

Heritage Statement

The Arena, Stockley Park

For:

BBC Pension Trust Ltd

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Smith Jenkins Ltd

Milton Keynes Office: 7 Canon Harnett Court, Wolverton Mill, Milton Keynes, MK12 5NF

London Office: Studio 11.2.1, The Leather Market, 11-13 Weston Street, London, SE1 3ER

Tel: 01908 410422

Contents

| | | Page |
|---|-------------------------|-------------|
| 1 | Introduction | 1 |
| 2 | The Heritage Assets | 2 |
| 3 | Significance | 4 |
| 4 | Assessment of Proposals | 9 |
| 5 | Conclusions | 14 |

Appendix A Heritage Planning Policy Context

1 Introduction

- 1.1 This Heritage Statement has been prepared by Smith Jenkins Planning & Heritage on behalf of the BBC Pension Trust Ltd in support of proposals at The Arena, Stockley Park (hereafter also referred to as the 'Site').
- 1.2 The development proposals include alterations and extensions to The Arena, a non-designated heritage asset, to allow for its use as a hotel, as well as new bin storage. The Site also lies within the Grade II Registered Park and Garden of Stockley Park: Business Park Phases I and II, and country park and golf course.
- 1.3 Paragraph 207 of the National Planning Policy Framework (NPPF) 2024 sets out the information requirements for determining applications and states that:
- 'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made to 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' (NPPF, 2024).*
- 1.4 This Heritage Statement is a standalone document prepared to satisfy paragraph 207 of the NPPF. In response to these policy requirements, Section 2 of this report identifies the heritage assets which may be affected by the application proposals. Section 3 provides statements of significance for the heritage assets identified within Section 2. These are relative to the scale, nature and effect of the proposed development.
- 1.5 Section 4 provides an assessment of the application proposals on the significance of the identified heritage assets, based on national, regional and local policy and guidance, with conclusions in Section 5. The heritage planning policy context for the consideration of these proposals is set out in Appendix A. This includes the statutory duties as set out in the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF, regional and local planning policy.

2 The Heritage Assets

2.1 A heritage asset is defined by the NPPF as:

'A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing)' (NPPF, 2024).

Designated Heritage Assets

2.2 A designated heritage asset is described by the NPPF as:

'A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation' (NPPF, 2024).

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

Listed Buildings

2.4 There are no listed buildings within or in close proximity to the Site.

Conservation Areas

2.5 The Site is not located within or near to the boundary of any conservation areas.

Registered Parks and Gardens

2.6 The Site is located within the Stockley Park Registered Park and Garden, which is listed at Grade II. Consequently, the proposals have the potential to have a direct impact on the interest of the park.

Non-designated heritage assets

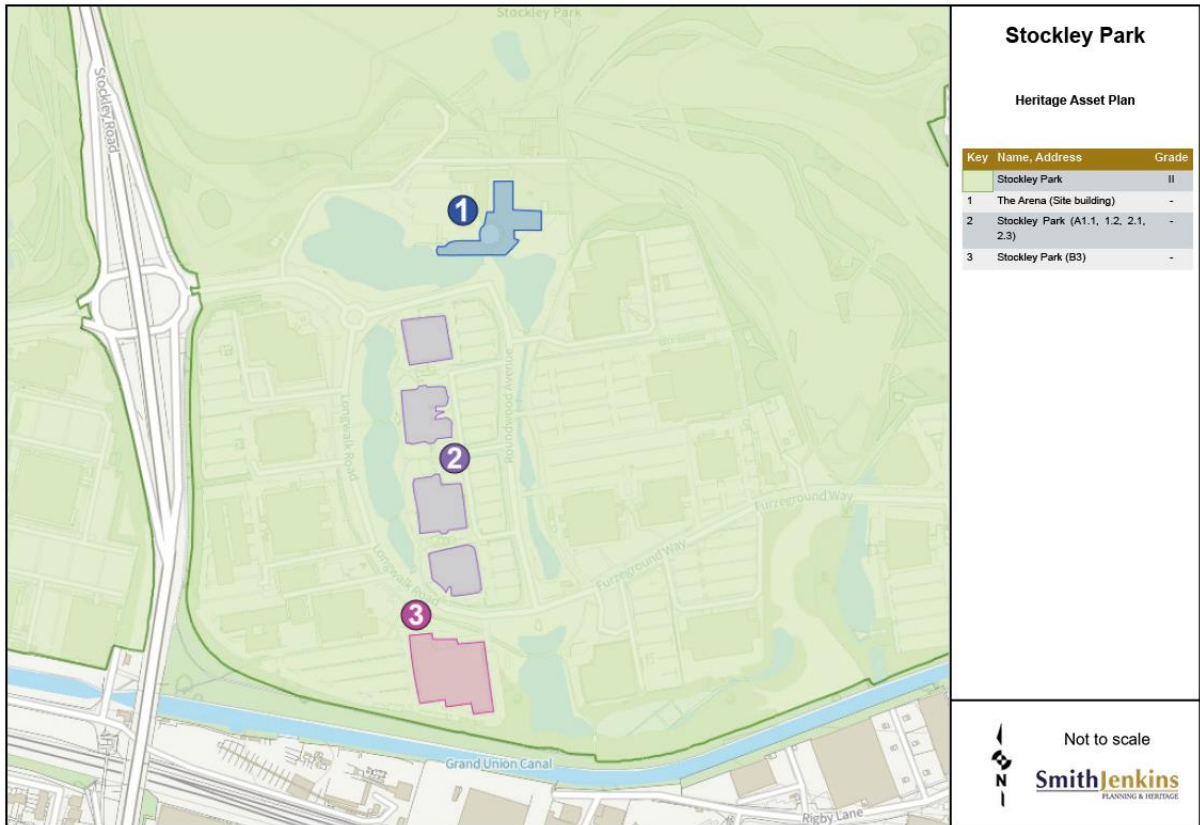
2.7 The NPPF identifies that heritage assets not only include those which are designated (often with statutory protection), but also those assets identified by the local planning authority which could include local listing or buildings of townscape merit. Any such designation, for the purposes of the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

