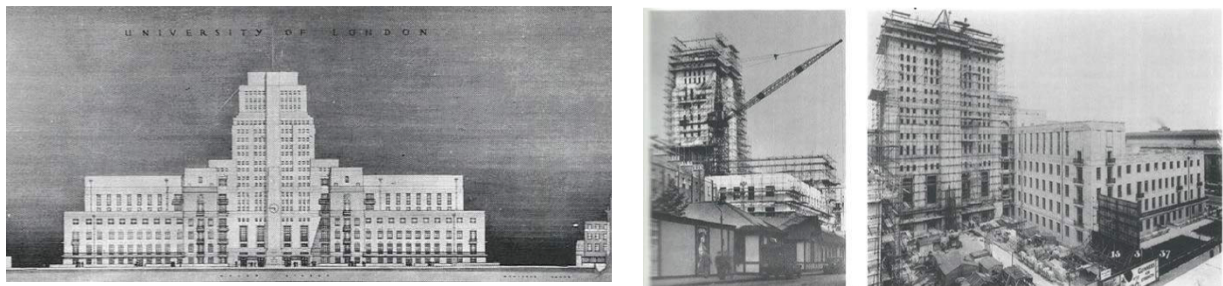


Table 1: Official List Entry

Heritage Category: Listed Building

Grade: II\*

List Entry Number: 1113107

Date first listed: 28-Mar-1969

Statutory Address : SENATE HOUSE AND INSTITUTE OF EDUCATION (UNIVERSITY OF LONDON) AND ATTACHED RAILINGS, MALET STREET

#### Details

TQ2981NE 798-1/99/1101

CAMDEN MALET STREET (East side) Senate House and Institute of Education (University of London) and attached railings 28/03/69 GV II\* Senate House and Institute of Education. 1932-1938. By Charles Holden, built with funding from the Rockefeller Foundation. Brick load-bearing construction with Portland stone facing.

Symmetrical design, not completed, comprising central tower flanked by two courtyard ranges to either side. The southern, completed half, houses the ceremonial and administrative functions of the University of London. The northern half houses the Institute of Historical Research and School of Slavonic Studies in more functional surrounding: north-east wing not completed. The

initial concept of a single, spinal building extending the length of Torrington Square was abandoned as building began, but survives in model form displayed on the first floor balcony of Senate House.

EXTERIOR: central, higher fourth floor is the University library, with above it offices and bookstack housed in the formal 18-storey tower built in recessed stages with broad central buttresses on the east and west sides. Six windows at first floor level. Four and five storey wings with ten-window forward return and 14 windows width each. Under enriched, flat canopies, two square-headed entrances each side of the central buttress, all with two-leaf glass doors with vertically patterned metal grills. Above the canopies small rectangular windows with patterned grills and keystones. Square-headed, recessed windows with metal frames, those at first floor level on the tower being elongated with enriched spandrel panels and flanked by medium sized windows at the angles, with balconies, culminating in lunettes at sixth floor level. From the second floor to the 18th, small vertically set windows, in groups of three until the penultimate stage when they are continuous. Flanking wings with metal balconies to windows at angles. Flat roofs with plain bands at parapet levels. East facade similar. Inner courtyards similarly treated, with hopper heads dated 1936.

INTERIOR: imposing Egyptianate entrance hall at base of tower with travertine floor and walls with broad fluted pilasters a semi-open space giving through access, with doors to south leading to Senate House and to north to Institute of Historical Research and School of Slavonic Studies.

Senate House. Principal spaces all with travertine cladding to walls and floors, ceilings of moulded plaster with flat panel patterns and embellishments based on a London plane tree motif. Staircases floored in travertine, with bronzed balustrades treated as stylised Ionic columns. Principal entrance hall on two levels with first floor balcony having elaborate bronzed balustrade: Holden's original model exhibited here.

On ground floor there is to east the MacMillan Hall, named after Lord MacMillan first Chairman of the University Court, with square panelled ceiling, travertine walls decorated as fluted pilasters at end and to sides set with acoustic panels to Holden's design and coloured glass, teak floor, and original light fittings. Memorials to HRH Queen Mother, Chancellor 1955-80, and to Princess Royal, Chancellor 1981- . William Beveridge Hall, named after the University's Vice Chancellor 1926-8, retains dado panelling set with brass filets in Greek key pattern under acoustic quilting, with semi-permanent seating and stage.

