

6 Bendall Mews NW1 6SN

Heritage Statement

Ref: 1219/12/2023

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Contents

Contents	iii
Figures	iv
Executive summary	1
<u>1</u> Introduction	<u>2</u>
1.1 Origin and scope of the report	2
1.2 Designated Heritage Assets	2
1.3 Conservation Area	2
1.4 Nearby Designated Assets	2
1.5 Non-designated assets (NDA)	2
1.6 Setting	3
1.7 Aims and objectives	3
<u>2</u> Site and Environs	<u>4</u>
2.1 Site	4
2.2 Designated Heritage Assets	4
2.3 Conservation Area	4
2.4 NDAs	4
2.5 Archaeology	5
2.6 Setting	5
<u>3</u> Significance	<u>10</u>
3.1 Planning History	10
3.2 Statement of significance	10
<u>4</u> Impact of Development	<u>11</u>
4.1 Site in general	11
4.2 Designated assets	11
4.3 Conservation Area	11
4.4 Non-designated assets	12
4.5 Commentary	12
4.6 Harm	12
4.7 The Duty to Preserve or Enhance	12
<u>5</u> Conclusions and Recommendations	<u>13</u>
5.1 Conclusions	13
5.2 Recommendations	13
<u>6</u> Planning Framework	<u>14</u>
6.1 Statutory protection	14
6.2 National Planning Policy Framework	14
6.3 Local Policy	16
<u>7</u> Determining significance	<u>18</u>

Figures

Fig 1: Site (KASA 2023).....	3
Fig 2: Conservation Area	4
Fig 3: Nearby Heritage Assets (HE/CoW 2023)	6
Fig 4: Photos	7
Fig 5: Scheme.....	11

Note: Site outlines may appear differently on some figures owing to distortions in historic maps. North may not be up the page and is generally approximate on early maps.

Unless otherwise noted, figures are not shown to scale.

Executive summary

We are instructed clients to prepare a Heritage Statement in relation to development at 6 Bendall Mews NW1 6SN.

This desk-based study assesses the possible impacts of the proposed development on built and other heritage assets in the area.

Designated built heritage assets which may be affected comprise:

- *The site is in a Conservation Area (CA).*

Nearby designated assets include properties in proximity.

The site is noted as an 'Unlisted Building of Merit' with No5 – may be considered a non-designated asset (NDA).

Conclusions

- *The subject building is not a Listed Building (LB).*
- *The subject building is situated within a Conservation Area.*
- *The subject building is a non-designated asset (NDA)*
- *The proposed development is in accordance with the special character of the Conservation Area and it is concluded that there is no harm to the Conservation Area on this basis.*
- *The proposal will have no impact on the significance of any Designated Asset or NDA and will cause no harm.*
- *It is considered that the development will not impact on the contribution that setting makes to the significance of nearby assets and there will be no harm.*
- *The proposal is considered to accord in full with legislation, national and local heritage policy and advice.*

Recommendations

No further heritage-based reporting is required.

Mark Strawbridge MRTPI IHBC FRSA

FPHS

1 Introduction

1.1 Origin and scope of the report

- 1.1.1 We are instructed by clients to prepare a Heritage Statement in relation to development at 6 Bendall Mews NW1 6SN, in the City of Westminster.
- 1.1.2 The subject site is within Lisson Grove Conservation Area (CA No.50).
- 1.1.3 The proposal comprises the use of part of ground floor and first and second floors as two single dwelling houses (Class C3).
- 1.1.4 This desk-based study assesses the impact of the scheme on built heritage assets (standing buildings). It forms an initial stage of investigation of the area of proposed development (hereafter referred to as the 'site') and may be required in relation to the planning process in order that the local planning authority (LPA) can formulate an appropriate response in the light of the impact upon any known or potential heritage assets. These are parts of the historic environment which are considered to be significant because of their historic, evidential, aesthetic and/or communal interest.
- 1.1.5 The assessment has been carried out in accordance with the requirements of the National Planning Policy Framework (NPPF) (DCLG 2023) and to standards specified by the Institute for Archaeologists (ClfA Oct 2012/Nov 2012), English Heritage (2008, 2011), Historic England (2015) and the Institute of Historic Building Conservation (IHBC 2009). The author has viewed the HER database.
- 1.1.6 Note: within the limitations imposed by dealing with historical material and maps, the information in this document is, to the best knowledge of the author, correct at the time of writing.
- 1.1.7 Archaeology is scoped out of this report.

