

Heritage Statement

Avery Healthcare Ltd.

**Barnet Grange Care Home, Wood Street,
Barnet**

January 2024



Project

Barnet Grange Care Home

Client

Avery Healthcare Ltd.

Job Number

Date

1440

January 2024

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Figure 1.1. Aerial view of Barnet Grange Care Home, with the extent of its boundary in yellow and the wall in red

1. Introduction

- 1.1 This Heritage Statement has been prepared by Smith Jenkins Planning & Heritage on behalf of Avery Healthcare Ltd in support for the rebuilding of the boundary wall on the East of the Barnet Grange Care Home site.
- 1.2 The Site comprises of a c.60m section of brick boundary wall located to the east of Barnet Grange Care Home, as shown in figure 1.1. It is situated on the southern side of Wood Street, within the London Borough of Barnet, and within the Wood Street Conservation Area. It is currently the boundary separating Barnet Grange Care Home to its western side and a block of flats (Sunbury Court) to its eastern side. The care home was recently constructed in 2019, following the approval of Planning Application (ref: 18/5926/FUL), which saw all buildings related to the former Marie Foster Care Home demolished and removed to make way for the construction of Barnet Grange.
- 1.3 The wall was formerly the boundary to the grade II listed Victoria Maternity Hospital situated to the north of the wall. As such, the wall has been identified as curtilage to the grade II listed Victoria Maternity Hospital due to its historic association and historic functional relationship to the listed building, despite being both visually and physically separated by residential infill development.
- 1.4 Subsequently, an application for planning permission (ref: 22/5177/FUL) and listed building consent (ref: 22/5516/LBC) was submitted for the 'stabilisation and repair works to curtilage listed boundary wall including the reduction of height of the wall'. However, this was withdrawn following a recommendation for refusal by Barnet Council due to the impact that the alterations would have on the significance of the wall as well as the character and appearance of the conservation area.
- 1.5 A site visit was conducted by Smith Jenkins on Tuesday 3rd October 2023.
- 1.6 Paragraph 200 of the National Planning Policy Framework (NPPF) 2023 sets out the information requirements for determining applications and states that:
- 'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance'.¹*
- 1.7 This Heritage Statement is a standalone document prepared to satisfy paragraph 200 of the NPPF. In response to the NPPF, Section 2 of this report identifies the heritage assets which may be affected by the application proposals and Section 3 provides a historic context and background to the Site.
- 1.8 Section 4 provides proportionate statements of significance for the heritage assets identified. These are relative to the scale, nature and effect of the proposals.
- 1.9 Section 5 provides an assessment of the application proposals on the significance of the identified heritage assets based on national, regional and local policy and guidance. The Heritage Planning Policy context for the consideration of these proposals is set out in Appendix A. This includes the statutory duties as set out in the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF, regional and local planning policy.

¹NPPF (2023)



2. The Heritage Assets

2.1 A heritage asset is defined by the NPPF 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)'.*¹

Designated Heritage Assets

2.2 A Designated Heritage Asset is described by the NPPF (2023) as:

*'A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation'.*²

2.3 Such assets are statutorily identified as having a level of heritage (architectural and/or historic) interest to justify designation. There are then particular procedures in planning decisions to ensure that their special interest is preserved or enhanced.

Listed Buildings

2.4 The brick boundary wall has been found a curtilage listed structure to the grade II listed Victoria Maternity Hospital. However, the wall no longer holds a visual or physical relationship to the listed building, due to the scale of residential development and retains only a historic relationship as a former boundary wall.

2.5 As such, the Victoria Maternity Hospital will not be scoped in for further assessment in this report.

¹ NPPF (2023) Annex 2: Glossary (p.67)

² NPPF (2023) Annex 2: Glossary (p.66)

Conservation Areas

2.6 The boundary wall is located within the Wood Street Conservation Area, first designated in 1969 and later extended in 1979. A character appraisal was published in 2007 identifying different sub-character areas to the conservation area. The Site falls within Sub-Character Area 2: Wood Street from Tudor Hall to the Black Horse Public House.

Non-Designated Heritage Assets

2.7 The NPPF identifies that heritage assets not only include those which are designated (often with statutory protection), but also those assets identified by the local planning authority which could include local listing or buildings of townscape merit. Any such designation, for the purposes of the NPPF, are considered to constitute non-designated heritage assets.

2.8 Barnet Council has published a Local List, however there are no non-designated assets situated in vicinity of the Site. The Historic Environment Record (via Heritage Gateway) was reviewed but no non-designated heritage assets were identified as having the potential to be impacted by the application proposals.



3. Historic Development

Site Development

- 3.1 The 1840s Tithe Map shows that the boundary wall, which currently lies to the east of the care home, historically ran along what was the eastern boundary of a mid-18th century Victoria Maternity Hospital, as seen in figure 3.1. The hospital can be seen to sit within its own plot delineated by clear boundary lines extending southwards, on both sides, from Wood Street.
- 3.2 The later 1840s-80s OS Map, as depicted in figure 3.2, shows limited / if any change to the site of the Victoria Maternity Hospital. To the east of the boundary wall, the OS Map shows undeveloped land and an absence of built form and within the plot of the care home there is a small structure set back from Wood Street which holds no relationship to the brick boundary wall. In this regard, the wall is seen to be solely associated with the boundary to the land plot of the Victoria Maternity Hospital.
- 3.3 Figure 3.3 is a 1888-1913 OS Map which coordinates with the earlier map, showing no change to the form and function of the wall. In the early 20th century, within the land plot of the care home, the previous structure to the north had been demolished and replaced by a house set on a square footprint, as seen in figure 3.4 OS Map 1912-13. This is likely to have been No.57 Wood Street, a two-storey dwelling house later converted as a clinic.
- 3.4 The OS Map of 1912-13 (figure 3.4) further indicates development on the land east of the wall. There is no change to the extent of the plot of Victoria Maternity Hospital and its boundary layout. There were no further changes in the first half of the 20th century,
- 3.5 Over the course of the 20th century, the surrounding area saw extensive development of the care home plot, land to the east and more importantly, to the plot of the Victoria

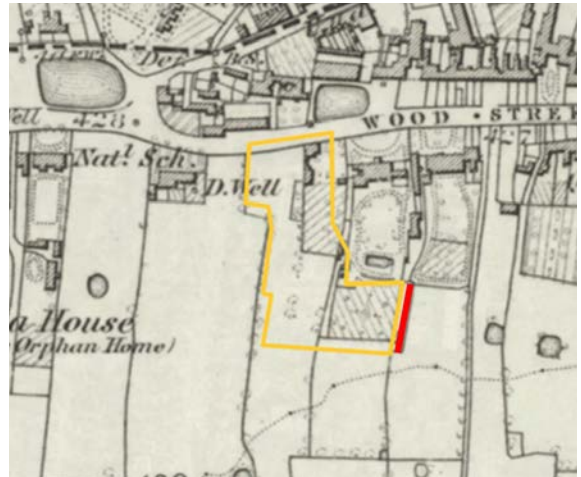


Figure 3.1. Tithe Map 1840. Care Home in yellow, brick wall in red



Figure 3.2. OS 1840-1880s. Care home in yellow, brick wall in red

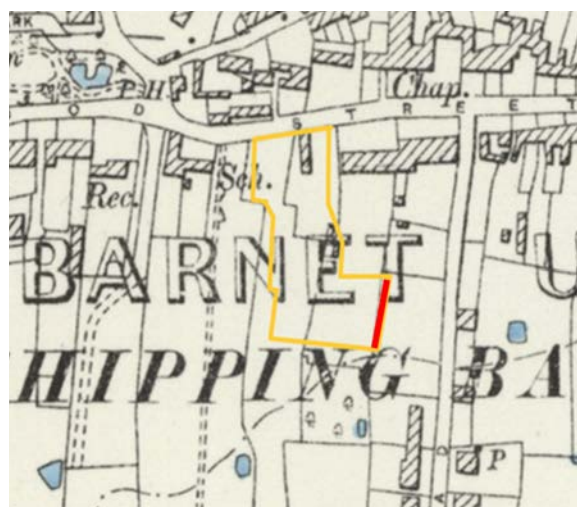


Figure 3.3. OS 1888 – 1913. Care Home in yellow, brick wall in red

Maternity Hospital. In 1973, the Marie Foster Care Home was constructed, and the extent of its land ate into the historic plot of the Victoria Maternity Hospital, the boundary horizontally dissecting the land to the south. As such, the various boundaries were significantly altered, leaving only the immediate southern section of the original eastern boundary wall. Additionally, in the late 20th century, the land to the east of the surviving wall saw increased development of apartment blocks.

