

Heritage Statement

1-2 Devonshire Terrace, City of Westminster,
W2 3DN

October 2023

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1. Introduction

Purpose of this Report

- 1.1 This Heritage Statement has been prepared by Turley Heritage on behalf of a private client to provide relevant and proportionate information to the local planning authority, City of Westminster (WCC) ('the Council'), with regard to the heritage impacts associated with the proposed application for Planning Permission and Listed Building Consent, comprising of balcony repairs, at Nos. 1-2 Devonshire Terrace ('the Site' - **Figure 1.1**).

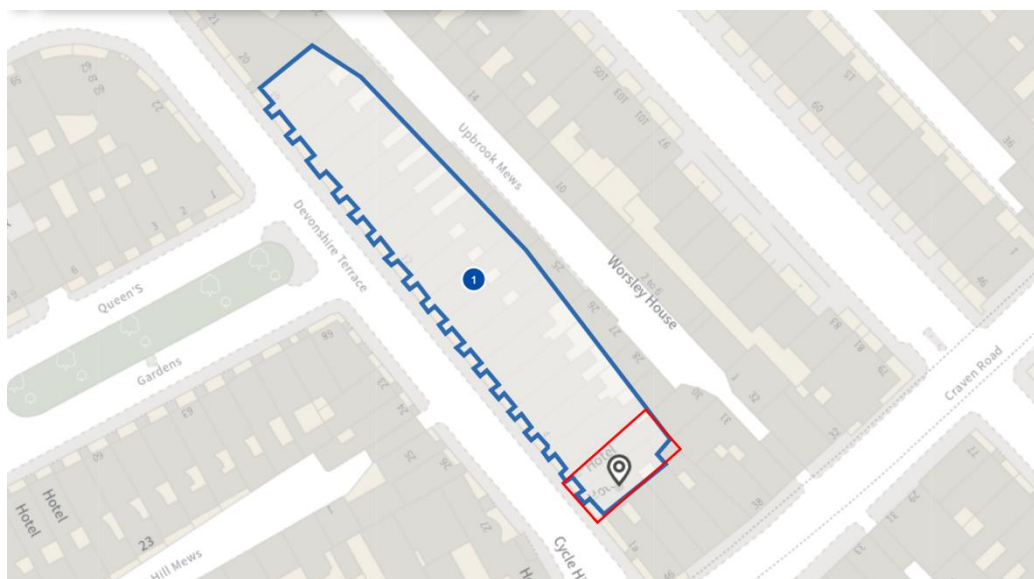


Figure 1.1: City of Westminster Listed Building Map (1-19 Devonshire Terrace marked in blue and Nos. 1-2 Devonshire Terrace marked in red)¹

- 1.2 The Site forms part of the Grade II listed 1-19 Devonshire Terrace (marked in blue on **Figure 1.1**) and is located within the Bayswater Conservation Area.
- 1.3 This Heritage Statement should also be read in conjunction with the full drawings package and Design and Access Statement prepared by the appointed architect, and also the Structural Survey Report prepared by Swantest, all included as part of this submission.

Legislation and Policy Context

- 1.4 The requirement for the preparation of this Heritage Statement stems from Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, that places a duty upon the local planning authority in determining applications for development affecting listed buildings to pay special regard to the desirability of preserving the building or its setting.
- 1.5 Section 72 places duties upon the local planning authority in determining applications for development affecting conservation areas to pay special attention to the desirability

¹ <https://lbhf.maps.arcgis.com/apps/LocalPerspective/index.html?appid=d7ce08a3c0a8413e867e4d30b01e6d06>

of preserving or enhancing the character or appearance of that area. We also note that Section 72 requires attention to be directed to the effect on the conservation area as a whole rather than on particular parts of it.²

- 1.6 The National Planning Policy Framework (NPPF) 2021 provides the Government's national planning policy for the conservation of the historic environment. In respect of information requirements, it sets out 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. 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.'*³

- 1.7 Paragraph 195 then sets out that local planning authorities should also identify and assess the particular significance of heritage assets that may be affected by proposals. They should take this assessment into account when considering the impact of proposals in order to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Structure of this Report

- 1.8 In accordance with the legislative and policy requirements outlined above, **Section 2** of this report firstly identifies the relevant heritage assets within the Site and its vicinity, the significance of which may be affected by direct or indirect impacts from the proposals at application. These have been confirmed for assessment through desktop and subsequent fieldwork analysis.
- 1.9 **Section 3** provides proportionate statements of significance for the identified heritage assets that may be affected by the proposed development, including 1-19 Devonshire Terrace (List Entry at **Appendix 1**) and the Bayswater Conservation Area (boundary map at **Appendix 2**). These assessments are proportionate to both the importance of the assets and the nature, scale and extent of likely direct impacts. Overall, this assessment is undertaken on the basis of review of existing published information, further focused desktop research, and on-site visual survey and analysis.
- 1.10 **Section 4** provides an overview of the application proposals and an assessment of their impacts on the particular significance of the heritage asset identified in the baseline **Sections 2-3**. These heritage impacts are then assessed overall in light of the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990, national policy in the NPPF 2023 and supported by NPPG, and local planning policy and guidance for

² South Oxfordshire DC v SSE & J Donaldson [1991] CO/1440/89.

³ MHCLG, National Planning Policy Framework (NPPF) 2023 – para.194.

change within the historic environment. The relevant legislative and policy context is also set out in full in **Appendix 3**.

- 1.11 Again, this Heritage Statement report is intended to be read in conjunction with the full drawings package and Design and Access Statement prepared by the appointed architects for this scheme; all as part of the full application submission material.
- 1.12 **Section 5** finally draws together a summary of the findings and conclusions of this report with regard to heritage impact assessment.

2. Heritage Assets

Introduction

- 2.1 The National Planning Policy Framework (NPPF) 2023 defines a heritage asset as:

“A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).”⁴

Designated Heritage Assets

- 2.2 Designated heritage assets are those which possess a level of heritage interest that justifies designation under relevant legislation and are then subject to particular procedures in planning decisions that involve them.
- 2.3 This includes the requirement for listed building consent for any works of alteration to a listed building that affects its character or appearance as a building of special architectural or historic interest. In determining planning applications within conservation areas, the local planning authority are required to give special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

Listed Buildings

- 2.4 The Site at Nos. 1-2 Devonshire Terrace forms part of the Grade II listed 1-19 Devonshire Terrace, which was added to the statutory list of buildings of special architectural or historic interest on 10th September 1954. The List Entry is included in full at **Appendix 1**.
- 2.5 There are a large number of listed buildings in close vicinity to the Site. These include the properties on neighbouring streets, dating from 19th century, along Devonshire Terrace, Craven Road, and Chilworth Street, all within the Bayswater Conservation Area. As the proposed external repairs to balconies are limited in their extent, the application proposals will not affect the significance of any other listed buildings within the vicinity of the Site through impact on their setting.