On first floor processional stair leads to Chancellor's Hall, with square panelled timber to window recesses, travertine cladding, and square panelled plaster ceilings. Inlay pattern floors, original doors and fittings. To east a suite of rooms set round courtyard includes Court Room and Senate Room. Senate Room and ante rooms fully panelled in English walnut, the former of double height with trabeated ceilings, original fixed seating in stepped rows arranged like a council chamber with dias. Bronze uplighters. Ante rooms with heraldic glass by E Bossanyi dated 1937. On north side committee room and processional suite of corridors with dado panelling and moulded cornices, original furnishings and fittings. On south side the Vice Chancellor's offices not inspected.

Second floor staff common rooms and third floor common rooms and refectories originally with painted mural ceilings. Those in refectory not seen under later acoustic tiles; war memorial tablet in corridor. Fourth floor libraries of double height. Two general reading rooms, the Middlesex Libraries, finished in oak with original bookshelves and fittings of English walnut. Goldsmith's Library to south with glazed bookcases, and ceiling of cypress wood and stained glass by E Bossanyi. Above these the bookstacks supported by steel frame on concrete rafters. The offices retain original doors, lettering and fittings. The whole is a remarkably unaltered ensemble of 1930s design, with a high proportion of highly decorated ceremonial spaces over functional offices.

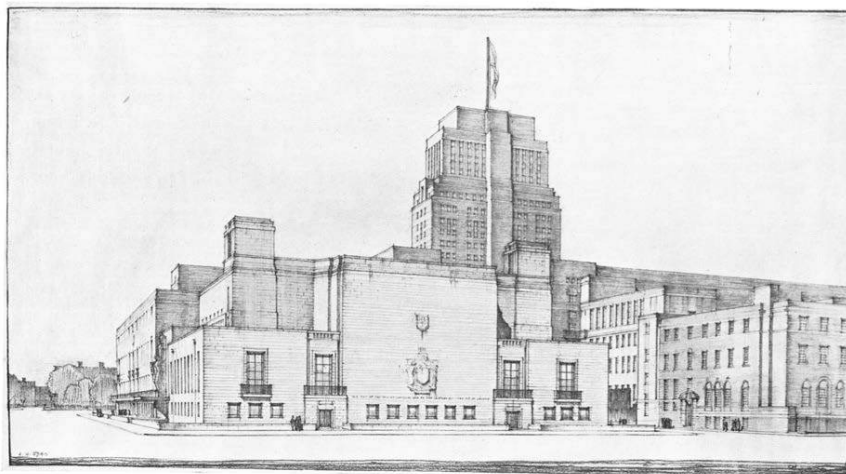
The Institute of Historical Research and School of Slavonic Studies with ground-floor entrance hall of single-storey height, travertine floors and finishings similar in style but simpler than those found in Senate House.

**SUBSIDIARY FEATURES:** attached cast-iron railings on stone sleeper wall and gates of radial pattern with central bosses containing coats of arms. Pillars with pilasters and geometric enrichment, those at the gates surmounted by rectangular down-lighter lamps with small defused panes and topped by stepped features.

**HISTORICAL NOTE:** built as a landmark, in 1937 this was the tallest building in London apart from St Paul's Cathedral. Listing NGR: TQ2992381896

## Location

- 1.10. The building that forms this planning and listed building application is part of the complex of the Senate House campus of the University of London.
- 1.11. For the purposes of this application, we have identified the buildings that formed the group identified as being of special and architectural importance when the building was listed Grade II\* in 1969.