2.8 The Site itself consists of The Arena, which is included on Hillingdon Council's local list, and as such constitutes a non-designated heritage asset. The local list entry for the building reads:

"Architectural: Architects Arup Associates. Sports club, restaurant, management offices and conference centre, provides a long, low focus between park and business area. Faced in coursed buff reconstituted stone. Polygonal conservatory to west. Set around a circular piazza. Small but

monumental with distinctive roof line. Wings radiating off and relating to changing ground levels. Townscape: Group Value”.

- 2.9 The office buildings of Stockley Park to the south of the Site are also included on the local list. These buildings gain their significance primarily from their connection to the wider business park, and will therefore be assessed within the Registered Park and Garden assessment.



3 Significance

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

'The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting' (NPPF, 2024).

3.2 The identification of a site as a non-designated heritage asset does not provide any legal protection of such asset, however, for the purposes of the NPPF, they are a material consideration in the determination of applications.

3.3 Historic England has published a Good Practice Advice Notes on the 'Setting of heritage Assets' (2nd Edition, 2017) which is used to understand the surroundings of a heritage asset which may contribute to the significance of a heritage asset.

Assessment

3.4 The following statements of significance for the identified heritage assets (set out in Section 2) are proportionate to the importance of the asset and the likely impact of the proposals.

Stockley Park: Business park Phases I and II, and Country Park and Golf Course Registered Park and Garden (RPG) (Grade II)

- 3.5 Stockley Park was listed as a Registered Park and Garden of Historic Interest on 18th August 2020 (list entry no. 1466074). Inclusion on the list does not infer any statutory protection but, for the purposes of the NPPF, it constitutes a designated heritage asset and is a material consideration in the determination of planning applications. Due to its date of designation, its list description is very detailed and provides an in-depth account of the park's history and important details. This has been briefly summarised below, with a focus on the business park as this is the area with potential to be affected.

Historic and Aesthetic Interest



Figure 3.1: The 'Orangery' of the Arena, with the large lake and A buildings of Phase 1.



Figure 3.2: Looking north from the business park, with manicured grassed areas and hedging alongside pavements and the lake.

- 3.6 Stockley Park, designed in the mid-1980s by Arup Associates, gains its significance from its pioneering design, which was at the forefront of the development of the late-20th century suburban business park movement. The business park was developed in two phases (Phase I and Phase II), followed by the golf course and public park. All areas of the park held quality design as a key element of their development, both in terms of the buildings that were constructed and the landscaping surrounding them. They also served to display the possibilities of re-using contaminated wasteland as the area had a history of use as a tip.
- 3.7 The landscaping of the business park was the work of Ede Griffiths Partnership alongside horticulturalist Charles Funke. It was designed using influences from classical French landscape design, utilising clipped hedging to create separation between spaces. The lakes additionally add to the detail of the landscaping scheme; separating the rows of office blocks and their curved nature providing a contrast with the urban, linear nature of the buildings. The Arena holds a prominent position on the northern side of the largest lake, and its fortress-like form gives it prominence at this end of the park. The impressive final result of the design has led to elements of the park winning a number of awards in the decades since it opened. The deliberate and consistent design of the landscaping through the business park and golf course has been well maintained since their construction, enabling a clear understanding of the intentions of the scheme.
- 3.8 A number of the office buildings within the business park have been included on Hillingdon Council's local list due to their design quality. These include The Arena building, as well as the two-storey pavilion-style 'A' buildings (A1.1, A1.2, A2.1, A2.3) that lie along Roundwood Avenue, which were

built as part of Phase I and feature shallow hipped roofs and white and grey external panelling with grid-like glazing and features. The large 'B3' building at the south of the park is also included on the list, which consists of three staggered blocks encased in sheer glassed walls which have been suspended from metal 'Y' frames which create a series of butterfly roofs. These buildings followed the same innovative design principles as the landscaping and hold value with the rest of the park as in-tact exemplars of the new business parks of the late-20th century.

