

41–42 and 43 Hay's Mews, Mayfair, London, W1J 5QA

Addendum Heritage Statement for Structural Roof Works

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1.0 Addendum Heritage Statement

1.1 Introduction

Donald Insall Associates were originally commissioned in April 2022 to assist in the development of proposals for alterations to 41–42 and 43 Hay’s Mews, a Grade-II listed building in the Mayfair Conservation Area in the City of Westminster. To support applications for planning permission and listed building consent (Westminster City Council references 22/08167/FULL and 22/08168/LBC, with amendments 23/02877/NMA and 23/02878/LBC), we produced a Historic Building Report (December 2022) giving full details of the building’s history and significance, and justifying the proposals against national and local policy. This short Heritage Statement regarding proposed alterations to the roof is an addendum to that report, and should be read alongside the submission pack (included amended architects drawings, engineer’s sketches, and roof condition report) as well as the Historic Building Report.

Planning permission and listed building consent for the amended proposals were given on the 16th May and 18th August 2023 respectively and works have since commenced. Part of the consented works involved removing the existing roof coverings, insulating the roofs, and replacing the coverings, reusing the existing materials where possible. These works have been started: the existing coverings have been carefully removed and the timber structures of the roofs exposed. On examination it has become apparent not only that the condition of the existing slates is so poor as to preclude their reuse, but also, more seriously, that parts of the roof structure have been structurally compromised through a combination of historic alterations, repeated repairs, fungal decay, and wood-boring insect depredation. It is therefore proposed:

- To replace all the historic slate with new Penrhyn slate to match;
- To repair the roof structure where necessary, using a combination of timber replacement and supporting steelwork where tie-beams have historically been removed.

As noted above these proposals are explained in detail in the drawings and supporting documentation submitted with this application by Seifermann architects and others. The proposals will require listed building consent (LBC) in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990, National and Local Policy. This short addendum statement to support an application for LBC has been written in accordance with the requirements of the National Planning Policy Framework (2023), and discusses the impact of the proposed works on the significance of the listed building and the Mayfair Conservation Area. The proposals are summarised in the paragraphs below, with the impact on the significance of the listed building in italics.

1.2 The Proposals and their Impact on the Significance of the Listed Building

1.2.1 Replacement of Penrhyn Slates

As detailed in the Roof Slate Condition Report by Coniston, the slates have been removed from the roofs, their condition examined, and the possibility of their reuse assessed. The examination of a random sample has established that the slates are a mixture of Welsh (Penrhyn Red Heather) and Spanish, the latter probably in the minority and used in more recent repairs. It is evident that most of the slates have already been reused, and are showing signs of significant wear, chipping, and delamination. It is considered that their overall condition is such that further reuse will not be possible. It is therefore proposed to replace the slates across all the roofs in their entirety with Welsh (Penrhyn Red Heather) Slates to match the existing.

This part of the proposals will cause no harm to either the significance of the listed building or the character and appearance of the Mayfair Conservation Area. The slates in themselves make a negligible contribution to the significance of the listed building, which is rooted in its surviving twentieth-century schemes of interior decoration and its history of adaptation. Whilst the replacement of the historic roof coverings will result in a slight change to the appearance of the building, this change will be minimal, as it should be possible to match the new slates to the old with a high degree of accuracy. The original roofs would have been entirely Welsh Slate, and the replacement of the slates offers the opportunity to return to the roofs some of their historic uniformity through the removal of the later Spanish slates used for ad hoc repairs.

1.2.2 Repairs to Decayed Roofs

According to the condition report provided by Hutton + Rostron Environmental Investigations Ltd, the only roofs which require extensive repair and support are the two roofs in the north-eastern corner of the site, numbered 5 and 6 on the plans which accompany this application. These roofs are over the oldest surviving part of the building, and are of a compound profile, with lower and upper slopes of slightly different inclinations. Rafters rise from the wall-plate at each side to meet a large purlin,

which forms the angle between the slopes; further rafters rise from the purlin to the ridge-plate. There are collars spanning between the purlins and a variety of tie-beams at various heights below, to accommodate different first-floor ceiling heights (see Attachment B of the Hutton + Rostron report for photographs, in particular figs 1, 16, 27, 47, 48, and 51 for a good overview). The Hutton + Rostron report states that much of the historic timber seems to have been converted by hand rather than mechanically; given the age of this part of the building it is hence quite possible that the roof dates to the early-nineteenth century in its essentials.

The Hutton + Rostron report identifies a number of serious defects in the structure of this roof. Some are the result of historic water ingress and consequent fungal decay; some have been caused by wood-boring insect infestation; some are the unintended consequences of later alterations and repairs. These defects mostly relate to the rafters (itemised in Attachment A of the report), but there are also concerns about the ridge-pieces and purlins. The latter have suffered decay at their bearing ends, and may also be less well-supported at intermediate points than they were historically because of the demolition of historic walls, although this is less clear.

The proposals are:

- to replace the defective rafters as recommended in the Hutton + Rostron report and further described in the drawings by expedition as well as the Design Statement by Seifermann;
- to install some new steel elements to support the purlins at intermediate points, as described in the Design Statement by Seifermann and shown in the drawings by expedition. The loads for these elements will mostly be taken down to existing masonry walls, which will entail some underpinning works.

The first part of these proposals will cause no harm to the significance of the building or the character and appearance of the Mayfair Conservation Area. The two roofs concerned are historic, likely at least mid-nineteenth century, and form part of the historic fabric of the listed building. They make only a minor contribution to its significance, however, which is rooted in its surviving twentieth-century schemes of interior decoration and its history of adaptation. The roof construction is fairly crude, as one would expect for a mews building, and many of the members are structurally unsound. It is proposed to replace such members with new timbers, leaving the sound material in situ, thus preserving as much historic fabric as possible. The form of the roofs will be preserved, and there will be no visual impact on the exterior of the building.