3.6 By the end of the century, the extent of development that had taken place surrounding the Victoria Maternity Hospital had considerably altered its historic setting. The development of Sutherland Close to the south, the construction of blocks of flats, including Sunbury Court to the east, and later the insertion of Cattley Close to the north-west, has left only a small surviving section of the wall. As a result, the site context has substantially changed and there is no physical, visual or spatial relationship between the listed building and its historic boundary. The land associated with the Victoria Maternity Hospital has been significantly reduced within the past century, eroding its historic setting.

3.7 Today, the brick boundary wall, subject of this report, is visually and physically separated by late 20th century development, and it is difficult to appreciate the historic form and extent of the plot of the Victoria Maternity Hospital.



Figure 3.4.OS 1912 – 1913. Care home in yellow, brick wall in red

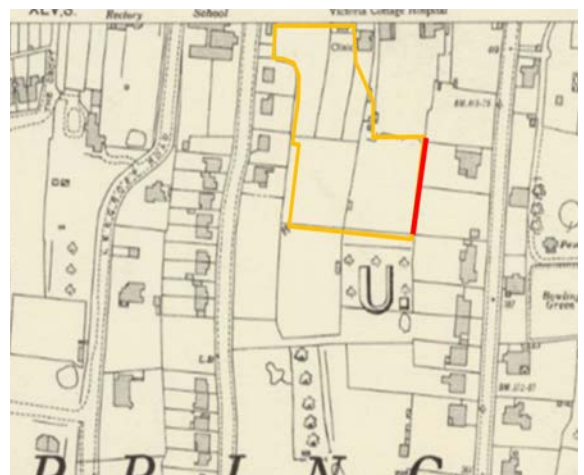


Figure 3.5.OS 1935. Care Home boundary in yellow, Site in red.



Figure 3.6.18th century Victoria Maternity Hospital listed at grade II.

4. Significance

- 4.1 The significance of a heritage asset is defined within the glossary of the NPPF as:

'The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting'.¹

- 4.2 Listed buildings are statutorily designated and, for the purposes of the NPPF, are designated heritage assets. Recognising this statutory designation, buildings must hold special architectural or historic interest. The Department of Culture, Media and Sport publish the 'Principles of Selection for Listed Buildings (2010)' which is supported by thematic papers, 'Listing Selection Guides', based on building type, which give more detailed guidance.
- 4.3 Conservation Areas are identified if they are of special architectural or historic interest, the character or appearance of which should be preserved or enhanced. Historic England has published guidance on the designation of Conservation Areas which provides a framework for the identification of those features that form the character and appearance.
- 4.4 Historic England has also published Good Practice Advice Notes on the 'Setting of Heritage Assets' (2nd Edition, 2017) and 'Statements of Heritage Significance' (October 2019) which are used to understand the surroundings of a heritage asset which may contribute to the significance of a heritage asset and explore the assessment of significance of heritage assets as part of a staged approach to decision-making in which assessing significance precedes the design of proposals.

Assessment

- 4.5 The following summary statements of significance provide an overview of the identified designated and non-designated heritage assets set out in Section 2, which may be affected by the application proposals. These are proportionate to the importance of the asset and the likely impacts of the proposals.

¹NPPF (2023) Annex 2: Glossary (p.71)

Brick Boundary Wall (curtilage listed)

Architectural Interest

4.6 From visual analysis of the wall, the brick boundary wall appears consistent with an 18th century construction. The wall is constructed of red brick in Flemish bond, a bonding type common to the 18th century, and masonry piers at regular intervals at 3.5m width. Its architectural interest therefore lies in the retention of fabric and form, and a surviving example of an 18th century boundary wall.

4.7 However, the full historic extent of the wall does not survive in the present day. The southern portion of the brick wall (the portion which is the subject of this report), is the only surviving fragment of the previous boundary which historically extended south from Wood Street and enclosed the Victoria Maternity Hospital.

4.8 The wall is currently in a state of disrepair and is in need of rebuilding. Stratigraphic analysis shows that the wall has seen modern intervention, particularly at upper courses. These interventions have caused some loss of original fabric and form, reducing its historic and architectural significance. Despite this, there is still a fair amount of historic fabric and legibility of existing design.

Historic Interest

4.9 The boundary wall gains historic significance from its age and historic function as a boundary treatment to the grade II listed Victoria Maternity Hospital. From the historic map regression of Section 3, we can conclude that the boundary wall shared a historic functional relationship with the Victoria Maternity Hospital, also having been constructed in the 18th century.

4.10 Given its historic connection to the grade II listed Victoria Maternity Hospital, the brick boundary wall therefore holds curtilage status, as indicated in the DAS submitted as part of the Planning Application and Listed Building Consent

Applications from 2022 (ref 22/5177/FUL and 22/5516/LBC).

4.11 Today, the boundary is completely disconnected and no longer holds a visual or physical relationship to the Victoria Maternity Hospital due to the substantial modern residential development separating the two structures.

Summary of Significance

4.12 Overall, this has shown that The significance of the wall is derived primarily from its historic fabric and form, as well as its association to the grade II listed Victoria Maternity Hospital. Now visually separated from the listed building by substantial modern development, they are longer read together. The wall retains only a historic relationship with the grade II listed Victoria Maternity Hospital.



Wood Street Conservation Area

4.13 Wood Street Conservation Area was first designated in 2007. There are five sub-character areas and the Site falls within Character Area 2: Wood Street from Tudor Hall to the Black Horse Public House.

Historic Development

4.14 Wood Street historically formed part of an important route in the medieval period running from the junction with Barnet Hill to Watling Street onto Watford. This route was popularly used by trading merchants throughout the medieval period and served as a key connection to nearby towns.

4.15 A Royal Charter was granted in 1199 for the establishment of a weekly market. This was held at the junction between Wood Street and Barnet High Street which further gave the area local importance. Livestock, corn, wool, pottery were some of the main goods traded at the market, however by the 16th century, this was largely centred around livestock trade and a centre for cattle and horse trade. Owing to its prominent location of an important medieval trading route, Barnet's market became a huge success and Wood Street became an area of high importance.

4.16 The medieval market continued until the 18th century to subsequently be replaced by coaching inns and taverns for giving rise to the coaching trade.

4.17 In 1672, the first Almshouses built by James Ravenscroft stood on Wood Street, subsequently followed by the Garretts Almshouses in 1731 and later the Leathersellers Almshouses in 1838. As a result, the area is commonly known for its charitable and philanthropic institutions.