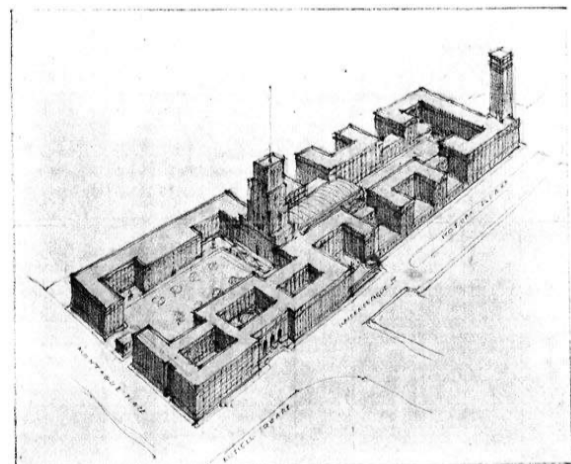


Architect's perspective drawing for the University Hall





*Senate House during construction in 1937*



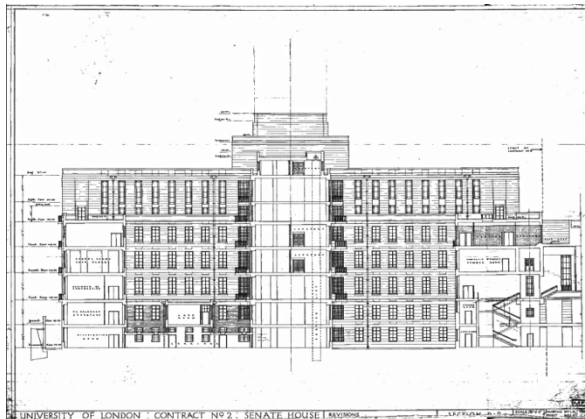
*RIBA Journal 9 May 1938 Preliminary Sketch by Holden*

- 1.12. Senate House today as it currently stands today is a much smaller scheme than originally envisaged by the University when it purchased the site in 1927. Instead of using an RIBA competition route the University favoured a more in-depth review of architects suggested by the Members of Court in 1930 that they admired. The thought process was that “they were not looking for a building but an architect that they could work with for years”. Through this process they chose Charles Holden in 1931. The original scheme incorporated the length from Montague Place to Bying Place opposite The British Museum.
- 1.13. The scheme that was finally built began with the construction of the Tower and the South Block in 1933 with the main foundations and completion in 1936-37 and the North Block in 1938. The completion of the North block differs to that of the original scheme as a decision was undertaken to restrict the buildings to the sections due to the lack of funds.

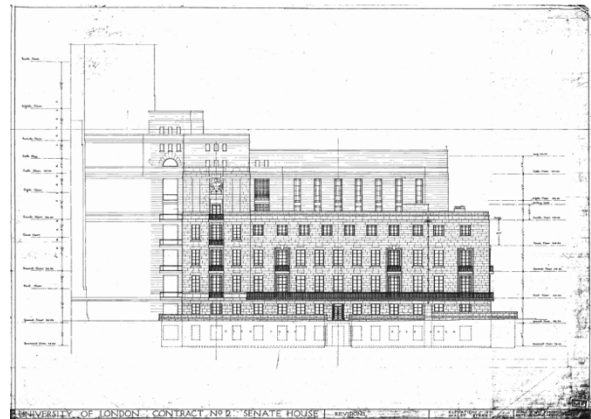


*Senate House after construction of the North Block in 1938*

- 1.14. Charles Holden's simple Art Deco design rises out of the Bloomsbury setting and is detailed as a monolithic stone building using traditional construction methods. The main building is constructed using masonry and brick. The construction at lower ground and ground floor and up to first floor uses engineering brick faced with grey Cornish Granite. From first floor the walls are faced in Portland stone with "batting".