The second part of the proposals is more intrusive, and will involve the insertion of steelwork to support the purlins at various points, which in turn will necessitate some underpinning works to several internal walls. These works will avoid the areas of the building which contain the most significant interiors, however; they are concentrated in the north-east corner, which has always had more of a service character, and which has undergone considerable change throughout the twentieth century. None of the interiors in this part of the building make a contribution to its significance, and disruption to historic fabric can be avoided, with care. The proposals have also been designed so that the steelwork will be hidden within existing and consented walls, and will not necessitate any departure from the consented plan form.

This element of the proposals is a relatively large intervention into the historic structure, the necessity of which must be robustly justified by others. If this part of the proposals can be justified as a structural necessity then we consider that the benefits of providing the significant interiors with a sound envelope will balance any harm to significance that might be caused through alterations and additions to the historic fabric.

1.3 Conclusion

Overall, we consider that these proposals will not cause harm to either the significance of the listed building or the character and appearance of the Mayfair Conservation Area. The works to replace the Penrhyn slate to all roof slopes will result on the one hand in the loss of historic slate, but on the other in the removal of inappropriate Spanish slate and the restoration of the roof to its historic materiality. These works are necessitated by the poor condition of the surviving slates.

The proposed works to repair the timber roofs will similarly cause no harm to significance. Many of the historic timbers are now defective, and need to be replaced to provide a structurally sound roof; the proposed repairs are piecemeal, and will maintain the historic form and construction of the roofs (although modern fixings will be used). They will help to ensure that the significant interiors below (principally interventions by Fowler from the 1950s) will be preserved, and will entail no change to the external appearance of the building, thus preserving the character and appearance of the Mayfair Conservation Area.

The form of the proposed new steelwork to support the purlins must be justified structurally by others. However, it is worth noting that the steelwork will allow the preservation of the historic roof fabric *in situ* and thus will also contribute to the continued preservation of the significant interiors.

It is, therefore, the conclusion of this short statement that the proposals would overall sustain the significance of the listed

building in accordance with paragraph 203 of the National Planning Policy Framework. Moreover, it is considered that the proposed works would preserve the special architectural and historic interest of the listed buildings and the character and appearance of the conservation area, in accordance with the statutory duties set out in Sections 16, 66 and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposals would also accord with Policy 39 of Westminster's City Plan 2019-2040, and would ensure the beneficial long-term and optimum viable use of the building as a residence.

Appendix I - Statutory List Description

41–42 and 43 Hay's Mews

Grade II

List Entry Number: 1474784

Date First Listed: 25 February 2021

Summary

House, formed of mid-C19 (No 43) and 1900 (No 41–42) mews houses, the latter built to designs by T H Smith. 43 Hay's Mews was remodelled in 1937 by Oliver Hill, and again in about 1954 by John Fowler. 41-2 Hay's Mews was amalgamated with 43 and remodelled in 1986, when a large reception room was created by Renzo Mongiardino.

Reasons for Designation

41–42 and 43 Hay's Mews, a house formed of converted mews houses with interventions by Oliver Hill, 1937; John Fowler, 1954-1955 and Renzo Mongiardino, 1986, is listed at Grade II for the following principal reasons:

Architectural interest:

- * as a house with interventions by three important designers, each phase illustrating different interpretations of classicism in the C20 and collectively reimagining two London mews houses;
- * for its Fowler interiors, centring on the double-height drawing room, which remodel and aggrandise a compact courtyard mews house through an extensive scheme of interior design in his characteristic style;
- * for its elaborate and fantastical Mongiardino scheme with extensive trompe-l'oeil decoration and a creative handling of volume and proportion, providing the house with a second grand reception space;
- * for the interventions by Hill, which established key elements of the interior plan of number 43 and the classical language of the courtyard elevations, subsequently expanded through the interiors of Fowler and Mongiardino;
- * for its street elevations, which preserve the character of the building's original form and type.

Historic interest:

- * for a sequence of interventions which chart the social, cultural and economic transformation of the building, and more broadly reflect the ascending status of the London mews house in the C20 from stables and coach houses to prime London real estate;
- * in the survival of an early post-war Fowler scheme recorded as being a personal favourite, executed for a friend and repeat client;
- * in the survival of the Mongiardino scheme, one of very few English schemes by this internationally successful designer.

Group value:

- * with neighbouring listed mews buildings 4, 40, 44, and 45 Hay's Mews.

History

Hay's Mews was created as part of the Berkeley Estate, laid out for building in about 1745-1750. Forming a T shape, the mews served the houses of Hill Street to the north-west, Charles Street to the south-east, and the houses on the south-west side of Berkeley Square to the north-east.

Into the middle of the 1820s there was a conventional mews arrangement behind the houses on the south side of Hill Street; that is, a terrace of houses to the front, gardens behind and a mews to the rear. By the early 1870s however, the mews and gardens of 5, 7 and 9 Hill Street had been replaced and infilled by what is now 43 Hay's Mews, and a building with the footprint of what is now 41–42 Hay's Mews. The latter, then numbered 45 and 45a, was rebuilt in 1900 to designs by T H Smith of Basinghall Street, London, for a new coach house and stables with living accommodation above. In the first decade of the C20 Hay's Mews was predominantly occupied by stablemen, coachmen and increasingly, chauffeurs.

