



PADDINGTON GREEN
POLICE STATION

Heritage Statement

Heritage Statement – November 2022 -
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1.0 INTRODUCTION

1.1 This Heritage Statement has been prepared by Montagu Evans LLP on behalf of Berkeley Homes (Central London) Ltd (“the applicant”) in support of an application for the redevelopment of Paddington Green Police Station, 2-4 Harrow Road, Paddington, London W2 1XJ (“the site”). The site is located in the City of Westminster (“the Council”).

1.2 The description of development is:

“Demolition of the existing building and redevelopment of the site to provide three buildings of 39, 24 and 17 storeys in height, providing residential units (including affordable units)(Class C3), commercial uses (Class E), a community use (Class F.2), landscaping, tree and other planting, public realm improvements throughout the site including new pedestrian and cycle links, provision of public art and play space, basement level excavation to provide associated plant, servicing, disabled car parking and cycle parking and connection through to the basement of the neighbouring West End Gate development”.

1.3 The Statement should be read in conjunction with the Environmental Statement: Volume 2, Townscape Visual Built Heritage Impact Assessment (“TVBHIA”) (November 2022) prepared by Montagu Evans LLP in support of an application for planning permission for the site. The Heritage Statement does not repeat the detailed heritage assessment provided in the TVBHIA but draws on its conclusions to provide an assessment of compliance with national and local planning policy on the historic environment.

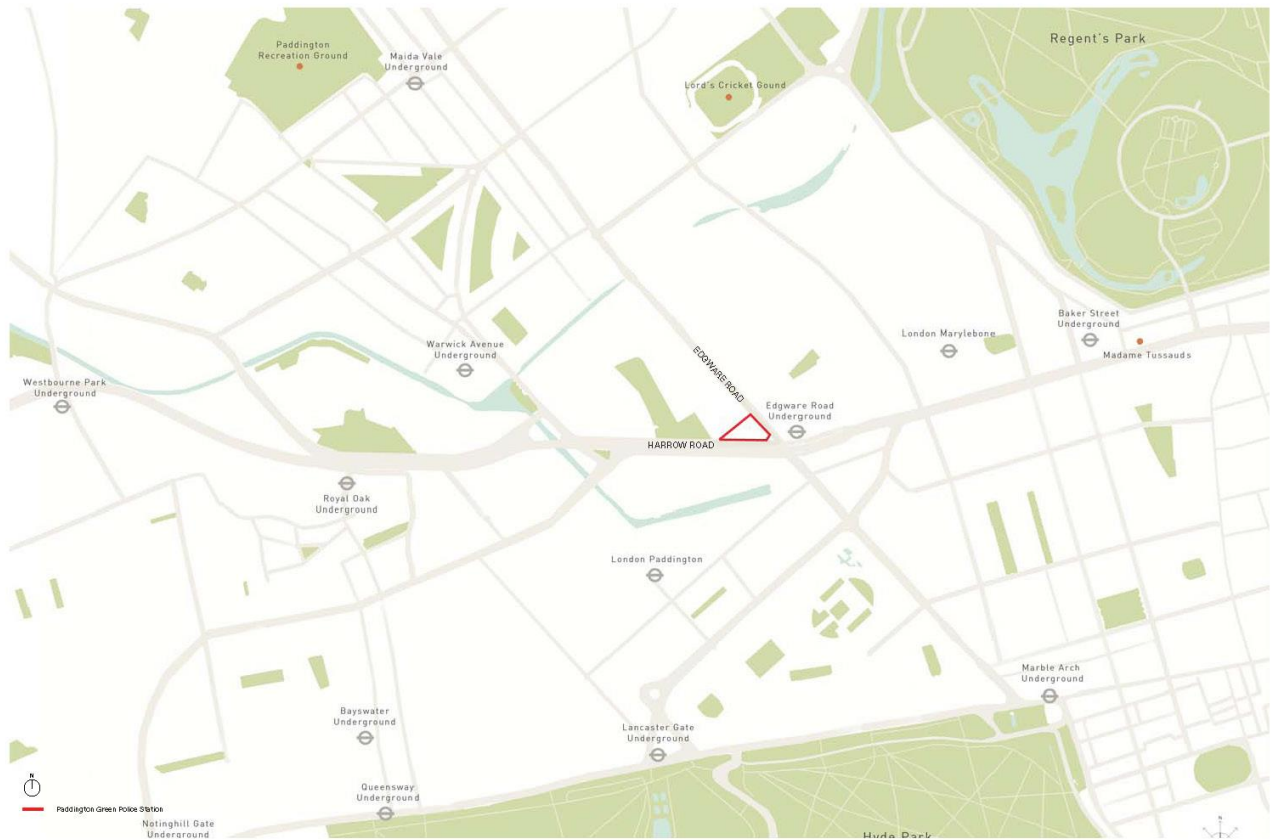


Figure 1 - Site Location Plan. Source: Squire & Partners Design And Access Statement

2.0 STATUTE AND POLICY CONTEXT

- 2.1 The site is located within the Central Activities Zone, near its north-western edge. Policy SD4 (The Central Activities Zone) of the London Plan identifies that the unique international, national and London-wide roles of the CAZ, based on an agglomeration and rich mix of strategic functions and local uses, should be promoted and enhanced (Part A). The Site is located in the Central Activities Zone (CAZ), the Edgware Road/ Church Street Housing Renewal Area and the Mayor's Edgware Road Housing Zone. The Edgware Road/ Church Street Housing Renewal Area seeks to deliver the most efficient use of land, including tall buildings, including at least 2,000 new homes and new green infrastructure public realm improvements, including a north-south green route.
- 2.2 The site is located adjacent to, but outside the Paddington Opportunity Area (OA); so London Plan Policy SD1 (Opportunity Areas) does not apply to the Site. The Harrow Road/Westway forms the northern boundary of the OA.
- 2.3 The Heritage ES Volume Appendix 1.1 contains a comprehensive list of the relevant statutory requirements and Development Plan policies which are applicable to the site and the proposals, so these are not repeated in whole here. In general terms, there is a strong statutory and policy presumption in favour of the preservation of listed buildings and conservation areas, whilst the protection of the non-designated heritage assets has is not of special weight in the planning balance. The policies and legal requirements of particular relevance are examined below.

