

Heritage Statement
44 Fulham Road and 1 Sydney Place,
London, SW3 6HH

July 2016

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Client

The Wellcome Trust

LPA reference

PRE/LB/14/01251/LEV3

July 2016

1. Introduction

- 1.1 This Heritage Statement report has been prepared by Turley Heritage on behalf of the Wellcome Trust ('the applicant'), to provide relevant and proportionate information to the local planning authority with regard to heritage impacts arising from the proposed internal and minor external alterations at Nos. 44 Fulham Road and 1 Sydney Place ('the Site'), within the Royal Borough of Kensington and Chelsea ('RBKC').
- 1.2 Importantly, this scheme has been informed by discussions with the local planning authority at the pre-application stage; as discussed in further detail in this report. Pre-application feedback was issued by the local planning authority on 15th January 2015 (LPA Reference: PRE/LB/14/01251/LEV 3). Accordingly, the application proposals have been refined in response to the pre-application feedback received. This pre-application process is also summarised in the accompanying Planning Statement prepared by Savills. The pre-application feedback is provided at Appendix 2.
- 1.3 Nos. 44 Fulham Road and 1 Sydney Place is situated at the junction of Fulham Road and Sydney Place. It forms part of a short terrace, consisting of Nos. 1-6 Sydney Place, which are grade II listed. The List Entry for Nos. 1-6 Sydney Place is included at Appendix 1. No.44 Fulham Road is not included on the list of buildings of special architectural or historic interest in its own right; however, it is integrated with No. 1 Sydney Place. Accordingly, for the purposes of this report, both Nos. 44 Fulham Road and 1 Sydney Place are considered as a single grade II listed building. The building was most recently in a mix of bank and commercial uses but is now vacant.
- 1.4 The National Planning Policy Framework ('the Framework') provides the Government's national planning policy on the conservation of the historic environment. In respect of information requirements for applications, it sets out that
- "In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance"¹*
- 1.5 In accordance with these legislative and policy requirements, Section 2 of this report firstly identifies the relevant heritage assets within the Site and its vicinity that may be affected by the impact of the application proposals. As the proposals relate principally to internal works, with only minor external works, it is only necessary at Section 2 to identify the listed building (noting its role as part of a group), rather than the wider Thurloe / Smith's Charity Conservation Area. The pre-application feedback (Appendix 2) confirms that the key matter from a heritage perspective is whether the proposed alterations preserve the heritage significance of the listed building.
- 1.6 Section 3 then provides a statement of significance for Nos. 44 Fulham Road and 1 Sydney Place. In this section, a description of the historic development and heritage significance of the listed building, in terms of its special architectural and historic

¹ DCLG, National Planning Policy Framework (NPPF) 2012 – para. 128

interest, is provided. This assessment is undertaken on the basis of published information, historical research and on-site visual survey, and is proportionate to both the importance of the identified heritage assets and the relative impacts of the proposals.

- 1.7 Section 4 provides an assessment of the impacts of the proposals on the particular significance of the identified heritage asset, as described. These are considered in light of the relevant statutory duty of the Planning (Listed Buildings and Conservation Areas) Act 1990, national policy in the Framework and supported by National Planning Practice Guidance (NPPG) 2014, and local planning policy and guidance for the historic environment, as appropriate. The relevant legislative and policy context for heritage assets is set out in more detail at Appendix 3.
- 1.8 The findings of this report are summarised and concluded at Section 5.

2. The Heritage Asset

2.1 The Framework defines a heritage asset as:

“A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest².”

Designated Heritage Assets

2.2 Designated heritage assets are those which possess a level of interest that justifies designation and are then subject to particular procedures in planning decisions that involve them.

Statutorily Listed Buildings

2.3 No.1 Sydney Place was included on the statutory list of buildings of special architectural or historic interest at grade II on 15th April 1969 as part of the group Nos. 1-5 and No. 6 Sydney Place (Figure 2.1). The list entry was subsequently amended on 2nd May 1973. The List Entry is included at Appendix 1 and is summarised below for ease of reference:

“One of 2 matching stucco blocks leading into Onslow Square from Fulham Road. George Basevi c1825-1830. Three storeys, attics and basements. Two windows each house with 4 storey end houses slightly set forward. One 3 light window to end houses. Openwork parapet - cast iron first floor balcony across whole front. Roman Ionic pilastered doorways (freestanding porch to No 6). No 1 ground floor altered for bank.”



Figure 2.1: Listed Building Plan (National Heritage List)

2.4 Whilst No.44 Fulham Road is not included on the statutory list in its own right, it forms an integral element of No. 1 Sydney Place, insofar as it is integrated with the listed building. As such, for the purposes of this report, both Nos. 44 Fulham Road and 1 Sydney Place are considered as a single grade II listed building.

² DCLG, National Planning Policy Framework (NPPF) 2012 - Annex 2: Glossary

- 2.5 There are a number of listed buildings in the immediate vicinity of the Site. However, it is considered that due to their nature and extent, the application proposals will not affect the significance of any other listed buildings within the vicinity of the site through impact on their setting. Accordingly, it is not necessary to consider their heritage significance as part of this report.

Conservation Area

- 2.6 As the proposals relate principally to internal works, with only minor external works, it is only necessary at Section 2 to identify the listed building (noting its role as part of a group), rather than the wider Thurloe / Smith's Charity Conservation Area. The pre-application feedback (Appendix 2) confirms that the key matter from a heritage perspective is whether the proposed alterations preserve the heritage significance of the listed building.

Non-Designated Heritage Assets

- 2.7 The Framework³ identifies that heritage assets include both designated heritage assets and assets identified by the local planning authority (including local listing). The Royal Borough does not maintain a register of unlisted building of local architectural or historic interest or "local list".

³ DCLG, National Planning Policy Framework (NPPF) 2012 - Annex 2: Glossary

3. Significance of the Heritage Asset

Significance and Special Interest

3.1 The Framework defines the significance of a heritage as:

“The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting⁴.”

3.2 Listed buildings are designated heritage assets that hold special architectural or historic interest. The principles of selection for listed buildings are published by the Department of Culture Media and Sport⁵, and supported by Historic England’s Listing Selection Guides for each building type. The relevant selection guide for the listed buildings affected by the proposals is Domestic 2: Townhouses.⁶

3.3 Historic England has also published guidance⁷ on the identification of four types of heritage value that an asset may hold: aesthetic, communal, historic and evidential value. Together, this guidance provides a framework for assessing the significance of designated or non-designated heritage assets.

Nos. 1 Sydney Place and 44 Fulham Road (Grade II Listed Building)

3.4 The following assessment is proportionate to the importance of the identified heritage asset and sufficient to understand the potential effect of the proposals, given their nature and extent. This assessment has been based on existing published information, archival research and on-site visual survey.

Historic Development

3.5 The earliest records show the area as part of the parish of Kensington and the manor of Earl’s Court. The villages of Knightsbridge, Brompton and Earls’ Court were linked by the ancient lane from London, which still survives today as Brompton/Old Brompton Road.

3.6 It is likely that Kensington grew out of a Saxon settlement. It had become a village by the mid-17th century; centred around the parish church of St Mary Abbots, on the turnpike from London. In the early-17th century, a number of grand houses were built in the area, including Holland House, which was designed for Sir William Cope from 1605 onwards, and Campden House, built around the same time by Sir Baptist Hicks. Another early-17th century house located nearby, which later became known as Kensington Palace, was established by King William and Queen Mary in 1689. It was from this date that Kensington developed into a town.

⁴ DCLG, National Planning Policy Framework (NPPF) 2012 - Annex 2: Glossary

⁵ DCMS, Principles of Selection for Listing Buildings, 2010

⁶ Historic England, Domestic 2: Townhouses Selection Guide. October 2011.

⁷ Historic England, Conservation Principles, Policies and Guidance, 2008

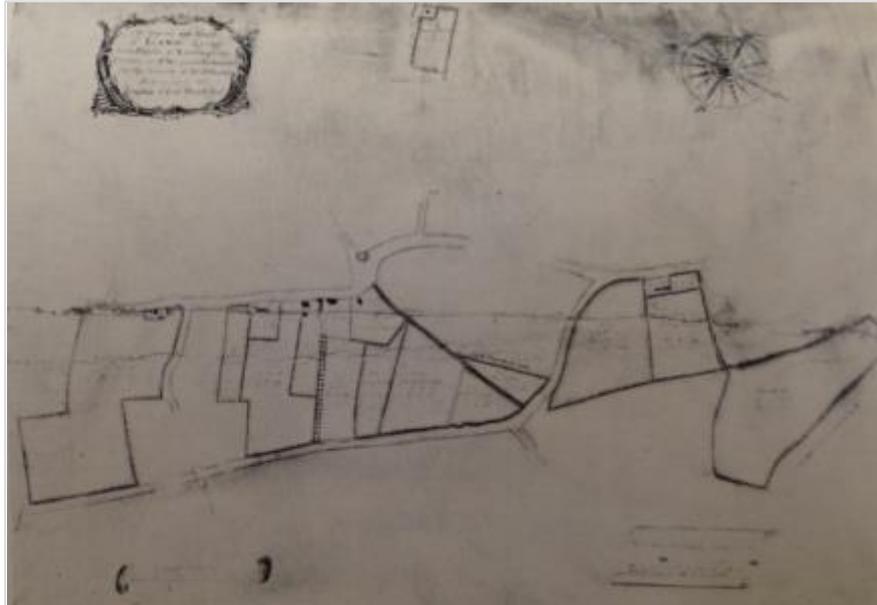


Figure 3.2: A survey made in 1753 of 'Land...belonging to the Trustees of Henry Smith Esqr'.