Setting

- 3.9 The park is dissected by the A408, with the majority of the business park and golf course lying to the east of the busy road. The canal forms the terminus of the park to the south, creating a barrier between the business park and the more industrial area beyond. To the west lies Lake Farm country park, which continues the green space of the golf course, with residential development to the north. The park's setting has stayed the same since its construction, however it does not contribute strongly to its significance as this is principally gained from its innovative and pioneering design and landscaping.

Summary of Significance

- 3.10 Stockley Park gains its significance from its construction during the early stages of business park development in England. The pioneering design of its buildings and landscaping, spearheaded by Arup, utilises classic French design alongside modernist compositions and materiality. It has been well maintained and retains its original layout and aesthetics.

The Arena (Non-Designated Heritage Asset)

- 3.11 Parts of the following assessment were informed by the Centre Point article in the August 1990 edition of the Architects Journal (AJ), unable to be reproduced for this report due to copyright restrictions.



Figure 3.3: The Arena – south elevation and 'Orangery' structure.



Figure 3.4: The Arena – north elevation and Rotunda.

- 3.12 The Arena was purpose-built to form the social and commercial hub of the park's corporate working community; providing shops and leisure and social facilities for employees, all under one roof. The Arena has a powerful presence and is noted as being 'Stockley's social heart' in contemporary literature. The building has a fortress-like appearance, with an imposing southern elevation and dominant rotunda element to the east.
- 3.13 The building was designed by Arup Associates, who also fitted out the conference and sporting facilities. The two storey building sits on an east-west axis, and was constructed using a steel frame, with buff coloured forticrete blocks forming the shell, and timber and glazing used to provide features of interest. The southern elevation is a relatively blank façade, facing the office buildings that sit across the lake to the south, with a masonry base which falls into the moat-like lake. The upper floor of the elevation uses timber and glass along with overhanging eaves. The western end features a fully glazed octagonal 'Orangery' structure with a pitched roof, with the eastern end having a single storey garden wall lean-to building which contains the complex's swimming pool. The 'Orangery' is currently in a neglected state and metal security boarding runs around its base due to its vacant state.
- 3.14 The northern elevation of the western wing of the building features grid-like colonnades at ground and first floor, with a walkway running at first floor level and reaching a low-quality staircase at the western end in front of the 'Orangery', which also leads to a bin store which gives a back-of-house impression despite being the entrance elevation. Timber panelling and windows run along both floors, set back within the colonnade. The ground floor of the building is currently not in use and some of the glazing has been boarded up.
- 3.15 The main section of the building is situated in between the garden wall and battlements and consists of a colonnaded rotunda which sits at almost three storeys high. The principal staircase which climbs from behind the rotunda colonnade is in a minimalistic style. The lintel and column crown to the rotunda is purposefully prominent, and provides interest to the building even from a distance. The

circular roof palisade, located on the first floor. The semi-circular run of angled patent glazing that runs above the first floor walkway is a key feature providing light into the space, however it is currently in relatively poor condition due to deterioration and currently poses a safety risk.



Figure 3.5: The Arena – first floor Rotunda walkway with deteriorating patent glazing.



Figure 3.6: The Arena – north elevation with staircase, bin store and 'Orangery'.

- 3.16 Throughout the Arena there is an amalgamation of materials and junctions, and the interiors are overall of a high quality. Of particular note is the sports hall which consists of a shallow arching timber formation with a ceiling that has integrated artificial lighting elements. However, as discussed within the AJ article, when the building was constructed, some of its interiors, including that of the restaurant, were not of notable quality, and this area of the building has been altered over the years to fit its most recent public house use.
- 3.17 To the north of the building lies the golf course which was completed in the 1990s, and to the south is the rest of the business park. The Arena itself signifies the change between the two different environments. The northern elevation, facing towards the golf course, maintains a low profile, and the sports hall and squash courts are buried in the ground. Therefore, from the perspective of the golf course, the hall can be seen as a single storey structure that is cemented into a long garden wall which runs eastwards.
- 3.18 In recent years, a hotel has been constructed to the north of the western wing of the Arena, in a sympathetic style with materials to echo The Arena building, and contributing to the social and leisure use of this part of the park. This has slightly altered some of the landscaping to this side of The Arena, however its connection to the Lake and the grassed areas to the east and west are the most significant elements of its setting, and these have been maintained.

Summary of Significance

- 3.19 The Arena holds significance through its fortress-like design and details, as well as its part in the pioneering design of Stockley Park; forming a communal hub for the office workers at the forefront of the business park movement.