Planning (Listed Buildings and Conservation Areas Act) 1990

- 2.4 The statutory duties of the decision-maker when considering development proposals which affect listed buildings and conservation areas are provided by the Planning (Listed Building and Conservation Areas) Act 1990 ('the 1990 Act').
- 2.5 The site does not comprise any statutorily listed building. The northern half of Newcastle Place is located in the Paddington Green Conservation Area (the boundary runs down the centre of the street), so a narrow slither of the site is within the Conservation Area (CA). The extent to which the site contributes to the character and appearance of the Paddington Green CA is very limited, although there is potential for setting effects on the CA and nearby heritage assets.
- 2.6 There is also the potential for the 2022 amended proposed development to affect the significance of listed buildings in the surrounding area as a result of the change to their setting.
- 2.7 With respect to this application, the applicable statutory provisions are:
- Section 66(1) the determination of applications; In considering whether to grant planning permission or permission in principle 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.
 - Section 72(1) with regard to conservation area; In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Planning and Compulsory Purchase Act 2004

- 2.8 Section 38(6) of the Planning and Compulsory Purchase Act 2004 stipulates that where in making any determination under the Planning Acts, regard is to be had to the development plan, and the determination must be made in accordance with that plan unless material considerations indicate otherwise.

London Plan (2021)

- 2.9 Policy HC1 (Heritage Conservation and Growth) states that proposals affecting the setting of heritage assets should conserve their significance and identify enhancement opportunities by integrating heritage considerations early on in the design process.

Westminster City Plan 2019-2040 (2021)

- 2.10 Policy 38 (Design Principles) requires new development to 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.
- 2.11 Policy 39 (Westminster's Heritage) states that Westminster's unique historic environment will be valued and celebrated for its contribution to the quality of life and character of the city.
- 2.12 Policy 40 (Townscape and Architecture) states that 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.
- 2.13 Policy 41 (Building Height) sets out a series of general principles for tall building proposals, related both to location and design quality.
- 2.14 Policy 43 (Public Realm) states that development will contribute to a well-designed, clutter free public realm with use of high quality and durable materials capable of easy maintenance and cleaning, and the integration of high-quality soft landscaping as part of the streetscape design.

National Planning Policy Framework ('NPPF' or the 'Framework') (2021)

- 2.15 Chapter 12 of the Framework outlines the Government's policy regarding design. It emphasises that "good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities".
- 2.16 In relation to design policies, Paragraph 130 states that planning decisions should ensure developments :
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
 - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
 - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public spaces) and support local facilities and transport networks; and*
 - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the and the fear of crime, do not undermine the quality of life or community cohesion and resilience."*

- 2.17 Paragraph 134 states that:

"Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- a. development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or*
- b. outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings."*

- 2.18 Chapter 16 of the Framework (paragraphs 189 to 208) sets out the Government's policies relating to the conservation and enhancement of the historic environment. The Framework stresses that heritage assets are an irreplaceable resource that should be conserved in a manner appropriate to their significance (paragraph 189). The guidance continues to place the

assessment of the significance of heritage assets and the effect of development on this at the heart of planning for the historic environment.

2.19 The approach to managing change to designated heritage assets set out in the 1990 Act is reflected in the NPPF and those policies within the statutory Development Plan.

2.20 Annex 2 of the NPPF defines heritage assets as buildings, monuments, sites, places, areas or landscape that are identified as having a degree of significance meriting consideration in planning decisions, because of their heritage interest. Heritage interest may arise from archaeological, architectural, artistic or historic interest. Heritage assets include designated heritage assets and non-designated heritage assets (NDHAs), which are often but not always identified by the local planning authority.

2.21 Annex 2 of the Framework makes clear that “conservation” is a dynamic process that maintains and manages change to a heritage asset in a way that “sustains and, where appropriate, enhances its significance”.

2.22 The definition of the setting of a heritage asset in the Framework is the “surroundings in which a heritage asset is experienced.” Further, the extent of a setting “is not fixed and may change as the asset and its surroundings evolve.” Setting is not itself a heritage asset but elements of a setting “may make a positive or negative contribution to the significance of an asset.”

2.23 The emphasis is on understanding what is special about a heritage asset, and by extension, identifying those elements which are capable of accepting change without harm to the special heritage values of a place.