- 3.9 A notable development during the 18th century was the building of Hans Town by architect Henry Holland, which began in 1777. At this time London was expanding westwards; St James' and Mayfair had become built up by 1770 and the development of Belgravia was prevented until the 19th century due to drainage problems, meaning that speculators had to look further afield. Hans Town was built on a strip of land leased from the Cadogan Estate on the eastern boundary of Chelsea, from Knightsbridge almost down to the Royal Hospital. The project was laid out to a large-scale, consistent design and the housing was intended to attract the upper middle and professional classes. The success of the project had a significant influence on the future of the whole area.
- 3.10 The 18th Century also saw the expansion of East Brompton, as the area adjoining Knightsbridge had come to be known, following the establishment of Kensington Palace. The pace of development accelerated after the construction of Hans Town and between 1766 and 1780, a number of terraces had been built along the Brompton Road, as can be seen in Cary's map (Figure 3.3). To the south of these terraces, housing was built on a more modest scale up to the parish boundary. However, it was the 19th century that saw a building explosion in London following the end of the Napoleonic Wars in 1815.

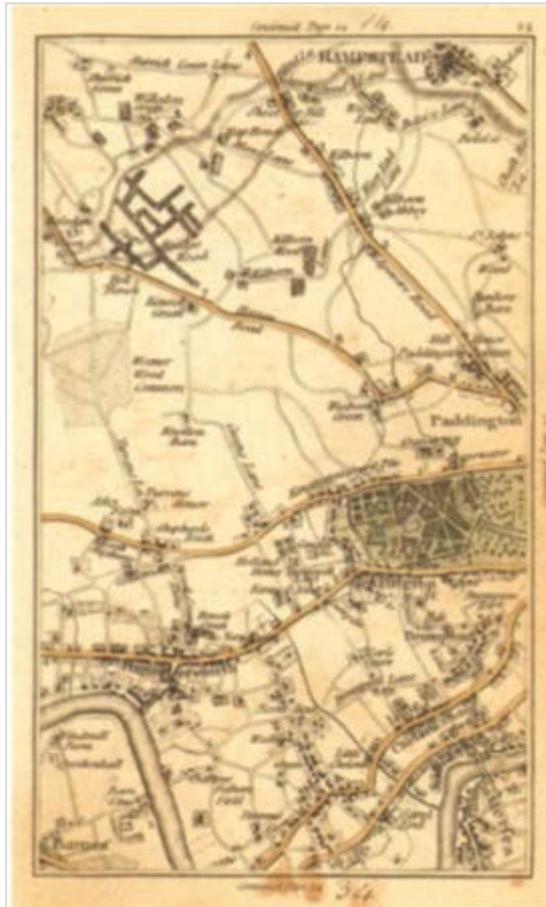


Figure 3.3: Cary's map of 1786

- 3.11 In 1823, the Trustees of Henry Smith's Charity began to develop their estate. They granted 60 year leases to James Bonnin, a builder, for a plot just south of the Thurloe Estate. The plot was for eight houses and a cottage as a terrace which were completed in 1824 and named after Arthur George Onslow, one of the Trustees. This can be seen in the centre of Greenwood's map of 1830 (Figure 3.4), named Onslow Terrace. The land to the west of Onslow Terrace is still being cultivated as nursery gardens at this time. Harrison and Bristow's Nursery Gardens is on the area now covered by Pelham Crescent, Pelham Place and Pelham Street. Adjacent to this is Gibbs Nursery, which is the site of Sydney Place. The nursery was established in 1800 by Thomas Gibbs and was used both for horticultural purposes and for experiments to produce improve crop seed.



Figure 1.4: Greenwood's map of 1830

- 3.12 George Basevi was appointed architect by the Trustees in 1828. He was initially tasked with planning a new drainage system for Michael's Grove and Brompton Crescent but by the end of 1829 he had already submitted plans for the future development of the rest of the estate. Works were delayed due to difficulties over existing leases, but specifications for standard houses and decorative details were drawn up in Basevi's office. By 1844, Pelham Crescent, Pelham Place, Pelham Cottage and Park Cottage (now Park House) were completed. The last project to be undertaken by Basevi and Bonnin was Brompton Crescent (now Egerton Crescent) and Crescent Place behind it; however this was not completed until 1850, 5 years after Basevi's death.
- 3.13 After Basevi's death, Henry Clutton was appointed architect, however, the principal figure in the development of the estate from this point was Charles James Freake, who eventually became his successor. For almost 40 years, Freake worked as builder for the estate, but later became architect for the development.
- 3.14 The Trustees concluded a building agreement with Freake in April 1844, following the expiry of the lease for Thomas Gibbs nursery in 1843. The agreement retained some elements of a general plan for the development of the estate drawn up by Charles Basevi as early as 1833. In particular, a proposed new road to connect Fulham Road to Old Brompton Road took shape as Sydney Place and the east of Onslow Square. Basevi had originally envisaged a small square at the southern end of this road opening onto Fulham Road; however by 1844 the proposed square had been moved northwards.
- 3.15 Freake began work with Sydney Place and this was completed in 1845, to Basevi's designs. This consisted of two facing terraces of stuccoed houses, the terrace on the west side of the road being nos. 1-6 Sydney Place, with number no. 1 occupying the plot on the junction of Sydney Place and Fulham Road. Following this in 1846, he constructed the houses on the east side of Onslow Square and by 1847 work had begun

on the north and south terraces to a similar design. Figure 3.5 is a plan dated 1847, showing the layout of Onslow Square and Sydney Place. The shaded buildings are those already constructed by this point. The west side of Onslow Square, grouped as three linked pairs of houses, followed soon after. The two northern and single southern terraces in Sumner Place, formed of entirely stuccoed houses, were completed between 1850 and 1852.

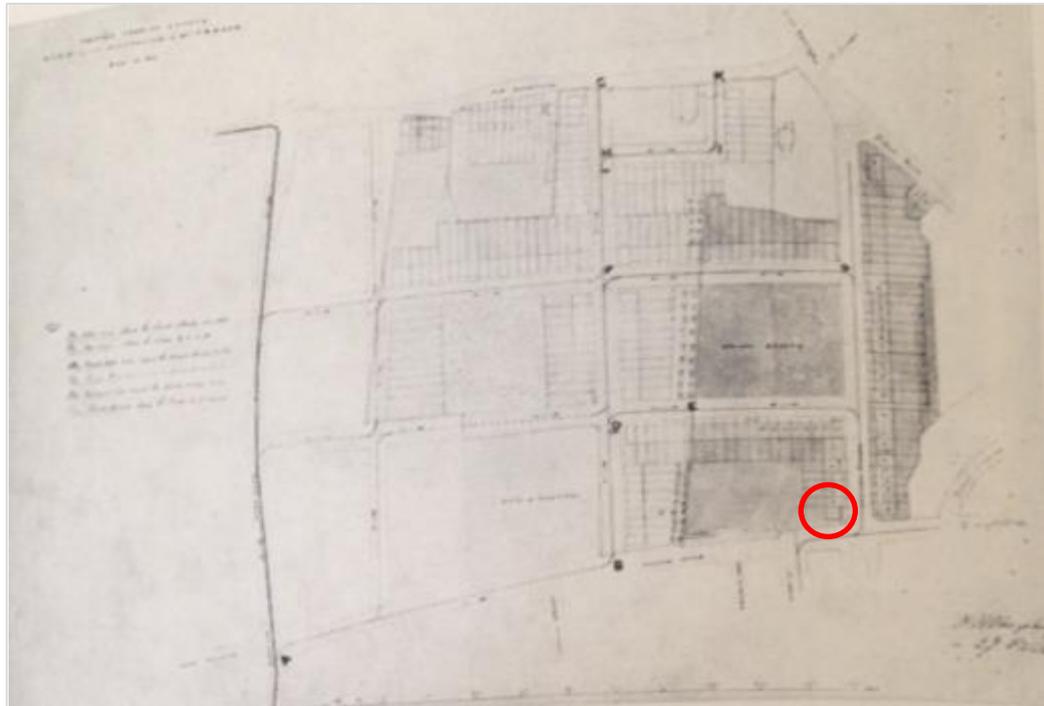


Figure 3.5: Plan showing Onslow Square and Sydney Place on 'Land in the occupation of Mr Freake' (16th February 1847)

- 3.16 The Great Exhibition and building of Crystal Palace in 1851, and the construction of the Metropolitan and District Railways during the 1860s, added impetus to the development of Kensington and encouraged the continuation of the estate's growth, even though a number of houses in Pelham Street and Onslow Terrace had to be demolished to make way for the railway. In the mid-1850s, Onslow Square was extended and further development followed into the 1870s. The long western range of Cranley Gardens with its mews behind, was constructed between 1877 and 1880. This was Freake's last work for the Trustees before his death. Figure 3.6 illustrates the extent of construction on the Smith's Charity Estate by 1865, including Sydney Place and Onslow Square.



Figure 3.6: 1865-72 OS map

Architectural Interest

Exterior

- 3.17 The property at Nos. 44 Fulham Road and 1 Sydney Place is located on the corner plot at the junction of Sydney Place and Fulham Road (Figure 3.7). It forms part of a Grade II listed terrace of six houses along the west side of Sydney Place. They were designed by George Basevi in circa 1825-1833; however, the houses in Sydney Place would have been built between 1844 and 1845 when Freake took over building the estate to Basevi's designs.