4.18 By the 19th century, there was a general decline for demand of livestock and goods, causing the fall of Barnet Market. By the 1830s, Wood Street saw a stretch of several inns, taverns and alehouses constructed to accommodate trading

merchants passing-through the area.

4.19 The majority of the built form was constructed in the 18th and 19th centuries, establishing the historic linear street pattern of Wood Street. Buildings are of a domestic scale, lining Wood Street establishing a domestic feel to the area. Whilst surrounding areas were influenced by railway-based suburbanisation and development following the arrival of the railway at the end of the 19th century, Barnet remained relatively untouched with few houses built in the 20th century.

4.20 The end of the 20th century saw piecemeal development in and around the conservation area, comprising predominantly of residential infill development. In this way, much of the historic character and appearance of Wood Street is clearly legible in the present day, comprising of a mixture of Victorian architecture grand suburban villas, and Almshouses.

Character and Appearance

4.21 Wood Street is predominantly defined by its linear street pattern on a east-west axis, with small streets branching outwards that have a pedestrianised feel. There are few long-distance sight lines throughout the conservation area due to the dense nature of the built form, and therefore each street is viewed as an individual space.

4.22 Much of the built form along Wood Street is set back by large front gardens creating an informal sequence of frontages. The eastern end of the character area predominantly boasts a domestic feel, composed of 2 or 3 storey buildings. Set behind front gardens, the buildings are partially screened by vegetation, sizeable trees and hedging which contribute a natural character to the area.

4.23 To the west, the built form is generally of a larger scale comprising of large suburban villas

with private front gardens holding large trees and hedging. The integration of greenery adds a rather natural and leafy character. This part of the area is also defined by a variety of commercial, residential, institutional and community buildings, adding diversity to the character area.

4.24 The majority of the built form dates from the 18th and 19th centuries, many of which are statutorily or locally listed, and few surviving buildings dating to the 16th century such as the Tudor Hall. The 18th century Victoria Maternity Hospital is another key building within the area listed at grade II and re-fronted in stucco, contributing to the townscape of the conservation area.

4.25 At the heart of the character area are a series of Almshouses; the 17th century James Ravenscroft Cottages (figure 4.1), 18th century Garretts Almshouses and 19th century Leathersellers Almshouses. Despite being converted for residential use, the Almshouses still retain a certain proportion of historic fabric, design and style contributing to the historic character. As charitable institutions, the Almshouses also contribute to the historic interest and context of the character area.

4.26 Red brick and orange/brown clay tiles is the predominant materiality of the conservation area along with some rendered and stuccoed frontages. There are some examples of London stock brick with stone dressings such as The Black Horse Public House. The area is therefore defined by a uniform streetscape and character, with any modern development in-keeping with the existing materiality.

4.27 The flat topography of the area means that there are short visual sightlines in and around the conservation area, with key views along the busy thoroughfare of Wood Street. As a main thoroughfare, the nature of Wood Street means that it is filled with vehicular noise at all parts of the day creating an urban setting to the character area. When moving west away from High Street,

the area becomes quieter and less filled with traffic allowing for a more domestic feel.

Contribution of Site to significance

4.28 Given the substantial residential development within the immediate setting of the wall, the ability to appreciate the historic boundary in its original setting has been eroded and therefore it has a minimal contribution to the character and appearance. Despite this, its historic relationship and association as a boundary treatment to the grade II listed Victoria Maternity Hospital means it only contributes to the historic interest of the conservation area.



Figure 4.7. 17th century James Ravenscroft Almshouses.

5. Assessment of Proposals

5.1 The heritage legal and planning policy relevant to the consideration of the application proposals set out in Appendix A of this report. This legal and policy context includes the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990, national policy set out in the NPPF as well as regional and local policy for the historic environment.

5.2 In accordance with paragraph 200 of the NPPF, the significance of the designated and non-designated heritage assets that may be affected by the application proposals have been set out in Section 4 of this report.

5.3 The NPPF requires local planning authorities to identify and assess significance of a heritage asset that may be affected by the proposals (paragraph 201). They should take the 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 proposals.

5.4 Account should be taken of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, the positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability, and the desirability of the new development making a positive contribution to local character and distinctiveness (paragraph 196).

5.5 When considering the impact of proposals on the significance of designated heritage assets, the NPPF requires (paragraph 205) that great weight should be given to their conservation and the more important the asset, the greater the weight should be. This is consistent with recent high court judgements (Barnwell Manor, Forge Fields) where great weight should be attached to the statutory duty.

5.6 Where a development proposal causes harm

to the significance of designated heritage assets, this should either be treated as less than substantial (paragraph 208), or substantial (paragraph 207). In determining the level of harm, the relative significance of the element affected should be taken into account (paragraph 199). Furthermore, local planning authorities are also encouraged to look for opportunities for new development within conservation areas and the setting of heritage assets to enhance or better reveal their significance. According to paragraph 212, proposals that preserve those elements of setting the make a positive contribution to or better reveal the significance of a heritage asset should be treated favourably.

The Proposals

5.7 The application proposals comprise of the demolition and rebuilding of the boundary wall on the East of the Barnet Grange Care Home site. It is proposed that the wall will be taken down and rebuilt using a combination of existing bricks and salvaged bricks, and re-pointed entirely.

5.8 The detail of the application proposals are in the drawings and Design and Access Statement that accompany the application.

Impact of Application Proposals

5.9 As has been referenced in this report and the documents that accompany this application, the boundary wall has been the subject of a previous application (ref: 22/5177/FUL and 22/5516/LBC).

Direct Impact

Brick Boundary Wall (curtilage listed)

5.10 The significance of the wall is derived primarily from its remaining historic fabric but predominantly from its association to the grade II listed Victoria Maternity Hospital. This association has diminished over time due to modern infill development such that there is

no longer inter visibility and the wall is less appreciable as a boundary to the listed building.

5.11 The structural survey has identified that much of the wall has fallen into a state of disrepair eroding the ability to appreciate its historic design and form. There are clear signs of brick crumbling, cracking, missing mortar and loose bricks, and therefore in order to upkeep its preservation and function as a boundary wall, a general level of repair is necessary.

5.12 The proposals are at a scale that has been deemed necessary and include the retention of the historic location, majority of historic fabric and form. Where new elements are required, these will be like for like replacements. The proposals will therefore constitute less than substantial harm to the curtilage listed structure.

5.13 Whilst the re-construction of the wall will have a direct impact of less than substantial harm on the curtilage listed structure, this has been mitigated by the necessity of repair works and other elements of the proposal including reuse of historic fabric and retention of original form to balance the level of harm.

5.14 The wall is clearly in need of repair to ensure its long-term preservation, vitality and function as a boundary wall to Barnet Grange Care Home and Sunbury Court. The scale of intervention proposed is necessary for the stabilisation and repair of the boundary wall and thus, assist in the preservation and function of the wall as a boundary treatment to adjoining properties.

5.15 Consideration has been given to the materiality of the wall. The reuse of existing historic bricks where possible, will be a heritage benefit allowing a retention of historic fabric. There will be an addition of an upper course of red engineering brick which is in-keeping with the existing red brick and will not pose any visual impact on the wall. Two courses of engineering brick will be added to the foundations of the wall on either

side for stability and these will be in-keeping with the existing red brick materiality.

5.16 Further consideration has been allowed for the form of the wall, ensuring the proposed boundary wall does not exceed the height of the existing brick wall. Additionally, all brick piers will be rebuilt in their present position, with the exception of one additional brick pier. This will allow an appreciation of the wall in its historic form.