2.24 Paragraphs 197, 199-203, 206 and 207 are particularly relevant. The following approach is applied by these policies:

- The significance of the heritage assets affected should be identified and assessed (paragraph 195 NPPF). Heritage interest may be archaeological, architectural, artistic or historic (Glossary to the NPPF);
- Decision makers should seek to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal (paragraph 195 NPPF).
- Great weight should be given to the conservation of designated heritage assets (paragraph 199 NPPF). Thus, great weight attaches as a matter of policy to effects which are positive (enhancements) as well as negative (harmful works);
- If the 2022 amended proposed development is held to cause harm to the significance of a designated heritage asset, such harm should be categorised as either less than substantial or substantial, and within each category the extent of harm should be clearly articulated (Planning Practice Guidance paragraph 18).
- However, and importantly, not all weighted harm is the same. The nature and extent of any weighted harm needs to be considered carefully alongside benefits. If these are heritage benefits, then these too are to be given great weight as a matter of policy (paragraph 199 NPPF);
- Any harm to the significance of a designated heritage asset should require ‘clear and convincing justification’, as per paragraph 200;
- A clear and convincing justification does not create a freestanding test requiring the demonstration of less damaging alternatives. In each case the relevant test is to be found in paragraphs 201 (in the case of substantial harm) or 202 (in the case of less than substantial harm);
- If the proposal results in less than substantial harm to the significance of the designated heritage asset, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use (paragraph 202 NPPF);
- In weighing applications that effect non-designated heritage assets, a balanced judgment will be required having regard to the scale of any harm or loss and the significance of the heritage asset (paragraph 203 NPPF); and

- Decision makers should look for opportunities within conservation areas or in the setting of heritage assets to enhance or better reveal their significance (paragraph 206 NPPF).

2.25 The following principles therefore apply:

- As a matter of good practice, it is desirable to work to remove, reduce or mitigate harmful impacts through the design process. This is not a policy requirement, since the policy generally works on a straightforward balance;
- In either case, and particularly looking at less than substantial harm, the clear and convincing justification the NPPF requires are countervailing public benefits, and these can include benefits to the way an area appears or functions or to heritage assets or land use planning benefits;
- Underpinning the above principles, is one of proportionality, such that the more important the asset the greater its potential sensitivity to change;
- And finally when looking at impacts, the assessment is made with reference to the project as a whole and the asset as a whole; and
- Benefits can derive from physical works or use.

3.0 HERITAGE ASSESSMENT

2.1 The 2022 amended proposed development have been produced in an iterative design process in consultation with Westminster City Council and the GLA through the pre-application process, and then since submission through further consultation with the GLA and its London Review Panel, as set out in the Planning Statement, Design and Access Statement and Statement of Community Engagement submitted with this application. Historic England were approached at pre-application stage and did not wish to be consulted on the application. Historic England were approached more recently regarding the revised scheme, but had not responded at the time of writing.

2.2 The design has been carefully considered to respond sensitively to the historic environment as follows:

- The 2022 amended proposed development replaces the existing police station building, which is 17 storeys (ground +16) on the Edgware Road frontage consisting of a 3 storey podium and 14 storey tower above, 8 storeys (ground + 7) on the Paddington Green frontage, with a 1 storey link between the east and west buildings. This existing building is an imposing concrete 'urban fortress' with an impenetrable façade to the street. The existing building is unattractive and disused, aside from a small element of office space at the western end of the site. The redevelopment of the former Police Station will enhance the immediate setting of the site, including Paddington Green CA as well as longer range views, because it will replace a poor quality building with three buildings of high architectural quality and improved and more permeable public realm;
- The tallest element of the 2022 amended proposed development (Block K) of 39 storeys (ground + 38 storeys) is located at the junction of the Westway/Harrow Road and the Edgware Road. The latter is a Roman road, and remains a major route north from London. The former is a major route into central London from the west. Block K is therefore located at a junction of metropolitan importance, where the Westway descends to street level as one enters central London. Policy 41 of the City Plan recognises the gateway function of the site. This primarily has a townscape function but the location for Block K is also has a less direct setting relationship with the more sensitive historic environment to the west, and has also been considered in views from Maida Vale CA to avoid coalescence with the existing Block A WEG.
- The next tallest element (Block I) of 24 storeys (ground + 23 storeys) is located on the Paddington Green, so responds to this large open space. The scale steps down from Block K to respond to the more sensitive heritage context to the west (Paddington Green and Maida Vale CAs, refer to ES chapter for greater context and detail).
- The design of Block J of the 2022 amended proposed development draws inspiration from the existing mansion blocks, albeit at greater scale, and as existing within neighbouring the West End Gate. Block J is 17 storeys (ground + 16 storeys) in height.
- The appearance of the tallest elements (Block K) in the mid and long range views, especially those from Maida Vale, have been carefully considered. The use of a light tone detailing gives a vertical emphasis to the building.
- While the existing building is acknowledged by the Council and GLA to be of no architectural interest, the bas relief panels would be removed and stored prior to demolition. An alternative location will be sought for them in the locality, to be secured via planning condition.

2.3 Subsequent to the submission of the 2021 ES and prior to the WCC Committee meeting there was engagement with WCC officers. Following the recommendation for refusal by the WCC Planning Committee and the decision by the GLA to 'call in' the application, there has been engagement with the GLA and the London Review Panel on design, scale, massing and the heritage effects. As a result, a number of changes have been made to the 2022 amended proposed development. In summary, these comprise:

- The removal of the bullnose and shrinking of the footprint of Block I, which increases to 24 storeys and moves away from Paddington Green;

- The removal of the link building between Blocks J and K;
- A reduction in the footprint of Block J, and an increase in height to 17 storeys;
- The removal of the shoulder from Block K, a reduction in footprint and corresponding increase in height to 39 storeys;
- Revisions in the design to articulate the top, middle and base of Block K along with further revisions to the façade design and articulation of each block; and
- Increased and improved public realm both in terms of quantum and quality.