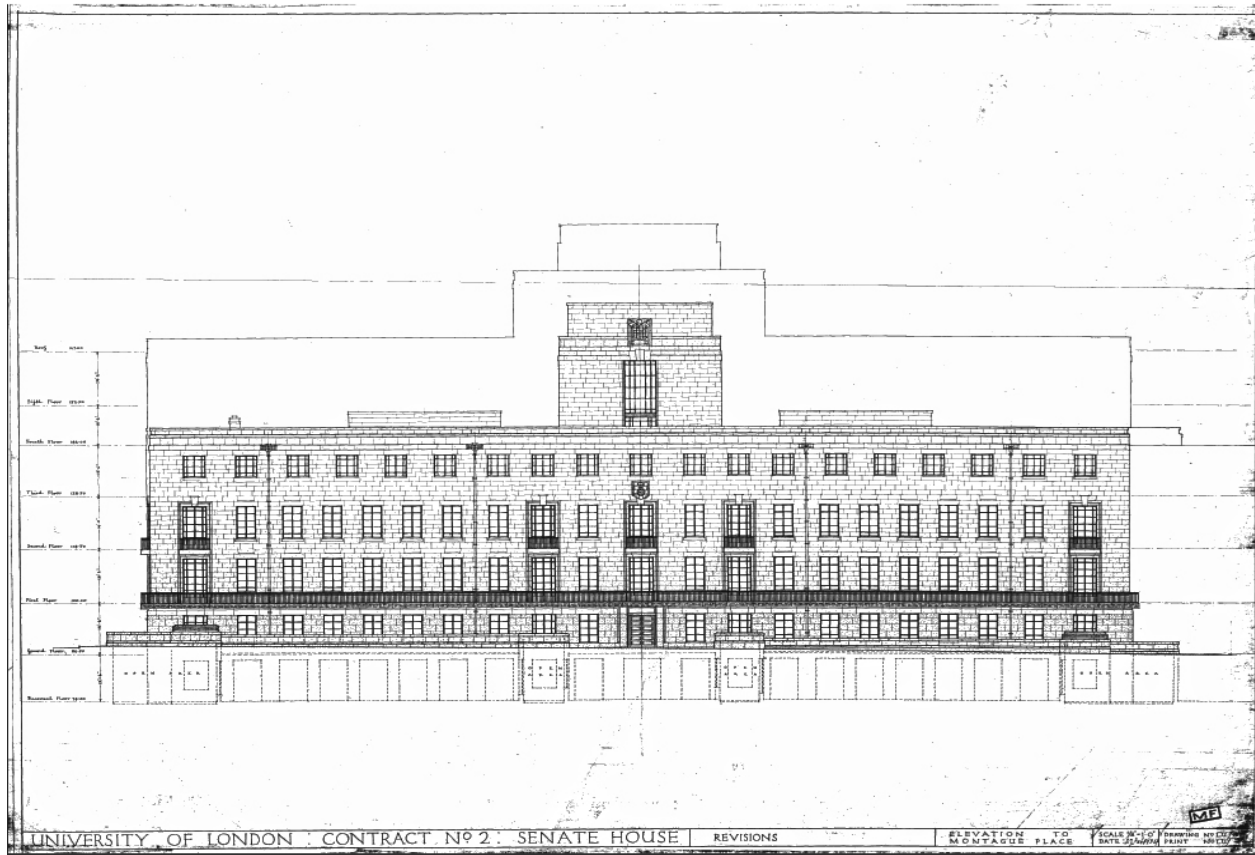
*Senate House from Russell Square Sectional Elevation*



*Senate House Malet Street Elevations*

- 1.15. Part of the character of the buildings is the simple way the tower rises from the light-wells that form a moat around the north and south blocks. The light-wells were filled in to the south face of the south block at the time of the original construction. The significance is a break in fabric that delineates the space between the landscaped access and the solid buildings. This can be seen as the intention within the drawings from 1936, as seen on this page and the following two pages.
- 1.16. The windows are uniform and add to the simplicity of the design whilst adding height and perception to the eye of the beholder. There is a variation noticeable at third floor on the external façades to the streets where the windows are reduced in number that draw the eye up and add to the perception of height of the blocks with the parapet above.





*Senate House Elevation to Montagu Place 1936*

## Assessment of Significance

1.17. The significance of the impacts is a product of the importance of the resource and the magnitude of the impact upon it. The list below are the external items deemed to be of significance within the Senate House Heritage asset as determined by the UoL Senate House Listed Building Management Guidelines. We have used these as the basis for the review of significance in respect to the proposed application:

- Restricted palette of high-quality materials, reductive detailing and lack of ornament.
- Symmetrical composition of the blocks and tapering profile of the tower.
- Landmark significance from neighbouring streets and in distant views.
- Repetitive rhythm, pattern and proportion of the metal framed windows and doors.
- Glazed 'slot' at the junction between the north and south blocks with the tower, created by the large multi-paned windows and semi-circular heads.
- Balconies and painted wrought iron balustrades.