Figure 3.7: Front elevation of nos.44 Fulham Road and 1 Sydney Place

- 3.18 The terrace consists of three storeys with attic and basement, with the two end houses, number 1 and number 6, consisting of four storeys and both being set slightly forward from the rest of the terrace. The terrace is set slightly back from the road frontage with

steps leading up to the entrances of the houses. The façades of the terrace are stuccoed, with quoins at the angles of the end houses, although this detail no longer exists at Nos. 1 Sydney Place and 44 Fulham Road. Each house has two windows to the front elevation at each level, with triple windows at the second floor level. Originally, there was one pilastered three light window to each of the end houses although this now only remains at No. 6 Sydney Place. The terrace has slate mansard roofs to Nos. 2 to 5 and pitched roof to No. 6 Sydney Place. The roof to No. 1 Sydney Place has been altered and now includes utilitarian, modern roof clutter (Figure 3.7). There is a cast iron balcony at first floor level which originally would have run across the whole front of the terrace. The terrace has Roman Ionic pilastered doorways with a freestanding porch to No. 6 Sydney Place.

3.19 Figure 3.8 illustrates the elevations for a number of the houses built by Freake between 1844 and 1884, with the design for the terraces in Sydney Place on the left. The designs for the short stuccoed terraces in Sydney Place are almost identical to houses in Egerton Crescent and other houses on Basevi's Pelham development, with the same refinement in their detailing, the only major difference between them being the pattern of the balcony railings. When comparing Freake's later housing to that of Sydney Place, it is possible to see a gradual dilution of Basevi's influence. The next houses to be built in Onslow Square in 1846 are still fully stuccoed and have the same triple windows at second floor level, whereas the houses on the south side of Onslow Square and those in Onslow Gardens and Cranley Gardens are of grey stock brick with stucco dressings, some of the windows have been given fully aediculated treatment and there are variations in the design of the railings. However, there are a number of characteristic elements of Basevi's work, which are carried forward throughout Freake's designs, such as the break-up of a long terrace by slight projections at the ends and centre, usually denoted by quoins and the use of triple windows and often sporting the anthemion-and-palmette capitals which Basevi first used in Egerton Crescent.

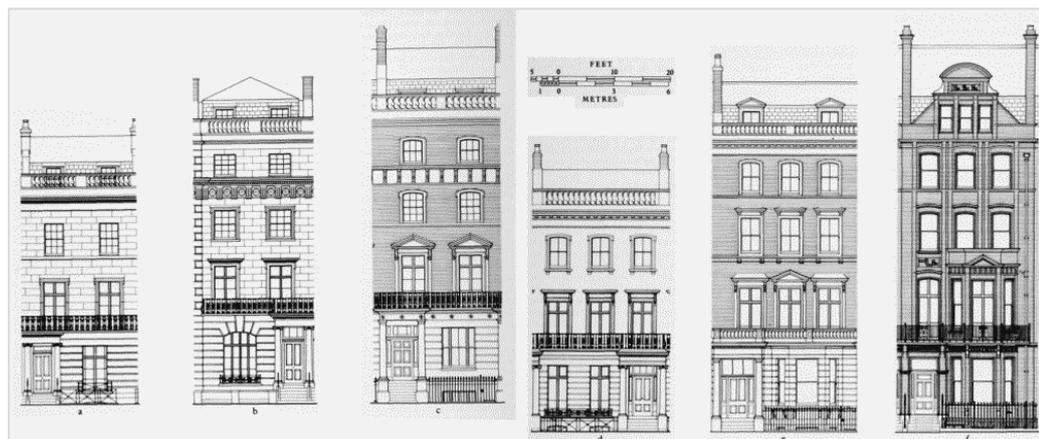


Figure 3.8: Elevations of houses built by C. J. Freake
a. Sydney Place, b. No. 5 Onslow Square, c. Onslow Square, south side, d. Sumner Place, e. No.73 Onslow Gardens, f. No. 33 Cranley Gardens

3.20 In 1881, the Kensington branch of the Imperial Bank submitted an application for the extension of their premises at No. 1 Sydney Place. It is not known at exactly what date the Imperial Bank owned the building from, however, from map evidence it can be dated

to between 1875 (Figure 3.9) and 1895 (Figure 3.11). Therefore, it seems likely that the Imperial Bank would have been occupied from c.1880 onwards.



Figure 3.9: 1874 OS map

- 3.21 Figure 3.10 shows the block plan submitted with the application for extension to No. 1 Sydney Place. As the plan demonstrates, this extension replaced the single storey entrance bay, with a larger, two storey extension located to the back edge of the pavement addressing Fulham Road. Permission was granted for this in August 1881. In May 1882, a further application to increase the height of the extension to three stories was also granted permission.

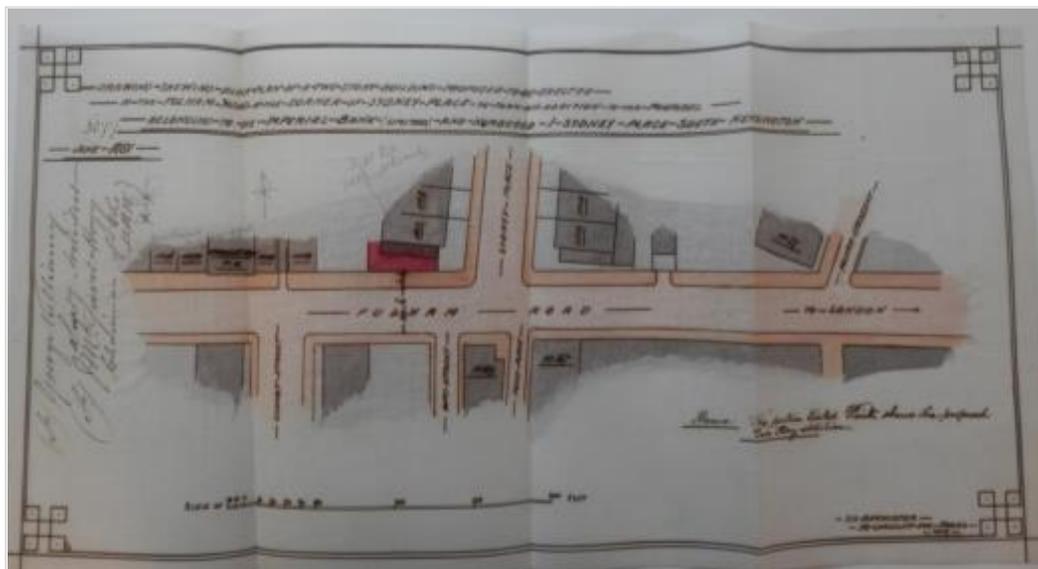


Figure 3.10: Block plan illustrating proposed extension to the south side of 1 Sydney Place

3.22 By 1895, the extension to No. 1 Sydney Place has been constructed, as shown in the 1895 Ordnance Survey map (Figure 3.11). The side extensions can therefore be confidently dated to between 1882 and 1895, likely towards the earlier end of this range. These side extensions were built in a matching, Italianate classical style, with pilasters to the elevation at ground floor level. The entrance has Ionic columns and is angled on the corner of the building (Figure 3.12).



Figure 3.11: 1895 OS map



Figure 3.12: Fulham Road elevation

3.23 Drainage plans for No. 44 Fulham Road (dated 1909) show the internal layout of part of the building as two rooms deep with a staircase to the rear (Figure 3.13 and 3.14). The relationship of these plans to the current floor plan is unclear and of limited use in understanding the historic development of the property.

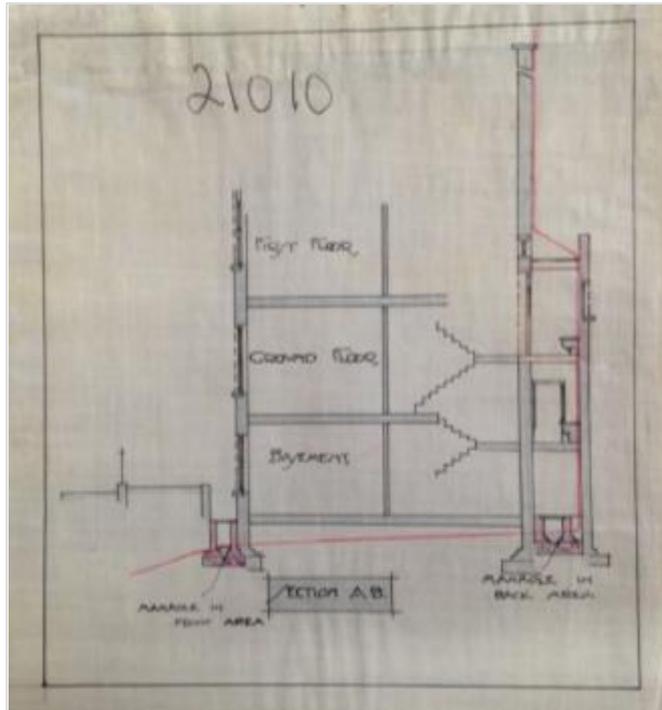


Figure 3.13: 1909 drainage plan

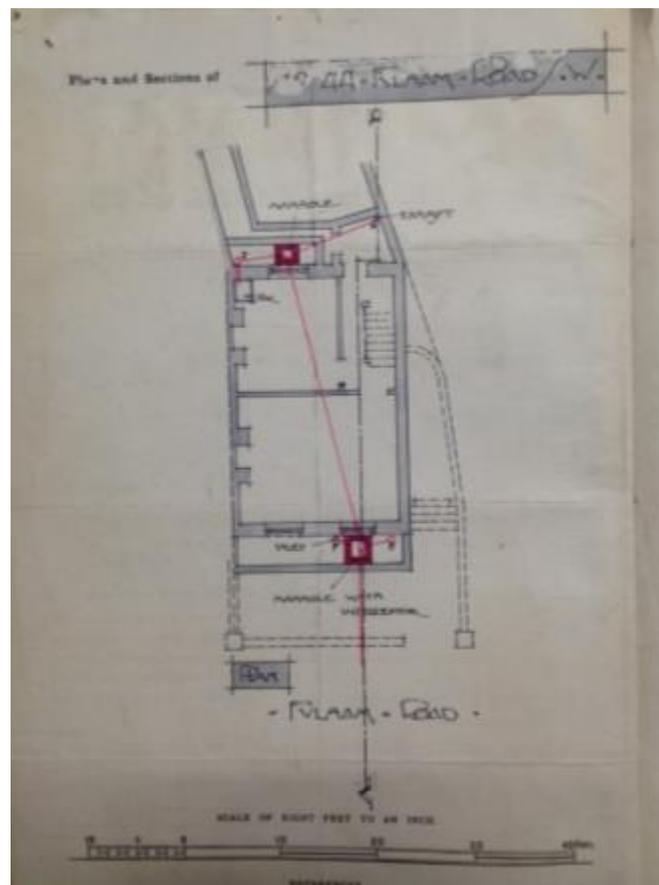


Figure 3.14: 1909 drainage plan

- 3.24 There was a further rear extension to the building, which can be seen on the OS map of 1916 (Figure 3.15). This later extension closes the gap left between 44 Fulham Road and the other buildings fronting Fulham Road. There are no records or drawings relating to this extension, but from the maps we can identify that it was built sometime between 1895 and 1916.