Conservation Area: Bayswater

- 2.6 The Site is located within the Bayswater Conservation Area. This area was first designated by the City of Westminster in 1967 and was subsequently extended in 1978, 1990 and 2002. A map of the conservation area boundary is included at **Appendix 2**.
- 2.7 A general information leaflet for the Bayswater Conservation Area has been published by the City of Westminster in 2004, providing designation details, historical background, and references to listed buildings and key features. The more extensive Bayswater Conservation Area Audit, which appraises the historical development, character and appearance of the area, was adopted as supplementary planning guidance on 13 July 2000. These documents provide information with regard to the designation of the

⁴ National Planning Policy Framework (NPPF) 2023 - Annex 2: Glossary.

conservation area and a description of its historical development and key features that contribute to its character and appearance.

- 2.8 In accordance with Sections 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Paragraph 194 of the NPPF, consideration must be given to and potential impacts of development proposals on the character or appearance of the conservation area at application.

3. Assessment of Significance

Introduction

3.1 The NPPF 2023 defines the significance of a heritage asset as:

“The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting.”⁵

3.2 Historic England has published general guidance regarding the preparation of statements of heritage significance, and how the proper analysis of the significance of heritage assets should be used to inform an assessment of impacts on that significance as a result of proposed change / applications.⁶

3.3 Historic England has provided further guidance in the past for their staff (and others) on their approach to making decisions and offering guidance about all aspects of England’s historic environment.⁷ This provides advice on how to assess the contribution of elements of a heritage asset, or within its setting, to its significance in terms of its “heritage values”. These include: evidential, historical, aesthetic and communal. This supplements the established definitions of heritage significance and special interest set out in founding legislation and more recent national planning policy and guidance / advice.

3.4 Historic England has published guidance⁸ in respect of the setting of heritage assets, providing detail on understanding setting and the associated assessment of the impact of any changes. The guidance confirms at paragraph 9 that setting is not a heritage asset, nor a heritage designation, rather its importance lies in what it contributes to the significance of the relevant heritage asset itself.

3.5 Further guidance on the definition of setting and how it should be taken into account is set out in national Planning Practice Guidance. In assessing the contribution of setting to the significance of the following identified assets the role of the Site has also been considered.

Designated Heritage Assets

Listed Buildings

3.6 Listed buildings are designated heritage assets that have special architectural or historic interest that are, for the time being, included in a list compiled or approved by the Secretary of State under Section 1 of the Planning Act 1990; for the purposes of that Act. The principles of selection for listed building are published by the Department of Culture, Media and Sport⁹ and supported by Historic England’s Listing Selection Guides for each

⁵ MHCLG, National Planning Policy Framework (NPPF) 2023 – Annex 2: Glossary

⁶ Historic England: Advice Note 12: Statements of Heritage Significance 2019

⁷ English Heritage (now Historic England) Conservation Principles: Policies and Guidance, 2008

⁸ Historic England: Good Practice Advice Note 3: The Setting of Heritage Assets, 2017

⁹ DCMS: Principles of Selection for Listing Buildings, 2018

building type. The relevant Listing Selection Guide for this property and Site is Domestic 2: Townhouses.

Conservation Areas

- 3.7 Conservation Areas are designated on the basis of their special architectural or historic interest. Historic England has published guidance in respect of the designation and management of conservation areas, and this provides a framework for the appraisal and assessment of the special interest and significance of a conservation area.¹⁰

Assessment

- 3.8 The following assessments of significance are proportionate to the importance of each of the identified designated heritage assets, and provide a sufficient level of description to understand the likely impacts of the emerging development proposals upon that significance. This analysis includes a description of the relative contribution of different external and internal elements of the designated building to the significance of this heritage asset as a whole.
- 3.9 The assessments in this section are based on a thorough review of existing published information, focused archival research using both national and local sources, and on-site visual survey and analysis by our professional team.

1-19 Devonshire Terrace

Introduction

- 3.10 1-19 Devonshire Terrace was first included on the statutory list of buildings of special architectural or historic interest on the 10th September 1954. The List Entry is provided in full at **Appendix 1** and is summarised below for ease of reference.

“Terrace of houses. Mid C19. Yellow brick stucco dressings. Each 2 windows wide. 2 storeys,attic, attic mansard and basement. Almost balanced composition. Centre 5 houses and end pair to right set forward slightly with giant Corinthian pilasters rising through first and second floors, and pediments to first floor windows. Channelling to ground floor. Projecting Ionic porches (gone to Nos 9,10 and 11). Panelled doors to first floor. Continuous bombé balcony. Square-headed windows, architraved above ground floor. Mostly sashes, some glazing bars. Dentil cornice above second floor. Subsidiary cornice to attic. Some cast iron area railings. Closes east end of Queen's Gardens.”¹¹

- 3.11 Given the limited nature of the proposals, only the significance of the building’s exterior is described, however it is acknowledged that the interiors also contribute to the significance of the listed building. The listed building consists of a three-storey terrace of townhouses built in the mid-19th century, with additional attic, mansard, and basement levels, of yellow brick construction and finished with stucco dressings. Composed in a Neo-Classical style, the five houses to the middle and pair to the south-east (Nos. 1-2, the Site) are aligned forwards slightly, with giant engaged Corinthian pilasters. Ground floor porches project out onto the street with Ionic Columns and Bombé balconies set

¹⁰ Historic England, Advice Note 1: Conservation Area Appraisal, Designation and Management, 2019 (2nd edn).

¹¹ <https://historicengland.org.uk/listing/the-list/list-entry/1290413?section=official-list-entry>

above and across first floor windows. Sash windows feature in regular columns and rows across this main frontage, with a continuous dentilled cornice above the second floor.



Figure 3.1: Nos.1-2 Devonshire Terrace

Architectural Interest

3.12 The listed building demonstrates architectural interest as a typical example of a mid-19th century London stock brick and stuccoed terrace of townhouses, intended for the middle classes, within the by the then growing and fashionable residential area of Bayswater. Its layout reflects principles of 19th century town planning, though it is one of many examples of speculative building in this area, showcasing the gradual development of affluent residential streets.

3.13 In the design of its principal street frontage, this domestic building also illustrates elegant Neo-Classical architectural styling with select decorative features set in stucco. The composition of the main street frontage is near symmetrical and retains much of its original architectural character. The repetition of decorative motifs and architectural proportions across each house gives the wider impression of a grand and palatial composition extending down the length of the street. There is a pleasing architectural rhythm, indicative of Neo-classical styling and typical of mid-19th century townhouse architecture. The vertical emphasis acquired via pilasters, columns and rectangular windows is offset by horizontal elements, such as cornices, stringcourses and continuous cast iron railings to first floor balconies, altogether providing aesthetic balance.