Direct Impact

Wood Street Conservation Area

5.17 The curtilage listed boundary wall presently has no contribution to the character and appearance of the conservation area, instead holding only historic significance. Its historic setting has been eroded by the construction of modern infill development within its immediate setting. In this regard, the proposals will not alter the appreciation of the wall in its current setting nor will it alter its current contribution to the conservation area, and therefore the proposals will preserve the significance of Wood Street conservation area.

5.18 The rebuilding of the wall will be like for like using red engineering brick to match the existing materiality. The height has also been considered to ensure the proposals do not exceed the existing height and there is no visual impact on the conservation area and form is retained. In this way, there would be no direct impact on the character and appearance of the conservation area and will therefore preserve this.

5.19 The proposals will instead have a direct benefit ensuring the boundary treatment is reverted back to a good condition and its role as a boundary wall is retained. The contribution of the wall to the conservation area lies in its historic interest which will not be impacted by the proposals. Therefore the historic significance

of the conservation area will be preserved.

Considerations against Legislation and Policy

Statutory Duties

- 5.20 The Planning (Listed Buildings and Conservation Areas) Act 1990 places duty upon the decision maker in determining applications for planning permission to have special regard to the desirability of preserving the character and appearance of conservation areas.
- 5.21 This statement has identified the significance of the designated assets which could be affected by the application proposals and concludes that on balance, the significance of the curtilage listed boundary wall will lead to less than substantial harm through direct impacts but the significance of Wood Street Conservation Area will be preserved.

NPPF (2023)

- 5.22 The significance of the heritage assets as required by paragraph 200 of the NPPF, has been set out in Section 4 of this report. In accordance with paragraph 203 of the NPPF, the application proposals will result in less than substantial harm to the curtilage listed boundary wall through direct impacts. The proposals would preserve the significance of the conservation area.
- 5.23 As per paragraph 205 of the NPPF, great weight has been given to the conservation of the heritage assets. The direct impacts to the curtilage listed boundary wall as a result loss of historic fabric is outweighed by the re-use of existing bricks where possible and the long-term preservation of the asset which requires substantial repairs and a sustainable use.
- 5.24 Furthermore, the application proposals have been considered in such a way that the significance of Wood Street Conservation Area will be preserved.

- 5.25 Accordingly, the application proposals are in accordance with the NPPF.

London Plan (2021)

- 5.26 This report has demonstrated that the application proposals have sought to optimise the site capacity through a design-led approach, based on a comprehensive understanding of the surrounding heritage and townscape sensitivities. It has also assessed the visual impacts of the proposed development on these identified heritage and townscape receptors, taking account of and avoiding any harm to the significance of the identified heritage assets and their settings.
- 5.27 The proposals will cause less than substantial harm to the curtilage listed boundary wall and demonstrated that this impact will be outweighed by the long-term preservation of the wall, and preserve the significance of the Wood. Therefore the proposals are in full accordance with Policies D1, D9, HC1 and HC3 of the newly adopted London Plan 2021.

Local Policy

Core Strategy and Development Management Policies (2012)

- 5.28 As demonstrated in this Statement, the proposals have been developed in line with a detailed understanding of the significance of the curtilage listed building and the conservation area. On balance, the proposals will result in less than substantial harm to the curtilage listed boundary wall and will preserve the character and appearance of Wood Street Conservation Area. As such, the proposals will be in accordance with Policy CS5 of the Barnet Local Plan (Core Strategy) 2012 and Policy DM06 of the Barnet Local Plan (Development Management Policies) 2012.

Conclusion

- 5.29 This Heritage Statement has been prepared to assess the impact of the proposed rebuilding of a curtilage listed boundary wall due to its poor structural condition which requires a substantial amount of work to stabilise and repair.
- 5.30 In accordance with paragraph 200 of the NPPF (2023), the heritage assets that will be affected by the application proposals have been identified and their significance described.
- 5.31 This report has concluded that the application proposals would result in less than substantial harm to the curtilage listed wall and would preserve the significance of Wood Street Conservation Area.
- 5.32 As per paragraph 208 of the NPPF, development proposals which result in less than substantial harm to the significance of a designated heritage asset must be weighed against the public benefits of the scheme and a balanced judgement must be made. These include the heritage benefits of repairing the boundary wall which is in an actively deteriorating state and structurally poor condition. The works are necessary to ensure the long term preservation of the boundary wall.
- 5.33 To conclude, the application proposals are in accordance with the statutory duties as set out in the Planning (Listed Buildings and Conservation Areas) Act 1990, national policy set out in the NPPF (2023) and relevant regional and local policy and guidance, including Policy DM06 of the Development Management Policy DM06, strategic Core Strategy Policy CS5 of the Barnet Local Plan (2012).

Appendix A: Heritage Planning Policy Context

Legislation

Planning (Listed Building and Conservation Areas) Act 1990

Legislation regarding buildings and areas of special architectural and historic interest is contained within the Planning (Listed Buildings and Conservation Areas) Act 1990.

The relevant legislation in this case extends from Section 16 of the 1990 Act which states that in considering applications for listed building consent, the local planning authority shall have special regard to the desirability of preserving the Listed Building or its setting or any features of special architectural or historic interest which it possesses.

Section 66 further states that special regard must be given by the authority in the exercise of planning functions to the desirability of preserving or enhancing Listed Buildings and their setting.

According to Section 69 of the Act a Conservation Area is an “area of special architectural or historic interest the character and the appearance of which is desirable to preserve or enhance”. It is the duty of Local Authorities to designate such areas and to use their legal powers to safeguard and enhance the special qualities of these areas within the framework of controlled and positive management of change.

Section 69 further states that it shall be the duty of a local planning authority from time to time to review the past exercise of functions under this section and to determine whether any parts or any further parts of their area should be designated as conservation areas; and, if they so determine, they shall designate those parts accordingly. Adding, The Secretary of State may from time to time determine that any part of a local planning authority’s area which is not for the time being designated as a conservation area is an area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance; and, if he so

determines, he may designate that part as a conservation area.

Further to this Section 72 of the 1990 Act states that in exercising all planning functions, local planning authorities must have special regard to the desirability of preserving or enhancing the character and appearance of Conservation Areas. Further provisions are detailed in Section 74 of the Act.

Recent case law¹ 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 setting of listed buildings, where “preserve” means “to do no harm”. This duty must be borne in mind when considering any harm that may accrue and the balancing of such harm against public benefits as required by national planning policy. This can also logically be applied to the statutory tests in respect of conservation areas. Similarly, it has also been proven that weight must also be given to heritage benefits.

National Planning Policy

National Planning Policy Framework (NPPF) September 2023

The National Planning Policy Framework (NPPF) was most recently published on the 5th of September 2023 and sets out the Government’s planning policies for England and how these are expected to be applied. It has purposefully been created to provide a framework within which local people and Local Planning Authorities (LPAs) can produce their own distinctive Local and Neighbourhood Plans which reflect the needs and priorities of their communities.

When determining Planning Applications, the NPPF directs LPAs to apply the approach of presumption in favour of sustainable development; the ‘golden thread’

¹ Barnwell Manor Wind Energy Limited and (1) East Northamptonshire District Council (2) Historic England (3) National Trust (4) The Secretary of State for Communities and Local Governments, Case No: C1/2013/0843, 18th February 2014

which is expected to run through the plan-making and decision-taking activities. It should be noted however, that this is expected to apply except where this conflicts with other policies combined within the NPPF, inclusive of those covering the protection of designated heritage assets, as set out in paragraph 11 of the NPPF. Within section 12 of the NPPF, 'Achieving well-designed places', Paragraphs 126 to 136, reinforce the importance of good design in achieving sustainable development by ensuring the creation of inclusive and high-quality places. This section of the NPPF affirms the need for new design to function well and add to the quality of the area in which it is built; establish a strong sense of place; and respond to local character and history, reflecting the built identity of the surrounding area.