Figure 3.15: 1916 OS map

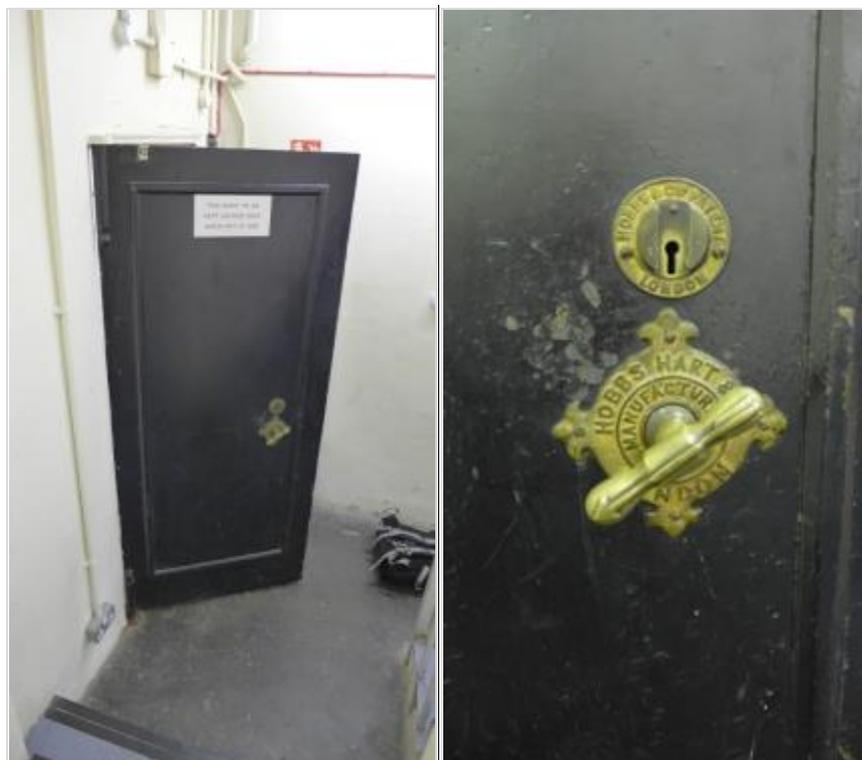
- 3.25 In summary, the exterior of the building is a high-quality example of the classically derived style that characterised the mid-late Victorian development of this part of Kensington, to the extent that it became known as 'Kensington Italianate'. Whilst the original property has been significantly extended during the latter part of the 19th century, to accommodate the introduction of a bank use, these extensions utilise the same character as the original building and integrate successfully (albeit with minor discrepancies in detail).
- 3.26 The principal frontages to Sydney Place and Fulham Road form an important element in the local townscape and help to frame the entrance into Sydney Place. Whilst no longer part of a symmetrical composition, it remains an integral element of a balanced and harmonious terrace.
- 3.27 By comparison, the rear elevation of the property is plainer and less formal being exposed stock brick with no architectural detailing, typical of a property of this date and type, reflecting the difference in status between the public, front and private, rear elevations.
- 3.28 The introduction of the bank in the latter part of the 19th century has resulted in notable changes to the ground floor of the extended property. The 'shop front' is relatively restrained and consists of large, vertical windows (likely 20th century replacements) set within the bays defined by pilasters set on a low stall riser (incorporating iron ventilation grills with a Greek key motif) and a 'fascia' that takes the form of an entablature. The

canted corner bay, addressing the junction between Sydney Place and Fulham Road, is marked by a projecting porch. The resulting composition differs from the residential character of the remainder of properties within the terrace, however, strikes a successful balance between commercial use and an otherwise domestic context. As a projecting corner 'pavilion' these differences emphasise its townscape role on this prominent corner site.

- 3.29 The original elements of the building i.e. No. 1 Sydney Place are of principal interest as part of the original, mid-19th century planned development of the area. The later elements are of comparatively lesser interest to this original element.

Interior

- 3.30 The interior of the property has undergone significant alterations as a result of the bank use and later commercial uses at the upper floors. At lower ground floor, the plan form of the building has been compromised in part by later alterations. It is, however, possible to determine elements of historic plan form through the orientation/alignment of substantial partitions and staircases. The strong room (with secure door and barred gates) and vaults associated with the bank remain in part. These elements were constructed by the firm of Hobbs, Hart & Co.; a well-known safe manufacturers in 19th and 20th century London. The appearance and form of these elements suggests a late 19th century date. Together with the vaults, these elements are considered to contribute positively to the special interest of the listed building. By contrast, later partitions, subdivisions and alterations, including a small lift do not make a positive contribution to the special interest of the listed building. On the basis of a visual inspection, there does not appear to be any original paving or decorative fabric remaining at this level.



Figures 3.16 and 3.17: Details of strong room doors

- 3.31 At upper ground floor level, the historic plan form has been significantly eroded to form the current banking hall. The associated removal of fabric, and insertion of lightweight partitions, has compromised the understanding of the original residential layout and original bank plan form (and the evolution of these uses). There are, however, remnants of a grand fit out, seemingly of late 19th century date, which contribute positively to the significance of the listed building. The stair leading to the upper floors from Fulham Road appears to be contemporaneous to this phase of the building's development.
- 3.32 At first floor, the plan form has also been compromised through the removal of sections of wall and the insertion of lightweight partitions. The differences between the various phases of the building does, however, remain broadly legible in the form of partitions, which contributes to the building's architectural interest. There is a range of historic detailing surviving in this location in the form of cornices, skirting boards, door surrounds and chimneypieces, which also amplify the architectural interest of the building (Figure 3.18 and 3.19).



Figure 3.18: Chimneypiece at first floor level



Figure 3.19: Cornice detail at first floor level

- 3.33 At second and third floor, the plan form remains broadly legible (albeit altered in part), with a lesser degree of survival of decorative fabric remaining. The principal historic element is the staircase, which runs from first to third floors. Accordingly, these floors are considered to make a comparatively lesser contribution to the special interest of the listed building.
- 3.34 Overall, given the degree of alteration the interior of the building is considered to make a comparatively minor contribution to the special interest of the listed building in this case.

Historic Interest

- 3.35 The listed building was originally constructed as part of a short terrace along the southern part of Sydney Place, at the junction with Fulham Road c.1845. This terrace was built as part of the wider Onslow Square development; undertaken on land owned by the Smith's Charity estate. This property, as part of the terrace and wider townscape, are of some historic/evidential value in providing evidence of the expansion and prosperity of 19th century Brompton/Kensington and London more generally.
- 3.36 Charles James Freake was the builder/architect overseeing the development of the estate after the death of the earlier surveyor/architect George Basevi in 1845. The property also derives historic interest from its associations with notable architects of the early-mid 19th century who were prevalent in the local area and were responsible for the distinctive architectural character. These associations are tied to the fabric of the building and townscape more widely.
- 3.37 There is also some historic interest associated with the change to commercial use in the late 19th century as part of wider trends towards commercial development in this period. This interest is comparatively minor, however, being well-represented in the local area and London more generally and is directly linked to those aspects of the building that illustrate the gradual process of extension/adaptation to facilitate this commercial use.

4. Assessment of Application Proposals

Introduction

- 4.1 The affected designated heritage asset of the grade II listed building at Nos. 44 Fulham Road and 1 Sydney Place has been identified and its significance described as part of this report, in Sections 2 and 3.
- 4.2 The relevant heritage legislation, policy and guidance is also set out in full at Appendix 3 of this report. This includes the statutory duties of the Planning (Listed Building and Conservation Areas) Act 1990, national policy set out in the Framework and supported by the NPPG 2014, and local policy and guidance for the historic environment.
- 4.3 Together, these sections and appendices of this report provide the appropriate context for the consideration of the application proposals by the local planning authority.

Application Proposals and Pre-Application Response

- 4.4 The final application proposals at Nos. 44 Fulham Road and 1 Sydney Place comprise:
- The removal of internal walls / partitions at lower ground floor level, first floor level and second floor level;
 - The insertion of a staircase from ground to first floor level;
 - The removal of a window and replacement with a door to the rear of the building at ground floor level;
 - The insertion of new double doors to the rear of the building at ground floor level; and
 - The removal of the two storey corrugated steel structure attached to the rear elevation of the building.
- 4.5 Full details with regard to the design of these application proposals are set out in the drawings package prepared by Savills as part of the application submission. This package is also accompanied by a complementary Design and Access Statement. This information complements the assessment of this report.
- 4.6 Importantly, this scheme has been informed by discussions with the local planning authority at the pre-application stage. Pre-application feedback was issued by the local planning authority on 15th January 2015 (LPA Reference: PRE/LB/14/01251/LEV 3). Accordingly, the application proposals have been refined in response to the pre-application feedback received (Appendix 2). Officer advice indicated that the insertion of a staircase from ground to first floor level would be accepted in principle and that the removal of modern partitions would be welcomed, however, it was noted that the proposed removal of a number of internal walls would not be supported by officers. It was also highlighted that a Heritage Statement should be submitted in support of any future application.