Historic Interest

3.14 As part of the wider 19th century townscape of terraces within Bayswater, the listed building is of historic interest, illustrating the increasing prosperity and expansion of London westwards in this period. Nos. 1-19 Devonshire Terrace was originally built as a series of townhouses and accommodated middle and professional classes. The urban residential development of the areas of Tyburnia and Bayswater began in the early 19th century, providing a new fashionable quarter of streets and squares fronted by Neo-Classical terraces. Well-preserved built fabric evidences these original 19th century living patterns.

Group Value

- 3.15 1-19 Devonshire Terrace forms part of a group with the surrounding townscape of the adjoining and opposing mid-19th century former townhouses along the street and within this part of Bayswater, including Nos. 20 and 21, 23-26, and 27 Devonshire Terrace, and 36-46 Craven Road (all listed at Grade II). The group value of the listed building is primarily invested its principal street frontage as part of this wider townscape scheme.

Bayswater Conservation Area

Historical Development

- 3.16 The key period in the development of the Tyburnia and Bayswater area was the early to mid-19th century. Before this time only isolated settlements around Paddington Green and Westbourne Green existed amidst agricultural land, gardens and Royal parkland. Bayswater Road existed as the western extension of the Oxford Road out of the city centre and also formed the northern boundary of Hyde Park. Westbourne Green Lane also dates from at least the 18th century; connecting Westbourne Green with Bayswater Road along the line of the present Queensway.
- 3.17 At the start of the 19th century more intensive development began in this area with the laying out of planned avenues, streets, and squares of elegant, terraced houses to create a new residential area on the model of contemporary fashionable Belgravia. This followed the earlier creation of the Paddington Canal Basin in 1795. The area known as Tyburnia, between Edgware Road and Bayswater Road, was largely owned by the Bishop of London and development plans were first draw up for the Church Commissioners by the architects S P Cockerell as early as 1807¹². Building did not commence until the 1820s and the original layout was modified by Cockerell's successor after 1827¹³.
- 3.18 The extract of Greenwood's Map of London dating from 1830 below shows the existence of the canal basin at Paddington and also the beginnings of the proposed layout of streets for the new residential area at Tyburnia, to the north east of the area now occupied by the terraces and villas of Devonshire Terrace and Craven Hill.
- 3.19 Development spread further westwards to the neighbouring area of Bayswater. Although this was gradual over time, and on a number of different estates by different speculative developers using various architects. This accounts for the complex street pattern and variation in the architecture of the Neo-Classically inspired terraces and villas built across this large area in the 19th century. It is recorded that building covered the whole of Bayswater by 1865¹⁴.

¹² Elrington, C. R. (Ed.) A History of the County of Middlesex: Volume 9: Hampstead, Paddington, 1989 (VCH)

¹³ Pevsner, N. Cherry, B. The Buildings of England: London 3: North West, 2002

¹⁴ Elrington, C. R. (Ed.) A History of the County of Middlesex: Volume 9: Hampstead, Paddington, 1989 (VCH)

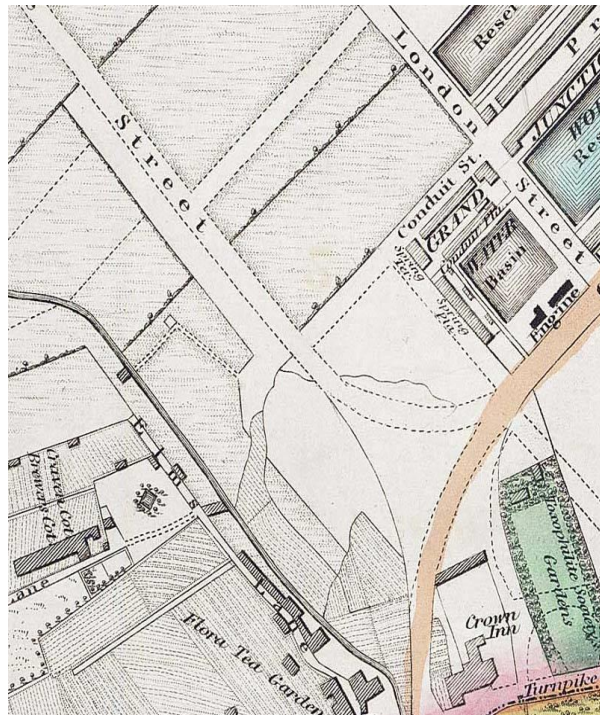


Figure 3.2: Extract of Greenwood's Map of London 1830

- 3.20 The adopted Bayswater Conservation Area Audit from 2000¹⁵ sets out the historical development of the area of Tyburnia and Bayswater in pages 1-3. The general information leaflet for the Bayswater Conservation Area from 2004 describes the historical background of the area more succinctly, as:

“The initial designation covered the original nineteenth century development which defines the essential character of the area. The development of Bayswater as a fashionable residential area commenced in 1827 when the surveyor to the Bishop of London laid out the area between Praed Street, Edgware Road and Bayswater Road and development extended westwards as the century progressed. The scheme was carried out in a grand manner in the form of an inter-related pattern of wide streets, crescents and squares planned on either side of the two main boulevards, Westbourne Terrace and Sussex Gardens.”

- 3.21 The arrival of the Great West Railway at its new terminus at Paddington in 1832-8, which was followed later by the Metropolitan Railway, brought this area much closer to the city. This change also affected an acceleration in population growth and the further intensification of development in this area through the 19th and into the 20th centuries. It was also during this later period that the character of the area began to change from a high status residential area to one with a more urban feel, greater social mix and increasing commercial uses along main routes. Change has included the increasing redevelopment of former houses, which were combined and or subdivided to create smaller residential apartments or converted to office or hotel use. Hotel and boarding houses uses were already an established part of the character of the area within the vicinity of Paddington Station from the mid-19th century onwards.