4 Assessment of Proposals

- 4.1 The heritage legal and planning policy relevant to the consideration of the application proposals set out in Appendix A of this report. This legislation and policy context includes the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990, national policy set out in the NPPF as well as regional and local policy for the historic environment.
- 4.2 In accordance with paragraph 207 of the NPPF, the significance of the designated and non-designated heritage assets that may be affected by the application proposals have been set out in Section 3 of this report.
- 4.3 The NPPF requires local planning authorities to identify and assess significance of a heritage asset that may be affected by the proposals (paragraph 208). They should take the assessment into account when considering the impact of proposals in order to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposals.
- 4.4 Account should be taken of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, the positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability, and the desirability of the new development making a positive contribution to local character and distinctiveness (paragraph 210).
- 4.5 When considering the impact of proposals on the significance of designated heritage assets, the NPPF requires (paragraph 212) that great weight should be given to their conservation and the more important the asset, the greater the weight should be. This is consistent with high court judgements (Barnwell Manor, Forge Fields) where great weight should be attached to the statutory duty.
- 4.6 Where a development proposal causes harm to the significance of designated heritage assets, this should either be treated as less than substantial (paragraph 215), or substantial (paragraph 214). In determining the level of harm, the relative significance of the element affected should be taken into account (paragraph 212). Furthermore, local planning authorities are also encouraged to look for opportunities for new development within conservation areas and the setting of heritage assets to enhance or better reveal their significance. According to paragraph 219, proposals that preserve those elements of setting the make a positive contribution to or better reveal the significance of a heritage asset should be treated favourably.
- 4.7 Paragraph 216 of the NPPF concerns the effect of an application on the significance of a non-designated heritage asset and should be taken into account when considering development proposals with a balanced judgement being required to have regard to the scale of any harm or loss against the significance of the asset.

The Proposals

- 4.8 The proposals involve the renovation of the ground floor restaurant space and first floor offices of The Arena building, as well as the addition of two small extensions, the replacement of the rotunda's patent glazing with a new membrane roof with rooflights, and the provision of a new bin store and repositioned cycle store. Plant and PV panels will also be introduced to the roof space.

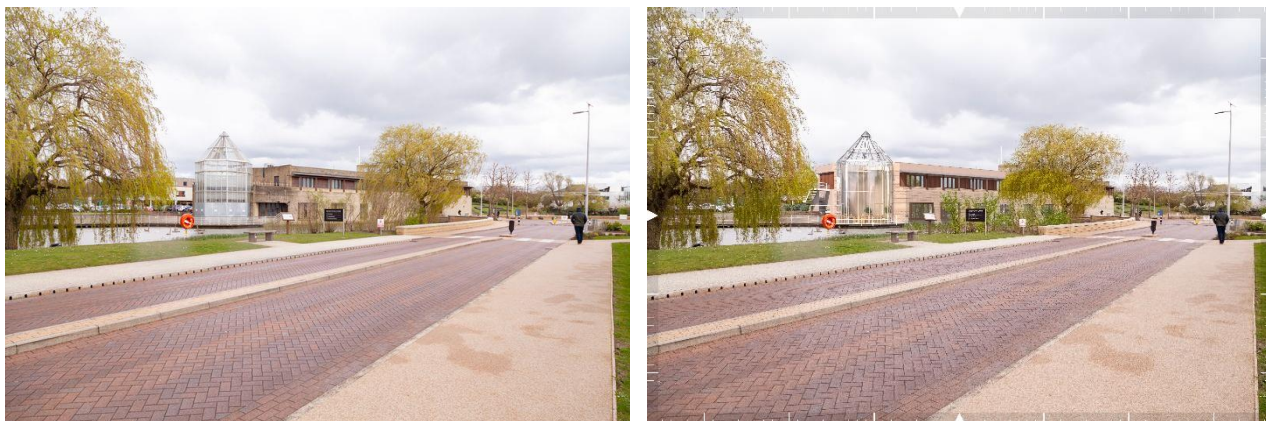
4.9 The following Accurate Visual Representations (AVRs) have been produced to indicate how the proposed changes will be viewed within the context of the RPG.



Figures 4.1 and 4.2. View 1 – Looking East from the approach road to the Arena. The Orangery will be refurbished, and will be a much more attractive feature of the view than existing. The extension of the Site building will be visible, with the materiality and the rhythm in-keeping with the building as a whole. Planting will buffer the ground floor and continue the planned, green character of the RPG.



Figures 4.3 and 4.4. View 2 – Looking South-East from the car park of the Arena. The Orangery will be refurbished, and will be a much more attractive feature of the view than existing, however will be slightly shielded from view at the base. Its roof element will, however, be very visible and therefore appreciation of this feature will remain. The extension of the Site building will be the most visible from views within the car park, and the AVR shows that the character of this elevation of the building will remain similar, utilising timber-effect cladding and render. The ground floor of the extension will be visually distinct, allowing for an appreciation of the original extent of the building, with planting softening the view.



Figures 4.5 and 4.6. View 3 – Looking North-East from the road into the business park. The Orangery will be refurbished, and will be a prominent and attractive feature of views from the south. The southern elevation will be refurbished with new cladding and replacement windows, and the extension and new external staircase will be partly visible behind the Orangery. Overall, the appearance of the Arena from views such as this will be improved from the existing situation.



Figures 4.7 and 4.8. View 4 – Looking North towards the Arena from the business park. Within this view, the southern elevation of the Arena will become regularised in terms of fenestration, with new windows introduced at ground floor. The cladding will be replaced and the western side of the elevation in general will be refurbished. The rotunda will remain the key focal point at the centre of the building, and the Arena will retain its character and prominence in views looking north.