1.2 Designated Heritage Assets

- 1.2.1 The Site is not a Listed Building (LB)
- 1.2.2 There are LBs in relatively close proximity..

1.3 Conservation Area

- 1.3.1 The site is situated within the Within Lisson Grove Conservation Area (50)
- 1.3.2 The LPA describe the CA thus:
'Lisson Grove Conservation Area is centred on Bell Street and Lisson Grove and comprises predominantly residential terraces, interspersed with a number of institutional developments and some twentieth century infill. The Georgian, Victorian and Edwardian terraces define the character of much of the area while a number of larger developments, such as Christ Church, St Edward's Convent School and Manor House, are key components which add townscape interest and provide focal points in local views.'
- 1.3.3 The CA was designated in 2003 and the Conservation Area Character Audit (CAA) was adopted in 2003.

1.4 Nearby Designated Assets

- 1.4.1 There are listed buildings in the vicinity; please see Fig 2.

1.5 Non-designated assets (NDA)

- 1.5.1 The HER has been consulted via Heritage Gateway which concluded that the site is an NDA.

1.6 Setting

- 1.6.1 Setting in this case is contiguous with that of other nearby assets and comprises the enclosed nature of the built form; there is nothing so suggest that appropriate change will be harmful, as a principle.

1.7 Aims and objectives

- Identify the presence of any built heritage assets that may be affected by the proposals;
- describe the significance of such assets, as required by national planning policy;
- assess the likely impacts upon the significance of the assets arising from the proposals; and
- provide recommendations for further assessment where necessary of the historic assets affected, and/or mitigation aimed at reducing or removing completely any adverse impacts upon heritage assets and/or their setting.



Fig 1: Site (KASA 2023)

2 Site and Environs

2.1 Site

- 2.1.1 The building is located on the west side of Bendall Mews.
- 2.1.2 It is described in the CAA as *'Office or medical suite comprising two ground floor rooms and three first floor rooms. Each room is equipped with modern utilities, including air conditioning.'*
- 2.1.3 The entry goes on to say: *'The consultation rooms all benefit from access to a ground floor waiting room. The property is a 5-minute walk to both Edgware Road (Circle, District, Hammersmith & City and Bakerloo Lines) and Marylebone Stations. Located amongst the Marylebone medical area, a short walk from Harley Street. The area has an abundance of amenities in the immediate vicinity, providing staff and visitors alike with a choice of various shops and restaurants.'*
- 2.1.4 The site is conjoined to No.5 Bendall Mews.

2.2 Designated Heritage Assets

- 2.2.1 The Site is not a designated heritage asset but there are designated heritage assets within the immediate vicinity.

2.3 Conservation Area

- 2.3.1 The site is situated within the Lisson Grove Conservation Area (CA) which was designated in 2003 and the Conservation Area Character appraisal was adopted in 2003. (See Fig 2)

2.4 NDAs

- 2.4.1 With No.5, the site is identified an 'unlisted building of merit' – a NDA. (See Fig 3).