¹⁵ City of Westminster, Bayswater Conservation Area Audit, 2000

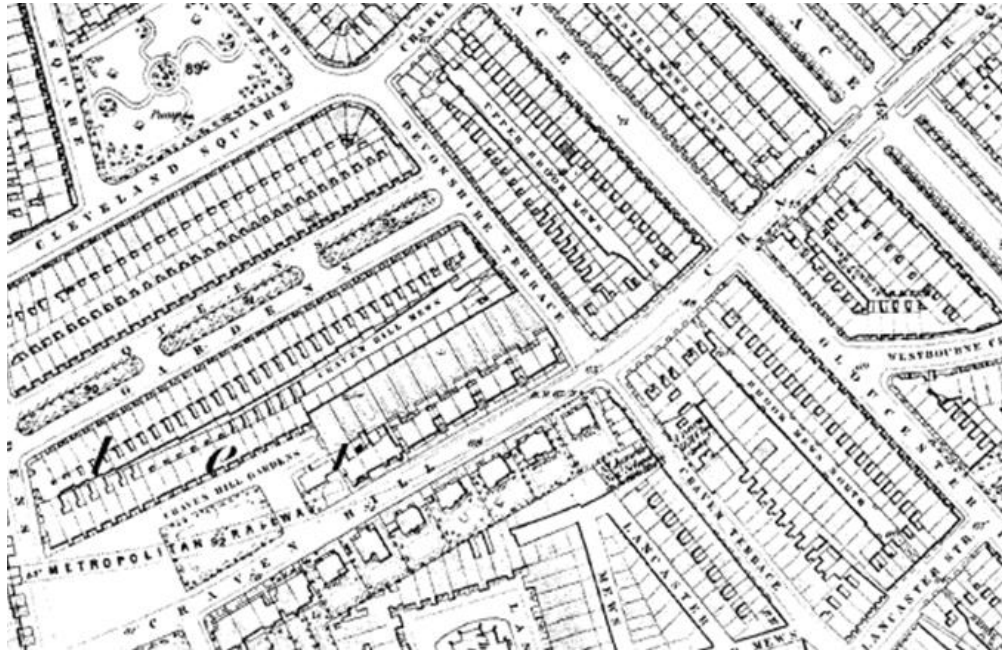


Figure 3.3: Extract of Ordnance Survey Map 1869

Character and Appearance

3.22 The conservation area is characterised primarily by a sequence of planned schemes of avenues, streets, crescents and squares as laid out by various private developers from the early 19th century onwards. This is an area with a strong urban feel and a characteristic formal pattern of streets and spaces. This pattern is the framework for the conservation area, with a distinctive planned layout of key thoroughfares and spaces, such as the grand boulevards of Sussex Gardens and Westbourne Terrace and squares of Hyde Park and Cleveland, connected within a wider network of streets.



Figure 3.4: View looking across the avenue of Westbourne Terrace

- 3.23 There is a clear hierarchy of streets and spaces, between those principal routes and squares and the secondary connecting streets and tertiary mews enclaves that fill the spaces within some of the urban blocks. This hierarchy is reflected in the scale, architecture, materials and detailing of the buildings. First, second and latterly third rate terraced houses line the streets and frame the crescents and squares, with ancillary buildings such as mews in the spaces between.
- 3.24 This is pattern is demonstrated within the townscape within the area of the application site. Here Craven Hill is a relatively wide street which is lined with substantial Italianate detached or semi-detached villas with front garden areas and some gaps between properties. Devonshire Terrace is more densely developed and has a tighter enclosure of the street with continuous terraces of Neo-Classically derived townhouses set back from the street edge by narrow lightwells. Craven Hill Mews within the urban block of the application site is enclosed by a smaller scale and simpler design of terraced mews properties.
- 3.25 The Buildings of England¹⁶ volume describes that:

“Between here [Leinster Gardens] and Eastbourne Terrace, and N as far as the Hallfield estate well preserved stucco streets remain, pleasantly interspersed with greenery. Cleveland Gardens, virtually complete, is another garden square with a stately ‘back-to-front’ terrace along the N side ... From here [Craven Hill Gardens] Craven Hill and Craven Road picturesquely undulate W-E through the area as the main local thoroughfare, starting with stately stuccoed villas and ending with plenty of small Victorian shops.”



Figure 3.5: View looking West along Craven Hill – 1840s villas

¹⁶ Pevsner, N. Cherry, B. The Buildings of England: London 3: North West, 2002

- 3.26 Overall, the conservation area is dominated by residential use, however there is a mix of uses here with concentrations of commercial uses in areas such as the streets surrounding Paddington Station and shops along Craven Terrace near to the Site. There are also many hotels within the conservation area, again concentrated towards the station and along the major thoroughfares. The Devonshire Hotel at Nos. 1-2 Devonshire Terrace (the Site) forms part of this characteristic mix of uses; having been converted and adapted from formerly domestic development.
- 3.27 The 19th century terraced townhouse is the predominant building type within the conservation area. The continuous terraces clearly define the edge of the streets and spaces and provide urban enclosure; presenting their principal frontages set back with narrow lightwell areas enclosed by railings. Detached and semi-detached villas are also in evidence in some streets and areas but to a much lesser degree by comparison. Along the main streets and spaces buildings rise from four to five storeys in height above lower basement levels and with a variety of additional roof forms or attic storeys above. Buildings fronting minor streets and the mews are more subordinate in scale. The terraces which address the principal streets and squares, such as Nos. 1-19 Devonshire Terrace, are also grander in their external architectural character and in terms of materials and detailing used relative to the more modest treatment of buildings of lower status.



Figure 3.6: View looking North along Devonshire Terrace – 1850s terraces

- 3.28 Although the areas of Tyburnia and Bayswater were developed over a number of decades in the 19th century and on the estates of different landowners with different development partners, overall, the conservation area has a coherent and generally harmonious architectural character which is derived from the formal planned layout of streets and squares lined with prevailing groups of stock brick and stucco fronted terraces in Neo-Classical or Italianate architectural styles. The speculative nature of the development is revealed in the more subtle variations in the architecture of the 19th

century terraces and villas, within the common themes of classical proportions, features and detailing, and a limited palette of building materials.



Figure 3.7: Corner of Devonshire Terrace and Craven Hill

3.29 The less public rear elevations of the terraced houses and villas are more modestly designed and detailed compared to their principal street frontages, and this reflects their lesser importance. This is the case for Nos. 1-2 Devonshire Terrace, where the plain rear elevations of stock brick and less attractive single bay extensions are evident, contained behind development aligning Upbrook Mews.



Figure 3.8: Craven Hill Mews within the urban block

- 3.30 The roofscape of the conservation area is varied, including some historic examples of butterfly / V-shape (as at Nos. 1-2 Devonshire Terrace), M-shape, shallow pitched, hipped, and older mansard type roofs set behind parapets to the terraces, or eaves cornice detail to some of lesser numbers of villas. Original roof coverings would generally have been Welsh slate. As found today, the roofscape has been further diversified by later roof alterations and extensions, including modern mansard-like roof additions and some full attic storeys.

Summary of Significance

- 3.31 The general information leaflet for the Bayswater Conservation Area 2004 describes the key features of the area as:

“There are several large areas of nineteenth century architecture of predominantly stuccoed terraces of housing with a variety of later, predominately residential developments, in between. The area around the two grand boulevards of Westbourne Terrace and Sussex Gardens includes Gloucester Terrace and comprises thoroughfares of fine classical terraces on a grand scale. The composition of streets and Squares from this time is of particular value bringing unity to the buildings of this period. A variety of development from later periods follows the original street pattern, most notably Norfolk and Hyde Park Crescents.