Impact of Application Proposals

Stockley Park Registered Park and Garden – Grade II

- 4.10 As the Site is within the RPG, the proposals will have a direct impact on this asset. There will be no alteration to the existing landscaping of the area around The Arena, and the proposed alterations will not alter the domineering status of the Arena. The historically green space directly north of the building was paved as part of the construction process for the neighbouring hotel, and it is proposed to maintain this paving to utilise the space as a car park. As this is the current situation, its retention will not have any further impact on the character of the park.
- 4.11 In views from the rest of the business park to the south, the renovation of the ‘Orangery’ will be an improvement; the currently neglected element of the building will be brought back to its intended

appearance. The addition of plant and PV panels to the roof will be very limited (as indicated in the accompanying proposed elevations), and will not alter the character of the RPG. The alterations to the western end of the elevation, including the extension and introduction of a new staircase, will not alter the overall character of the elevation, and the key elements of the building will remain visible and prominent. In views from the north, the extension will be the visible, but will not have an impact on the design of the landscaping or the relationship between the Arena and its surroundings. The southern elevation of the Arena will have new fire-safe glazing and cladding introduced at first floor; with some fenestration alterations at ground floor. This will create a more cohesive, regular elevation, improving the appearance of the building in views from the business park side of the RPG.

- 4.12 Some landscaping will be reintroduced to the north of the extension, and the minimal alterations to the external space will have no effect on the character of the RPG as this area is currently used as an ancillary area to the hotel and Arena. Overall, the significance of the registered park and garden will be preserved as a result of the proposals, with some enhancements provided by the Orangery's renovation and the improvements to the southern elevation.

The Arena

- 4.13 The internal renovation at ground and first floor will not have an effect on the asset's significance, as it was not considered to be a high quality element of the building when first constructed, and has already undergone periods of alteration through the decades.
- 4.14 The side elevation will result in the removal of the existing bin store and external stair. These are not features of quality or notable interest, and the extension will allow for a greater connection between the main body of the building and the glass structure; the renovation of which will be an improvement to the existing situation. The height of this extension will remain in line with the existing structure, and the materiality will give it a visual relationship with the existing structure, with the rendered elements providing a contrast between the historic element and the new addition. The replacement of the patent glass above the first floor of the rotunda will improve the existing situation, and the new wall will not detract from the rotunda and its prominence at the eastern end of the building.
- 4.15 The alterations will overall allow the building to be brought back into active use and will allow its key components (the 'Orangery' and the rotunda) to remain the dominant features. The extension has been sensitively designed and is a continuation of the social/recreational use of the Arena. The proposals will not change the character of the building, and its key features of interest will be maintained. As such, the significance of The Arena will be preserved as a result of the application proposals, with enhancements to the Orangery in particular.

Considerations against Legislation and Policy

Statutory Duties

- 4.16 The Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty upon the decision maker in determining applications for planning permission to have special regard to the desirability of preserving the character and appearance of conservation areas and the special architectural and historic interest of listed buildings. There are no listed buildings or conservation areas with the potential to be impacted by the proposals within this application.

NPPF (2024)

- 4.17 The significance of the identified heritage assets, as required by paragraph 207 of the NPPF, has been set out in Section 3 of this report. In accordance with paragraph 210 of the NPPF, the application proposals will sustain the significance of the conservation area and the surrounding locally valuable buildings.
- 4.18 The conservation of the heritage assets has, in line with paragraph 212 of the NPPF, been given great weight. The proposals have been designed to be sympathetic to the registered park and garden and non-designated Arena building and will not alter their character or elements of interest. Therefore, the proposals will preserve the special interest of the identified heritage assets. As such, the policy tests contained within paragraphs 214, 215 and 216 do not apply.

Strategic Policy – London Plan (2021)

- 4.19 In line with Policy HC1 of the London Plan, the proposals for the Arena will conserve its significance and that of the Stockley Park RPG, by being sympathetic to the assets' significance and appreciation within their surroundings.

Local Policy – Hillingdon Local Plan (2012)

- 4.20 Policy HE1 of the Hillingdon Local Plan Part 1 and Policy DMHB 1 discuss the Council's approach to heritage and development within the historic environment. In line with these policies, the proposals will regenerate the currently vacant Arena building to allow it to be brought back into active use, and will at minimum conserve the significance of the heritage assets. In line with policies DMHB 3 and DMHB 8, this statement has demonstrated a clear understanding of the significance of the locally listed Arena, and the proposals will respect the special character, environmental quality and important views and vistas of the Stockley Park RPG.