- Cast lead rainwater hoppers and down pipes and gilded crest and dates.
- Decorative cast and gilded spandril panels and backlit canopies on the tower.
- Low parapet walls enclosing the basement areas around the external perimeter.
- Painted wrought iron railings and gates with stone piers and sleeper walls, around the perimeter of the site, enclosing areas of grass and ground cover planting.
- External light fittings and floodlighting of the tower.

1.18. The Key Plan below has been taken from the Listed Building Management Guidelines highlighting the external areas of special interest in terms of Greatness to Least significant.



*Key Plan showing areas of greatest to least interest*

1.19. The significance of the external details of the original Holden design survives. The significance of these features has been considered in the design of the proposals.

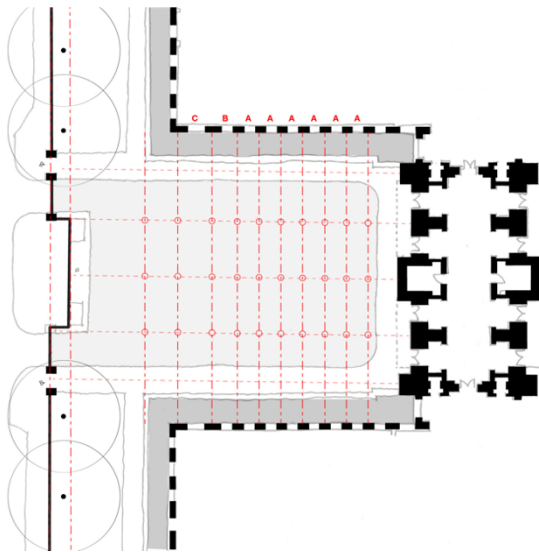


## **2. Consultation**

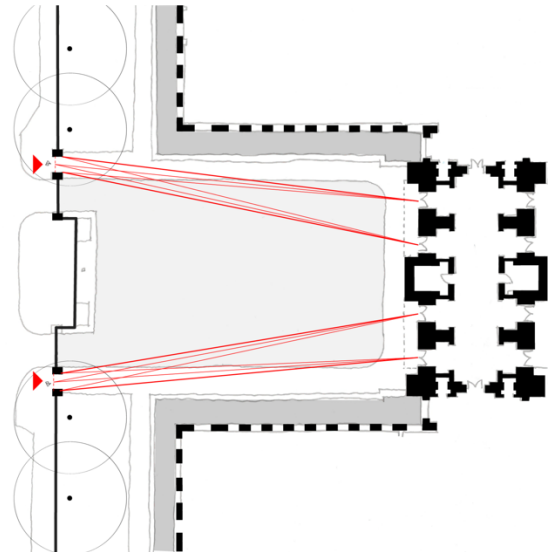
- 2.1. During the design evolution of the temporary proposals, we have held several meetings with LB Camden and other key stakeholders, including:
- Virtual Pre-Application Meeting with LB Camden on 28 April 2022
  - Site Meeting with LB Camden on 4 May 2022
  - Site Meeting with Twentieth Century Society on 8 June 2022
- 2.2. The pre-application discussions and feedback were positive, with overall support for the proposed works.

## 3. Assessment of Proposals

- 3.1. The drawings produced by BDP show the proposed temporary building will be located within the existing Malet Street car park situated between the north and south block of Senate House. The temporary structure will be entirely freestanding and situated within the existing car park. It will not require any attachment to Senate House itself and therefore there will be no loss or harm to the historic fabric of the Senate House.

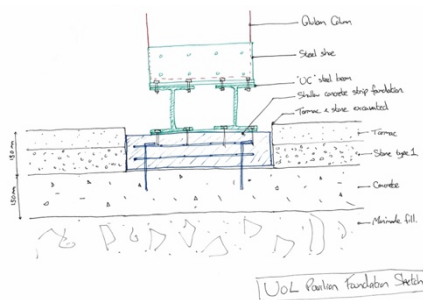


*Proportions and Symmetry*



*Views*

- 3.2. The temporary structure has been designed so that it complements the symmetrical language of Senate House. Its position and form have been designed so that the visual connection created from the pedestrian gates to the Senate House entrance cloister is preserved.
- 3.3. To anchor the temporary structure to the ground, some minor excavation involving the installation of a shallow reinforced strip foundation that would sit a minimum of 20mm below the existing tarmac. On removal of the temporary structure, the car park will be resurfaced. It is evident that the existing car park surface is not of any historical significance.