The area includes streets and mews such as Star Street and Bathurst Mews of smaller scale whilst the monumental Lancaster Gate development frames the spire of the former Christ Church and forms a splendid ‘entrance’ to the complex of buildings further north.

The character of the area remains predominantly residential, with many of the larger houses converted into flats, and numerous mansion blocks. There are also local shops, including along the southern side of Praed Street, and a series of open spaces with fine trees and formal squares, all forming essential elements in the townscape composition and character of the area. The built edge of Bayswater Road on the southern boundary forms the backdrop to Hyde Park and Kensington Gardens.”

- 3.32 The significance of the conservation area is derived from its historical development, which remains legible in its distinctive planned layout of grand avenues and squares and connecting streets, urban grain and predominantly Neo-Classical or Italianate inspired 19th century terraced townhouses and lesser number of villas in brick and stucco, with more modest mews buildings with the urban blocks. The areas of Bayswater and Tyburnia were first developed speculatively and on a large scale from the early 19th century onwards on a number of adjoining estates by different architects / builders, to create a new high status residential area for London.
- 3.33 The historic interest of the conservation area derives from its illustration of the expansion, growing population, increasing prosperity and changing uses of this part of London from the early 19th century until the present day. The buildings and spaces within the conservation area, many of which still conform to the typical 19th century pattern of terraced streets, create a townscape with a distinctive and generally harmonious character of architectural interest.

4. Assessment of Impacts

Introduction

- 4.1 In accordance with the requirements of the NPPF 2023, the significance (and also any contribution of the Site) of the identified heritage assets (**Section 2**), where relevant and as proportionate, has been described in **Section 3**. This has been based on a review of published sources, desktop and archival research, and subsequent fieldwork analysis for the Site.
- 4.2 The relevant heritage legislation, policy and guidance context for consideration of the proposed scheme on Site, and change within the historic environment, is set out in full in **Appendix 1**. This includes the following:
- The statutory duty of the Planning (Listed Buildings & Conservation Areas) Act 1990, including the requirement to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas;
 - National policy set out in the NPPF 2023, as supported by NPPG; and
 - Local policy and guidance for change within the historic environment and other relevant material considerations (Greater London and City of Westminster authority areas).

Application Proposals

- 4.3 The application seeks to gain planning permission and listed building consent for refurbishment works to the balcony at first floor level of Nos. 1-2 Devonshire Terrace. This includes remedial works to the balcony slab and scroll brackets which have been heavily damaged/corroded by water ingress and general decay. Full details of the application proposals are contained in the Structural Survey Report prepared by Swantest and associated drawings prepared by Holland Harvey Architects. This Heritage Statement should be read in conjunction with the wider submission material.

Heritage Impacts Assessment

- 4.4 The following section provides a review of the application proposals and their potential heritage impacts upon the designated heritage assets of Nos. 1-2 Devonshire Terrace (grade II listed building and Bayswater Conservation Area) and sets out how the works will comply with the relevant statutory duties, national and local planning policy and guidance for the historic environment.

Remedial Repairs

- 4.5 As noted above, the balcony slab at first floor level has been damaged by water ingress leading to the corrosion of filler joists and caused cracking of the render. The proposed works thus focus on the cracked section only and seek to break out and remove the defect concrete using a battery powered breaker. The corrosion on the filler joist will then be cleaned and removed and then repaired by hand packing. The render and paint will be replaced on a like-for-like basis with the existing. Additionally, it is proposed to

repair the end bracket which as long as it is not structural will be removed and replaced on a like-for-like basis where a specialist will come and take a mould of the existing and a new one casted and installed in its place.



Figure 4.1: Existing state of disrepair to the balcony slab and bracket.

- 4.6 This application thus seeks listed building consent, for the proposed repairs to the slab and bracket at first floor level balcony of the principal elevation. As described above, these will be undertaken in a careful and scholarly manner, using appropriate materials for the listed building, and will not alter its architectural character. It is important to note that all efforts will be made to retain the historic fabric as best possible and the current poor condition of the balcony requires this extent of repairs. In those terms, the significance of the listed building and surrounding conservation area will be preserved, and not harmed by the proposed works.

Summary of Heritage Impacts

- 4.7 In summary, the proposals described above respond appropriately and positively to the building's exterior character and setting. Along with the use of appropriate materials which are in keeping with the character of the existing facade, the appreciation of views within the surrounding Bayswater conservation area have also been maintained. As a result, the scheme of works, which are considered to be minor in scale and extent, would sustain the significance of the grade II listed building, and also that of the surrounding conservation area.

Compliance with Heritage Legislation and Policy

The Planning (Listed Buildings and Conservation Areas) Act 1990

4.8 The Planning Act 1990 requires special regard to be paid to the desirability of preserving the special interest of listed buildings and their settings, and also for special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area, in determining applications. Accordingly, it is demonstrated in this report that the as built scheme has given considerable weight and importance to these statutory duties. It is our assessment the proposed works will sustain the special interest of the listed building, and also preserve the character and appearance of the surrounding conservation area.

NPPF 2023 and NPPG

4.9 In accordance with the requirements of paragraph 194-195 of the NPPF, the significance of the heritage assets, proportionate to the asset's importance and sufficient to understand the potential impact of the application proposals on that significance has been outlined in Section 3.

4.10 In accordance with paragraph 197 of the NPPF, this section demonstrates that the application proposals have been prepared and designed in accordance with recommendations from specialists. This paragraph also encourages local planning authorities to take account of the desirability of sustaining and enhancing the significance of all heritage assets, including conservation areas, and putting them to viable uses consistent with their conservation; the positive contribution that the conservation of heritage assets can make to sustainable communities including their economic vitality; and, the desirability of new development making a positive contribution to local character and distinctiveness.

4.11 Paragraph 199 requires that great weight should be given to the conservation of designated heritage assets. Importantly, Annex 2 of the NPPF defines 'conservation' as the process of maintaining and managing change to a heritage asset in a way that sustains its significance. It is not a process that should look to prevent change, where development proposals have been carefully considered, to preserve or enhance the significance of a heritage asset. Overall the application scheme would, sustain the significance the listed building on Site, and also the surrounding Bayswater Conservation Area.

4.12 Paragraph 200 sets out that any harm to, or loss, of significance of a designated heritage asset would require clear and convincing justification. Importantly, this report finds that the proposed works would not result in harm to the significance of either the listed building, or the surrounding conservation area. Accordingly, the tests in paragraphs 201 and 202 of the NPPF are not engaged.

London Plan 2021

4.13 This report appropriately identifies the designated heritage assets that are affected by this as built scheme, and describes how they will be valued and conserved. This is in accordance with Policy HC1 of the new London Plan 2021.