5 Conclusions

- 5.1 In accordance with the requirements of the NPPF (2024), the heritage assets that will be affected by the application proposals have been identified and their significance described. Consequently, a clear understanding of the significance of Stockley Park (Grade II Registered Park and Garden) and The Arena (non-designated heritage asset) has closely informed the proposals.
- 5.2 Overall, the application proposals will allow the ground and first floors of the building to be brought back into active, viable use and will allow for the refurbishment of the currently neglected elements of The Arena building. The form and materiality of the proposed extensions will allow them to be sympathetic to the existing building and surrounding RPG.
- 5.3 To conclude, the application proposals are in accordance with the statutory duties as set out in the Planning (Listed Buildings and Conservation Areas) Act 1990, national policy set out in the NPPF (2024) and relevant regional and local policy and guidance, including the Hillingdon Local Plan (2012).

Appendix A – Heritage and Planning Policy Context

Legislation

Planning (Listed Buildings and Conservation Areas) Act 1990.

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

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

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

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

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

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

Recent case law¹ has confirmed that Parliament’s intention in enacting Section 66 (1) was that decision-makers should give “considerable importance and weight” to the desirability of preserving the setting of listed buildings, where “preserve” means “to do no harm”. This duty must be borne in mind when considering any harm that may accrue and the balancing of such harm against public benefits as required by national planning policy. This can also logically be applied to the statutory tests in respect of conservation areas. Similarly, it has also been proven that weight must also be given to heritage benefits.

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

National Planning Policy

National Planning Policy Framework (NPPF) December 2024

The National Planning Policy Framework (NPPF) was published on the 12th of December 2024 and sets out the Government's planning policies for England and how these are expected to be applied. It has purposefully been created to provide a framework within which local people and Local Planning Authorities (LPAs) can produce their own distinctive Local and Neighbourhood Plans which reflect the needs and priorities of their communities.

When determining Planning Applications, the NPPF directs LPAs to apply the approach of presumption in favour of sustainable development; the 'golden thread' which is expected to run through the plan-making and decision-taking activities. It should be noted however, that this is expected to apply except where this conflicts with other policies combined within the NPPF, inclusive of those covering the protection of designated heritage assets, as set out in paragraph 11 of the NPPF. Within section 12 of the NPPF, 'Achieving well-designed and beautiful places', Paragraphs 131 to 141, reinforce the importance of good design in achieving sustainable development by ensuring the creation of inclusive and high-quality places. This section of the NPPF affirms the need for new design to function well and add to the quality of the area in which it is built; establish a strong sense of place; and respond to local character and history, reflecting the built identity of the surrounding area.

Section 16, 'Conserving and Enhancing the Historic Environment', Paragraphs 202-221, relate to developments that have an effect upon the historic environment. These paragraphs provide the guidance to which local authorities need to refer when setting out a strategy for the conservation and enjoyment of the historic environment in their Local Plans. This should be a positive strategy for the conservation and enjoyment of the historic environment and should include heritage assets which are most at risk through neglect, decay or other threats. It is also noted that heritage assets should be conserved in a manner appropriate to their significance.

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

- The desirability of sustaining and enhancing the significance of heritage assets and preserving them in a viable use consistent with their conservation;
- The wider social, cultural, economic and environmental benefits that the conservation of the historic environment can bring;
- The desirability of new development in making a positive contribution to local character and distinctiveness;
- Opportunities to draw on the contribution made by the historic environment to the character of a place.

Paragraph 204 of the NPPF states that when considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.

In order to determine applications for development, Paragraph 207 of the NPPF states that LPAs should require applicants to describe the significance of the heritage assets affected and the contribution made by their setting. Adding that the level of detail provided should be proportionate to the significance of the asset and sufficient to understand the impact of the proposal on this significance.

According to Paragraph 208, LPAs should also identify and assess the significance of a heritage asset that may be affected by a proposal and should take this assessment into account when considering the impact upon the heritage asset.

Paragraph 209 adds that where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision.

Paragraphs 210 to 221 consider the impact of a proposed development upon the significance of a heritage asset. Paragraph 212 emphasises that when a new development is proposed, great weight should be given to the asset's conservation and that the more important the asset, the greater this weight should be. It is noted within this paragraph that significance can be harmed or lost through the alteration or destruction of the heritage asset or by development within its setting.

Paragraph 215 advises that where a development will cause less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Paragraph 216 notes that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. Adding, that in weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Paragraph 217 stipulates that local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.

In addition, Paragraph 219 notes that local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Adding, proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

Paragraph 220 importantly clarifies that not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. Adding, loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 214 or less than substantial harm under paragraph 215, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.

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

to ensure their continued use and enjoyment.'¹ (Constructive Conservation in Practice, English Heritage, 2009).

National Guidance

Planning Practice Guidance (PPG) 2019

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

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

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

Key elements of the guidance relate to assessing harm. It states, an important consideration should be whether the proposed works adversely affect a key element of the heritage asset's special architectural or historic interest. Adding, it is the degree of harm, rather than the scale of development that is to be assessed. The level of 'substantial harm' is stated to be a high bar that may not arise in many cases. Essentially, whether a proposal causes substantial harm will be a judgment for the decision taker, having regard to the circumstances of the case and the NPPF.