Section 16, 'Conserving and Enhancing the Historic Environment', Paragraphs 189-208, relate to developments that have an effect upon the historic environment. These paragraphs provide the guidance to which local authorities need to refer when setting out a strategy for the conservation and enjoyment of the historic environment in their Local Plans. This should be a positive strategy for the conservation and enjoyment of the historic environment and should include heritage assets which are most at risk through neglect, decay or other threats. It is also noted that heritage assets should be conserved in a manner appropriate to their significance.

The NPPF advises local authorities to take into account the following points when drawing up strategies for the conservation and enjoyment of the historic environment. These considerations should be taken into account when determining planning applications:

- The desirability of sustaining and enhancing the significance of heritage assets and preserving them in a viable use consistent with their conservation;
- The wider social, cultural, economic and environmental benefits that the conservation of the historic environment can bring;

- The desirability of new development in making a positive contribution to local character and distinctiveness;
- Opportunities to draw on the contribution made by the historic environment to the character of a place.

Paragraph 191 of the NPPF states that 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.

In order to determine applications for development, Paragraph 194 of the NPPF states that LPAs should require applicants to describe the significance of the heritage assets affected and the contribution made by their setting. Adding that the level of detail provided should be proportionate to the significance of the asset and sufficient to understand the impact of the proposal on this significance.

According to Paragraph 195, LPAs should also identify and assess the significance of a heritage asset that may be affected by a proposal and should take this assessment into account when considering the impact upon the heritage asset.

Paragraph 196 adds that 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.

Paragraphs 199 to 204 consider the impact of a proposed development upon the significance of a heritage asset. Paragraph 199 emphasises that when a new development is proposed, great weight should be given to the asset's conservation and that the more important the asset, the greater this weight should be. It is noted within this paragraph that significance can be harmed or lost through the alteration or destruction of the heritage asset or by development within its setting.

Paragraph 202 advises that where a development will cause 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 securing its optimum viable use.

Paragraph 203 notes that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. Adding, that in weighing applications that affect directly or indirectly 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 204 stipulates that local planning authorities should not permit 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.

In addition, Paragraph 206 notes that 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. Adding, proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

Paragraph 207 importantly clarifies that not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. Adding, loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 201 or less than substantial harm under paragraph 202, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.

The NPPF therefore continues the philosophy of

that upheld in PPS5 in moving away from narrow or prescriptive attitudes towards development within the historic environment, towards intelligent, imaginative and sustainable approaches to managing change. English Heritage (now Historic England) defined this new approach, now reflected in the NPPF, as 'constructive conservation'. This is defined as 'a positive and collaborative approach to conservation that focuses on actively managing change...the aim is to recognise and reinforce the historic significance of places, while accommodating the changes necessary to ensure their continued use and enjoyment.' (Constructive Conservation in Practice, English Heritage, 2009).

National Guidance

Planning Practice Guidance (NPPG) 2019

Planning Practice Guidance (PPG) was introduced by the Government as a web-based resource on 6th March 2014 and is updated regularly, with the most recent update on 23rd July 2019. The PPG is intended to provide more detailed guidance and information with regard to the implementation of national policy set out in the NPPF.

It reiterates that conservation of heritage assets in a manner appropriate to their significance is a core planning principle. It also states, conservation is an active process of maintenance and managing change, requiring a flexible and thoughtful approach. Furthermore, it highlights that neglect and decay of heritage assets is best addressed through ensuring they remain in active use that is consistent with their conservation.

Importantly, the guidance states that if complete, or partial loss of a heritage asset is justified, the aim should then be to capture and record the evidence of the asset's significance and make the interpretation publicly available.

Key elements of the guidance relate to assessing harm. It states, an important consideration should be whether the proposed works adversely affect a key element of the heritage asset's special architectural or historic interest.

Adding, it is the degree of harm, rather than the scale of development that is to be assessed. The level of 'substantial harm' is stated to be a high bar that may not arise in many cases. Essentially, whether a proposal causes substantial harm will be a judgment for the decision taker, having regard to the circumstances of the case and the NPPF.

Importantly, it is stated harm may arise from works to the asset or from development within its setting. Setting is defined as the surroundings in which an asset is experienced and may be more extensive than the curtilage. A thorough assessment of the impact of proposals upon setting needs to take into account, and be proportionate to, the significance of the heritage asset and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it.

The PPG makes clear that the delivery of development within the setting of heritage assets has the potential to make a positive contribution to, or better reveal, the significance of that asset.

Finally, the PPG provides in depth guidance on the importance of World Heritage Sites, why they are important and the contribution setting makes to their Outstanding Universal Value. The PPG also provides guidance on the approaches that should be taken to assess the impact of development on the Outstanding Universal Value of World Heritage Sites.

Historic England Guidance - Overview

On the 25th March 2015 Historic England (formerly English Heritage) withdrew the PPS5 Practice Guide. This document has been replaced with three Good Practice Advice in Planning Notes (GPAs), 'GPA1: Local Plan Making' (Published 25th March 2015), 'GPA2: Managing significance in Decision-Taking in the historic Environment' (Published 27th March 2015) and 'GPA3: The Setting of Heritage Assets (December 2017).

The GPAs provide supporting guidance relating to good

conservation practice. The documents particularly focus on the how good practice can be achieved through the principles included within national policy and guidance. As such, the GPAs provide information on good practice to assist LPAs, planning and other consultants, owners, applicants and other interested parties when implementing policy found within the NPPF and PPG relating to the historic environment.

In addition to these documents, Historic England has published several core Advice Notes (HEAs) which provide detailed and practical advice on how national policy and guidance is implemented. These documents include; 'HEAN1: Conservation Area Appraisal, Designation and Management (Second Edition, February 2019)', 'HEAN2: Making Changes to Heritage Assets' (25th February 2016) and 'HEAN3: The Historic Environment and Site Allocations in Local Plans' (30th October 2015). In addition to these 'HEAN4: Tall Buildings' (December 2015), 'HEA:#N7: Local Heritage Listing: Identifying and Conserving Local Heritage (Second Edition, January 2021), 'HEAN10: Listed Buildings and Curtilage' (21st February 2018) and, 'HEAN12: Statements of Heritage Significance' (October 2019). Collectively, these Advice Notes provide further information and guidance in respect of managing the historic environment and development within it.

Historic England Good Practice Advice Note 1 (GPA1): The Historic Environment in Local Plans (March 2015)

This document stresses the importance of formulating Local Plans that are based on up-to-date and relevant evidence in relation to the economic, social and environmental characteristics and prospects of an area, including the historic environment, as set out by the NPPF. The document provides advice on how information in respect of the local historic environment can be gathered, emphasising the importance of not only setting out known sites, but in understanding their value (i.e. significance). This evidence should be used to define a positive strategy for the historic environment and the formulation of a plan for the maintenance and use of heritage assets and for the delivery of development,

including within their setting, that will afford appropriate protection for the asset(s) and make a positive contribution to local character and distinctiveness.

Furthermore, the Local Plan can assist in ensuring that site allocations avoid harming the significance of heritage assets and their settings, whilst providing the opportunity to 'inform the nature of allocations so development responds and reflects local character'.

Further information is given relating to cumulative impact, 106 agreements, stating 'to support the delivery of the Plan's heritage strategy it may be considered appropriate to include reference to the role of Section 106 agreements in relation to heritage assets, particularly those at risk.' It also advises on how the heritage policies within Local Plans should identify areas that are appropriate for development as well as defining specific Development Management Policies for the historic environment. It also suggests that a heritage Supplementary Planning Document (SPD) can be a useful tool to amplify and elaborate on the delivery of the positive heritage strategy in the Local Plan.