- 4.7 In response to this feedback, Turley Heritage were appointed to produce this Heritage Statement and to undertake research and analysis work to better understand and explain the heritage significance of the listed building. It is this understanding of the particular significance of the listed building that forms the basis of this report. In addition, the scheme approach and design was revised in response to the findings of this work and also in response to the pre-application advice. This process has led to this final application scheme, which is described further in this section of this report.

Assessment of Heritage Impacts

- 4.8 The application proposals will have a direct impact on the significance of the designated heritage asset of the grade II listed building at Nos. 44 Fulham Road and 1 Sydney Place (no other heritage assets affected). The scheme design and its heritage impacts are described in this section below, in terms of the internal and external physical changes. The heritage impacts of the proposed development will also be reviewed at the end of this section in light of the relevant statutory duties of the Planning Act 1990; national policy within the Framework and supporting NPPG 2014 and other national guidance; and, the relevant local planning policy and guidance for the historic environment.

Internal Alterations

Lower Ground Floor

- 4.9 The pre-application advice stated that the proposed removal of the strong room and the associated internal walls at lower ground floor level would not be supported as part of an application for listed building consent. This Heritage Statement identifies that these elements of the historic plan form, including the associated features relating to the earliest phases of the bank use, specifically the strong room doors/grilled doors, contribute to the special interest of the listed building, by virtue of their association with the building's long standing historic function as a bank. In direct response to this advice, the proposals to the lower ground floor level have been revised and now retain these elements of the historic plan form, including the associated features, which remain to the south east side of the building.

- 4.10 The remainder of the lower ground floor plan, to the north west side of the building, has been compromised in part by later alterations, including the insertion of modern partition walls. It is proposed to remove a number of these lightweight modern partitions, which is a heritage benefit that will better reveal the significance of the listed building. In addition, a section of wall to this side of the lower ground floor plan is proposed to be removed. Although this will result in the removal of some existing fabric, part of the wall will be retained, which will therefore allow an understanding of the legibility of the historic plan form to remain.

Ground Floor

- 4.11 As outlined earlier within this report, the ground floor level has been substantially altered through the removal of the internal walls to form the banking hall. This has compromised the understanding of the original residential layout and original bank plan form at this level. It is proposed to remove the existing lift shaft and lift components to the south west end of the ground floor plan and to insert a new staircase to connect the ground

floor to the first floor. Importantly, the principle of a staircase connecting ground and first floors has been accepted by local planning authority officers in the written pre-application advice dated 15th January 2015, which stated that:

“Given the extent of intervention already evident there is no objection to the insertion of a staircase from ground to first floor level in principle.”

- 4.12 The insertion of the new staircase will involve the removal of later elements associated with the lift and therefore will not result in the removal of historic fabric. It will also be located within the later rear extension, described within this report, and therefore its insertion, within the now heavily altered interior at this level, will not adversely impact the particular significance of the listed building. Overall, the plan form at this level will be retained. There will, however, be a more consistent treatment of the ceiling, with a suspended plasterboard ceiling inserted and the repair of damaged exposed plasterwork.
- 4.13 It is also intended to remove the existing window to the south west elevation of the building and to insert a door in this location. The new door will be designed to match the adjacent door, and therefore will be consistent with the particular significance of the listed building. To the north west elevation, it is proposed to create an opening within the wall, following the removal of the existing external structure to this elevation (described below) and to insert new double doors to match the existing, in keeping with the significance of the building.

First Floor

- 4.14 As noted within Section 3 of this report, the historic plan form at this level has been compromised through the removal of sections of wall and the insertion of partitions. Nevertheless, the distinction in the building phases remains broadly legible and a number of historic features remain. The pre-application advice outlined concerns with the initial scheme proposals at this level regarding the removal of original walls and chimney breasts within the original building at No.1 Sydney Place. In response to this, the proposals have now been revised and will retain the original wall and chimney breast and original spine wall separating the front and rear rooms. In addition, the revised proposals will also retain the central chimney breast within the Victorian extension, as recommended within the pre-application advice.
- 4.15 The new staircase connecting ground floor and first floor will be located within the later extension to the building. In order to accommodate this element of the proposals, the later partition walls at first floor level in this location will be removed. Pre-application advice confirmed that the removal of these walls would be acceptable.
- 4.16 The proposals at this floor level also include the removal of the spine wall separating the front two rooms to the Victorian extension. Archive research has not confirmed whether this wall is original or not, however, it is likely that a dividing wall would have historically existed in this location. As such, although the removal of this dividing wall will could be regarded as a resulting in a minor degree of harm, it is considered that it would be towards the lower end of the scale of “less than substantial” for the purposes of the Framework, given the uncertainty regarding its provenance and location in a later part of the building, and should be considered in the wider context of the scheme overall and

against the benefit of the removal of inappropriate modern partitions throughout the building.

- 4.17 There are also a number of non-original partition walls at this level and it is proposed to remove the lightweight partition wall to the front room of the original building at No.1 Sydney Place. This wall is not full height and as such, the corncing within this room is retained. It was identified in the pre-application advice that the removal of clearly modern partitions would be welcomed. This element of the proposals will improve the legibility of the historic plan form and the original proportions of this room, as well as allow an appreciation of the associated decorative fabric. These works are therefore a heritage benefit that will better reveal the significance of the listed building.

Second Floor

- 4.18 At second floor level, the proposed scheme seeks to remove a number of later internal partition walls located within the Victorian extension. Although the plan form at this level remains broadly legible, it has been altered in part. In addition, little decorative features remain at this floor level. It is proposed to remove the modern partition walls located within the rear room of the side extension of the building. This is a heritage benefit that will better reveal the significance of the listed building, through reinstating an element of historic plan form. It is also proposed to remove the wall between the front and rear rooms. Although broadly located on the historic alignment, this wall is not original and is not located in the original position. As such, there will be no loss of historic.

Third Floor

- 4.19 No changes are proposed to the third floor of the listed building.

External Alterations

- 4.20 The external form and appearance of the frontage of the listed building, as seen in public views, will be retained. To the rear, it is proposed to remove the two storey structure, which extends from ground to first floor, and to finish the exposed external wall in white render to match. The existing utilitarian structure is finished in steel corrugated cladding, which is not in keeping with the significance of the listed building. Its removal and making good of the elevation will therefore be a heritage benefit that will better reveal the significance of the listed building by improving the legibility of the historic character of this elevation.

Review of Heritage Legislation and Policy

Statutory Duties

Planning (Listed Buildings and Conservation Areas) Act 1990

- 4.21 The Planning Act 1990 requires special regard to be paid to the desirability of preserving the special interest of listed buildings and their settings, in determining applications. The meaning of preservation in this context, as informed by case law, is taken to be the avoidance of harm.
- 4.22 It is demonstrated in this report, and through the full material submitted as part of the application, that the design of the proposals pays special attention to the desirability of preserving the special interest of the listed building, and that great care and attention has been taken to avoid harm wherever possible, through a carefully considered

approach, informed by a proportionate understanding of the particular significance of the listed building.

- 4.23 Overall, the proposals will accord with the objectives of the statutory duties to preserve the special interest of the listed building.

National Policy and Guidance

The Framework

- 4.24 In accordance with the requirements of paragraph 128 of the Framework, the significance of the identified designated heritage asset of the listed building, which will be affected by these proposals, has been fully described in this report.
- 4.25 It is demonstrated in this section, and the report as a whole, that the proposed change of use of the building, and the associated well-considered internal and external alterations, are in accordance with the principles set out in paragraph 131 of the Framework. This encourages local planning authorities to take account of the desirability of sustaining and enhancing the significance of all heritage assets, including listed buildings, and putting them to viable uses consistent with their conservation; the positive contribution that the conservation of heritage assets can make to sustainable communities, including their economic vitality; and, the desirability of new development making a positive contribution to local character and distinctiveness.
- 4.26 Paragraph 132 requires that great weight should be given to conservation of designated heritage assets, such as listed buildings. Importantly, Annex 2 of the Framework defines “conservation” as the process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance. It is not a process that should prevent change, where proposals such as this scheme have been revised in response to pre-application discussions, in order to conserve the listed building, to avoid harm, and also to identify and deliver enhancements or heritage benefits.
- 4.27 This paragraph also sets out that any harm to, or loss, of significance of a designated heritage asset would require clear and convincing justification. Whilst the removal of the dividing wall to the side element of the building at first floor level may give rise to a minor degree of harm to the significance of the listed building, in the context of its history of adaptation, this would be very minor and ‘less than substantial’ for the purposes of the Framework.
- 4.28 In considering the level of harm arising from the proposals it is important to note that the Framework distinguishes between ‘substantial⁸’ and ‘less than substantial⁹’ harm. This policy framework provides the basis upon which such harm can then be weighed against public benefits (133) or substantial public benefits (134).
- 4.29 On the basis of the clear policy context, it is considered that the proposals would give rise to a minor degree of less than substantial harm to the significance of the listed building to be weighed in the balance against the public benefits, which include heritage

⁸ Paragraph 133

⁹ Paragraph 134

benefits, as required by paragraph 134 of the Framework in light of the great weight and importance to be placed on the relevant statutory duties.

4.30 Public and heritage benefits are defined to include the following:

- Could be anything that amounts to economic, social or environmental progress as described in paragraph 7 of the Framework and must be of a nature and scale to be of clear benefit to the public at large¹⁰; and/or
- It sustains or enhances the significance of a heritage asset and the contribution of its setting¹¹; and/or
- It reduces or removes risks to a heritage asset¹²; and/or
- It secures the optimum viable use of a heritage asset in support of its long term conservation¹³.