HERITAGE ASSETS

2.4 **Section 3.0** of the TVBHIA ES Volume provides an overview of the historical development of the local area and an in-depth appraisal of the significance of heritage receptors which could be potentially affected by the 2022 amended proposed development, and the contribution of their setting to this significance. This was based on documentary research, a desk-based review of OS maps, and site surveys. The level of detail is proportionate and sufficient to understand the potential impact on their significance, consistent with paragraph 189 of the NPPF

2.5 The northern half of Newcastle Place, which is within the redline boundary, is located within Paddington Green CA, so there is potential for a direct effect on the CA, and a setting effect on the rest of the CA. There are six other CAs located in the 1km study area. These are:

- Maida Vale CA;
- Lisson Grove CA;
- Bayswater CA;
- Regent's Park CA;
- St John's Wood CA; and
- Molyneux Street CA.

2.6 The following CAs were also scoped into assessment following consultation with the GLA:

- Queensway CA; and
- Westbourne CA.

2.7 There are also a number of other designated heritage assets in the study area. On the basis of the analysis of a Zone of Visual Influence drawing, analysis in VuCity and on site, those judged to have potential to be affected by the 2022 amended proposed development are listed below:

- Church of St Mary (Grade II* listed);
- Marylebone Lower House North Westminster Community School (Grade II* listed);
- The Children's Hospital (Grade II listed);
- 17 and 18 Paddington Green (Grade II listed);
- Westminster Arms Public House (Grade II listed)

- Nos. 4-16 (even) Warwick Avenue and No. 20 Howley Place (Grade II listed)
- Hyde Park Registered Park and Garden (RPG); and
- Regent Park RPG.

2.8 The scope of the heritage assessment was agreed via EIA scoping prior to submission.

2.9 In consultation with the GLA, the scale of the 2022 amended proposed development was increased. As a result the scoping of heritage assets was reviewed. This was informed by a Zone of Visual Influence drawing with a 2.5km radius, overlaid with a heritage asset plan, see Figure 4.2 of the TVBHIA ES Volume. The following assets were scoped in post-submission following consultation with the GLA:

- Christ Church, grade II* listed;
- the Pavilion at Lord's Cricket Ground, grade II* listed;
- Nos. 22-42 Norfolk Square, grade II listed;
- Nos. 3-33 Orsett Terrace, grade II listed; and
- Nos. 168-213 Sussex Gardens, grade II listed.

2.10 The following heritage assets were assessed in WCC's Committee Report, so have been included for completeness:

- Dorset Square CA;
- 2 Warwick Crescent, Grade II listed building;
- 6-7 Sale Place, Grade II listed building;
- Kensington Gardens RPG;
- Primrose Hill RPG; and
- Grand Union Canal, non-designated asset.

2.11 The location of these receptors is illustrated on a heritage receptor map included at **Appendix 1.4** of the ES volume.

2.12 **Section 6.0** of the TVBHIA ES Volume provides an assessment of the impact of the 2022 amended proposed development on the heritage assets listed above, and the conclusions of the assessment are summarised below.

2.13 The TVBHIA ES Volume finds a Minor Adverse impact to the following assets:

- Nos. 14 and 16 on Warwick Avenue;
- Regent's Park RPG; and
- Regent's Park CA;

2.14 In the language of the NPPF, minor adverse equates to less than substantial harm at the lower end of the scale.

2.15 The Heritage ES Volume finds Negligible Adverse effects to the following assets:

- Lisson Grove CA;

- Dorset Square CA;
 - Hyde Park RPG.
- 2.16 In the language of the NPPF, Negligible Adverse equates to less than substantial harm at the very lowest end of the scale i.e. harm that is barely discernible.
- 2.17 The Heritage ES Volume finds no or a neutral impact to the following assets:
- St John's Wood CA;
 - Westbourne CA;
 - Queensway CA;
 - Bayswater CA;
 - Kensington Gardens RPG;
 - Primrose Hill RPG;
 - 168-213 Sussex Gardens;
 - 18-42 Orsett Terrace;
 - 3-33 Orsett Terrace;
 - 22-42 Norfolk Square;
 - 4-12 (even) and 32 Warwick Avenue and 20 Howley Place;
 - 2 Warwick Crescent;
 - 6-7 Sale Place;
 - The Pavilion at Lord's Cricket Ground;
 - Christ Church; and
 - Grand Union Canal, non-designated heritage asset.
- 2.18 In the language of the NPPF, no or neutral effect equates to no harm to the designated heritage assets, so that the 2022 amended proposed development preserves their significance.
- 2.19 The TVBHIA ES Volume finds a Negligible beneficial impact to the following assets;
- Church of St Mary (Grade II* listed); and
 - Maida Vale CA.
- 2.20 In the language of the NPPF, Negligible Beneficial equates to no harm to the designated heritage assets, so that the 2022 amended proposed development preserves their significance.
- 2.21 The TVBHIA ES Volume finds a Minor Beneficial impact to the following assets;
- 17 and 18 Paddington Green (Grade II listed);

- The Children’s Hospital (Grade II listed); and
- Paddington Green CA.

2.22 In the language of the NPPF, Minor Beneficial equates to a slight enhancement to the significance or appreciation of the significance of the designated heritage assets.

2.23 The TVBHIA ES Volume finds a Minor – Moderate Beneficial impact to the following assets:

- Marylebone Lower House North Westminster Community School (Grade II*)

2.24 In the language of the NPPF, Minor Beneficial equates to a slight enhancement to the significance or appreciation of the significance of the designated heritage assets.

2.25 The assessment of Nos. 14 and 16 Warwick Avenue, the listed buildings fronting Paddington Green, Marylebone Lower House North Westminster Community School, Paddington Green CA, Regent’s Park RPG and CA identified an effect of Minor scale or above, so is explained in more detail below. The grade II* listed Church of St Mary and Maida Vale Conservation Area are sensitive receptors relatively close to the site, so also merit further explanation.