By the late 1980s, 41-2 and 43 Hay's Mews had been converted to residential use and amalgamated to become a single

house, with interventions by three important designers of the C20. Oliver Hill was responsible for the initial conversion of 43, his work partially overlaid by John Fowler's internal remodelling; the house was subsequently expanded into the neighbouring building and a second grand reception room was created by Renzo Mongiardino. The building's interest lies in sequential phases which legibly illustrate this transition.

43 HAY'S MEWS was occupied in the early C20, until at least 1929, by the chauffeur to Lord Powis, whose London home was 45 Berkeley Square. By 1937 the building had been sold and the rear ranges were being converted to a residence by Constance Paul, with the assistance of architect Oliver Hill.

Paul submitted proposals for alterations and a rear addition in 1937. The front range, to the north-east, containing a flat and garages, was to be left largely unaltered. The drawings submitted by Paul were prepared by Hill and superseded earlier unexecuted proposals submitted in 1936 by the practice Farmer and Dark. Approved drawings by Hill show proposals which largely coincide with what stands today (2021), taking account of the alterations known to have been subsequently made by John Fowler, and later the Heinzes. Distinctive features such as the pediment over the south-west range, the shape and form of the openings to the courtyard elevations, the black-tiled mansard roof, elliptical stair and apsidal drawing room with opposing fireplace, all originated with Hill.

Once the building work was complete, Eric Gill (1882-1940), to whom Paul was almost certainly introduced through Hill, undertook a mural in the drawing room with his son-in-law, Denis Tegetmeier. Gill worked in exchange for a workman's wage and a week's accommodation on site. His sketches for this piece, dated 1938 and held at the University of Texas, USA, depict a dancing male and female nude to be mounted over the fireplace in the drawing room. Imogen Taylor, assistant to John Fowler who remodelled the interior in 1954, recalls that the piece was covered over with the insertion of bookcases. This suggests the Gill piece was actually at the opposite end of the drawing room, and that it may still be in-situ, although at present neither of these assumptions can be verified.

Paul was still at 43 Hay's Mews in the late 1940s, but in about 1954 it was bought by the actress Joan Dennis (1904-1982). Dennis appointed John Fowler of Sibyl Colefax and John Fowler Ltd to create a new interior scheme for the house. Dennis had already commissioned work from Fowler at several of her other homes and the two had become close friends. Under Fowler, the flat and garage in the western half of the front range were absorbed into the accommodation and circulation of the house, and the passage which gave access to the courtyard was enclosed to become an entrance hall. Fowler oversaw the partial removal of the drawing room ceiling to create the double-height space, and mouldings and architectural features were added under his direction. Typical of Fowler's exacting eye, he is reported to have had all the drawing room frieze taken down after execution and put back three inches higher. The walls were painted grey-blue with details picked out in white. These details included plasterwork decoration thought to have originated in old Northumberland House (the London residence of the Dukes of Northumberland, demolished in 1876).

Throughout the house, a number of architectural features were introduced, such as chimney pieces, fitted joinery and mirrors and the balustrades of the two main stairs. Strong colours were used in the paints, papers, fabrics and carpets and the canvas-covered walls of the first-floor dining room were hand-painted by Fowler with a vine and trellis design which continued onto the ceiling (now overpainted or removed). Wall papers were block-printed designs from Mauny of Paris: flowers, birds and garlands in white and terracotta on a blue ground for the principal stair hall; a vine motif border in blue and grey on a black ground in the pink sitting room and yellow and white sprigs on a grey ground in Dennis' bedroom. It is understood that the papers are standard Mauny patterns, coloured to Fowler's specifications.

Fowler decorated many flats and town houses, but Hay's Mews was 'a particular favourite of his' (Wood 2007, p 157), showing many of the features of his mature style. He considered the drawing room to be 'almost perfect' (Robinson 1984, p 49). The interior was featured in *The Sketch* in 1955 and *House and Garden* magazine in 1956.

The scheme was not long completed when Dennis sold the house to Mrs Drue Heinz and her husband, Henry J Heinz II, CEO of the H J Heinz Company. The Heinzes were so taken with 43 Hay's Mews that they bought it with many of the contents in place and these remained in-situ, augmented by an extensive collection of art and antiques, until Drue Heinz's death in 2018. The value Heinz placed on the house is revealed in her 1973 request for it to be considered for listing.

The interior scheme did not remain entirely unaltered however, at some point the Heinzes brought Colefax and Fowler back to the house. This second phase was executed under Imogen Taylor and it is believed that the colour of the drawing room walls was lightened at this time. Other changes of this date may include the renewal of the wallpaper in Dennis' bedroom with a paper of the same pattern but different colourway and the addition of built-in cupboards in the dining room. The loss of Fowler's hand-painted trellis and vine design from the walls came later.

In the mid-1980s, when the Heinzes were remodelling the neighbouring 41-42 Hay's Mews, the two garages in the front range of number 43 were finally incorporated into the living space of the house, providing a utility area and new dining room.

The late-C20 up-and-over metal garage doors were replaced with timber doors to match the one surviving to the west. The first-floor terrace overlooking the courtyard was extended to the full width of the north east elevation and the stairs which led from the terrace to the courtyard were removed, replaced with a new set of French windows.

41–42 HAY'S MEWS was bought by the Heinzes in the 1980s with the intention of expanding the living accommodation at number 43 into this address. Since at least the mid-1930s the building had been associated with the motor trade and was operating as a car salesroom with accommodation above when the Heinzes took possession. Other than the replacement of a garage entrance to the north-east with a pair of windows, the exterior was left unaltered, while the interior was remodelled to designs by Tibbalds Partnership of Charing Cross Road. The Italian designer Renzo Mongiardino was brought in to create a large new reception room on the west side of the building. The Heinzes had previously employed Mongiardino to redecorate their New York townhouse in 1976.