4.31 In this instance, the heritage benefits to be delivered include:

- Improving the legibility of the historic plan form, and associated decorative fabric, through the removal of inappropriate modern partitions at all levels of the building; and
- The removal of the unsympathetic corrugated steel structure to the rear elevation, which will better reveal the significance of the listed building.

4.32 The proposals are also in accordance with paragraph 137, which states that local planning authorities should look for opportunities for new development within a conservation area or the setting of listed buildings, such as these proposals, that could enhance or better reveal their significance, i.e. deliver heritage benefits.

4.33 Overall, it is considered that the application proposals would deliver a range of heritage benefits that would outweigh the minor degree of less than substantial harm arising from the removal of a partition wall at first floor level.

Local Policy and Guidance

London Plan

4.34 This report appropriately identifies the designated heritage asset that will be affected by these proposals, and describes how it will be valued, conserved, re-used and / or incorporated where appropriate. This is in accordance with Policy 7.8.

Consolidated Local Plan

4.35 It is demonstrated in this report that overall the revised application proposals would protect the significance of the listed building, in accordance with local policy CL4. In addressing the relevant criteria, the proposals will:

¹⁰ National Planning Practice Guide, 2014

¹¹ National Planning Practice Guide, 2014

¹² National Planning Practice Guide, 2014

¹³ National Planning Practice Guide, 2014

- a. Preserve and enhance the significance of the listed building, its setting and any features of special architectural or historic interest identified
 - b. Not comprise the demolition, removal or modification of features of architectural importance, either internally or externally
 - c. Preserve existing original or historic architectural features that contribute to the special interest
 - d.
 - i. Take opportunities to reinstate a number of traditional or historic features that will enhance or better reveal the significance, both internally and externally
 - ii. Take opportunities to remove existing modern features that harm or detract from the significance
 - e. Not cause material harm to the significance of the listed building through the change of use
 - f. Sustain the significance of the listed building, and works of repair, reinstatement and / or refurbishment will be carried out in a correct, scholarly manner.
- 4.36 In accordance with Policy CL6, relating to small-scale alterations and additions, the application proposals will not harm the existing character and appearance of the building or its wider context.

5. Summary and Conclusions

- 5.1 This Heritage Statement report has been prepared by Turley Heritage on behalf of the Wellcome Trust, to provide relevant and proportionate information to the local planning authority with regard to heritage impacts arising from the proposed internal and minor external alterations at Nos. 44 Fulham Road and 1 Sydney Place.
- 5.2 Importantly, this scheme has been informed by discussions with the local planning authority at the pre-application stage; as discussed in further detail in this report. Pre-application feedback was issued by the local planning authority on 15th January 2015 (LPA Reference: PRE/LB/14/01251/LEV 3). Accordingly, the application proposals have been refined in response to the pre-application feedback received. This pre-application process is also summarised in the accompanying Planning Statement prepared by Savills.
- 5.3 Nos. 44 Fulham Road and 1 Sydney Place is situated at the junction of Fulham Road and Sydney Place. It forms part of a short terrace, consisting of Nos. 1-6 Sydney Place, which are grade II listed. No.44 Fulham Road is not included on the list of buildings of special architectural or historic interest in its own right; however, it is clearly integrated with No. 1 Sydney Place. Accordingly, for the purposes of this report, both Nos. 44 Fulham Road and 1 Sydney Place have been considered as a single grade II listed building.
- 5.4 This report demonstrates that the application proposals at Nos. 44 Fulham Road and 1 Sydney Place have been informed by a clear understanding and appreciation of the significance of the listed building. Firstly, this affected designated heritage asset has been identified and its significance described, in Sections 2 and 3.
- 5.5 Section 4 then undertakes a review these proposals and assesses their impact on the significance of the listed building. This is assessed in light of the relevant statutory duties, national and local planning policy and guidance for heritage assets, which is set out in full at Appendix 3 to this report.
- 5.6 Together, this assessment of heritage significance, legislative and policy review, and description of the heritage impacts of the proposals provide sufficient information for the local planning authority to determine the acceptability of this scheme. It is the conclusion of this report that the application proposals will, overall, preserve the special interest of the listed building. The significance of the heritage asset will therefore be sustained, and harm will be avoided.
- 5.7 Overall, the application proposals accord with the principles set out in the relevant statutory duty of the Planning (Listed Buildings and Conservation Areas) Act 1990, national policy set out in the Framework (paragraphs 128, 131. 132, 133 and 137) and supported by NPPG 2014, and relevant local policy and guidance, including the Royal Borough of Kensington and Chelsea Consolidated Local Plan (policies CL4 and CL6).

Appendix 1: List Entry

6, SYDNEY PLACE SW7, 1-5, SYDNEY PLACE SW7

List Entry Summary

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

Name: 6, SYDNEY PLACE SW7, 1-5, SYDNEY PLACE SW7

List entry Number: 1226867

Location

1-5, SYDNEY PLACE SW7
6, SYDNEY PLACE SW7

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

County: Greater London Authority

District: Kensington and Chelsea

District Type: London Borough

Parish:

National Park: Not applicable to this List entry.

Grade: II

Date first listed: 15-Apr-1969

Date of most recent amendment: 02-May-1973

Legacy System Information

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

Legacy System: LBS

UID: 424360

Asset Groupings

This list entry does not comprise part of an Asset Grouping. Asset Groupings are not part of the official record but are added later for information.

List entry Description

Summary of Building

Legacy Record - This information may be included in the List Entry Details.

Reasons for Designation

Legacy Record - This information may be included in the List Entry Details.

History

Legacy Record - This information may be included in the List Entry Details.

Details

TQ 2678 NE & TQ 2778 NW SYDNEY PLACE SW7 47/38 48/38 (west side)

15.4.69 Nos 1 to 5 (consec) and 2.5.73 No 6

II

One of 2 matching stucco blocks leading into Onslow Square from Fulham Road. George Basevi c1825-1830. Three storeys, attics and basements. Two windows each house with 4 storey end houses slightly set forward. One 3 light window to end houses. Openwork parapet - cast iron first floor balcony across whole front. Roman Ionic pilastered doorways (freestanding porch to No 6). No 1 ground floor altered for bank.

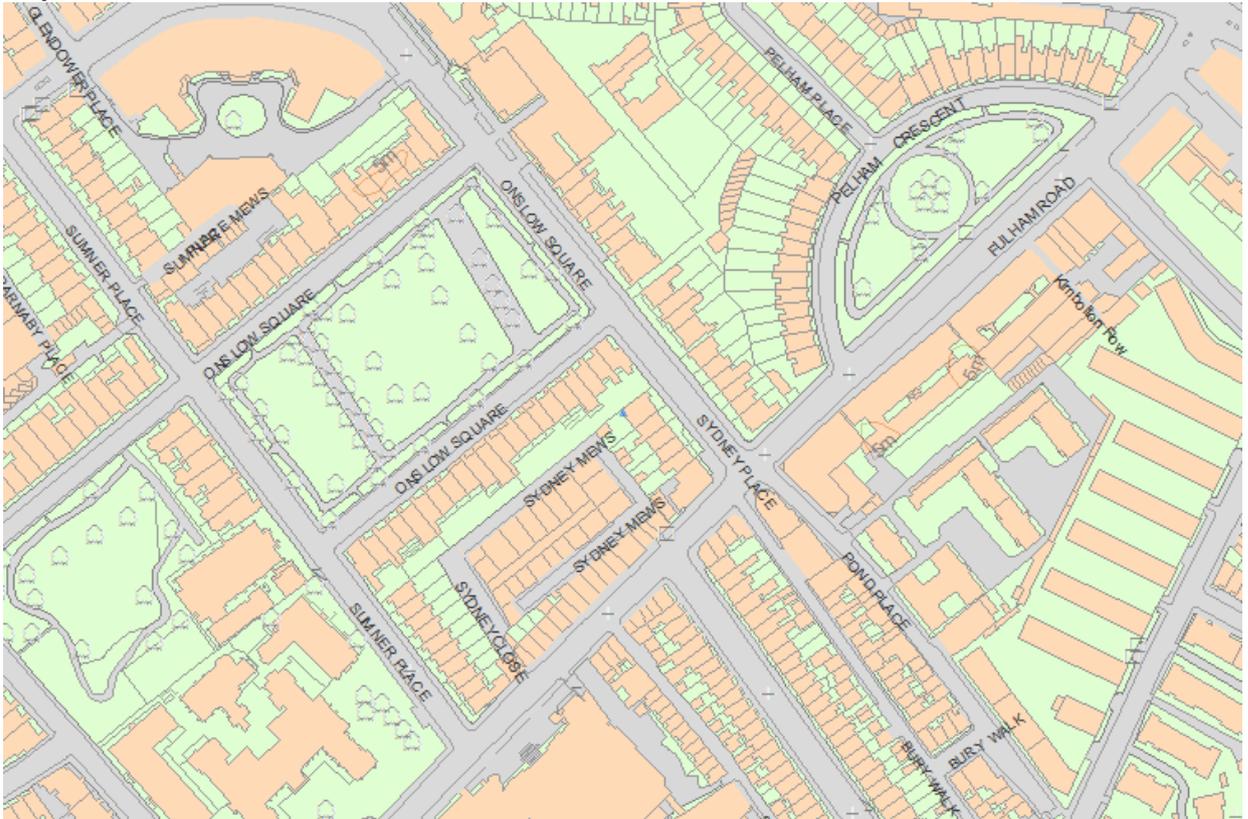
Listing NGR: TQ2697778602

Selected Sources

Legacy Record - This information may be included in the List Entry Details

National Grid Reference: TQ 26977 78602

Map



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Appendix 2: Pre-Application Feedback (dated 15th January 2015)

Planning and Borough Development

Kensington Town Hall, Hornton Street, LONDON, W8 7NX

Executive Director Planning and Borough Development

Jonathan Bore



THE ROYAL BOROUGH OF
KENSINGTON
AND CHELSEA

Mr P Gunne-Jones
Savills
33 Margaret Street
LONDON
W1G 0JD

My Ref PRE/LB/14 /01251/LEV 3

Please ask for: **Simon Westmorland, Planning Officer**

Service Standard: 16/01/2015

Date: 15/01/2015

TOWN AND COUNTRY PLANNING ACT 1990

Dear Mr Gunne-Jones

Address: 44 Fulham Road, LONDON, SW3 6HH

Proposal: Insertion of internal stairs and lift at the junction of 44 Fulham Road and 1 Sydney Place.