2.26 A table at the end of this section summarises the conclusions of the heritage impact assessment, expressed in the language of the NPPF.

Nos. 4-16 (even) Warwick Avenue and No. 20 Howley Place (Grade II)

2.27 The heritage value of the listed buildings is derived from their group value and architectural interest of the terrace as an attractive row of 19th century properties associated with the development of Maida Vale and Little Venice.

2.28 The 2022 amended proposed development would be visible in the background of the view from Blomfield Road at View 35, above the roofline of the listed terrace (specifically nos. 14 and 16), in conjunction with the existing WEG Block A, over a distance of approximately 820m. The setting of the listed terrace has a uniform historic character, so this would be a detrimental change to these two buildings. The change to the setting as a whole would be minimal; the listed buildings would still be understood as an attractive group, set within a quiet, suburban context which reflects the contemporaneous development in this part of the CA.

2.29 This being said, WEG has already introduced modern development into this part of the buildings’ setting, and whilst the 2022 amended proposed development would have a slight urbanising effect, this would form a limited part of the way they are experienced as a whole – the terrace would still be understood as an attractive group, set within a quiet, suburban context which reflects the contemporaneous development in this part of the CA.

2.30 Whilst a perceptible change, it would not significantly affect the appreciation of the significance of the listed buildings. There would therefore be a low degree of less than substantial harm to Nos. 14 and 16 Warwick Avenue.

2.31 The 2022 amended proposed development would not appear behind the other villas in Warwick Avenue so would not harm the appreciation of their significance. The special interest of Nos. 4-12 and Warwick Avenue and No. 20 Howley Place would therefore be preserved by the 2022 amended proposed development.

Paddington Green CA

2.32 The significance of the CA is derived from its special interest focussed on Paddington Green, St Mary’s Churchyard and gardens and the peripheral development which borders the Square. Its built form is of mixed quality, comprising 19th century development to the north as well as larger scale post-war development. The CA audit describes the CA as: “an unexpected oasis, a stone’s throw from Edgware Road, with numerous mature and established trees”; the Green is the

focus of the CA designation. The site is located to the south-east of the CA, and the northern part of Newcastle Place is within the site and CA.

- 2.33 The wider context of the CA is changing; considerable development is being undertaken to the south in the Paddington Basin OA, and within the CA at West End Gate.
- 2.34 The former Police Station comprises a 2-3 storey podium with 8 storey element on Paddington Green, with a 17 storey tower at the junction between Edgware Road and the Westway. There is therefore already large scale development at the site, and its architectural quality is poor. The site is largely disused. The limited design quality of the existing building and its lack of use detracts from the setting of the CA.
- 2.35 The 2022 amended proposed development will increase the scale of development to between 17 and 39 storeys in the immediate setting of the CA, with a 24 storey tower on the Paddington Green frontage.
- 2.36 Views 17&17W and 32 (presented in the BHTVIA ES Volume **section 8.0**) from within Paddington Green indicate that the 2022 amended proposed development will change the skyline and increase the sense of enclosure of the east side of Paddington Green, which considered on its own would have a negative effect on the setting and heritage value of the CA. There would also be light effects on the CA during the night, which would be attractive and filtered by trees, but would emphasise the existing modern urban character of West End Gate . The 2022 amended proposed development would be seen in conjunction with other large scale development at West End Gate and Paddington Basin.
- 2.37 The mature trees within Paddington Green would partially screen and filter views of the 2022 amended proposed development, to reduce the visual effect of the increase in scale, especially in summer.
- 2.38 The quality of the architecture will be of much higher quality than the existing building on the site, which is a beneficial effect. The design of the new buildings has been carefully considered to respond to the tone and texture of the mansion block buildings which surround Paddington Green, sitting comfortably within the wider masterplan. The red-brown materiality of Block I responds to that of the Children's Hospital on the opposite side of the Green.
- 2.39 The 2022 amended proposed development will bring the site back into beneficial and viable use, and improve the economic vitality of the area (a criteria in the GPA3 setting guidance). The use of the new building would be appropriate to its context, and its well-articulated form would be an attractive addition to the setting of the CA, seen in conjunction with development of a comparable scale. The direct effect on the CA in Newcastle Place would introduce public realm enhancements to create a green, urban oasis with a green artery linking Paddington Green and Edgware Road. This would enhance the character and appearance of the CA. The positioning of the new blocks within the Site has been carefully considered to maximise the offer of public open space and improve the permeability of the site, in response to comments from officers at the GLA and the LRP,
- 2.40 The 2022 amended proposed development would introduce a noticeable change and increase in scale in the setting of the CA. If the increase in scale and sense of enclosure were considered alone this would have a negative effect on the setting and appreciation of the significance of the CA. The fact that the 2022 amended proposed development would be experienced with the existing large scale development at West End Gate and Paddington Basin limits the negative effect. There are also a number of positive effects which include the public realm enhancements in Newcastle Place, within the CA, and beyond it, the replacement of a largely disused and poor quality building with attractive, well detailed buildings. Overall the effect on the character, appearance and significance of the CA would be a slight enhancement.

Church of St Mary (Grade II* listed)

- 2.41 The setting of the church is defined, principally, by its churchyard, and mature trees, which partially screen views out to the surrounding townscape. It is contained to the north by the Westway, a heavily trafficked thoroughfare, and to the east by emerging taller development which contributes to a sense of containment. The sense of separation between the church and the Site is demonstrated at View 46 of the BHTVIA.
- 2.42 There is no historic or functional relationship between the site and the Church, and the site at present makes no contribution to its setting.

