

*London Office:*  
80-83 Long Lane  
London, EC1A 9ET

22/04/2024

**Sent via planning portal only**  
**FAO Alan Wito & Blythe Smith**

Dear Alan & Blythe,

**FULL PLANNING PERMISSION & LISTED BUILDING CONSENT**

**LEVELS 3 & 4, BLOCKS F & G, BMA HOUSE, 13 TAVISTOCK SQUARE, LONDON, WC1H 9JP**

- **MINOR ALTERATIONS TO EARLIER GRANT OF PLANNING PERMISSION AND LISTED BUILDING CONSENT**

Please accept this covering letter as an accompaniment to this full and listed building consent application for minor works at the British Medical Association (BMA) complex. This letter provides a summary of the site and the proposed development and associated justification for the works.

**The site**

The site is located on the north-east side of Tavistock Square (A4200) and comprises a five storey, grade II listed building occupied by the British Medical Association. The site is located within the Bloomsbury Conservation Area and the surrounding context is historically and architecturally sensitive, comprising a number of Grade I, Grade II and Grade II\* listed buildings. Please refer to the supporting Design & Access and Heritage Statements for further information.

**The Proposal**

The BMA are gradually returning to their Headquarters in specific locations post pandemic and occupying specific parts of the estate. Furthermore, it has been recognised that the estate is in need of a thorough overhaul to ensure its suitability for continued employment uses and it is the BMAs intention to preserve and enhance the historic fabric and setting of the building while concurrently improving its efficiency and therefore, the desirability of the space.

The proposals the subject of this application, summarised above are detailed extensively in the supporting Design & Access and Heritage Statements. The proposed works have been carefully considered in consultation with planning and conservation officers at Camden Council and follows pre-application advice and, in the main, were supported in earlier consents that remain extant. The main changes to the earlier consents can be summarised as follows:

- A slightly larger area of roof has to be demolished to ensure the new dormer louvres are installed. The existing roof tiles will still be retained and reused, in line with the previous proposal.
- Minor changes to the setting out of the roof openings needed for services penetration at Roof Block F and G
- Changes to the WC layout
- Omission of Cat B fit-out since the previous revision
- Strip out of the existing walls forming a lift lobby at L3 Block F
- Strip out of a brick wall at L3 Block F and a brick pier at L3 Block G

The application aims to bring this neglected building back to use. The necessary refurbishment will ensure the building is relevant for its current and future use and will therefore ensure its long-term retention.

### **Pre-Application Engagement**

The NPPF states that *'early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community'*.

The applicant has sought to consult with the local planning authority throughout the drafting of this application in order to inform, identify and, where appropriate, address any issues or concern throughout the pre-application period through to the submission of the application.

This engagement has been managed through a targeted Planning Performance Agreement with specific input from both Planning and Conservation Officers helping to frame the application submission.

### **Planning Policy/Legislation**

#### **Legislation**

#### ***Planning (Listed buildings and Conservation Areas) Act 1990***

Section 66 of the Planning (Listed buildings and Conservation Areas) Act 1990 requires the Council to have special regard to the desirability of preserving listed buildings or their settings or any features of special architectural interest.

Section 72 of the Planning (Listed buildings and Conservation Areas) Act 1990 requires the Council to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

### ***Planning and Compulsory Purchase Act 2004***

Section 38 of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

### **National planning policy**

#### ***National Planning Policy Framework (2021)***

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied.

At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF introduces three objectives to 'Sustainable development' (Economic, Environmental & Social - paragraph 8), and advises that they are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). The applicant considers that the development meets all three threads of sustainable development.

The following sections are relevant to the consideration of this application;

- Section 6 (building a strong competitive economy)
- Section 8 (promoting healthy and safe communities)
- Section 9 (Promoting Sustainable Transport)
- Section 11 (making effective use of land)
- Section 12 (achieving well designed places)
- Section 16 (conserving and enhancing the historic environment)

### **Local Planning Policy**

For the purposes of this application, the adopted development plan for the London Borough of Camden comprises the London Plan (2021), the Camden Local Plan (2017) and Camden Planning Guidance Documents (CPG). Also of relevance is the Bloomsbury Conservation Area Appraisal and Management Strategy (2011). The following policies are considered relevant to the consideration and determination of this application:

#### ***London Plan (LP) 2021***

- Policy D4: Delivering Good Design
- Policy HC1: Heritage Conservation and Growth

#### *Camden Local Plan (CLP) 2017*

- Policy D1: Design
- Policy D2: Heritage
- Policy C5: Safety and Security

#### *Camden Planning Guidance (CPG) & other guidance*

- Employment Sites and Business Premises (2021)
- Bloomsbury Conservation Area Appraisal and Management Strategy (2011)

### **Planning Assessment**

#### ***Principle of development:***

Law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

The site comprises part of a building in active office use and no changes are proposed to the established use class. In such locations, there are no development plan or national planning policies that restrict the alteration of properties in principle, subject to the consideration of all other detailed matters.

#### ***Design and visual impacts:***

Section 12 of the NPPF refers to well-designed places. Paragraph 130 (c) states that planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

Camden Local Plan Policy D1 requires development to be of the highest architectural and urban design quality and have particular regard to design and visual impact and to the context within which it is placed, and the contribution it makes to the landscape qualities of the area. The aim of this policy is reflected in London Plan Policy D4 (Good Design).