Attached is my Level 3 advice on your proposal. The levels of advice we provide are explained in our guide *Getting advice before making an application*, which can be viewed on our website at: <http://www.rbkc.gov.uk/advice>

If you would like further advice to develop your proposal, *Getting advice before making an application* also explains how you can ask as to advise further.

Yours sincerely

Simon Westmorland

Planning Officer

Email: Planning@rbkc.gov.uk

Web: www.rbkc.gov.uk/planning



THE ROYAL BOROUGH OF
KENSINGTON
AND CHELSEA

44 Fulham Road, LONDON, SW3 6HH
Advice report for Insertion of internal stairs and lift at the junction of 44
Fulham Road and 1 Sydney Place.

Our reference: PRE/PP/14/01251
Date: 13/01/2015

1.0 Summary

1.1 In summary and following our meeting on 8 January 2014

- i. The proposed lift is acceptable subject to further detail;
- ii. The removal of the strong room and associated walls at lower ground floor level would not be supported;
- iii. The removal of the lightweight modern partitions at lower ground floor level is acceptable;
- iv. The proposed insertion of a staircase from ground to first floor level is acceptable subject to further detail;
- v. The removal of the chimney breast and attached section of wall at first floor level which would have formed the original side elevation of 1 Sydney Place would not be supported;
- vi. The removal of the original spine wall separating the front and rear rooms at first floor level within the original 1 Sydney Place would not be supported;
- vii. The removal of partitions at first floor level to facilitate the insertion of the lift is acceptable;
- viii. The removal of the chimney breast/pier, firesurround and soffit at first floor level within the victorian extension would not be supported;
- ix. Further information is required in order to justify the removal of the spine wall separating the front and rear offices in the side extension at first floor level; and
- x. A heritage statement should be submitted in support of any future application.

1.2 For these reasons I would support some of the proposals detailed above subject to further information being provided. I would not support the proposals detailed in points ii, v, vi, viii above. Whilst the advice is given in good faith, it is based on the information provided and does not bind the Council to a particular decision.

1.3 The advice in this report is provided at Level 3 as described in our customer guide, which can be viewed at: www.rbkc.gov.uk/advice. Should you require further advice I would welcome the opportunity to be of further assistance. The guide also explains how we can provide this to you. If you refer to our advice in public consultation events or marketing please ensure that you accurately reflect the full extent of the advice provided.

1.4 Should you decide to make an application following this advice then the easiest way to do so is electronically by registering on the Planning Portal at: <http://www.planningportal.gov.uk/PpApplications/loginRegister.jsp>

- 1.5 Any application will need to be accompanied by appropriate information before it will be registered and considered. If any information requirements are missing, we cannot consider your application until it is provided. Section 6 summarises the information necessary to register an application for this proposal and if you are in any doubt please view the requirements on our website at www.rbkc.gov.uk/checklist before you submit the application.

2.0 Relevant planning history

- 2.1 Whilst there have been a number of applications at 1 Sydney Place from the period 1976 to 2009, these all relate to ground floor and external changes to facilitate the buildings use as a retail bank. They are not considered relevant to this pre application submission.

3.0 Main relevant strategies and policies

The Development Plan

- 3.1 The main planning considerations applying to the site and the associated policies are:

Core Strategy Policy CL4 - Heritage Assets - Listed Buildings

These documents can be found at:

- Core Strategy and Saved UDP:
<http://www.rbkc.gov.uk/planningandbuildingcontrol/planningpolicy/developmentplan/corestrategy.pdf>

4.0 Explanation

- 4.1 The key issues is:
- whether the proposed alterations preserve the heritage significance of the listed building
- 4.2 1-5 Sydney Place comprises of a short terrace. The end properties bookend the central properties; they comprise of an additional storey and project out slightly from the front of the central terraced properties. The property was listed in April 1969 for its architectural interest and group value. The property was built by George Basevi c1825-1830 and although the subject building has been extended the exterior of the building is largely intact and internally various elements of the original floor plan of 1 Sydney Place are retained as well as parts of cornices, architraves, doors, and fire surrounds.
- 4.3 The original property has been extended to the side and rear to form number 44 Fulham Road. Historic maps indicate that part of the side extension dates from between 1869 and 1896, although not original it is historic and is of interest. Victorian cornices, ceiling roses, and fire surrounds are evident. The rear element of the extension dates from between 1869 and 1915.
- 4.4 The proposed lift would be located within the later rear extension and as such would not result in the removal of historic fabric, given the level of alteration within this section of the building the insertion of the lift would not adversely affect its character. This element of the proposal could be acceptable subject to detail.
- 4.5 The property has been in use as a bank for a long period of time and is indicated as such on historic records from 1896. At lower ground floor, the original floorplan should be respected, including the retention of the original strong room. This is an

integral part of the building's long standing function as a bank and the complete loss of this element would detract from the historic significance of this Grade II listed property. At this lower ground level the floorplan remains largely intact and as much of this floorplan should be maintained as part of any redevelopment proposals. There would be no objection however to the removal clearly modern lightweight partitions.

- 4.6 The ground floor of the property has been significantly altered; the internal walls have been removed to form an open plan customer service area. Given the extent of intervention already evident there is no objection to the insertion of a staircase from ground to first floor level in principle. However, in order for this to be more definitive assessment a set of section drawings for the staircase should be provided at submission stage.
- 4.7 The front three window demarcate the extent of the original property, with the front two windows forming the main facade with the slightly recessed window serving the side pavilion. Whilst the proposals would retain the classical facade of the building some original partition walls would be lost at first floor level. The proposal involves the removal of a section of wall and chimney breast which would have formed the part of the original plan form of 1 Sydney Place. The proposal also involves the removal of a remnant of the historic spine wall separating the front and rear rooms at this level. It is noted that the property has been heavily developed over time; however, it is key to maintain a clear distinction from what would have the original plan form of 1 Sydney Place and what is the later side addition, the proposals as they stand would obliterate what remains of the original layout. The formation of large open plan space would diminish the distinction between the later addition and the original property and as such the extent of alteration proposed to the plan form would be resisted upon application. The applicant is advised to retain this section of the wall and the chimney breast.
- 4.8 Further plan form alterations at first floor level include the removal of a chimney breast and several internal walls within the side element of the extension. The removal of partitions to facilitate the installation of the lift would be acceptable. However, following our meeting further research suggests that the central chimney breast in the office area and corresponding soffit indicate the remains of the spine wall of the Victorian extension, it is noted that these walls are not likely to be original but they are of historic interest and contribute positively to the character of the building. As such the loss of the fire surround, chimney breast/pier, and soffit would be resisted. The loss of the spine wall separating the front and rear offices within the side element of the property is of concern. More information to demonstrate the age and construction of the internal walls to be removed and to justify the removal of this wall or the formation of a larger opening would be required.
- 4.9 A site visit evidenced that there are a number of non original partitions at first floor level. Many of these partition walls are not full height and as such original cornices remain. The removal of clearly modern partitions would be welcomed. Historic cornices, ceiling roses, fire surrounds/ grates, architraves, and original panelled doors should be retained.
- 4.10 No changes are proposed to the second or third floors of the property.
- 4.11 A Heritage Statement should be submitted in support of any subsequent application.
- 4.12 In conclusion, the proposed scheme would result in less than substantial harm to this designated heritage asset. However the public benefits of the refurbishment do not justify the level of harm proposed and the scheme should be significantly revised to retain more of the historic fabric and plan form of this Grade II listed building.

5.0 Consultations I recommend you carry out

- 5.1 I encourage you to discuss your proposals with all neighbours with a boundary with your site, as we will advise them of any application, as well as. You may be able to deal with any concerns they may have before making the application and therefore avoid objections being submitted by them.

6.0 Information to accompany your application

- 6.1 Should you wish to submit an application following receipt of this advice, the easiest way to apply is electronically by registering on the Planning Portal at: <http://www.planningportal.gov.uk/PpApplications/loginRegister.jsp> Any application will need to be accompanied by the following information before it will be registered and considered. If you submit your application on paper rather than electronically we will need two sets of all information.

Application form listed below (available at

<http://www.rbkc.gov.uk/planningandbuildingcontrol/planningapplications/guidanceandadvice/howtomakeanapplication/applicationforms.aspx> _

- with all sections completed, signed and dated:

Listed building consent application form

- Location Plan - based upon up-to-date map and ideally at scale of 1:1250, with the site boundary identified in red, and a blue line drawn around any adjacent land owned by the applicant.
- Site Plan - clearly indicating north, at a scale of 1:200 or 1:500, showing footprints of all buildings existing on site in relation to site boundaries and neighbouring buildings.
- All relevant existing and proposed floorplans, elevations and sections to a scale of 1:50 or 1:100. All plans should include the paper size, scale and a scale bar.
- All relevant existing floorplans, elevations and sections to a scale of 1:50 or 1:100 indicating all parts of the building to be demolished. All plans should include the paper size, scale and a scale bar.
- Design and access statement
- Photographs of the site
- Heritage Statement

- 6.2 If any of these requirements are missing, we cannot consider your application until it is provided. If you are in any doubt please take time to view the requirements at our website at: <http://www.rbkc.gov.uk/planningandbuildingcontrol/planningapplications/guidanceandadvice/howtomakeanapplication/submittinganapplication.aspx> before you submit the application.