- 2.43 The immediate setting of the church, comprising the established open space of the churchyard and Paddington Green, would not change. View 46 shows that in this principal position at the approach to the church, the 2022 amended proposed development would be entirely screened when the trees are in leaf.
- 2.44 Views of the church towards the west take in the remnants of the historic townscape within its context. Towards the east, regeneration in the environs of the Regent's Canal has contributed to a more varied setting, with taller elements towards Edgware Road.
- 2.45 The modern development at Paddington Green to the east is a prominent feature, set within the wider expanse of mixed, predominantly 20th century development in the wider townscape, and filtered through the mature trees within Paddington Green. The 2022 amended proposed development would be seen against this context, and would not considerably affect the character of this setting, or views out from the church.
- 2.46 The 2022 amended proposed development would be a noticeable improvement in the setting of the receptor, as it would replace the former Police Station, which is large scale development of indifferent architectural quality, with a high quality new architecture, and would be experienced in conjunction with the existing taller development in the environs of Paddington Green.
- 2.47 The sculpted form and articulation would contribute to a considered composition which sits comfortably within its context, and would be an attractive feature where it is seen in the setting of the church.
- 2.48 Although these constitute positive effects on the setting of the Church of St Mary, the 2022 amended proposed development would have no effect on the ability to appreciate the heritage value of the listed Church as a whole because its inherent significance would not be affected, and because the relationship with the Green and churchyard would be unchanged.
- 2.49 The 2022 amended proposed development would preserve the ability to appreciate the heritage value of the receptor, or upon the contribution made to that value by setting i.e. no harm.

The Children's Hospital, 17 and 18 Paddington Green (all Grade II listed)

- 2.50 The Children's Hospital is located on the east side of Paddington Green and was built in 1895 to designs by HP Adams. It is a red brick 3 storey building with red terracotta dressing and a C20 extension. It is listed mostly for the tile pictures inside the Outpatients Department. Nos. 17 (owned by the applicant and forming part of the 14-17 Paddington Green development) and 18 Paddington Green are located on the same side of the Green as the Children's Hospital, and are a pair of late Georgian townhouses in London stock brick of 4 storeys plus a basement. These listed buildings are located adjacent to each other, in close proximity to the site, which is also located on the east side of Paddington Green, to the south.
- 2.51 The 2022 amended proposed development would replace the large unattractive former Paddington Green Police Station with a high quality development comprising a number of taller buildings. These taller buildings would introduce a contrast in scale and materials to the setting of the listed building, but this would not undermine the ability to appreciate the heritage value of the listed buildings, which is primarily their intrinsic historical and architectural interest. The way the proposed develop would appear as part of the setting of the receptors is presented in views 17 and 32 in **Section 8.0** of the TVBHIA Volume of the ES. The colour and tone of the materiality of Block I responds to the red brick of the Children's Hospital to book end each side of the Green.
- 2.52 The setting of these listed buildings already includes modern development of a similar scale in West End Gate and Paddington Basin. The 2022 amended proposed development would appear in the backdrop of existing modern residential develop to the east of the listed buildings, and these would provide a transition making the jump in scale less stark. Overall the 2022 amended proposed development is considered to provide a slight enhancement to the setting and significance of the listed buildings, because it would replace an unattractive, mostly disused building with a development of considerably improved architectural quality.

Marylebone Lower House North Westminster Community School (Grade II* listed)

- 2.53 Marylebone Lower House North Westminster Community School was constructed in 1959-60 by the London County Council to designs by Leonard Manasseh. It is constructed from reinforced concrete with a steel framed hall. It is grade II* listed primarily for the architectural interest of the design.
- 2.54 The setting of this receptor is primarily characterised by the schoolyard and surrounding residential streets. The 2022 amended proposed development will appear above the left of the roofline of the school. This is shown in View 31 in section 8 of the TVBHIA Volume of the ES.
- 2.55 The 2022 amended proposed development would form a noticeable addition in the setting of the listed building. At this distance, c. 200m to the north-east, it would be possible to appreciate that the proposed building is of high quality with highly articulated elevations that would provide texture and visual interest. The setting of the listed school already includes modern development of a similar scale, and the existing WEG Block A is visible above the roofline on the right of view 31. The 2022 amended proposed development would appear in the backdrop of existing modern residential development.
- 2.56 Overall the 2022 amended proposed development is considered to provide a slight enhancement to the setting and significance of the listed school, because it would be possible to appreciate the architectural quality of the proposed building at this distance, which is a similar architectural idiom as the modernist design for the School.

