

From: Alisdair Burke
Sent: 05 December 2023 03:59
To: Planning; Tania Clifford
Cc: Alisdair Burke
Subject: APPLICATION : 60-61 WARREN ST, W1T 5NU REF 2023/3076/L
Attachments: Document_2023-12-04_210307.pdf

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EVIDENCE OF ALISDAIR BURKE - 2
60-61 WARREN ST, W.1 REF 2023/3076/L

1. Further to my comments dated 2 November 2023, by way of objection, to the above Application for LBC (retrospective), I have further relevant comments, as follows.
2. The Applicant, in support of his submissions, cites a number of premises which have been painted, viz, -
 - a. Smugglers Tavern, 28 Warren Street,
 - b. 30-34 Warren Street (Grade II Listed),
 - c. 8 Conway Street,
 - d. 58 Warren Street (one of the terrace of five houses, 58-62 Warren Street).
3. As to Item (a) above : it is an unlisted building.

As to Item (b) above : at the date of listing (15.9.88) the entry states, "No. 30-33 painted over". No. 34 is not painted.

As to Item (c) above : at the date of listing (14.5.74) the entry states, "No. 8 painted".

As to Item (d) above : at the date of listing (14.5.74) the entry states, "No. 58 ground floor painted".

4. It is clear then that the painting took place prior to the properties being included in the statutory list by the Secretary of State.
5. In the academic texts supplied in my previous comments it was pointed out that under Permitted Development rights in England and Wales - painting of the exterior of a dwellinghouse is allowed (though not in

Scotland) and this is the position pertaining to date [see TCP (General Permitted Development) Order, SI 1995/418, Sched 2, Part 2, Class C].

6. By contrast, in the instant case, the painting was done to a statutorily listed building, affecting its exterior facade, ie. affecting its character, in contravention of section 7, Planning (Listed Bldgs & Conservation Areas) Act 1990.
7. The buildings cited in support by the Applicant, as explained above, were all painted legally under Permitted Development rights or otherwise.
8. I also include an extract from an earlier Camden Planning Document (circa 1976). It distinguishes the two material Conservation Areas. The examples of painting, cited by the Applicant, from the Charlotte Street Conservation Area are therefore irrelevant (self-explanatory).
9. Further, by the Sidebar, it explains that up until 1980 the Fitzroy Square Conservation Area was very tightly drawn around the Square itself. None of the examples (a)-(d) above were in the Conservation Area until it was extended in November 1980. Thus the buildings painted under Permitted Development rights or otherwise - all predate the current Conservation Area designation (this assumes the 30-34 Warren St painting was pre-designation).

Alisdair Burke

Dated this 4th day of December 2023.