*Strip foundation sketch*



- 3.4. The proposed temporary structure will not materially alter, remove or harm the existing historic fabric of Senate House. At the expiry of the temporary period, the structure will be removed and the area re-instated as per existing.
- 3.5. The details set out within the Design and Access Statement shows how the temporary structure will reactivate and enliven underutilised space to create high quality public realm that will support and enhance the experience of students and other users of the building in a sensitive and sympathetic way.
- 3.6. The area between the north and south blocks that currently accommodated the car park is considered to be of high significance and the proposed temporary structure will contribute to the appreciation of the architectural significance of Senate House whilst enhancing this important space.



*CGI of the proposed temporary pavilion structure and landscaping*



## 4. Planning Considerations

### Planning (Listed Buildings and Conservation Areas) Act 1990

- 4.1. The act is legislative basis for decision-making on applications that relate to the historic environment.
- 4.2. Sections 16, 66 and 72 of the act impose a statutory duty upon local planning authorities to consider the impact of proposals upon listed buildings and conservation areas.
- 4.3. Section 16 of the planning (listed buildings and conservation areas) act 1990 states that:

*[..]In considering whether to grant listed building consent for any works the local planning authority all the Secretary of State show had special regard to the desirability of preserving the building or its setting or any features Of special architectural or historic interest which it possesses.*

- 4.4. Similarly, section 72 (l) of the above act states that:

*[..]With respect to any buildings or other land in a conservation area, special attention should be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.*

## Regional Policy

### The London Plan (March 2021)

- 4.5. In March 2021 the Mayor adopted the London plan. This is operative as the mayor's special development strategy and forms part of the development plan for Greater London. Policies pertaining to heritage include the following:

Policy HC1 Heritage conservation and growth

*(C) development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets significance and appreciation within their surroundings. The commutative impacts of incremental change from development on heritage asset and the setting should also be actively managed. Development proposal should avoid harm and identify enhancement opportunities by integrating heritage considerations earlier on in the design process.*



## National Planning Policy Framework

- 4.6. Any proposals for consent relating to heritage assets are subject to the policies of the NPPF (2020). This sets out the governments planning policies for England and how these are expected to be applied. With regard to conserving and enhancing the historic environment, the framework requires proposals relating to heritage assets to be justified and explain explanation of their effect on the heritage asset significance provided.
- 4.7. Paragraph 7 of the framework states that the purpose of the planning system is to contribute to the achievement of sustainable development and that, at a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 4.8. At paragraph 8, the document expands on this as follows:

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and needs to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives:

*'a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

*b) **A social objective**-to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities health, social and cultural well-being; and*

*c) **an environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of the land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy'.*

- 4.9. And notes at paragraph 10:

*'So that sustainable development is pursued in a positive way, at the heart of the framework is a presumption in favour of sustainable development (paragraph 11).*

- 4.10. With regards to the significance of a heritage asset, the framework contains the following policies:

*195. 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.*

- 4.11. In determining applications local authorities are required to take into account the significance, viability, sustainability and local character and distinctiveness. Paragraph 197 of The NPPF identifies the following criteria in relation to this:

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

- 4.12. With regard to potential harm to the significance of designated heritage assets, in paragraph 199 the Framework states the following:

*... 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.*

- 4.13. The framework goes on to state at paragraph 200 that:

*Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction or from development within the setting), should require a clear and convincing justification.*

- 4.14. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset paragraph 201 of the NPPF states that:

*..... local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:*

- a) The nature of the heritage asset prevents all reasonable uses of the site; and*

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

*c) conservation by grant funding or some form of not-for-profit, charitable or public ownership is demonstrably not possible; and*

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

- 4.15. With regard to less than substantial harm to the significance of a designated heritage asset, of the NPPF states the following:

*202. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing it optimum viable use.*

- 4.16. In terms of non-designated heritage assets, the NPPF states:

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

- 4.17. The framework requires local planning authorities to look for opportunities for new development within conservation areas and world heritage sites and within the setting of heritage assets to enhance or better reveal their significance. Paragraph 206 states that:

*‘... Proposals that preserve those elements of the setting that make a positive contribution to the outset (or which better reveal its significance) should be treated favourably.’*

- 4.18. Concerning conservation areas in world heritage sites it states, in paragraph 207, that:

*Not all elements of a conservation area or world heritage site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the conservation area or world heritage site should be treated either as substantial harm under paragraph 201 or less than substantial harm under paragraph 202, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the conservation area or world heritage site as a whole.*

## National Planning Practice Guidance

### ***Paragraph 2: What is meant by the conservation and enhancement of the historic environment?***

- 4.19. Conservation is an active process of maintenance and managing change. It requires a flexible and thoughtful approach to get the best out of assets as diverse as listed buildings in every-day use and as yet undiscovered, undesignated buried remains of archaeological interest.
- 4.20. In the case of buildings, generally the risks of neglect and decay of heritage assets are best addressed through ensuring that they remain in active use that is consistent with their conservation. Ensuring such heritage assets remain used and valued is likely to require sympathetic changes to be made from time to time. In the case of archaeological sites, many have no active use, and so for those kinds of sites, periodic changes may not be necessary, though on-going management remains important.
- 4.21. Where changes are proposed, the National Planning Policy Framework sets out a clear framework for both plan-making and decision-making in respect of applications for planning permission and listed building consent to ensure that heritage assets are conserved, and where appropriate enhanced, in a manner that is consistent with their significance and thereby achieving sustainable development. Heritage assets are either designated heritage assets or non-designated heritage assets.
- 4.22. Part of the public value of heritage assets is the contribution that they can make to understanding and interpreting our past. So where the complete or partial loss of a heritage asset is justified (noting that the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted), the aim then is to:
- capture and record the evidence of the asset's significance which is to be lost
  - interpret its contribution to the understanding of our past; and
  - make that publicly available (National Planning Policy Framework paragraph 199)

### ***Paragraph 6: What is 'significance'?***

- 4.23. 'Significance' in terms of heritage-related planning policy is defined in the Glossary of the National Planning Policy Framework as the value of a heritage asset to this and future generations because of its heritage interest. Significance derives not only from a heritage asset's physical presence, but also from its setting.

4.24. The National Planning Policy Framework definition further states that in the planning context heritage interest may be archaeological, architectural, artistic or historic. This can be interpreted as follows:

- **archaeological interest:** As defined in the Glossary to the National Planning Policy Framework, there will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.
- **architectural and artistic interest:** These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skill, like sculpture
- **historic interest:** An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation's history, but can also provide meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity.

4.25. In legislation and designation criteria, the terms 'special architectural or historic interest' of a listed building and the 'national importance' of a scheduled monument are used to describe all or part of what, in planning terms, is referred to as the identified heritage asset's significance.

***Paragraph 7 Why is 'significance' important in decision-making?***

4.26. Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals

***Paragraph 13: What is the setting of a heritage asset and how can it be taken into account?***

4.27. The setting of a heritage asset is defined in the Glossary of the National Planning Policy Framework.

4.28. All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not. The setting of a heritage asset and the asset's curtilage may not have the same extent.

- 4.29. The extent and importance of setting is often expressed by reference to the visual relationship between the asset and the proposed development and associated visual/physical considerations. Although views of or from an asset will play an important part in the assessment of impacts on setting, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust, smell and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each.
- 4.30. The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights of way or an ability to otherwise access or experience that setting. The contribution may vary over time.
- 4.31. When assessing any application which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change. They may also need to consider the fact that developments which materially detract from the asset's significance may also damage its economic viability now, or in the future, thereby threatening its ongoing conservation.