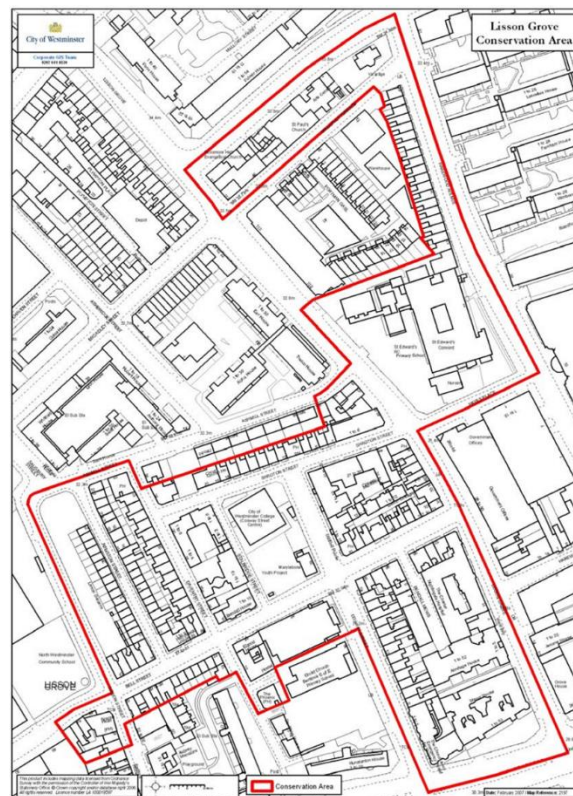


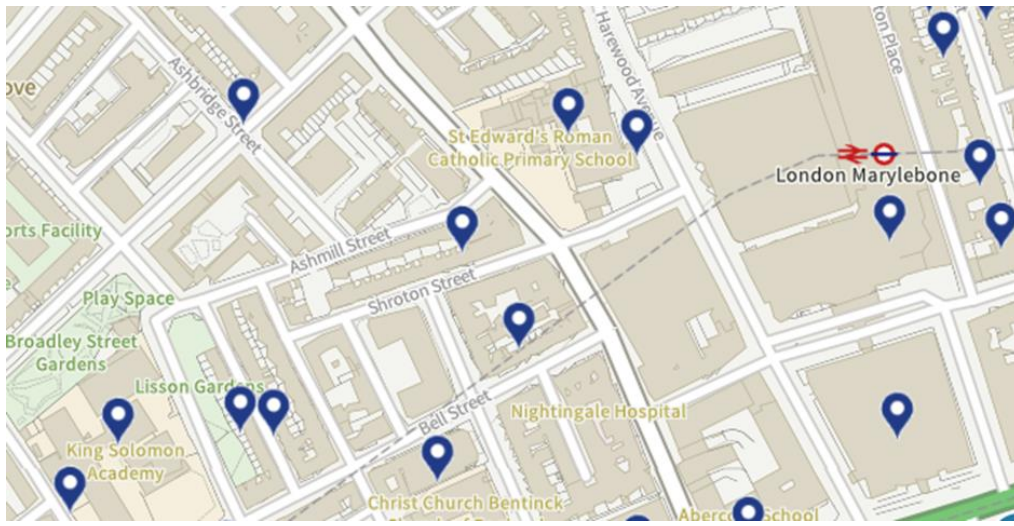
Fig 2: Lisson Grove Conservation Area

2.5 Archaeology

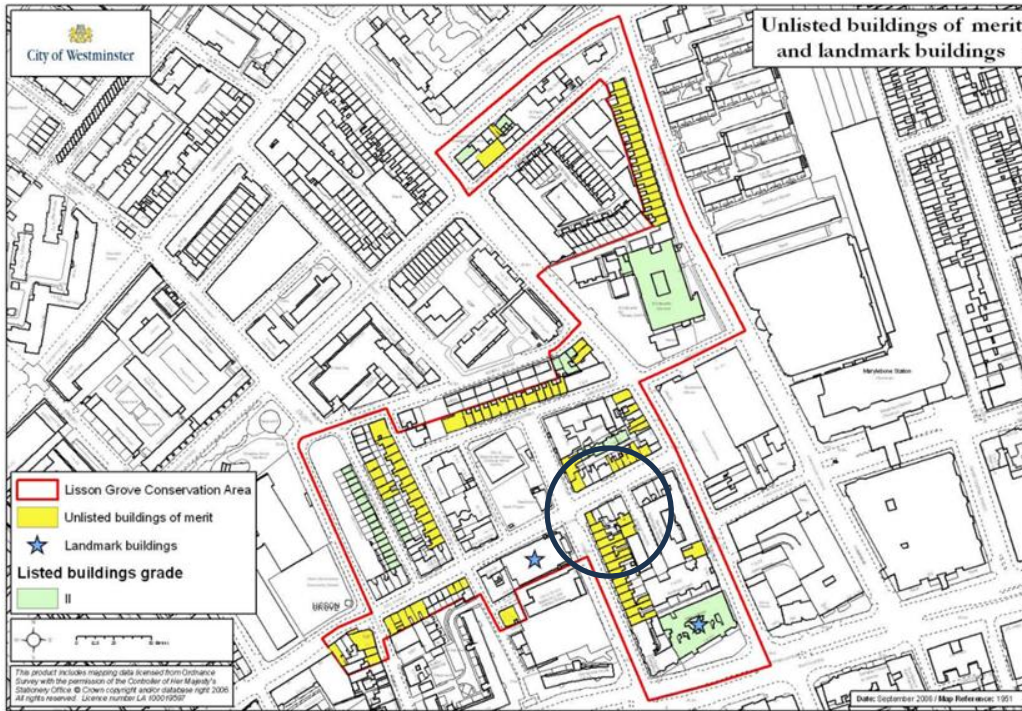
2.5.1 Archaeology is scoped out of this report.