Maida Vale CA

- 2.57 The Maida Vale CA derives its heritage value principally from its leafy, suburban character, comprising attractive, high quality dwellings built principally between 1830 and the mid-1860s. The streets were laid out parallel to the canal and basin. It is a large CA, and abuts the Paddington Green CA to the south, where its setting has a fragmentary character.
- 2.58 The size and arrangement of the CA means that the 2022 amended proposed development would not be experienced from within large swathes to the north and east in particular. The effect of the proposals on visual amenity is considered at **Section 8.0** of the BHTVIA ES Volume.
- 2.59 Considerable modern development in the environs of the site forms a notable element of the CA's setting, including the tall buildings cluster at West End Gate to the south. The juncture of old and new comprising the historic residential buildings and the more distant tall buildings of the modern, world city form a key characteristic of the experience of the CA, and the visitor is aware of views towards ongoing development at the city centre, in the environs of Harrow Road, the Westway and Edgware Road.
- 2.60 The site is located within an area of modern development to the south-east of the receptor. The site at present is an unattractive building which does not contribute to the special interest of the Maida Vale CA in any way.
- 2.61 The 2022 amended proposed development would change an element of the setting of the CA by introducing a tall building which would be visible in views south-east from parts of the CA, including along Harrow Road. The elegant form of the building will add a building of high quality design to the horizon, and mark the location of the junction with Edgware Road; a destination of importance.
- 2.62 The viewpoint selection (presented in the ES Volume **section 8.0**) aims to illustrate the maximal effect on the CA. In view 6 from Westbourne Park Road Bridge, a picturesque view in the CA, the 2022 amended proposed development would be a noticeable feature, and would be seen with the existing development at West End Gate, which would increase the perceived mass of the 2022 amended proposed development and have an urbanising effect on this part of the CA. The contrast in visual scale between Blocks I, K and A would create a varied massing, interesting skyline, and reduce the visual coalescence. There would be a similar effect from the nearby view, from the junction of Westbourne Terrace Road Bridge and Delamere Terrace (view 36).
- 2.63 In view 35 from Blomfield Road the upper storeys of Westmark Tower are visible above the listed terrace at 14, and 16 Warwick Avenue. The 2022 amended proposed development would be visible adjacent to Westmark Tower, which would appear as a single mass.
- 2.64 Nevertheless the 2022 amended proposed development would not be visible from within the majority of the CA, including from the canal basin at Gloucester Terrace/ Cleveland Street (as illustrated by view 7) and Clifton Villages (view 37).

2.65 Where the 2022 amended proposed development is visible it would be seen in the context of existing modern and tall development at West End Gate, and given the fairly limited extent of the visual effects, would not affect the intrinsic heritage value of the historic ensemble within the CA, or the visitor's ability to appreciate that value i.e. no harm.

Regent's Park (CA and RPG)

2.66 Regent's Park derives its significance from its survival as a prominent part of John Nash's 19th century development and historic hunting ground of Henry VIII. The architectural interest is derived from the early 19th century terraces which remain in mostly residential use and good condition. This is reflected in the designation of the park as both an RPG and a CA.

2.67 These elements of the park, which contribute to its significance, character and appearance, would remain the same. The 2022 amended proposed development would be seen in some views south-west from within Regent's Park, experienced as part of the existing, taller development which characterises this part of the receptor's setting.

2.68 Beyond generic intervisibility, there would be no change to the setting or heritage value of the park. In some views the 2022 amended proposed development would be the tallest building in the view (see viewpoints 23 and 25), although it would generally form a cluster with existing tall buildings at WEG. It would be visible above the treeline, although generally the trees would be of considerably greater visual scale. In some views (see viewpoint 24, summer) the 2022 amended proposed development would be screened by trees.

2.69 Whilst perceptible, the change would not be a prominent part of the experience of the receptor. However, tall buildings are currently less prominent within Regent's Park than Hyde Park, so there is a greater degree of effect on Regent's Park than Hyde Park.

2.70 The 2022 amended proposed development would therefore result in less than substantial harm to Regent's Park RPG and CA, at the lower end of the scale.

Map Ref	Heritage asset	Effect
8	Church of St Mary (Grade II*)	Preserve significance i.e. no harm
9	Marylebone Lower House North Westminster Community School (Grade II*)	Slight enhancement to setting and appreciation of significance
10	Christ Church (Grade II*)	Preserve significance i.e. no harm
16	The Pavilion at Lord's Cricket Ground	Preserve significance i.e. no harm
21	17 and 18 Paddington Green (Grade II)	Slight enhancement to setting and appreciation of significance
22	The Children's Hospital (Grade II)	Slight enhancement to setting and appreciation of significance
32	6-7 Sale Place	Preserve significance i.e. no harm
51	22-42 Norfolk Square	Preserve significance i.e. no harm
76	Nos. 14 and 16 Warwick Avenue (Grade II)	Low degree of less than substantial harm
76	Nos. 4 to 12 (even) and 32 Warwick Avenue, and 20 Howley Place (Grade II)	Preserve significance i.e. no harm
77	3-33 Orsett Terrace	Preserve significance i.e. no harm
78	18-42 Orsett Terrace	Preserve significance i.e. no harm
79	168-213 Sussex Gardens	Preserve significance i.e. no harm
80	2 Warwick Avenue	Preserve significance i.e. no harm
A	St John's Wood Conservation Area	Preserve significance i.e. no harm
B	Maida Vale Conservation Area	Preserve significance i.e. no harm
D	Regent's Park Conservation Area	Low degree of less than substantial harm
F	Lisson Grove Conservation Area	Less than substantial harm at the very lowest end of the scale i.e. barely discernible harm
G	Paddington Green Conservation Area	Slight enhancement to character, appearance and significance
J	Bayswater Conservation Area	Preserve significance i.e. no harm
L	Queensway Conservation Area	Preserve significance i.e. no harm

M	Westbourne Conservation Area	Preserve significance i.e. no harm
N	Dorset Square Conservation Area	Less than substantial harm at the very lowest end of the scale i.e. barely discernible harm
81	Regent's Park (RPG)	Low degree of less than substantial harm
82	Kensington Gardens (RPG)	Preserve significance i.e. no harm
78	Hyde Park (RPG)	Less than substantial harm at the very lowest end of the scale i.e. barely discernible harm
84	Primrose Hill (RPG)	Preserve significance i.e. no harm
131	Grand Union Canal, non-designated heritage asset	Preserve significance i.e. no harm