***Paragraph 15: What is the optimum viable use for a heritage asset and how is it taken into account in planning decisions?***

- 4.32. The vast majority of heritage assets are in private hands. Thus, sustaining heritage assets in the long term often requires an incentive for their active conservation. Putting heritage assets to a viable use is likely to lead to the investment in their maintenance necessary for their long-term conservation.
- 4.33. By their nature, some heritage assets have limited or even no economic end use. A scheduled monument in a rural area may preclude any use of the land other than as a pasture, whereas a listed building may potentially have a variety of alternative uses such as residential, commercial and leisure.
- 4.34. In a small number of cases a heritage asset may be capable of active use in theory but be so important and sensitive to change that alterations to accommodate a viable use would lead to an unacceptable loss of significance.
- 4.35. It is important that any use is viable, not just for the owner, but also for the future conservation of the asset: a series of failed ventures could result in a number of unnecessary harmful changes being made to the asset.
- 4.36. If there is only one viable use, that use is the optimum viable use. If there is a range of alternative economically viable uses, the optimum viable use is the one likely to cause the least harm to the significance of the asset, not just through necessary initial changes, but also as a result of subsequent wear and tear and likely future changes. The optimum viable



use may not necessarily be the most economically viable one. Nor need it be the original use. However, if from a conservation point of view there is no real difference between alternative economically viable uses, then the choice of use is a decision for the owner, subject of course to obtaining any necessary consents.

- 4.37. Harmful development may sometimes be justified in the interests of realising the optimum viable use of an asset, notwithstanding the loss of significance caused, and provided the harm is minimised. The policy on addressing substantial and less than substantial harm is set out in paragraphs 193-196 of the National Planning Policy Framework.

***Paragraph 16: When is securing a heritage asset's optimum viable use appropriate in planning terms?***

- 4.38. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, the National Planning Policy Framework (paragraph 196) requires that this harm should be weighed against the public benefits of the proposal including, where appropriate, securing the optimum viable use of that asset.
- 4.39. Where a heritage asset is capable of having a use, then securing its optimum viable use should be taken into account in assessing the public benefits of a proposed development.
- 4.40. 'Area-based' designated heritage assets such as World Heritage Sites and conservation areas will not themselves have a single use (though any individual heritage assets within them may). Therefore, securing the optimum viable use of the area-based asset as a whole is not a relevant consideration in assessing the public benefits of development proposals affecting such heritage assets. However, securing the optimum viable use of any individual heritage assets within the area-based designated heritage asset may still be a relevant consideration.

***Paragraph 18: How can the possibility of harm to a heritage asset be assessed?***

- 4.41. What matters in assessing whether a proposal might cause harm is the impact on the significance of the heritage asset. As the National Planning Policy Framework makes clear, significance derives not only from a heritage asset's physical presence, but also from its setting.
- 4.42. Proposed development affecting a heritage asset may have no impact on its significance or may enhance its significance and therefore cause no harm to the heritage asset. Where potential harm to designated heritage assets is identified, it needs to be categorised as either less than substantial harm or substantial harm (which includes total loss) in order to identify which policies in the National Planning Policy Framework (paragraphs 200-202) apply

- 4.43. Within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated.
- 4.44. Whether a proposal causes substantial harm will be a judgment for the decision-maker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework. In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.
- 4.45. While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all, for example, when removing later additions to historic buildings where those additions are inappropriate and harm the buildings' significance. Similarly, works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all. However, even minor works have the potential to cause substantial harm, depending on the nature of their impact on the asset and its setting.
- 4.46. The National Planning Policy Framework confirms that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). It also makes clear that any harm to a designated heritage asset requires clear and convincing justification and sets out certain assets in respect of which harm should be exceptional/wholly exceptional (see National Planning Policy Framework, paragraph 194).

***Paragraph 20: What is meant by the term public benefits?***

- 4.47. The National Planning Policy Framework requires any harm to designated heritage assets to be weighed against the public benefits of the proposal.
- 4.48. Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit. Examples of heritage benefits may include:



- sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- reducing or removing risks to a heritage asset
- securing the optimum viable use of a heritage asset in support of its long-term conservation

## **5. Conclusions**

- 5.1. The purpose of this report is to advise London Borough of Camden, (LBC), of the extent of surviving historic fabric affected by the proposed temporary installation within the Malet Street Car Park that sits between the north and south block of the Grade II\* Listed Senate House.
- 5.2. We believe that through engagement with LB Camden and 20<sup>th</sup> Century Society together with research of the historic drawings and surveys and the onsite investigation, we have provided evidence to demonstrate that the proposed works will not in any way harm the historic fabric of the Listed Building.



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