2.6 Setting

- 2.6.1 Setting is generally taken to mean the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral. (NPPF 2023 Glossary).
- 2.6.2 A setting is not an asset in its own right, nor does it have significance unless part of another heritage designation.
- 2.6.3 The contribution of setting is generally considered with reference to the Historic England document Good Practice Advice in *Planning Note 3 The setting of heritage assets* (3rd edition 2020) (GPA3).
- 2.6.4 In this case the CA and setting of individual buildings is contiguous.
- 2.6.5 The contribution of setting to the significance of the CA will be unchanged.



Listed Buildings



Extract from CAA

Fig 3: Nearby Heritage Assets (HE/CoW 2023)

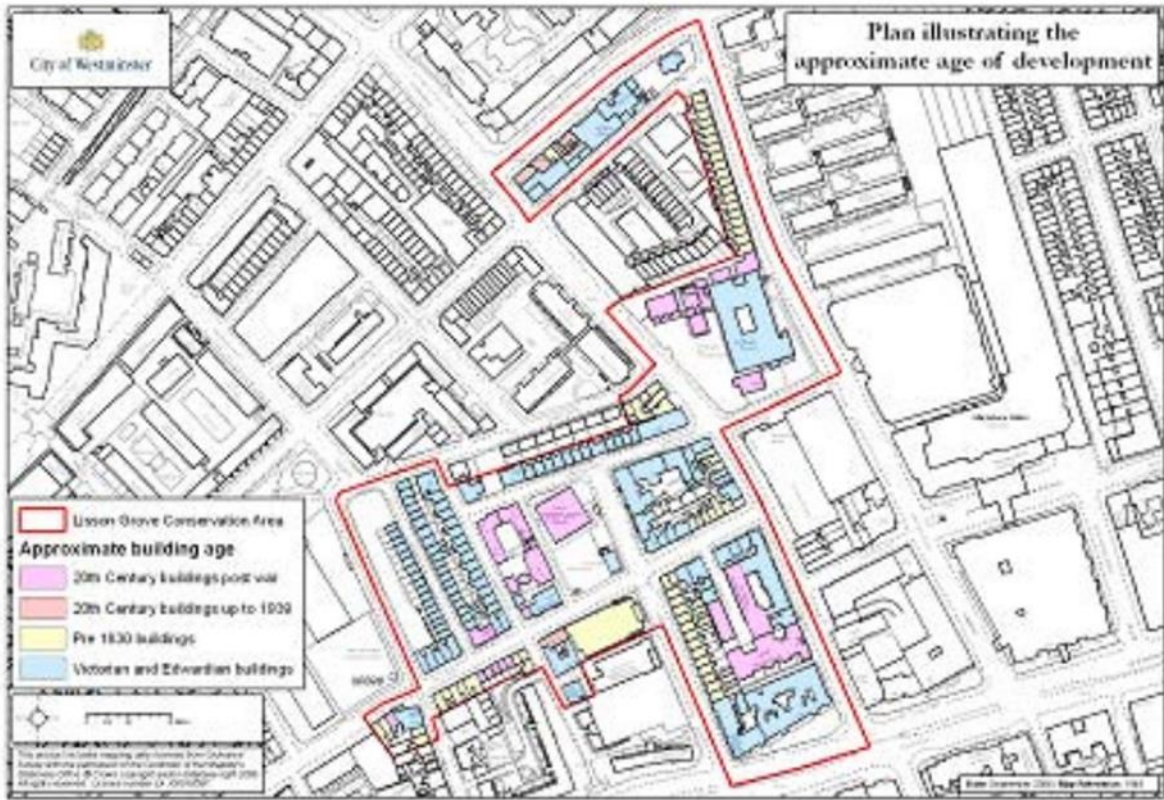
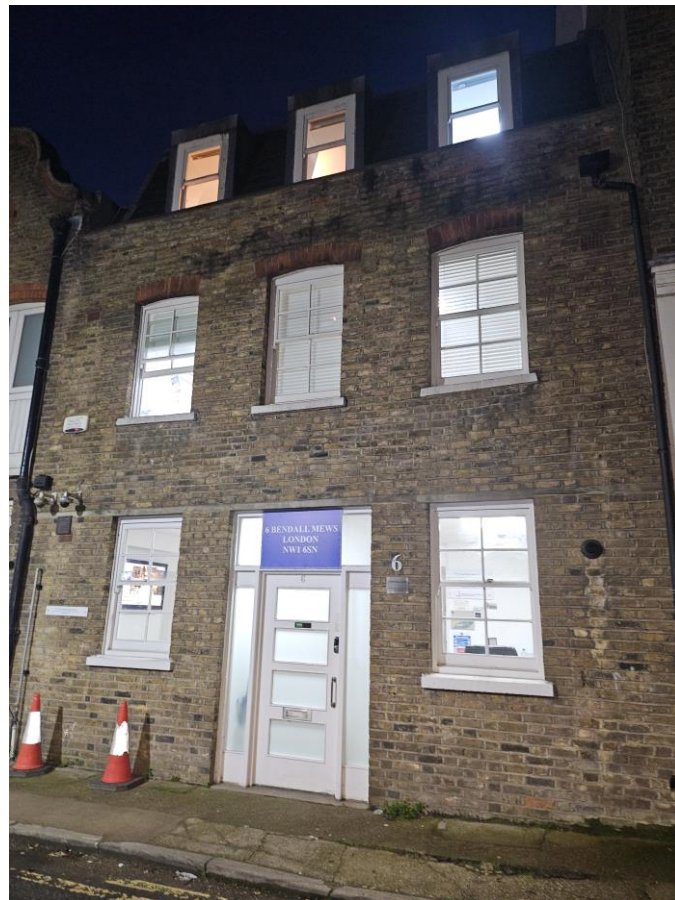