Appendix 3: Heritage Legislation, Policy and Guidance

Statutory Duties

The Planning (Listed Buildings and Conservation Areas) Act 1990

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the general duty with regard to the determination of listed building consent applications:

“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.”

Section 66 imposes a “General duty as respects listed buildings in the exercise of planning functions.” Subsection (1) provides:

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

Recent case law¹⁴ has confirmed that Parliament’s intention in enacting section 66(1) of the 1990 Act was that decision-makers should give “considerable importance and weight” to the desirability of preserving the setting of listed buildings, where “preserve” means to “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. Case law has confirmed that this weight can also be applied to the statutory tests in respect of conservation areas¹⁵. The Secretary of State has confirmed¹⁶ that ‘considerable importance and weight’ is not synonymous with ‘overriding importance and weight’.

Importantly, the meaning of preservation in this context, and for both listed buildings and conservation areas, as informed by case law, is taken to be the avoidance of harm.

National Policy

National Planning Policy Framework, 2012

The NPPF was issued on 27th March 2012 and replaces PPS5: Planning for the Historic Environment. The NPPF provides a full statement of Government’s planning policies with regard to achieving sustainable development with the protection of the historic environment as an integral element of environmental quality, which should be cherished and allowed to thrive and grow.

Paragraph 128 outlines the information required to support planning applications affecting heritage assets, stating that applicants should provide a description of the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the asset’s importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

¹⁴ Barnwell Manor Wind Energy Limited and (1) East Northamptonshire District Council (2) English Heritage (3) National Trust (4) The Secretary of State for Communities and Local Governments, Case No: C1/2013/0843, 18th February 2014

¹⁵ The Forge Field Society v Sevenoaks District Council [2014] EWHC 1895 (Admin); North Norfolk District Council v Secretary of State for Communities and Local Government [2014] EWHC 279 (Admin)

¹⁶ APP/H1705/A/13/2205929

Paragraph 129 sets out the principles guiding the determination of applications affecting designated and non-designated heritage assets, and states that:

“Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal.”

Paragraph 131 elaborates that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets, putting them into viable uses consistent with their conservation, as well as the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 132 regards the determination of applications affecting designated heritage assets. It outlines that great weight should be given to the asset’s conservation when considering the impact of a proposed development on the asset’s significance. The more important the heritage asset, the greater the weight should be.

Paragraph 132 goes on to specify that any harm or loss should require clear and convincing justification. It states that;

“Substantial harm to or total loss of significance of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.”*

Paragraph 133 outlines that Local Planning Authorities should refuse consent where a proposed development will lead to substantial harm or total loss of significance of a designated heritage asset, unless it can be demonstrated that this is necessary to deliver substantial public benefits that outweigh such harm or loss or all of the following apply:

The nature of the heritage asset prevents all reasonable uses of the site; and

- No viable use of the heritage asset can be found in the medium term through appropriate marketing that will enable its conservation; and
- Conservation by grant funding or some form of charitable or public ownership is demonstrably not possible; and
- The harm or loss is outweighed by bringing the site back into use

Paragraph 134 concerns proposed development which will lead to less than substantial harm to the significance of a heritage asset. It outlines this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Policy outlined in paragraphs 132–134 of the Framework should be interpreted in light of the statutory duties relating to statutorily listed buildings and conservation areas as set out in the Planning (Listed Buildings & Conservation Areas) Act 1990.

Paragraph 137 states that local planning authorities should look for opportunities for new development within conservation areas and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of a heritage asset should be treated favourably.

The Development Plan

The development plan for the Royal Borough of Kensington and Chelsea comprises the revised London Plan (FALP) 2015, the Consolidated Local Plan 2015, the saved policies / paragraphs of the Unitary Development Plan 2002, and supplementary planning guidance. These documents provide local guidance with regard to development affecting heritage assets, and should accord with the statutory duties and national policy and guidance.

The London Plan – Incorporating Further Alterations to the London Plan, 2015

The London Plan was adopted by the Greater London Authority in July 2011 and sets out the Spatial Development Strategy for all Boroughs within Greater London. It replaces the London Plan (consolidated with alterations since 2004), which was published in February 2008. The Plan has been subsequently revised to ensure consistency with the Framework and other changes since 2011. The plan has been amended through the publication of Revised Early Minor Alterations (October 2013) and Further Alterations to the London Plan (FALP) were published for consultation in January 2014. An Examination in Public (EiP) in respect of the FALP was opened on 1st September 2014. On 15th December 2014, the Mayor published the report of the planning inspector who undertook the EiP of the Draft FALP.

On 10th March 2015, the Mayor published (i.e. adopted) the Further Alterations to the London Plan (FALP). From this date, the FALP are operative as formal alterations to the London Plan (the Mayor's spatial development strategy) and form part of the development plan for Greater London.

The London Plan has been updated to incorporate the Further Alterations. It also incorporates the Revised Early Minor Alterations to the London Plan (REMA), which were published in October 2013.

Policy 7.8 - Heritage Assets and Archaeology, states that:

“Strategic

A London's heritage assets and historic environment, including listed buildings, registered historic parks and gardens and other natural and historic landscapes, conservation areas, World Heritage Sites, registered battlefields, scheduled monuments, archaeological remains and memorials should be identified, so that the desirability of sustaining and enhancing their significance and of utilising their positive role in place shaping can be taken into account.

B Development should incorporate measures that identify, record, interpret, protect and, where appropriate, present the site's archaeology.

Planning decisions

C Development should identify, value, conserve, restore, re-use and incorporate heritage assets, where appropriate.

D Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.

E New development should make provision for the protection of archaeological resources, landscapes and significant memorials. The physical assets should, where possible, be made available to the public on-site. Where the archaeological asset or memorial cannot be preserved or managed on-site, provision must be made for the investigation, understanding, recording, dissemination and archiving of that asset ...”

Royal Borough of Kensington and Chelsea Consolidated Local Plan, 2015

The Kensington and Chelsea Consolidated Local Plan was adopted in July 2015. The Local Plan sets out the vision, objectives and detailed spatial strategy for future development in the Royal Borough up to 2028 along with specific strategic policies and targets, development management policies and site allocations.

The Consolidated Local Plan (July 2015) combines alterations since the Core Strategy adoption (December 2010) incorporating the Pubs & Local Character Review (October 2013), the Miscellaneous Matters Review (December 2014), the Conservation & Design Review (December 2014) and the Basements Review (January 2015).

The Council is undertaking a Partial Review of the existing Local Plan. The first stage in this Partial Review is an 'Issues and Options' consultation which the Council consulted on from Tuesday 15 December 2015 to Tuesday 9 February 2016 (8 weeks).

The document sets out all the policies relevant to the conservation of the historic environment.

Policy CL4 (Heritage Assets - Listed Buildings, Scheduled Ancient Monuments and Archaeology) states that:

“The Council will require development to protect the heritage significance of listed buildings, scheduled ancient and sites of archaeological interest.

To deliver this the Council will:

a. require all development and any works for alterations or extensions related to listed buildings, scheduled ancient monuments and sites of archaeological interest, to preserve the heritage significance of the building, monument or site or their setting or any features of special architectural or historic interest;

b. resist the demolition of listed buildings in whole or in part, or the removal or modification of features of architectural importance, both internal and external;

c. require the preservation of original architectural features, and later features of interest, both internal and external;

d. take opportunities to

i. reinstate internal and external features of special architectural or historic significance, commensurate with the extent of proposed development;

ii. take opportunities to remove internal and external features that harm the architectural or historic significance of the asset, commensurate with the extent of proposed development;

e. resist the change of use of a listed building that would materially harm its character;

f. require any work to a listed building to sustain the significance of the heritage asset and as such strongly encourage any works to a listed building to be carried out in a correct, scholarly manner by appropriate specialists;

g. require desk based assessments and where necessary archaeological field evaluation before development proposals are determined, where development is proposed on sites of archaeological significance or potential.”

Policy CL6 (Small-scale Alterations and Additions) states that:

“The Council will require that alterations and additions do not harm the existing character and appearance of the building and its context.

To deliver this the Council will resist small-scale development that:

a. harms the character or appearance of the existing building, its setting or townscape;

b. results in a cumulative effect which would be detrimental to the character and appearance of the area;

c. is not of high quality form, detailed design and materials or is not discreetly located.”

Other Material Considerations

DCLG, National Planning Practice Guidance, 2014

National Planning Practice Guidance 2014 has been issued by the Government as a web resource, including a category on conserving and enhancing the historic environment. This is intended to provide more detailed guidance and information with regard to the implementation of national policy set out in the NPPF.

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

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

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

1. Understand the significance of the affected assets;

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

Historic England Advice Note 2: Making Changes to Heritage Assets, 2016

This advice note illustrates the application of the policies set out in the Framework in determining applications for planning permission and listed building consent, as well as other non-planning heritage consents, including scheduled monument consent. It provides general advice according to different categories of intervention in heritage assets, including repair, restoration, addition and alteration, as well as on works for research alone, based on the following types of heritage asset: buildings and other structures; standing remains including earthworks; buried remains and marine sites; and larger heritage assets, including conservation areas, landscapes, including parks and gardens, and World Heritage Sites. The contents of this advice note were first published as part of the Planning Policy Statement 5 Practice Guide in 2010. This edition has been revised following consultation in 2015.

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