Table 1. Conclusions of Heritage Impact Assessment

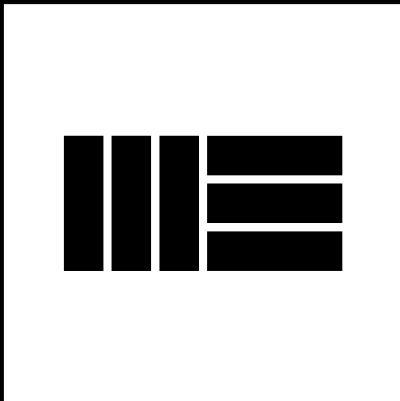
4.0 CONCLUSION AND POLICY COMPLIANCE

- 4.1 Great weight has been given to the conservation of heritage assets affected by the 2022 amended proposed development. The significance of the majority of designated heritage assets would be preserved by the 2022 amended proposed development.
- 4.2 The northern half of Newcastle Place, which is within the redline boundary, is located within Paddington Green CA, so there is potential for a direct effect on part of that CA, and a setting effect on the rest of the CA, and other heritage receptors in the vicinity.
- 4.3 The conclusion of the heritage assessment is that there would be a harmful effect on Nos. 14 and 16 Warwick Avenue , which are grade II listed, because the 2022 amended proposed development would appear above the roofline of the villas, in an area of uniform historic character. The harm would be limited, less than substantial (as defined by the NPPF) and at the lower end of the scale.
- 4.4 There would also be a low degree of less than substantial harm to the Regent's Park CA and RPG, due to the slight urbanising effect on their setting through the introduction of new tall development in views south. In Hyde Park the 2022 amended proposed development will be seen in the context of more tall buildings so the change would not be harmful.
- 4.5 It is recognised that any degree of harm to a designated heritage asset is of great weight in the planning balance, albeit its limited degree is relevant in the weighing exercise required by paragraph 202 of the NPPF. The Planning Statement prepared by Turley identifies the considerable public benefits of the scheme and carries out the weighing exercise.
- 4.6 The assessment identifies some modest beneficial setting effects of the 2022 amended proposed development, because it will replace a large, unattractive and disused building with a development of high architectural quality in superior materials, albeit of larger scale. The setting and appreciation of the significance of Paddington Green CA and the listed buildings fronting the Green, and the grade II* listed Marylebone Lower House North Westminster Community School, would be slightly enhanced by the 2022 amended proposed development. The public realm enhancements to Newcastle Place would have a direct beneficial effect on the Paddington Green CA. The Rottingdean judgement has clarified that any such benefits to designated heritage assets are of great weight in the planning balance.
- 4.7 In response to requests from the GLA during determination, additional heritage assets have been included in this assessment for completeness. No harmful effects have been identified to any of these heritage assets, including 22-42 Norfolk Square, 3-33 Orsett and 18-42 Terrace, 168-213 Sussex Gardens, Queensway CA and Westbourne CA.
- 4.8 During post-submission consultation with the GLA in October 2022, the Principal Heritage Officer agreed that the existing Police Station building is detrimental to the setting Paddington Green CA. However, the GLA considered that the scale of the 2022 amended proposed development would harm the setting of several heritage assets, including the Maida Vale CA, Paddington Green CA, Lisson Grove CA, Hyde Park RPG, the grade II* Church of St Mary, grade II* listed Christ Church and grade II* listed Marylebone Lower House North Westminster Community School, and this harm would be less than substantial.
- 4.9 Our conclusion differs from that of the GLA as a result of a difference in professional judgment. Our assessment identifies slight positive effects on the Paddington Green CA and grade II* Church of St Mary, and no harm to the Maida Vale CA, and barely discernible harm to the Hyde Park RPG. Our conclusion derives from the following considerations. First, the proposed increase in scale will be experienced in the setting of existing tall buildings at WEG and Paddington Basin. Second, the existing building on the site, the former Police Station, is itself a large building (with 8 storey and 17 storey elements) but of poor architectural quality and disused. Third, its replacement with buildings of high design quality and public realm enhancements would therefore be a positive change, despite the increase in scale.
- 4.10 Nevertheless if the GLA continues to conclude that the 2022 amended proposed development causes less than substantial harm to the these designated heritage assets, it would inevitably be at the lower end of the scale, given the public realm enhancements and improved design quality of the proposed building. Whilst the harm would be of great weight in the planning balance, it would need to be weighed against the considerable public benefits of the 2022

amended proposed development, as required by paragraph 202 of the NPPF. The Planning Statement prepared by Turley identifies the public benefits and carries out this weighing exercise.

- 4.11 During pre-application discussions WCC requested that the reuse of the decorative bas relief panels on the sides of the former Police Station be explored, potentially in the subway to Merchant Square. We note that the former Police Station is not located in a CA, nor has it been identified as a non-designated heritage asset during pre-application discussions. The panels could therefore be removed without the need for planning permission. However, the applicant is content to work with the Council to find an alternative location for these panels elsewhere in the immediate locality, to be secured by planning condition.
- 4.12 Officers of the GLA have requested that the existing building is recorded prior to any demolition, and has indicated that this could be secured through a condition on any consent. At the time of writing, the Applicant is in the process of appointing consultants to undertake historic building recording, which would be submitted to the GLHER and other appropriate archives. The record is intended to be submitted prior to determination to avoid the need for a planning condition.
- 4.13 In conclusion, the proposals comply with all relevant national and local planning policy on the historic environment, including Policy HC1 of the London Plan and the heritage policies of the Westminster City Plan 2019-2040. In granting planning permission for the application, the Mayor would be discharging his statutory duty with respect to section 72(1) and section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act (1990), subject to the consideration of public benefits set out in the Planning Statement.

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WE REQUEST THAT THESE BE TREATED AS CONFIDENTIAL.