Fig 4: Approx. Age of Buildings (CoW)



P1



P2

Fig 5: Photos (KASA)

3 Significance

3.1 Planning History

3.1.1 A review of the LPA website reveals the following previous application:

Proposal: Notification for Prior Approval under Class MA of the Town and Country Planning (General Permitted Development) Order 2015 for a change of use from private GP Surgery (Class E) into flats (Class C3) on the first and second floors of building . Ground floor to remain as GP Surgery.

Decision: Withdrawn - Date: Fri 01 September 2023

3.1.2 There are numerous planning cases in the vicinity.

3.2 Statement of significance

3.2.1 The determination of the significance of historic assets is based on statutory designation and/or professional judgement against 4 'values' (English Heritage/Historic England - 2008/2015) restated in the advice document *GPA 2 - Managing Significance in Decisions*

3.2.2 The 4 values are:

- Evidential value
- Aesthetic value
- Historical value
- Communal value

(This is refined by National Planning Policy Guidance (PPG), last updated in September 2023).

3.2.3 The Site is situated within a CA which is of **high significance**, as a baseline.

3.2.4 A CAA was adopted in January 2003.

3.2.5 The CA has undergone numerous changes over the years; however, it retains much of its original aesthetic and historical value.

3.2.6 There is no known communal value attributed to this site.

3.2.7 The area has the potential to offer evidential value, however this would largely be revealed through excavation.

3.2.8 Whilst the CA has been the subject to change over time; its significance has remained unharmed. Like many mature and established CAs, appropriate change is an integral part of its character

3.2.9 The site is a NDA and as such is of **low-medium significance**, as a baseline.

3.2.10 Despite alterations though time, there is nothing to suggest that it should be either up- or down-graded.

4 Impact of Development

4.1 Site in general

- 4.1.1 The development is as described in the drawing pack submitted with the application.
- 4.1.2 The proposal comprises the use of part of ground floor and first and second floors as two single dwelling houses (Class C3).
- 4.1.3 The 'design' is appropriate in scale and detail terms.
- 4.1.4 The development is in keeping with the CA in terms of functionality, materiality and proportionality.
- 4.1.5 The works are predominantly internal; repurposing the building will complement the character of the CA.