The Mongiardino room was previously used for car storage, a long and narrow space with a low ceiling, enclosing the courtyard of 43 Hay's Mews to the south-east, and lit by a lightwell. Aside from a new kitchen adjacent to the street, the space remained as a single large room but Mongiardino divided it visually into three areas with entablatures and columns. At one end he inserted a fireplace, at the other a curved end wall, and at the centre a large glazed cupola overhead, requiring the removal of the roof over this part of the building. The lightwell was ceiled over and a wide alcove created. The ceiling was painted with trompe l'oeil octagonal coffering and walls were painted with trompe-l'oeil scenes of an abandoned Classical garden; these were painted on canvas by Irene Groudinski in Milan and shipped to London to be applied to the walls using the marouflage technique.

The scheme illustrates Mongiardino's interest in theatre and illusion, as well as his approach to re-casting a difficult space through the manipulation of proportions, light and perspective. The room is one of a small number in his oeuvre to use trompe-l'oeil to bring the natural world inside; each of them, the others in Turin and Portofino, was created in collaboration with Groudinski. The inspiration for these schemes was the C17 frescos at Villa Falconieri, Frascati, in which one of the rooms is painted as a wooded grove. However, as Mongiardino said, 'The light of London is not that of Rome' (Mongiardino 2016, 203) so at Hay's Mews he sought to evoke a more typically English landscape, which he studied from life. When his monograph, *Roomscapes*, was first published in 1993, it was the room at Hay's Mews which Mongiardino chose for the front cover.

Other rooms within 41–42 may have been decorated under Mongiardino's direction but his involvement beyond the painted room is unsubstantiated and none of the other rooms are of comparable ambition or interest.

JOHN BERESFORD FOWLER (1906-1977) was one of the most celebrated and influential interior decorators of the C20, renowned for his work in a number of grand country houses and later as adviser to the National Trust. Having set up a small firm on King's Road, Chelsea in 1934, his work caught the eye of the established decorator and society figure, Sybil Colefax, Lady Colefax (1874-1950) and Fowler joined her firm in 1938. Fusing elements of European style from the late C17 to early C19, his work tapped into a revival of interest in Georgian architecture and design which had emerged during the 1920s. Fowler had a keen eye for historical detail, which lent his work authenticity, and his handling of colour, pattern and materials brought a freshness which captured the interest of a small circle of wealthy clients, generally drawn from the land-owning classes. Fowler coined his approach 'humble elegance', and by the late 1930s he was recognised as one of the country's leading interior decorators.

Shortly after the war, the firm of Sibyl Colefax and John Fowler Ltd was purchased by American, Nancy Lancaster, who made Fowler a partner. Lancaster brought with her an extensive network of contacts, introducing Fowler to many fine houses, and wealthy clients, that were to result in big jobs for him. Their relationship was a notoriously turbulent one, but together they codified what became referred to as the English Country House Style. From the mid-1950s to the mid-1970s Fowler worked as an adviser to the National Trust; his work was highly influential in the UK and across the Atlantic, securing Colefax and Fowler's place as the foremost English decorating firm of the C20.

LORENZO MONGIARDINO (1916-1998) was a Genoese set designer, architect and interior designer. He designed sets for Italian director and film producer, Franco Zeffirelli, and worked with the British director Peter Hall. Of equal importance was his work as an interior designer. Although he lived in Italy, his clients were drawn from a wealthy transnational elite with houses across Europe and the World. His interiors were often romantic and highly elaborate. Where necessary, he would start with an architectural manipulation of light, proportion and symmetry, before creating rich and often illusory elements of decoration drawn from historical, sometimes fantastical sources. He used the techniques of the stage-set to conjure an array of materials, textures and patterns from comparatively humble materials and paint effects.

Mongiardino's clients were drawn from circles who valued privacy and his interiors were not widely published, but he is believed to have completed a total of five schemes in this country. Two were for Stanislaw and Lee Radziwill at 4 Buckingham Place, London, 1965, and Turville Grange, Oxfordshire, 1967, both schemes now lost; one was for Princess

Firyal of Jordan at her Belgravia house, 1978-1979, the address is unknown, and during the same period he executed a major scheme at Daylesford House, Gloucestershire for Baron Thyssen-Bornemisza which has also been lost.

OLIVER HILL (1887-1968) began architectural practice in 1910 but is best known for his work of the 1920s and '30s. As well as buildings, Hill designed furniture, interiors and exhibitions and was committed to the integration of art and architecture, commissioning works by Eric Gill, Eric Ravilious and others. His architecture is stylistically diverse, but he is most closely associated with neo-Georgian and modern movement idioms, the latter which he helped popularise through major works such as the Midland Hotel, Morecambe, Lancashire (1933, listed Grade II*). He was a fashionable architect for the design or remodelling of London houses and flats, creating crisp neo-Georgian exteriors which could enclose opulent interiors.

While there are considerable differences between the design approach of Hill, Fowler and Mongiardino, their work at Hay's Mews is connected by the common thread of classicism. As interior designers, Fowler and Mongiardino shared an essentially romantic and nostalgic outlook, concerned with the aesthetics of the past. It has been commented of Mongiardino that 'His aesthetic suggested a more theatrical, highly emotional cousin of the "humble elegance" espoused by his English contemporary John Fowler' (Architectural Digest, Jan 2000, 211). Their work represents a particular strand of interior decoration in the second half of the C20 which generally exists within the private, domestic spaces of clients drawn from a small, wealthy elite. It reflects a taste culture which developed largely independently of prevailing architectural trends, but there are synergies in the English context between Fowler and the unbroken classical tradition in architecture which endured after the war in the design of country houses. A slightly earlier example of this tradition is manifested at Hay's Mews in the work of Hill.