Historic England Good Practice Advice Note 2 (GPA2): Managing Significance in Decision-Taking in the Historic Environment (March 2015)

This document provides advice on the numerous ways in which decision-taking in the historic environment can be undertaken, emphasising that the first step for all applicants is to understand the significance of any affected heritage asset and the contribution of its setting to its significance. In line with the NPPF and PPG, this document states that early engagement and expert advice in considering and assessing the significance of heritage assets is encouraged, stating that 'development proposals that affect the historic environment are much more likely to gain the necessary permissions and create successful places if they are designed with the knowledge and understanding of the significance of the heritage assets they may affect.'

The advice suggests a structured staged approach to the

assembly and analysis of relevant information, this is as follows:

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 NPPF;
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; and
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.

The advice reiterates that heritage assets may be affected by direct physical change or by change in their setting. Assessment of the nature, extent and importance of the significance of a heritage asset and the contribution of its setting at an early stage can assist the planning process resulting in informed decision-taking.

This document sets out the recommended steps for assessing significance and the impact of development proposals upon a heritage asset, including examining the asset and its setting and analysing local policies and information sources. In assessing the impact of a development proposal on the significance of a heritage asset the document emphasises that the cumulative impact of incremental small-scale changes may have as great an effect on the significance of a heritage asset as a larger scale change.

Crucially, the nature and importance of the significance that is affected will dictate the proportionate response to

assessing that change, its justification, mitigation and any recording which may be necessary. This document also provides guidance in respect of neglect and unauthorised works.

Historic England Good Practice Advice Note (GPA3): The Setting of Heritage Assets (December 2017)

This is used to understand the surroundings of a heritage asset which may contribute to its significance. It aids practitioners with the implementation of national policies and guidance relating to the historic environment found within the NPPF and PPG, once again advocating a stepped approach to assessment.

It amalgamates 'Seeing the History in the View' (2011) and 'Setting of Heritage Assets' (2015) forming one succinct document which focuses on the management of change within the setting of heritage assets.

The guidance is largely a continuation of the philosophy and approach of the previous documents, albeit now with a greater emphasis on the contribution that views to and from heritage assets make to their significance. It reaffirms that setting should be understood as the way in which an asset is experienced.

The guidance emphasises that setting is not a heritage asset, nor a heritage designation, and that its importance lies in what it contributes to the significance of the heritage asset. It also states that elements of setting may make a positive, negative or neutral contribution to the significance of the heritage asset.

While setting is largely a visual term, with views considered to be an important consideration in any assessment of the contribution that setting makes to the significance of an asset, setting, and thus the way in which an asset is experienced, can also be affected by other environmental factors including noise, vibration and odour, while setting may also incorporate perceptual and associational attributes pertaining to the asset's surroundings.

This document provides guidance on practical and proportionate decision making with regards to the management of proposed development and the setting of heritage assets. It identifies that the protection of the setting of a heritage asset need not prevent change and that decisions relating to such issues need to be based on the nature, extent and level of the significance of a heritage asset, as well as further weighing up the potential public benefits associated with the proposals. It clarifies that changes within the setting of a heritage asset may have positive or neutral effects.

It highlights that the contribution made to the significance of heritage assets by their settings will vary depending on the nature of the heritage asset and its setting and that different heritage assets may have different abilities to accommodate change within their settings without harming the significance of the asset and therefore setting should be assessed on a case-by-case basis. Although not prescriptive in setting out how this assessment should be carried out, noting that any approach should be demonstrably compliant with legislation, national policies and objectives, Historic England recommend using a '5-step process' in order to assess the potential impact of a proposed development on the setting and significance of a heritage asset, with this 5-step process similar to that utilised in earlier guidance:

Step 1: Identify which heritage assets and their settings are affected

Step 2: Assess the degree to which these settings make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated

Step 3: Assess the effects of the proposed development, whether beneficial or harmful, on that significance or on the ability to appreciate it

Step 4: Explore ways to maximise enhancement and avoid or minimise harm

Step 5: Make and document the decision and monitor outcomes

Historic England Advice Note 1 (HEAN1): Conservation Area Appraisal, Designation and Management (Second Edition, February 2019)

First published by English Heritage March 2011 as: *Understanding Place: Conservation Area Designation, Appraisal and Management* and republished as *Conservation Area Appraisal, Designation and Management, Historic England Advice Note 1 2016, Historic England Advice Note 1 (HEA): Conservation Area Appraisal, Designation and Management (Second Edition, February 2019)* continues to support the management of change in a way that conserves and enhances the character and appearance of historic areas through conservation area appraisal, designation and management.

This second edition updates the advice in light of the publication of the 2018 National Planning Policy Framework and gives more information on the relationship with local and neighbourhood plans and policies. It is also re-ordered, to underline the staged approach to the appraisal, designation and management of conservation areas, while continuing to offer advice on managing conservation areas so that the potential of historic areas worthy of protection is fully realised. It has also been updated to give more information on innovative ways of handling conservation appraisals, particularly community involvement beyond consultation, character assessment and digital presentation.

This document identifies different types of special architectural and historic interest which contribute to the significance and character of a conservation area, leading to its designation. These include:

- Areas with a high number of nationally designated heritage assets and a variety of architectural styles and historic associations;
- Those linked to a particular industry or individual with a particular local interest;
- Where an earlier, historically significant, layout

is visible in the modern street pattern; Where a particular style of architecture or traditional building materials predominate; and

- Areas designated because of the quality of the public realm or a spatial element, such as a design form or settlement pattern, green spaces which are an essential component of a wider historic area, and historic parks and gardens and other designed landscapes, including those included on the Historic England Register of parks and gardens of special historic interest.

Change is inevitable, and often beneficial, and this document provides guidance in respect of managing change in a way that conserves and enhances conservation areas. It also identifies ways in which suitable areas can be identified for designation as new conservation areas or extensions to conservation areas through historic characterisation studies, production of neighbourhood plans, confirmation of special interest and setting out of recommendations.

Historic England Advice Note 2 (HEAN2): Making Changes to Heritage Assets (February 2016)

The purpose of this document is to provide information in respect of the repair, restoration and alterations to heritage assets. It promotes guidance for both LPAs, consultants, owners, applicants and other interested parties in order to promote well-informed and collaborative conservation.

The best way to conserve a building is to keep it in use, or to find an appropriate new use. This document states that 'an unreasonable, inflexible approach will prevent action that could give a building new life...A reasonable proportionate approach to owners' needs is therefore essential'. Whilst this is the case, the limits imposed by the significance of individual elements are an important consideration, especially when considering an asset's compatibility with Building Regulations and the Equality Act. As such, it is good practice for LPAs to consider imaginative ways of avoiding such conflict.

This document provides information relating to proposed change to a heritage asset, which are characterised as:

- Repair;
- Restoration;
- Addition and alteration, either singly or in combination; and
- Works for research alone.

Historic England Advice Note 3 (HEAN3): The Historic Environment and Site Allocations in Local Plans (October 2015)

This document provides information for those involved in the site allocation process, particularly when implementing historic environment legislation, relevant policy within the NPPF and related guidance found within the Planning Practice Guidance (PPG).