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

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

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

Historic England Guidance - Overview

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

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

In addition to these documents, Historic England has published several core Advice Notes (HEAs) which provide detailed and practical advice on how national policy and guidance is implemented. These documents include; 'HEAN1: Conservation Area Appraisal, Designation and Management (Second Edition, February 2019)', 'HEAN2: Making Changes to Heritage Assets' (25th February 2016) and 'HEAN3: The Historic Environment and Site Allocations in Local Plans' (30th October 2015). In addition to these 'HEAN4: Tall Buildings' (March 2022), 'HEAN7: Local Heritage Listing: Identifying and Conserving Local Heritage (Second Edition, January 2021), 'HEAN10: Listed Buildings and Curtilage' (21st February 2018), 'HEAN12: Statements of Heritage Significance' (October 2019), and HEAN13. Collectively, these Advice Notes provide further information and guidance in respect of managing the historic environment and development within it.

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

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

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

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

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

This document provides advice on the numerous ways in which decision-taking in the historic environment can be undertaken, emphasising that the first step for all applicants is to understand the significance of any affected heritage asset and the contribution of its setting to its significance. In line with the NPPF and PPG, this document states that early engagement and expert advice in considering and assessing the

significance of heritage assets is encouraged, stating that ‘development proposals that affect the historic environment are much more likely to gain the necessary permissions and create successful places if they are designed with the knowledge and understanding of the significance of the heritage assets they may affect.’

The advice suggests a structured staged approach to the assembly and analysis of relevant information, this is as follows:

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

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

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

Crucially, the nature and importance of the significance that is affected will dictate the proportionate response to assessing that change, its justification, mitigation and any recording which may be necessary. This document also provides guidance in respect of neglect and unauthorised works.

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

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

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

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

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

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

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

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

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

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

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

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

Step 5: Make and document the decision and monitor outcomes

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

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

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

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

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

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

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

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

Historic England Advice Note 7 (HEAN7): Local Heritage Listing: Identifying and Conserving Local Heritage (Second Edition, January 2021)

First published by English Heritage in 2012 under the title ‘Good Practice Guide for Local Heritage Listing’, HEA7: Local Heritage Listing: Identifying and Conserving Local Heritage supersedes the first edition of the published guidance; Historic England Advice Note 7: Local Heritage Listing (2016), reflecting the changes made to the Planning Practice Guidance in 2019.

The updated advice seeks to support communities and local authorities in the introduction of a local heritage list in their area or for those wishing to make changes to an existing list which may have already been adopted. It observes the value of a local heritage list and seeks to adopt a consistent and accountable approach to the identification and management of heritage assets at a local level.

Historic England notes that inclusion on a local heritage list based on sound evidence and criteria delivers a consistent and accountable way of recognising non-designated heritage assets, no matter how they are identified, to the benefits of good planning for the area and of owners, developers and others wishing to understand local context fully. By providing clear and up-to-date information, backed by policy set out in the NPPF (2019), a local heritage list which has been available on the website of a local planning authority and via the Historic Environment Record (HER) provides clarity on the location and identification of non-designated heritage assets.

Regarding the identification of non-designated heritage assets, Historic England builds on the guidance set out in Planning Practice Guidance (2019) in defining a non-designated heritage asset, highlighting that they can be identified in several ways, including:

- Local Heritage Lists;

- Local and Neighbourhood Plans;
- Conservation Area Appraisals and Reviews;
- Decision-making on planning applications.

Whilst the advice notes that planning protections for non-designated heritage assets are not as strong as those for designated heritage assets, it highlights that they are still important, referring to the importance of paragraph 197 of the NPPF (2019), which requires local planning authorities to take into account the desirability of sustaining and enhancing the significance of such heritage assets.

This document draws on good practice across the country in developing a new local heritage list or making improvements to an existing one. Importantly, this advice should be seen as a starting point. In order to remain flexible enough to respond to local needs, decisions on the ways in which assets are identified, and the system adopted for managing the local heritage list, are matters for local planning authorities and their communities. This advice does, however, set out methods for setting up and managing a local list to provide ideas on how this might be done, including providing a clear criterion setting commonly applied selection criteria for assessing the suitability of assets for inclusion in a local heritage list.

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

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

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

Strategic Policy

The London Plan 2021

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

Chapter 7 of the Plan sets out the relevant policies concerning development within the historic environment, stating that the built environment, combined with its historic landscapes, provides a unique sense of place within the city, whilst layers of architectural history provide an environment that is of local, national and international value. The Plan seeks to identify and promote sensitive management of London's heritage assets, in tandem with the promotion of the highest standards of architecture, maintaining the

blend of old and new that contributes to the city's unique character. Policy HC1: 'Heritage conservation and growth' states:

- A. Boroughs should, in consultation with Historic England, local communities and other statutory and relevant organisations, develop evidence that demonstrates a clear understanding of London's historic environment. This evidence should be used for identifying, understanding, conserving, and enhancing the historic environment and heritage assets, and improving access to, and interpretation of, the heritage assets, landscapes and archaeology within their area.
- B. Development Plans and strategies should demonstrate a clear understanding of the historic environment and the heritage values of sites or areas and their relationship with their surroundings. This knowledge should be used to inform the effective integration of London's heritage in regenerative change by:
 - 1. setting out a clear vision that recognises and embeds the role of heritage in place-making
 - 2. utilising the heritage significance of a site or area in the planning and design process
 - 3. integrating the conservation and enhancement of heritage assets and their settings with innovative and creative contextual architectural responses that contribute to their significance and sense of place
 - 4. delivering positive benefits that conserve and enhance the historic environment, as well as contributing to the economic viability, accessibility and environmental quality of a place, and to social wellbeing.
- C. Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.
- D. Development proposals should identify assets of archaeological significance and use this information to avoid harm or minimise it through design and appropriate mitigation. Where applicable, development should make provision for the protection of significant archaeological assets and landscapes. The protection of undesignated heritage assets of archaeological interest equivalent to a scheduled monument should be given equivalent weight to designated heritage assets.
- E. Where heritage assets have been identified as being At Risk, boroughs should identify specific opportunities for them to contribute to regeneration and place-making, and they should set out strategies for their repair and re-use.

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

Local Policy

Hillingdon Local Plan (2012)

The Hillingdon Local Plan consists of 2 sections and forms the council's strategy for the future development of the borough to 2026. The **Local Plan Part 1** contains the Strategic Policies for the borough, and the policy concerning heritage is as follows:

Policy HE1: Heritage

The council will:

1. Conserve and enhance Hillingdon's distinct and varied environment, its settings and the wider historic landscape, which includes
 - Historic village cores, Metro-land suburbs, planned residential estates and 19th and 20th century industrial areas, including the Grand Union Canal and its features;
 - Designated heritage assets such as statutorily Listed Buildings, Conservation Areas and Scheduled Ancient Monuments; Registered Parks and Gardens and historic landscapes, both natural and designed;
 - Locally recognised historic features, such as Areas of Special Local Character and Locally Listed Buildings; and Archaeologically significant areas, including Archaeological Priority Zones and Areas.
2. Actively encourage the regeneration of heritage assets, particularly those which have been included in English Heritage's 'Heritage at Risk' register or are currently vacant.
3. Promote increased public awareness, understanding of and access to the borough's heritage assets and wider historic environment, through Section 106 agreements and via community engagement and outreach activities.
4. Encourage the reuse and modification of heritage assets, where appropriate, when considering proposals to mitigate or adapt to the effects of climate change. Where negative impact on a heritage asset is identified, seek alternative approaches to achieve similar climate change mitigation outcomes without damage to the asset.

The **Local Plan Part 2** contains the Development Management policies, and the relevant policies concerning heritage are as follows:

Policy DMHB 1 Heritage Assets

- A) The Council will expect development proposals to avoid harm to the historic environment. Development that has an effect on heritage assets will only be supported where:
- i) it sustains and enhances the significance of the heritage asset and puts them into viable uses consistent with their conservation;
 - ii) it will not lead to a loss of significance or harm to an asset, unless it can be demonstrated that it will provide public benefit that would outweigh the harm or loss, in accordance with the NPPF;

- iii) it makes a positive contribution to the local character and distinctiveness of the area;
- iv) any extensions or alterations are designed in sympathy, without detracting from or competing with the heritage asset;
- v) the proposal would relate appropriately in terms of siting, style, scale, massing, height, design and materials;
- vi) buildings and structures within the curtilage of a heritage asset, or in close proximity to it, do not compromise its setting; and
- vii) opportunities are taken to conserve or enhance the setting, so that the significance of the asset can be appreciated more readily.

B) Development proposals affecting designated heritage assets need to take account of the effects of climate change and renewable energy without impacting negatively on the heritage asset. The Council may require an alternative solution which will protect the asset yet meet the sustainability objectives of the Local Plan.

C) The Council will seek to secure the repair and reuse of Listed Buildings and monuments and improvements to Conservation Areas on the Heritage at Risk Register, through negotiations with owners, the provision of advice and guidance, the use of appropriate legal action, and through bids for external funding for improvement works.

Policy DMHB 3 Locally Listed Buildings

A) There is a general presumption in favour of the retention of buildings, structures and features included in the Local List. The Council will take into account the effect of a proposal on the building's significance and the scale of any harm of loss when considering planning applications, including those for major alterations and extensions. Proposals will be permitted where they retain the significance, appearance, character or setting of a Locally Listed Building.

B) Applications should include a Heritage Statement that demonstrates a clear understanding of the importance of the structure and the impact of the proposals on the significance of the Locally Listed Building.

C) Replacement will only be considered if it can be demonstrated that the community benefits of such a proposal significantly outweigh those of retaining the Locally Listed Building.

Policy DMHB 8 Registered Historic Parks, Gardens and Landscapes

A) Development within, or adjacent to a registered or historic park, garden or landscape, must respect its special character, environmental quality, important views and vistas.

B) Development proposals should make provision (based on detailed research) for the restoration and long term management of the park, garden or landscape.

C) Applications which impact detrimentally on the significance of a registered park or garden will normally be refused.