DRUE HEINZ (1915-2018) was born in Norfolk as Doreen Mary English and married Jack Heinz in 1953. The couple shared a love of philanthropy and art. A socialite and renowned hostess, Drue Heinz was a committed patron of the arts in Britain and the US. She was the principal benefactor of literary journal, *Antaeus*, helped launch Ecco Press in 1971, endowed literary prizes and sat on the boards of numerous cultural institutions. A major contribution to the field of architectural history was funding the first gallery designed explicitly for the display of architectural drawings. The Heinz Gallery, as it was named, opened in 1972 at 21 Portman Square, London, housing the drawings collection of the Royal Institute of British Architects.

CONSTANCE V PAUL (1895-1983), Hill's client at 43 Hay's Mews, was an Australian artist, designer and filmmaker who came to England shortly after her marriage at the age of 19. She won a scholarship in the early 1920s to study at the Royal College of Art, during which time she spent a year studying architecture under Arthur Beresford Pite. After leaving the RCA, she worked as an architect and interior designer in London for 11 years, building up a firm which at one point employed over 50 workmen. Paul had become a great admirer of Hill during her time as a student and he took an interest in her work; together they collaborated on the conversion of 43 Hay's Mews.

Details

House, formed of mid-C19 (No 43) and 1900 (No 41-42) mews houses, the latter built to designs by T H Smith. 43 Hay's Mews was remodelled in 1937 by Oliver Hill, and again in about 1954 by John Fowler. 41-2 Hay's Mews was amalgamated with 43 and remodelled in 1986, when a large reception room was created by Renzo Mongiardino.

43 HAY'S MEWS

MATERIALS: brick construction, rendered to front elevation with slate roofs and timber doors and double-hung sliding sash windows to the front; side-hung casement windows to the internal courtyard.

PLAN: the building has a C-shaped plan arranged around a central courtyard adjoining 41-42 Hay's Mews. It is two storeys high with pitched roofs and a mansard with attic to the south-west. The front range faces north-east onto Hay's Mews and contains an entrance hall, stair, service rooms and a dining room. The north-west range is principally occupied by Fowler's large, partially double-height drawing room which has an apsidal end to the south, behind which is an elliptical stair in an enclosed, top-lit well. The south-west range contains the stair hall and a small reception room with a third, back, stair. On the first floor are bedrooms to the north-east and south-west, separated by the courtyard and double-height drawing room, and accessed from separate stairs. The north-east range gives access to a terrace overlooking the courtyard. One of the bedrooms here was originally decorated by Fowler as a dining room.

EXTERIOR: the front elevation is of white-painted render; the first floor has five eight-over-eight sash windows and the ground floor has two pairs of half-glazed carriage doors to the left and a single pair to the right. Between are two doorways, one round-headed with a six-panel door, the other square-headed and half-glazed, set within a stepped stucco architrave. There is a small high-level window between. The render is a later addition and the stepped architrave suggests a date in the 1930s; the door itself is possibly contemporary. The garage doors to the left date from the mid-1980s, their detailing based on the earlier door to the right.

The interior of the courtyard is painted pale pink with flat, white-painted stucco dressings. The south-west elevation has a pedimented parapet with a mansard roof behind, clad in black glazed pantiles. Ground floor openings are round-headed French windows with glazing bars and first-floor windows are paired casements with glazing bars. The north-west and south-west elevations are the work of Oliver Hill, with the north-east and south-east elevations continued in the same style in subsequent phases (about 1954 and 1986 respectively).

INTERIOR: the following description focusses on the areas of greatest interest: the interiors created by John Fowler for Joan Dennis in the mid-1950s and notes later alterations where known. Most of these rooms are based on an underlying plan laid out in 1937 by Oliver Hill.

The centrepiece of the interior is the drawing room. Approximately a double square in plan, the half to the north is double-height, lit along the east side by high windows and pairs of French windows opening onto the courtyard. The north end wall has a classical chimneypiece of grey and white marble flanked by false bookcases with architraves and pedimented heads; that to the left has a radiator set at the base with a trellis-work screen, and that to the right is a pair of doors leading to a vestibule with a built-in kitchenette behind panelled doors. A modillion cornice runs around the ceiling of the double-height space and a frieze runs at first floor height. Above the frieze are plaster swags and corbel brackets. The space is lit from above by a gilt chandelier. The southern half of the room is more intimate, with a conventional ceiling height and an apsidal end lined with recessed display shelves and bookcases divided by pairs of pilasters. The skirting board is painted with a marble effect. Opposing pairs of panelled double doors have painted timber swags above. The walls are painted in a light blue-grey, not the original Fowler shade.

The drawing room leads to the principal stair hall with a black marble floor laid with narrow steel strips and a marble effect skirting board. The stair sweeps up to the right, around the rear of the drawing room. The walls are covered in block-printed paper. The stair is lit from above by an C18 style glazed cupola and leads to an elliptical landing on the first floor. The landing has a simple black metal balustrade with slender stick balusters and shaped newel with brass acorn finial. The balustrade follows the curve of the stair and is reflected in a full-height fixed mirror at the head of the stair.

On the other side of the stair hall from the drawing room is a small sitting room, painted in pink, with marbled skirting boards and coved cornice. Above a slim plaster dado frieze the walls have a dark paper border. A painted wooden chimneypiece with fixed mirror above is set within a recess; this does not serve an actual chimney but originally held an electric heater in the shape of a coal grate. A hidden door leads to a small back stair to the dressing room above. The three-panel doors and chimneypiece are painted in shades of white and grey with a dark paper boarder within the panels.