The inclusion of sites within a Local Plan can provide the opportunity to ensure that new development will avoid harming the significance of both designated and non-designated heritage assets, including effects on their setting. Furthermore, this document highlights the ways in which the process of site allocation may present opportunities to better reveal the historic environment. It sets out a five-step methodology which can assist in appropriate site selection:

Step 1: Identify which heritage assets are affected by the potential site allocation;

Step 2: Understand what contribution the site (in its current form) makes to the significance of heritage asset(s);

Step 3: Identify what impacts the allocation might have on that significance;

Step 4: Consider maximising enhancements and avoiding harm; and

Step 5: Determine whether the proposed site allocation is appropriate in light of the NPPF's tests of soundness.

Historic England Advice Note 10 (HEAN10): Listed Buildings and Curtilage (February 2018)

HE10: Listed Buildings and Curtilage provides advice on assessing whether a building has a curtilage and what that curtilage might/may include. It provides hypothetical examples to assist in that assessment and is based on current legislative provisions in the Planning (Listed Building and Conservation Areas) Act 1990 and consideration of listed buildings and curtilage in legal cases.

In general terms, the guidance defines the curtilage of a building (the principal listed building) as any area of land and other buildings that are around and associated with that principal building. It sets out that the courts have stated that there are three key factors to be taken into account in assessing whether a structure, building or object falls within the curtilage of a listed building:

- The physical layout of the listed building and structure;
- Their ownership, both historically and at the date of listing;
- The use or function of the relevant buildings, again both historically and at the date of listing.

It is important to note that the law (Section 1(5) of the Planning (Listed Buildings and Conservation Areas) Act 1990) states that listed buildings identified on the National Heritage List for England also includes any ancillary objects or structures within the curtilage of the building, which forms part of the land and has done so since before 1st July 1948. Ultimately, it will be for the Local Planning Authority to reach a conclusion as to whether or not buildings are within a particular curtilage, and ultimately a matter for the courts to determine if that decision is thought unreasonable.

Historic England Advice Note 12 (HEA12): Statements of Heritage Significance (October 2019)

HEA12: Statements of Heritage Significance covers the National Planning Policy Framework requirement for applicants for heritage and other consents to describe heritage significance to help local planning authorities to make decisions on the impact of proposals for change to heritage assets.

The document states that understanding the significance of heritage assets, in advance of developing proposals for their buildings and sites, enables owners and applicants to receive effective, consistent and timely decisions. It explores the assessment of significance of heritage assets as part of a staged approach to decision-making in which assessing significance precedes designing the proposal(s).

Historic England Advice Note 16 (HEAN 16): Listed Building Consent

HE16: Listed Building Consent provides advice on how to judge whether proposals require listed building consent and how to make informed applications for this. It also advises on what works are likely to need listed building consent or not, and provides guidance on submitting successful applications.

The note emphasises the importance of understanding the significance of a listed building and where it gains its special interest, and recommends the assistance of heritage professionals to increase the likelihood of a successful listed building consent application, as well as utilising contractors who have experience with historic buildings to carry out works.

It provides a reminder of the relevant policies that are laid out in the Planning (Listed Buildings and Conservation Areas) Act 1990 (in particular sections 7,8 and 9), the NPPF and the PPG. The note's 'Annex 1' provides examples of common scenarios involving proposals of works to a listed building, and advises as to whether or not these would require listed building consent. Additionally, a table of

potential proposed works is laid out with guidance as to what would not require an application for listed building consent and what exceptions there are likely to be.

Conservation Principles, Policies and Guidance (English Heritage, 2008)

Conservation Principles outlines English Heritage's approach to the sustainable management of the historic environment. While primarily intended to ensure consistency in English Heritage's own advice and guidance through the planning process, the document is commended to local authorities to ensure that all decisions about change affecting the historic environment are informed and sustainable.

This document was published in line with the philosophy of PPS5 and is currently in the process of being updated. Nevertheless, it remains relevant to the current policy regime in that emphasis is placed upon the importance of understanding significance as a means to properly assess the effects of change to heritage assets. The guidance describes a range of heritage values which enable the significance of assets to be established systematically, with the four main 'heritage values' being: evidential, historical, aesthetic and communal. The Principles emphasise that 'considered change offers the potential to enhance and add value to places...it is the means by which each generation aspires to enrich the historic environment' (paragraph 25).

Strategic Policy

The London Plan 2021

The new London Plan was adopted in March 2021. The Plan forms part of the strategic Development Plan and sets out an integrated economic, environmental, transport and social framework for the development of London over the next 20-25 years. It replaces all previous versions of the London Plan.

The concept of Good Growth, growth that is socially and economically inclusive and environmentally sustainable,

underpins the new London Plan 2021, ensuring that it is focused on ‘sustainable development’ for future generations.

Policy D1 ‘London’s form, character and capacity for growth’ places a duty on the London Boroughs to define an area’s character at a local level in order to understand its capacity for growth. Policy D1 states that a Borough’s area assessment should cover the urban form and structure the area (for example the existing townscape qualities including building height and density), as well as the historical evolution and the identification of heritage assets, including an assessment of their significance and contribution to local character. Assessments should also identify important views and landmarks.

Policy D3 ‘Optimising site capacity through the design-led approach’ seeks every new development to make the most efficient use of land by optimising its capacity, through a ‘design-led approach’. A design-led approach to optimising site capacity should be based on an evaluation of the site’s attributes, its surrounding context and its capacity for growth to determine the appropriate form of development for that specific site. Good design and good planning are intrinsically linked, with the form and character of London’s buildings and spaces must be appropriate for their location, fit for purpose, respond to changing needs of Londoners, be inclusive and make the best use of the finite supply of land. Development should be designed to respond to the special characteristics of its locality, which could include a predominant architectural styles/building material; architectural rhythm; distribution of building forms and heights; and heritage, architectural or cultural value. In specific regard to heritage, Policy D3 states development should ‘respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character’.

Policy D9 ‘Tall Buildings’ states that Development Plans at a local level should define what is considered a tall

building for specific localities, though it is noted that this should not be less than 6 storeys, or 18 metres measured from ground to the floor level of the uppermost storey. It states that boroughs should determine if there are locations where tall buildings may be an appropriate form of development. This process should include engagement with neighbouring boroughs that may be affected by such developments. Additionally, any future development proposal for a tall building should address its potential visual impacts, including long-range, mid-range and immediate views from the surrounding streets. The Plan requires tall buildings to reinforce hierarchy of the local and wider context, aiding legibility and wayfinding with the locality, whilst the materials and architectural quality should be of an exemplary standard to ensure that the appearance and architectural integrity of the building is maintained through its lifespan. Proposals should take account of and avoid harm to, the significance of London’s heritage assets and their settings. Proposals resulting in harm will require clear and convincing justification, demonstrating that alternatives have been explored and that there are clear public benefits that outweigh that harm. The cumulative impacts of proposed, consented and planned tall buildings within an area must also be considered when assessing a tall building proposal.

Chapter 7 of the Plan sets out the relevant policies concerning development within the historic environment, stating that the built environment, combined with its historic landscapes, provides a unique sense of place within the city, whilst layers of architectural history provide an environment that is of local, national and international value. The Plan seeks to identify and promote sensitive management of London’s heritage assets, in tandem with the promotion of the highest standards of architecture, maintaining the blend of old and new that contributes to the city’s unique character. Policy HC1: ‘Heritage conservation and growth’ states:

- 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 re-use.

London is home to four UNESCO World Heritage Sites, being among the most important cultural heritage sites in the world, standing as key features of London's identity as a 'world city'. The Plan seeks to protect, conserve World Heritage Sites to promote and transmit their Outstanding Universal Value on to future generations. Policy HC2 'World Heritage Sites' states:

A. Boroughs with World Heritage Sites, and those that are neighbours to authorities with World Heritage Sites, should include policies in their Development Plans that conserve, promote, actively protect and interpret the Outstanding Universal Value of World Heritage Sites, which includes the authenticity and integrity of their attributes and their management.