Westminster City Plan 2019-2040

4.14 In accordance with Policy 39 (Westminster's Heritage), the application proposals will conserve the significance of the listed building on Site, and the surrounding conservation area. The proposals have been informed by specialist investigation and analysis, to ensure that the specification for the works will be in keeping with the original construction and detail of the listed building and also in keeping with the prevailing character and appearance of the surrounding Bayswater Conservation Area.

5. Summary and Conclusions

- 5.1 This Heritage Statement has been prepared by Turley Heritage on behalf of the Applicant, to provide relevant and proportionate information to the local planning authority with regard to proposed repair works to the façade of the Grade II listed Nos. 1-2 Devonshire Terrace (the 'Site'). This property is a grade II listed building, which in turn forms part of a larger terraced listed building group (Nos. 1-19). The Site falls within the boundary of the Bayswater Conservation Area.
- 5.2 The requirement for this report stems from Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which places a duty upon the local planning authority in determining applications for development affecting listed buildings to pay special regard to the desirability of preserving the building or its setting. Under Section 72, the Act also requires that special attention be given to preserving or enhancing the character or appearance of a conservation area.
- 5.3 To comply with these statutory duties and national planning policy, as set out in the NPPF 2023, the designated heritage assets that would be affected by these proposals have been identified and their significance described proportionately as part of this report (**Sections 2-3**).
- 5.4 **Section 4** provides a review of the proposed repair works at the Site and the impact on the significance of the designated heritage assets. This is undertaken in light of the heritage significance we have described and also in consideration of the relevant statutory duties, national and local planning policy and guidance. These repairs will be undertaken in a careful and scholarly manner, using appropriate materials for the listed building, and will not alter its architectural character. In those terms, the significance of the listed building and surrounding conservation area will be sustained.
- 5.5 In conclusion, the application proposals would be in accordance with the principles of the relevant statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990; national policy set out in the NPPF 2023 (paragraphs 194, 195, 197 and 199) and supported by NPPG; and local policy and guidance, including the London Plan (policy HC1) and the Westminster City Plan (policy 39).

Appendix 1: List Entry: 1-19 Devonshire Terrace

Official list entry

Heritage Category:

Listed Building

Grade:

II

List Entry Number:

1290413

Date first listed:

10-Sep-1954

List Entry Name:

1-19, DEVONSHIRE TERRACE W1

Statutory Address 1:

1-19, DEVONSHIRE TERRACE W1

Location

Statutory Address:

1-19, DEVONSHIRE TERRACE W1

The building or site itself may lie within the boundary of more than one authority.

County:

Greater London Authority

District:

City of Westminster (London Borough)

Parish:

Non Civil Parish

National Grid Reference:

TQ 26378 81031

Details

TQ 2681 SW CITY OF WESTMINSTER DEVONSHIRE TERRACE, W1 51/39 (east side)

10.9.54 (Nos1,2and 3) Nos 1-19 [consec.] IO.4.75 (Nbs 4 to 19) GV II

Terrace of houses. Mid C19. Yellow brick stucco dressings. Each 2 windows wide. 2 storeys,attic, attic mansard and basement. Almost balanced composition. Centre 5 houses and end pair to right set forward slightly with giant Corinthian pilasters rising through first and second floors, and pediments to first floor windows. Channelling to ground floor. Projecting Ionic porches (gone to Nos 9,10 and 11). Panelled doors to first floor. Continuous bombé balcony. Square-headed windows, architraved above ground floor. Mostly sashes, some glazing bars. Dentil cornice above second floor. Subsidiary cornice to attic. Some cast iron area railings. Closes east end of Queen's Gardens (qv).

Listing NGR: TQ2637881031

Legacy

The contents of this record have been generated from a legacy data system.

Legacy System number:

209495

Legacy System:

LBS

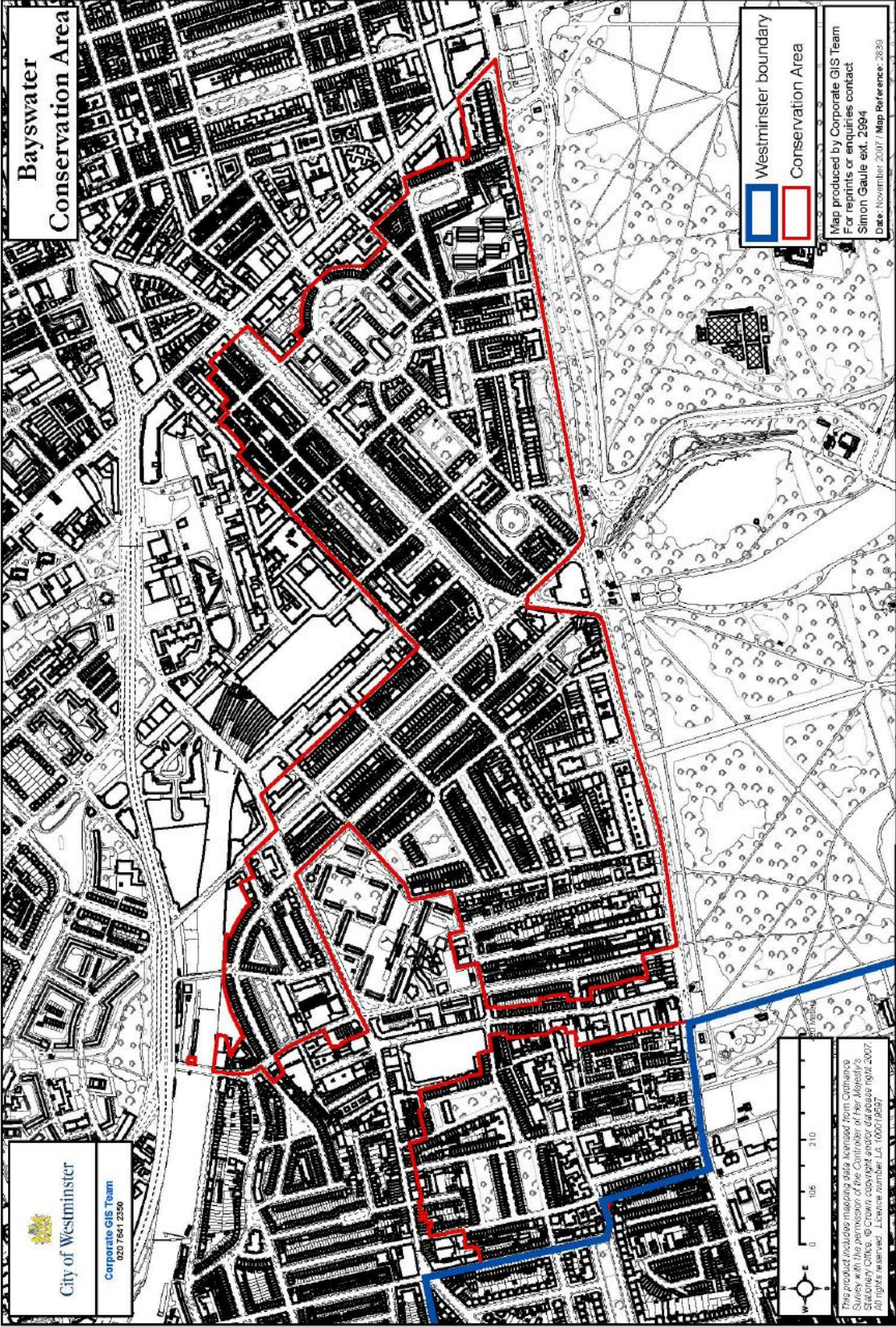
Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.