On the first floor is the bedroom Fowler decorated for Dennis. This has another simple wooden chimneypiece and block printed paper in the same pattern but different shade to the one chosen by Fowler. A paper border runs around the room and continues in the wooden box pelmets over the windows. Off the bedroom to one side is a dressing room and to the other an ensuite bathroom with an oculus overlooking the upper part of the drawing room.

The two attic rooms are reached from a secondary stair behind the elliptical landing; these are decoratively very simple, with plain built-in cupboards and on with a later bathroom suite added.

The north-west range, to the front of the building, contains a lobby off the main entrance hall. This has a stair to the first floor with a balustrade and newel matching that on the south-west stair. The room Fowler decorated as a dining room for Dennis is at the end of the first-floor landing, entered through double doors with curvilinear panelling. Surviving from Fowler's scheme is the stone chimneypiece with cast iron fire-back, and the marbled skirting boards. Built-in cupboards, one later knocked through to create an entrance to 41-42 Hay's Mews, are later additions, presumed to be by Colefax and Fowler. All have marbled architraves and double doors with curvilinear panels.

Internal doors are generally in a consistent style, with two or three panels and small brass handles and radiators are generally either boxed in beneath windows or have bespoke wooden radiator covers.

41-42 HAY'S MEWS

MATERIALS: red brick construction with white-painted dressings. The roofs are of slate, doors and windows are timber.

PLAN: the building is of two-storeys over a lit basement. Situated on the corner of Hay's Mews, it has a deep rectangular footprint with a C-shaped configuration of pitched roofs and flat roofs to the centre.

The east range is mainly occupied by garaging, service rooms and two stairs whereas to the west the plan is almost fully occupied by the large, tripartite reception room created by Mongiardino. On the first floor there are bedrooms and a self-contained flat.

EXTERIOR: the exterior has an eclectic late Victorian style: red brick, banded and dressed with painted stone, the windows are mullion-and-transomed casements with multi-paned transom lights and deep window sills. First-floor windows are dormers with pediments.

The south-east elevation has two pairs of carriage doors with square-paned fanlights; these are separated by a full-height bay with shaped gable-end with pinnacles and bearing a datestone of 1900. There is also a doorway with fanlight over and several banks of grouped ground-floor/basement windows. The north elevation has a pinnacled gable-end parapet with central chimney stack, two panelled doors with rectangular fanlights and a run of windows at ground and first floors. The ground floor windows were inserted in about 1986, replacing an earlier carriage entrance.

INTERIOR: the principal interior space of interest is the large reception room to the west of the plan, created in about 1986 by Renzo Mongiardino. It is divided into three areas by pairs of opposing Corinthian columns and a dentilated cornice. The ceilings are painted with trompe-l'oeil coffering and the floor laid in a polished chequerboard of red/buff tiles. The walls are painted with trompe-l'oeil scenes of an abandoned Classical garden with statuary of mythological figures, and Classical doorcases grown-over with vegetation are painted around doors leading to other parts of the house.

At the south end is a fireplace, with stone Doric chimneypiece, and the north end wall is gently curved. Over the centre of the room is a large glazed cupola with a triglyph frieze; hung from the centre is an ovoid pendant lantern. On the east side is a wide alcove flanked by columns. The back wall of the alcove is painted with a perspective view of an allée with columns, cypress trees and statuary. Opposite the alcove are French windows opening out into the courtyard of 43 Hay's Mews.

The interior of 41–42 Hay's Mews beyond the Mongiardino room is varied in character and of lesser interest. More notable features include some which appear to originate with the 1900 building, such as the two stairs with turned balusters, some panelled doors, exposed roof trusses and the glazed bricks in the basement rooms.

Appendix II - Planning Policy and Guidance

Planning (Listed Buildings and Conservation Areas) Act 1990

The Act is legislative basis for decision making on applications that relate to the historic environment.

Sections 16, 66 and 72(l) of the Act impose a statutory duty upon local planning authorities to consider the impact of proposals upon listed buildings and conservation areas.

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

[...] in considering whether to grant listed building consent for any works the local planning authority or 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.

Similarly, section 66 of the above Act states that:

In considering whether to grant 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.

Similarly, section 72(l) of the above Act states that:

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

Local Policy

Westminster's City Plan 2019–2040 (2021)

The Westminster City Plan was adopted in April 2021 and contains the following relevant policies:

POLICY 38 DESIGN PRINCIPLES

- A. New development will incorporate exemplary standards of high quality, sustainable and inclusive urban design and architecture befitting Westminster's world-class status, environment and heritage and its diverse range of locally distinctive neighbourhoods.

RESPONDING TO WESTMINSTER'S CONTEXT

- B. All development will positively contribute to Westminster's townscape and streetscape, having regard to:
 1. the character and appearance of the existing area, adjacent buildings and heritage assets, the spaces around and between them and the pattern and grain of existing streets, squares, mews and passageways;
 2. materials, building lines, scale, orientation, access, definition, surface treatment, height and massing;
 3. the form, character and ecological value of parks, gardens and other open spaces;
 4. Westminster's waterways and waterbodies; and
 5. the preservation and enhancement of the surrounding tree population.

PEOPLE-CENTRED DESIGN

- C. All development will place people at the heart of design, creating inclusive and accessible spaces and places, introducing measures that reduce the opportunity for crime and anti-social behaviour, promoting health, well-being and active lifestyles through design and ensuring a good standard of amenity for new and existing occupiers.