Fig 6: Proposed Front Elevation (KASA 2023)

4.2 Designated assets

- 4.2.1 There are designated assets in the vicinity, however, due to relative disposition, lack of intervisibility and causal links there will be no harm to their significance nor their settings.

4.3 Conservation Area

- 4.3.1 Due to the nature of the development, use of sensitive materials and complimentary design, there will be no harm caused to the significance of the CA.

4.4 Non-designated assets

- 4.4.1 There are non-designated assets in the vicinity, however, due to relative disposition, lack of intervisibility and causal links there will be no harm to their significance nor their settings.

4.5 Commentary

- 4.5.1 There has been change over time, however the significance of the CA and that of the NDA remains unharmed and there is nothing to suggest that a watershed has been reached.
- 4.5.2 The development subject to this application does not take on-going change beyond the tipping point. Change is part of the character of most heritage assets, as is the case here.

4.6 Harm

- 4.6.1 The NPPF, at paras 201 & 202, refers to harm to the significance of designated heritage assets. At para 203 it refers to NDAs.
- 4.6.2 In this case, if taken in the round, it is considered that the proposal will cause no harm to significance of any asset; there will be change, but overall that change will be in the positive.

4.7 The Duty to Preserve or Enhance

- 4.7.1 Through considered design and sympathetic materials, it is considered that the proposal will preserve the character and enhance the appearance of the CA.

5 Conclusions and Recommendations

5.1 Conclusions

- 5.1.1 The subject building is not a Listed Building (LB).
- 5.1.2 The subject building is situated within a Conservation Area (CA) a designated heritage asset of high significance.
- 5.1.3 The subject building is a non-designated asset (NDA) and is of low-medium significance.
- 5.1.4 The proposed development is in accordance with the special character of the C and it is concluded that there is no harm to the CA on this basis.
- 5.1.5 The proposal will have no impact on the significance of any Designated Asset or NDA and will cause no harm.
- 5.1.6 It is considered that the development will not impact on the contribution that setting makes to the significance of nearby assets and there will be no harm.
- 5.1.7 The proposal is considered to accord in full with legislation, national and local heritage policy and advice.

5.2 Recommendations

- 5.2.1 No further heritage reporting as required at this stage.

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6 Planning Framework

6.1 Statutory protection

Listed Buildings and Conservation Areas

- 6.1.1 The *Planning (Listed Buildings and Conservation Areas) Act 1990* sets out the legal requirements for the control of development and alterations which affect buildings, including those which are listed or in conservation areas. Buildings which are listed or which lie within a conservation area are protected by law. Grade I are buildings of exceptional interest. Grade II* are particularly significant buildings of more than special interest. Grade II are buildings of special interest, which warrant every effort being made to preserve them.

6.2 National Planning Policy Framework

- 6.2.1 The Government issued the National Planning Policy Framework (NPPF) in March 2012 (DCLG 2012) and supporting Planning Practice Guidance in 2014 (DCLG 2014). This advice was updated in 2023.
- 6.2.2 One of the 12 core principles that underpin both plan-making and decision-taking within the framework is to *'conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.'* It recognises that heritage assets are an irreplaceable resource and requires the significance of heritage assets to be considered in the planning process, whether designated or not. The contribution of setting to asset significance needs to be taken into account.
- 6.2.3 Section 16: *Conserving and enhancing the historic environment*, is key. The policies set out in this section relate, as applicable, to the heritage-related consent regimes for which local planning authorities are responsible under the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as to plan-making and decision-making. (See also Planning Practice Guidance – Conserving and enhancing the historic environment section).
- 6.2.4 Paras 189 – 208 inclusive refer:
189. Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.
- (Some World Heritage Sites are inscribed by UNESCO to be of natural significance rather than cultural significance; and in some cases they are inscribed for both their natural and cultural significance).*
190. Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:
- a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;
 - b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
 - c) the desirability of new development making a positive contribution to local character and distinctiveness; and
 - d) opportunities to draw on the contribution made by the historic environment to the character of a place.
191. When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.
192. Local planning authorities should maintain or have access to a historic environment record. This should contain up-to-date evidence about the historic environment in their area

and be used to:

- a) assess the significance of heritage assets and the contribution they make to their environment; and
- b) predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future.