Appendix 2: Bayswater Conservation Area Map

Bayswater Conservation Area




City of Westminster
Corporate GIS Team
020 7541 2350

 Westminster boundary
 Conservation Area

Map produced by Corporate GIS Team
For reprints or enquiries contact
Simon Gaulle ext. 2994
Date: November 2007 / Map Reference: 3839


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Appendix 3: Heritage Legislation, Planning Policy and Guidance

The Planning (Listed Buildings and Conservation Areas) Act 1990

In determining applications for planning permission affecting the setting of statutory listed buildings, the following duty is placed on the decision maker:

“s.66 (1) In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

Case law has confirmed that Parliament’s intention in enacting section 66(1) was that decision makers should give *“considerable importance and weight”* to the desirability of preserving the special interest and setting of listed buildings, where *“preserve”* means to *“to do no harm”*. The presumption is therefore that development proposals should not give rise to harm to the special interest of a listed building. This duty must be borne in mind strongly when considering cases where harm may be considered to accrue, and then the balancing of such harm against public benefits as required by national planning policy.

It is also a statutory duty for the decision maker when determining applications for planning permission within conservation areas that (Section 72):

“In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character of appearance of that area.”

Importantly, it has been confirmed that this weight can also be applied to the statutory tests in respect of conservation areas.¹⁷ The Secretary of State has confirmed¹⁸ that ‘considerable importance and weight’ is not synonymous with ‘overriding importance and weight’.

It has been demonstrated that section 72 requires attention to be directed to the effect on the conservation area as a whole rather than on particular parts of it.¹⁹

The setting of conservation areas is not specifically mentioned in the primary legislation, the NPPF states that the setting of a designated heritage asset can contribute to its significance.

National Planning Policy

National Planning Policy Framework, 2023

The National Planning Policy Framework provides a statement of Government planning policies with regard to the protection of all heritage assets. One of the core planning principles of the NPPF is that planning should:

“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.”

Chapter 16 outlines the Government’s guidance regarding conserving and enhancing the historic environment.

¹⁷ The Forge Field Society v Sevenoaks District Council [2014] EWHC 1895 (Admin); North Norfolk District Council v Secretary of State for Communities and Local Government [2014] EWHC 279 (Admin).

¹⁸ APP/H1705/A/13/2205929.

¹⁹ South Oxfordshire DC v SSE & J Donaldson [1991] CO/1440/89.

Paragraph 194 outlines the information required to support planning applications affecting heritage assets, stating that applicants should provide a description of the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

Paragraph 197 states that with regard to determining planning applications planning authorities should take account of the desirability of sustaining and enhancing the significance of the heritage assets, and putting them into viable uses consistent with their conservation, as well as the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 199 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 is also confirmed that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Any harm to, or loss, of significance of a designated heritage asset should require clear and convincing justification.

Paragraph 200 confirms that 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.

Paragraph 201 states that 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:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 202 states that 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.

Paragraph 203 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighting 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.

Paragraph 206 states that local planning authorities should look for opportunities for new development 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 or better reveal the significance of a heritage asset should be treated favourably.

Local Policy

The London Plan, 2021

Policy HC1 Heritage conservation and growth

“A. Boroughs should, in consultation with Historic England, local communities and other statutory and relevant organisations, develop evidence that demonstrates a clear understanding of London’s historic environment. This evidence should be used for identifying, understanding, conserving, and enhancing the historic environment and heritage assets, and improving access to, and interpretation of, the heritage assets, landscapes and archaeology within their area.

B. Development Plans and strategies should demonstrate a clear understanding of the historic environment and the heritage values of sites or areas and their relationship with their surroundings. This knowledge should be used to inform the effective integration of London’s heritage in regenerative change by:

1) Setting out a clear vision that recognises and embeds the role of heritage in place-making

2) Utilising the heritage significance of a site or area in the planning and design process

3) Integrating the conservation and enhancement of heritage assets and their settings with innovative and creative contextual architectural responses that contribute to their significance and sense of place

4) Delivering positive benefits that conserve and enhance the historic environment, as well as contributing to the economic viability, accessibility and environmental quality of a place, and to social wellbeing.

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 cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.

D. Development proposals should identify assets of archaeological significance and use this information to avoid harm or minimise it through design and appropriate mitigation. Where applicable, development should make provision for the protection of significant archaeological assets and landscapes. The protection of undesignated heritage assets of archaeological interest equivalent to a scheduled monument should be given equivalent weight to designated heritage assets.

E. Where heritage assets have been identified as being At Risk, boroughs should identify specific opportunities for them to contribute to regeneration and place-making, and they should set out strategies for their repair and reuse.”

Westminster City Plan, 2019-2040

Policy 39. Westminster's heritage

A. Westminster's unique historic environment will be valued and celebrated for its contribution to the quality of life and character of the city. Public enjoyment of, access to and awareness of the city's heritage will be promoted.

B. Development must optimise the positive role of the historic environment in Westminster's townscape, economy and sustainability, and will:

1. ensure heritage assets and their settings are conserved and enhanced, in a manner appropriate to their significance;

2. secure the conservation and continued beneficial use of heritage assets through their retention and sensitive adaptation which will avoid harm to their significance, while allowing them to meet changing needs and mitigate and adapt to climate change;

3. place heritage at the heart of place making and good growth, maintaining the unique character of our heritage assets and delivering high quality new buildings and spaces which enhance their settings.

Listed buildings

G. Works to listed buildings will preserve their special interest, relating sensitively to the period and architectural detail of the building and protecting or, where appropriate, restoring original or significant detail and historic fabric.

H. Changes of use to listed buildings will be consistent with their long-term conservation and help to restore, retain and maintain buildings, particularly those which have been identified as at risk.

I. Development within the settings or affecting views of listed buildings will take opportunities to enhance or better reveal their significance. J. Demolition of listed buildings will be regarded as substantial harm and will be resisted in all but exceptional circumstances.