SUSTAINABLE DESIGN

- D. Development will enable the extended lifetime of buildings and spaces and respond to the likely risks and consequences of climate change by incorporating principles of sustainable design, including:
1. use of high-quality durable materials and detail;
 2. providing flexible, high quality floorspace;
 3. optimising resource and water efficiency;
 4. enabling the incorporation of, or connection to, future services or facilities; and
 5. minimising the need for plant and machinery.

PROMOTING EXCELLENCE IN CONTEMPORARY DESIGN

- E. Imaginative approaches to contemporary architecture and use of innovative modern building techniques and materials will be encouraged where they result in exemplary new buildings and public realm which incorporate the highest standards of environmental sustainability, that respect and enhance their surroundings and are integrated with and better reveal Westminster's heritage and existing townscape.

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

- C. 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.
- D. 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.
- E. 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.

CONSERVATION AREAS

- G. Development will preserve or enhance the character and appearance of Westminster's conservation areas. Features that contribute positively to the significance of conservation areas and their settings will be conserved and opportunities taken to enhance conservation areas and their settings, wherever possible.
- H. There will be a presumption that unlisted buildings that make a positive contribution to a conservation area will be conserved, unless it has been demonstrated that the relevant tests in national policy have been met. Buildings which make a negative or neutral contribution may be replaced or refurbished where this will result in a high quality building which will improve their appearance in the context of the conservation area and their environmental performance.
- I. The contribution of existing uses to the character, function and appearance of conservation areas will be considered and changes of use supported where they make a positive contribution to conservation areas and their settings.

POLICY 40 TOWNSCAPE AND ARCHITECTURE

- A. Development will be sensitively designed, having regard to the prevailing scale, heights, character, building lines and plot widths, materials, architectural quality and degree of uniformity in the surrounding townscape.
- B. Spaces and features that form an important element in Westminster's local townscapes or contribute to the significance of a heritage asset will be conserved, enhanced and sensitively integrated within new development, including important architectural details, boundary walls and railings, historic roof forms or structures, open lightwells, historic or characteristic shopfronts and street furniture, as well as squares, parks and gardens. Where possible, lost or damaged features will be reinstated or restored.

EXTENSIVE DEVELOPMENTS

- C. Extensive development will maximise opportunities to enhance the character, quality and functionality of the site and its surroundings, including creating new compositions and points of interest, and high quality new streets and spaces, linked to the surrounding townscape to maximise accessibility.

ALTERATIONS AND EXTENSIONS

- D. Alterations and extensions will respect the character of the existing and adjoining buildings, avoid adverse visual and amenity impacts and will not obscure important architectural features or disrupt any uniformity, patterns, rhythms or groupings of buildings and spaces that contribute positively to Westminster's distinctive townscape.

Mayfair Conservation Area Directory (1998)

The current Mayfair Conservation Area Directory contains the following relevant information regarding its character:

Section 2: Key Features of the Mayfair Conservation Area

While a large part of Mayfair still has a domestic appearance, the area contains in fact a wide variety of land uses and activities. The existing balance of land uses in the area is approximately one-third residential, one-third office and one-third other uses, which includes shops, embassies, workshops and so on, all of which contribute to the unique character of Mayfair. Much of the area's charm, however, lies in its residential appearance.

An equally important element of Mayfair's appeal is in the unity of the area, which stems from four main causes. First is the way in which, up to about 1914, most redevelopment respected the discipline imposed by existing buildings so that, for instance, the line of a cornice or balcony in a Georgian building may be reflected by features in the detailed designs of its Victorian neighbour. Second, much redevelopment in this period was of one house plots only, so that the original small plot size is still apparent...In general, the height of buildings has remained related to the street widths, the higher buildings in the wider streets grading down to narrow mews of low buildings behind the main streets...Lastly, the buildings are constructed from a limited range of traditional materials, and have richness of detailing, a high standard of craftsmanship and a quality of finish and materials which strengthen the relationship of buildings and the unity of the street scene.

Plot Patterns

The morphology of Mayfair is derived from the grid layout and from the regular sub-division of plots within each block. The width of historical plot sub-division depended upon location within the hierarchy of grids, streets and mews. The widest plots, and the grandest houses, were found around the squares, with successively less wide plots and lower order buildings in main streets, side streets and mews.

Regional Policy

The London Plan (March 2021)

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

Policy HC1 Heritage Conservation and Growth

(C) Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The 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.

National Planning Policy Framework

Any proposals for consent relating to heritage assets are subject to the policies of the NPPF (December 2023). This sets out the Government's planning policies for England and how these are expected to be applied. With regard to 'Conserving and enhancing the historic environment', the framework requires proposals relating to heritage assets to be justified and an

explanation of their effect on the heritage asset's significance provided.

Paragraph 7 of the Framework states that the purpose of the planning system is to 'contribute to the achievement of sustainable development' and that, at a very high level, 'the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs'.

At paragraph 8, the document expands on this as follows:

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

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

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

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

and notes at paragraph 10:

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

With regard to the significance of a heritage asset, the framework contains the following policies:

201. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

In determining applications local planning authorities are required to take account of significance, viability, sustainability and local character and distinctiveness. Paragraph 203 of the NPPF identifies the following criteria in relation to this:

a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

c) the desirability of new development making a positive contribution to local character and distinctiveness

With regard to potential 'harm' to the significance designated heritage asset, in paragraph 205 the framework states the following:

...great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

The Framework goes on to state at paragraph 206 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. Substantial harm to or loss of:

a) *grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*

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

Where a proposed development will lead to 'substantial harm' to or total loss of significance of a designated heritage asset paragraph 207 of the NPPF states that:

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

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

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

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

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

With regard to 'less than substantial harm' to the significance of a designated heritage asset, paragraph 208 of the NPPF states the following;

208. 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.