193. Local planning authorities should make information about the historic environment, gathered as part of policy-making or development management, publicly accessible.

6.2.5 Proposals affecting heritage assets are considered under para 194 on:

194. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

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.

196. Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.

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

- 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.

198. In considering any applications to remove or alter a historic statue, plaque, memorial or monument (whether listed or not), local planning authorities should have regard to the importance of their retention in situ and, where appropriate, of explaining their historic and social context rather than removal.

6.2.6 Potential impacts are considered in para 199 on:

199. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

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

Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

(Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.)

201. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, 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.

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 its optimum viable use.

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.

204. Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.

205. Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

(Copies of evidence should be deposited with the relevant historic environment record, and any archives with a local museum or other public depository).

206. Local planning authorities should 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. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

207. 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 200 or less than substantial harm under paragraph 201, 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.

208. Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

6.3 Local Policy

- 6.3.1 Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the Development Plan unless material considerations indicated otherwise. Relevant policies include:

Environment Policies:

P33 Local Environment Impacts page 128

Design and Heritage Policies:

P38 Design principles page 146

P39 Westminster's Heritage page 148

P40 Townscape and Architecture page 155

- 6.3.2 'Policy DES9 2 states that the City Council will seek the retention of buildings which in the opinion of the City Council make a significant contribution to the character or appearance of a conservation area and this would include unlisted buildings of merit.'

Supplementary Planning Documents

- 6.3.3 Development and demolition in conservation areas SPD – not available.

7 Determining significance

7.1.1 'Significance' lies in the value of a heritage asset to this and future generations because of its heritage interest, which may be archaeological, architectural, artistic or historic. Archaeological interest includes an interest in carrying out an expert investigation at some point in the future into the evidence a heritage asset may hold of past human activity and may apply to standing buildings or structures as well as buried remains. Known and potential heritage assets within the site and its vicinity have been identified from national and local designations, HER data and expert opinion. The determination of the significance of these assets is based on statutory designation and/or professional judgement against four values (EH 2008):

- *Evidential value*: the potential of the physical remains to yield evidence of past human activity. This might take into account date; rarity; state of preservation; diversity/complexity; contribution to published priorities; supporting documentation; collective value and comparative potential.
- *Aesthetic value*: this derives from the ways in which people draw sensory and intellectual stimulation from the heritage asset, taking into account what other people have said or written;
- *Historical value*: the ways in which past people, events and aspects of life can be connected through heritage asset to the present, such a connection often being illustrative or associative;
- *Communal value*: this derives from the meanings of a heritage asset for the people who know about it, or for whom it figures in their collective experience or memory; communal values are closely bound up with historical, particularly associative, and aesthetic values, along with and educational, social or economic values.

7.1.2 Table 1 gives examples of the significance of designated and non-designated heritage assets.

Table 1: Significance of heritage assets

Heritage asset description	Significance
World heritage sites Scheduled monuments Grade I and II* listed buildings English Heritage Grade I and II* registered parks and gardens Protected Wrecks Heritage assets of national importance	Very high (International/ national)
English Heritage Grade II registered parks and gardens Conservation areas Designated historic battlefields Grade II listed buildings Burial grounds Protected heritage landscapes (e.g., ancient woodland or historic hedgerows) Heritage assets of regional or county importance	High (national/ regional/ county)
Heritage assets with a district value or interest for education or cultural appreciation Locally listed buildings	Medium (District)
Heritage assets with a local (i.e., parish) value or interest for education or cultural appreciation	Low (Local)
Historic environment resource with no significant value or interest	Negligible
Heritage assets that have a clear potential, but for which current knowledge is insufficient to allow significance to be determined	Uncertain