Other Material Considerations

National Planning Practice Guidance (PPG) (2021)

Whilst not planning policy Planning Practice Guidance provides a clear indication of the Government's approach to the application of national policy contained in the NPPF. Where there is conflict between the guidance in the PPG and earlier documents the PPG will take precedence.

Department of Culture, Media and Sport Circular: Principles of Selection for Listing Buildings 2018

The Principles of Selection for listing buildings sets out the general criteria for assessing the special interest of a building in paragraph 16, as below:

6. "Architectural Interest. To be of special architectural interest a building must be of importance in its architectural design, decoration or craftsmanship; special interest may also apply to nationally important examples of particular building types and

techniques (e.g. buildings displaying technological innovation or virtuosity) and significant plan forms;

7. *Historic Interest. To be of special historic interest a building must illustrate important aspects of the nation's social, economic, cultural, or military history and/or have close historical associations with nationally important people. There should normally be some quality of interest in the physical fabric of the building itself to justify the statutory protection afforded by listing."*

When making a listing decision, paragraph 17 sets out that the Secretary of State may also take into account:

8. *"Group value: The extent to which the exterior of the building contributes to the architectural or historic interest of any group of buildings of which it forms part, generally known as group value. The Secretary of State will take this into account particularly where buildings comprise an important architectural or historic unity or a fine example of planning (e.g. squares, terraces or model villages) or where there is a historical functional relationship between the buildings. Sometimes group value will be achieved through a co-location of diverse buildings of different types and dates.*

Fixtures and features of a building and curtilage buildings: The desirability of preserving, on the grounds of its architectural or historic interest, any feature of the building consisting of a man-made object or structure fixed to the building or forming part of the land and comprised within the curtilage of the building.

The character or appearance of conservation areas: In accordance with the terms of section 72 of the 1990 Act, when making listing decisions in respect of a building in a conservation area, the Secretary of State will pay special attention to the desirability of preserving or enhancing the character or appearance of that area."

General principles for selection are also set out in this advice, in paragraphs 18-23. These include: Age and rarity; Buildings less than 30 years old; Aesthetic merits; Selectivity; and National interest, although State of repair will not usually be a relevant consideration.

In addition to the criteria and general principles set out in the guidance, a number of Selection Guides for different building types have been published by Historic England, first in 2011 and then later updated. These Selection Guides provide further information regarding each building type, and demonstrate what features are considered significant and likely to make a building of special architectural or historic interest when assessing each building type.

Equivalent Selection Guides for registered parks and gardens of historic interest have also been published by Historic England regarding each landscape type.

Historic England, Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment 2015

This document provides advice on the implementation of historic environment policy in the Framework and the related guidance given in the PPG. For the purposes of this report, the advice includes: assessing the significance of heritage assets; using appropriate expertise; and also historic environment records.

It provides a suggested staged approach to decision-making where there may be a potential impact on the historic environment:

- “1. Understand the significance of the affected assets;*
- 2. Understand the impact of the proposal on that significance;*
- 3. Avoid, minimise and mitigate impact in a way that meets the objectives of the Framework;*
- 4. Look for opportunities to better reveal or enhance significance;*
- 5. Justify any harmful impacts in terms of the sustainable development objective of conserving significance and the need for change;*
- 6. Offset negative impacts on aspects of significance by enhancing others through recording, disseminating and archiving archaeological and historical interest of the important elements of the heritage assets affected.”*

With particular regard to design and local distinctiveness, advice sets out that both the NPPF (section 7) and NPPG (section ID26) contain detail on why good design is important and how it can be achieved. In terms of the historic environment, some or all of the following factors may influence what will make the scale, height, massing, alignment, materials and proposed use of new development successful in its context:

- (a) The history of the place*
- (b) The relationship of the proposal to its specific site*
- (c) The significance of nearby assets and the contribution of their setting, recognising that this is a dynamic concept*
- (d) The general character and distinctiveness of the area in its widest sense, including the general character of local buildings, spaces, public realm and the landscape, the grain of the surroundings, which includes, for example the street pattern and plot size*
- (e) The size and density of the proposal related to that of the existing and neighbouring uses*
- (f) Landmarks and other built or landscape features which are key to a sense of place*
- (g) The diversity or uniformity in style, construction, materials, colour, detailing, decoration and period of existing buildings and spaces*
- (h) The topography*
- (i) Views into, through and from the site and its surroundings*
- (j) Landscape design*

- (k) *The current and historic uses in the area and the urban grain*
- (l) *The quality of the materials*

Historic England: Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets 2017 (2nd Edition)

GPA Note 3 provides information to assist in implementing historic environment policy with regard to the managing change within the setting of heritage assets, and also now views analysis. This also provides a toolkit for assessing the implications of development proposals affecting setting and views. A series of stages are recommended for assessment, these are:

- (m) *Step 1: identifying the heritage assets affected and their settings*
- (n) *Step 2: assessing whether, how and to what degree these settings make a contribution to the significance of the heritage asset(s)*
- (o) *Step 3: assessing the effect of the proposed development*
- (p) *Step 4: maximising enhancement and minimising harm*
- (q) *Step 5: making and documenting the decision and monitoring outcomes.*

Historic England: Advice Note 1: Conservation Area Designation, Appraisal and Management 2019 (2nd Edition)

This Historic England Advice Note supports the NPPF and NPPG, and is intended to set out ways to manage change in a way that conserves and enhances historic areas through conservation area designation, appraisal and management. It seeks to offer advice to all those involved in managing conservation areas so that the potential of historic areas worthy of protection is fully realised, the need for community and owner consultation examined, and the benefits of management plans to manage change, and achieve regeneration and enhancement, fully exploited. Advice on appraisal of conservation areas is also given, as assistance in demonstrating special interest and articulating character, guiding investment, and in developing a management plan.

Department of Culture, Media and Sport Circular: Principles of Selection for Listing Buildings 2018

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Historic England: Advice Note 12: Statements of Heritage Significance 2019

This Historic England Advice Note provides general advice with regard to preparing statements of heritage significance and also the analysing of significance for the full range of heritage assets. This is designed primarily for applicants proposing changes to heritage assets, and accords with the Framework as revised.

English Heritage (now Historic England): Conservation Principles: Policies and Guidance 2008

This guidance document sets out Historic England’s approach to making decisions and offering guidance about all aspects of England’s historic environment. The contribution of elements of a heritage asset or within its setting to its significance may be assessed in terms of its “heritage values”:

9. *“Evidential Value: the potential of a place to yield evidence about past human activity.*

10. *Historical Value: the ways in which past people, events and aspects of life can be connected through a place to the present.*

11. *Aesthetic Value: the ways in which people draw sensory and intellectual stimulation from a place.*

12. *Communal Value: the meanings of a place for the people who relate to it, or for whom it figures in their collective experience or memory.’ (Paras. 30-60)”*

A draft has been released for public consultation and subsequent revision of this document in 2018.

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