The Framework requires local planning authorities to look for opportunities for new development within conservation areas and world heritage sites and within the setting of heritage assets to enhance or better reveal their significance. Paragraph 212 states that:

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

Concerning conservation areas and world heritage sites it states, in paragraph 213, that:

Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 207 or less than substantial harm under paragraph 208, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.

National Planning Practice Guidance

The National Planning Practice Guidance (NPPG) was published on 23 July 2019 to support the National Planning Policy Framework (NPPF) and the planning system. It includes particular guidance on matters relating to protecting the historic environment in the section: Conserving and Enhancing the Historic Environment.

The relevant guidance is as follows:

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

Conservation is an active process of maintenance and managing change. It requires a flexible and thoughtful approach to get the best out of assets as diverse as listed buildings in every day use and as yet undiscovered, undesignated buried remains of archaeological interest.

In the case of buildings, generally the risks of neglect and decay of heritage assets are best addressed through ensuring that they remain in active use that is consistent with their conservation. Ensuring such heritage assets remain used and valued is likely to require sympathetic changes to be made from time to time. In the case of archaeological sites, many have no active

use, and so for those kinds of sites, periodic changes may not be necessary, though on-going management remains important.

Where changes are proposed, the National Planning Policy Framework sets out a clear framework for both plan-making and decision-making in respect of applications for planning permission and listed building consent to ensure that heritage assets are conserved, and where appropriate enhanced, in a manner that is consistent with their significance and thereby achieving sustainable development. Heritage assets are either designated heritage assets or non-designated heritage assets.

Part of the public value of heritage assets is the contribution that they can make to understanding and interpreting our past. So where the complete or partial loss of a heritage asset is justified (noting that the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted), the aim then is to:

- capture and record the evidence of the asset's significance which is to be lost
- interpret its contribution to the understanding of our past; and
- make that publicly available (National Planning Policy Framework paragraph 211)

Paragraph 6: What is "significance"?

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

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

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

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

Paragraph 7: Why is 'significance' important in decision-taking?

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

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

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

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

The extent and importance of setting is often expressed by reference to the visual relationship between the asset and the proposed development and associated visual/physical considerations. Although views of or from an asset will play an important part in the assessment of impacts on setting, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust, smell and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each.

The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights of way or an ability to otherwise access or experience that setting. The contribution may vary over time.

When assessing any application which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change. They may also need to consider the fact that developments which materially detract from the asset's significance may also damage its economic viability now, or in the future, thereby threatening its ongoing conservation.

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

The vast majority of heritage assets are in private hands. Thus, sustaining heritage assets in the long term often requires an incentive for their active conservation. Putting heritage assets to a viable use is likely to lead to the investment in their maintenance necessary for their long-term conservation.

By their nature, some heritage assets have limited or even no economic end use. A scheduled monument in a rural area may preclude any use of the land other than as a pasture, whereas a listed building may potentially have a variety of alternative uses such as residential, commercial and leisure.

In a small number of cases a heritage asset may be capable of active use in theory but be so important and sensitive to change that alterations to accommodate a viable use would lead to an unacceptable loss of significance.

It is important that any use is viable, not just for the owner, but also for the future conservation of the asset: a series of failed ventures could result in a number of unnecessary harmful changes being made to the asset.

If there is only one viable use, that use is the optimum viable use. If there is a range of alternative economically viable uses, the optimum viable use is the one likely to cause the least harm to the significance of the asset, not just through necessary initial changes, but also as a result of subsequent wear and tear and likely future changes. The optimum viable use may not necessarily be the most economically viable one. Nor need it be the original use. However, if from a conservation point of view there is no real difference between alternative economically viable uses, then the choice of use is a decision for the owner, subject of course to obtaining any necessary consents.

Harmful development may sometimes be justified in the interests of realising the optimum viable use of an asset, notwithstanding the loss of significance caused, and provided the harm is minimised. The policy on addressing substantial and less than substantial harm is set out in paragraphs 205-208 of the National Planning Policy Framework.

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

What matters in assessing whether a proposal might cause harm is the impact on the significance of the heritage asset. As the National Planning Policy Framework makes clear, significance derives not only from a heritage asset's physical presence, but also from its setting.

Proposed development affecting a heritage asset may have no impact on its significance or may enhance its significance and therefore cause no harm to the heritage asset. Where potential harm to designated heritage assets is identified, it needs to be categorised as either less than substantial harm or substantial harm (which includes total loss) in order to identify which policies in the National Planning Policy Framework (paragraphs 205-208) apply.

Within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated.

Whether a proposal causes substantial harm will be a judgment for the decision-maker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework. In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.

While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all, for example, when removing later additions to historic buildings where those additions are inappropriate and harm the buildings' significance. Similarly, works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all. However, even

minor works have the potential to cause substantial harm, depending on the nature of their impact on the asset and its setting.

The National Planning Policy Framework confirms that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). It also makes clear that any harm to a designated heritage asset requires clear and convincing justification and sets out certain assets in respect of which harm should be exceptional/wholly exceptional (see National Planning Policy Framework, paragraph 206).

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

The National Planning Policy Framework requires any harm to designated heritage assets to be weighed against the public benefits of the proposal.

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

Examples of heritage benefits may include:

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

Other Relevant Policy Documents

Historic England: Historic Environment Good Practice Advice in Planning (December 2017)

Historic England: Conservation Principles and Assessment (2008)