In the main, the proposed works are all internal. Where external works are proposed, these will be limited to spaces not visible in the public domain and in any case, represent development expected within the confines of large-scale office space. This aligns with the competing local plan objective of building a strong competitive economy and creates no visual harm or, by proxy, no harm to the character and appearance of the area in accordance with the development plan.

#### ***Heritage Impact:***

Case law dictates that decision makers are required to give great weight to any harm to the significance of a heritage asset and how this should be applied is set out in section 16 of the NPPF. CLP

Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas. These aims are further reflected in London Plan Policy HC1 (Heritage Conservation and Growth).

In terms of the heritage asset itself, BMA House is a grade II listed building. The memorial fountain in the central courtyard is grade II\* listed. The list description for the building sets out that the entire site is grade II listed. The list description notes that the interior is altered and now 'modern offices'.

The summary of the site's importance is given as:

*A fine, albeit incomplete, example of Lutyens' earlier work in the neo-classical idiom. The later additions by Wontner-Smith and Wood, which form the majority of the building, are dignified and well-detailed; the whole ensemble representing a distinguished and coherent complex of multi-phase buildings. Of historic interest as the headquarters of the BMA since 1925.*

The list description identifies several areas where value can be attributed to the existing building:

- An example of Lutyens' earlier work albeit incomplete;
- The high architectural quality of the later Wontner-Smith and Wood additions;
- While individual elements have value, the site as a whole is a distinguished and coherent complex; and,
- The association with the BMA since 1925

The building's list description notes that '*the interior is considerably altered*'. The relatively recent listing of the building has meant that various internal and external alterations have taken place prior to listing that were obviously undertaken outside of the listed building consent regime. This has resulted in the loss of some of the building's internal features and character. Alteration has left the interior of the building with less of a robust 1930s character than its exterior and as a result, there are clear opportunities for enhancement, particularly in the context of the need to ensure established office space is suitable for modern requirements.

The proposals are intended to be entirely respectful of the principal listed building. The proposals aim to significantly restore historic fabric and the proposed scheme is therefore considered to comply with national and local historic environment policy for these reasons and for those set out above.

The existing building also forms part of the Bloomsbury Conservation Area. It is located within Sub Area 6 of the conservation area: Bloomsbury Square/Russell Square/Tavistock Square. Any proposed alterations, particularly external alterations, should take into account their effect on the character and appearance of the conservation area. The external alterations proposed (plant) have been deliberately sited away from the public domain in accordance with pre-application discussions. This ensures that the impact on the setting of the conservation area would be neutral.

However, notwithstanding the above, should '*less than substantial*' harm be identified, that very limited harm would be required to be considered against public benefits that result from the proposed

development. Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as set out in the NPPF.

The lawful and established use of the application site is commercial and this use defines the character of the immediate area. Any departure from the established use will therefore more than likely adversely affect the setting of this part of the conservation area. Commercial use therefore forms the optimum viable use of the site, both publicly and privately.

Sustaining heritage assets in the long term often requires an incentive for their active conservation, particularly given that most, including the application site, are in private ownership. Putting heritage assets to a viable use is more likely therefore to lead to the investment in their maintenance necessary for their long-term conservation.

In this case the proposed development facilitates the best use of the property, maintaining its active use and thereby its optimum viable use. This has been held to represent, albeit modestly, a public benefit.

Whilst public benefit is stated, the true test of the NPPF is one of balance. In this instance the public benefits are considered sufficient to ensure compliance with the NPPF in the context of the harm generated which is considered to be 'nil' as discussed above.

In terms of the balance required by paragraph 197 of the NPPF, it is clear that, in light of the above, the public benefits of the proposal would outweigh any 'less than substantial' harm to the significance of the heritage assets that may be identified.

Please refer to the supporting Design & Access and Heritage Statements for full details of the impact on the significance of the heritage asset.

***Impact on Amenity:***

CLP Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. CLP Policy A4 states that the Council will not grant planning permission for development that is likely to generate unacceptable noise and vibration impacts.

As set out above, the plant equipment is located in a commercial setting. The BMA complex is extensive and the proposed plant would be both significantly separated and screened from wider residential development. It would not therefore impact adversely on residential amenity and in any case will be mounted on anti-vibration weighted mounts.

**Summary**

As set out in this letter, the proposals have been prepared through a detailed pre-application process. The proposed development has evolved in response to the feedback received and seeks to meet planning policy requirements and to respond positively to its local context. The changes to the earlier

consents are largely diminimis and would not impact on either the fabric or setting of the listed building.

The proposed development would accord with the general principles of the National Planning Policy Framework. The proposed development is a high quality, site specific response that will enhance the fabric of the building and its contribution to the wider strategic employment use it maintains.

The development is in accordance with the relevant Development Plan policies, and it is therefore respectfully requested that listed building consent is granted.

I trust this letter and the enclosed documents provide you with sufficient information to determine the applications but if you require any points of clarification or have any questions, please do not hesitate to contact me.

Yours sincerely

**Allen Sacbaker**  
**Associate**  
**SM Planning**