B. Development proposals in World Heritage Sites and their settings, including any buffer zones, should conserve, promote and enhance their Outstanding Universal Value, including the authenticity, integrity and significance of their attributes, and support their management and protection. In particular, they should not compromise the ability to appreciate their Outstanding Universal Value, or the authenticity and integrity of their attributes.

C. Development proposals with the potential to

affect World Heritage Sites or their settings should be supported by Heritage Impact Assessments. Where development proposals may contribute to a cumulative impact on a World Heritage Site or its setting, this should be clearly illustrated and assessed in the Heritage Impact Assessment.

- D. Up-to-date World Heritage Site Management Plans should be used to inform the plan-making process, and when considering planning applications, appropriate weight should be given to implementing the provisions of the World Heritage Site Management Plan.

Policy HC3 'Strategic and Local Views' concerns the protection of viewpoints within the city, recognising the significant contribution views make to the image and character of London at the strategic level, with the Mayor seeking to protect the composition and character of these views. Policy HC3 specifically states:

- A. Strategic Views include significant buildings, urban landscapes or riverscapes that help to define London at a strategic level. They are seen from places that are publicly-accessible and well-used. The Mayor has designated a list of Strategic Views (Table 7.1) that he will keep under review. Development proposals must be assessed for their impact on a designated view if they fall within the foreground, middle ground or background of that view.
- B. Within the designated views, the Mayor will identify landmarks that make aesthetic, historic, cultural or other contributions to the view and which assist the viewer's understanding and enjoyment of the view.
- C. The Mayor will also identify Strategically-Important Landmarks in the views that make a very significant contribution to the image of London at the strategic level or provide a significant cultural orientation point. He will seek to protect vistas towards Strategically-Important Landmarks by designating landmark viewing corridors and wider setting consultation areas. These elements together form a Protected

Vista. Each element of the vista will require a level of management appropriate to its potential impact on the viewer's ability to recognise and appreciate the Strategically-Important Landmark. These and other views are also subject to wider assessment beyond the Protected Vista.

- D. The Mayor will also identify and protect aspects of views that contribute to a viewer's ability to recognise and appreciate a World Heritage Site's authenticity, integrity, and attributes of Outstanding Universal Value. This includes the identification of Protected Silhouettes of key features in a World Heritage Site.
- E. The Mayor has prepared Supplementary Planning Guidance on the management of the designated views – the London View Management Framework Supplementary Planning Guidance (LVMF SPG). The Mayor will, when necessary, review this guidance.
- F. Boroughs should include all designated views, including the protected vistas, in their Local Plans and work with relevant land owners to ensure there is inclusive public access to the viewing location, and that the view foreground, middle ground and background are effectively managed in accordance with the LVMF SPG.
- G. Boroughs should clearly identify local views in their Local Plans and strategies. Boroughs are advised to use the principles of Policy HC4 London View Management Framework for the designation and management of local views. Where a local view crosses borough boundaries, the relevant boroughs should work collaboratively to designate and manage the view.

Policy HC4 'London View Management Framework' seeks to preserve London's Protected Vistas, requiring development to make a positive contribution and where possible enhance the viewer's ability to recognise Strategically-Important Landmarks. Policy HC4 states:

- A. Development proposals should not harm, and

should seek to make a positive contribution to, the characteristics and composition of Strategic Views and their landmark elements. They should also preserve and, where possible, enhance viewers' ability to recognise and to appreciate Strategically-Important Landmarks in these views and, where appropriate, protect the silhouette of landmark elements of World Heritage Sites as seen from designated viewing places.

- B. Development in the foreground, middle ground and background of a designated view should not be intrusive, unsightly or prominent to the detriment of the view.
- C. Development proposals and external illumination of structures in the background of a view should give context to landmarks and not harm the composition of the view as a whole. Where a silhouette of a World Heritage Site is identified by the Mayor as prominent in a designated view, and well-preserved within its setting with clear sky behind, it should not be altered by new development appearing in its background. Assessment of the impact of development in the foreground, middle ground or background of the view or the setting of a Strategically-Important Landmark should take into account the effects of distance and atmospheric or seasonal changes.
- D. Development proposals in designated views should comply with the following:
 - 1. London Panoramas should be managed so that development fits within the prevailing pattern of buildings and spaces, and should not detract from the panorama as a whole. The management of views containing Strategically-Important Landmarks should afford them an appropriate setting and prevent a canyon effect from new buildings crowding in too close to the Strategically-Important Landmark in the foreground, middle ground or background where appropriate

- 2. River Prospects should be managed to ensure that the juxtaposition between elements, including the river frontages and key landmarks, can be appreciated within their wider London context
- 3. Townscape and Linear Views should be managed so that the ability to see specific buildings, or groups of buildings, in conjunction with the surrounding environment, including distant buildings within views, is preserved.

Essentially the London Plan 2021 seeks to celebrate London's rich history, ensuring the character of an area underpins how it will grow and develop in the future. The Plan encourages the enhancement of the historic environment and looks favourably upon proposals which seek to maintain the significance and setting of the city's heritage assets.

Barnet's Local Plan (Core Strategy) 2012

Barnet Council is currently progressing a new Local Plan (2021-2036) which will set out the vision for growth and development in Barnet. Once adopted, the emerging Local Plan will replace the existing Local Plan 2012, providing the basis upon which planning applications are determined.

Adopted in September 2012, the Barnet Local Plan (Core Strategy) is the existing Local Plan setting out the overarching local policy framework for delivering sustainable development in Barnet.

The policies within the Barnet Local Plan 2012 which concern development within the historic environment are as follows:

Policy CS5: Protecting and enhancing Barnet's character to create high quality places

We will ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high quality design. Developments should:

- address the principles, aims and objectives set out in the following national design guidance: By Design, Secured by Design, Safer Places, Inclusive Design, Lifetime Homes and Building for Life
- be safe, attractive and fully accessible
- provide vibrant, attractive and accessible public spaces
- respect and enhance the distinctive natural landscapes of Barnet
- protect and enhance the gardens of residential properties
- protect important local views from places within Barnet (as set out in Map 8)
- enhance the borough’s high quality suburbs and historic areas through the provision of buildings of the highest quality that are sustainable and adaptable.
- the impact of the proposal on the significance of the heritage asset
- the impact of the proposal on the setting of the heritage asset
- how the significance and/or setting of a heritage asset can be better revealed
- the opportunities to mitigate or adapt to climate change
- how the benefits outweigh any harm caused to the heritage asset.

d. There will be a presumption in favour of retaining all 1,600 Locally Listed Buildings in Barnet and any buildings which makes a positive contribution to the character or appearance of the 16 Conservation Areas.

e. Archaeological remains will be protected in particular in the 19 identified Local Areas of Special Archaeological Significance and elsewhere in Barnet. Any development that may affect archaeological remains will need to demonstrate the likely impact upon the remains and the proposed mitigation to reduce that impact.

Barnet's Local Plan (Development Management Policies) 2012

Policy DM06: Barnet’s heritage and conservation

a. All heritage assets will be protected in line with their significance. All development will have regard to the local historic context.

b. Development proposals must preserve or enhance the character and appearance of 16 Conservation Areas in Barnet.

c. Proposals involving or affecting Barnet’s heritage assets set out in Table 7.2 should demonstrate the following:

- the significance of the heritage asset

Implement of DM06 is supported by the Wood Street Conservation Area Character Appraisal Statement (2007).

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