

From: Sebastian Bulmer

To: Camden Council Planning Committee

Date: 24 June 2024

Re: 2024/2172/L - Princes Circus 1897 Jubilee Drinking Fountain

Recommendation

That the proposed variation to Condition 5 of Listed Building Consent 2020/1446/L be **REJECTED**.

1. Background

- 1.1 As part of Camden Council's West End Project, Listed Building Consent was sought to dismantle, conserve and relocate the Princes Circus 1897 Jubilee Drinking Fountain. This was granted in a Decision letter dated 23.02.2021 (2020/1446/L) subject to a number of Conditions, including Condition 5:

The water fountain shall be provided with a connection to the water mains in accordance with a method statement to be submitted and approved in writing by the local planning authority prior to its re-installation. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

- 1.2 The drinking fountain was dismantled in June 2021. Works on Princes Circus commenced in May 2022. While these works were ongoing, when the applicant had the opportunity to do so, it appears little or no action was taken to ensure Condition 5 was complied with in a timely and cost effective manner.
- 1.3 It was not until the applicant was reminded, in a letter dated 11 November 2022 (2022/4232/L), "that condition 5 (method statement relating to connection to the water mains) of listed building consent granted [...] is outstanding and requires details to be submitted and approved." that they, rather than comply with Condition 5, wrote back requesting that it be removed from the Listed Building Consent, ideally sooner rather than later "as the fountain is due to be re-erected in the New Year." This was withdrawn.
- 1.4 The applicant then attempted a Discharge of Condition (2023/1107/L) by submitting two drawings and a covering letter to show how the fountain could be provided with a connection to the water mains. This was withdrawn.
- 1.5 The applicant attempted, once again, to have Condition 5 removed (2023/4072/L) with justifications set out in an accompanying Project Update (July 2023) by The Heritage Project. This was also withdrawn.

1.6 This is now the fourth formal attempt by the applicant to avoid complying with Condition 5 of the Listed Building Consent.

2. Proposal

2.1 The applicant wishes to vary Condition 5 to read “The water fountain shall be provided with pipework which allows for future connection to the water mains. The relevant part of the works shall not be carried out otherwise than in accordance with the documents approved.”

2.2 In the supporting documentation (at 1.10) the applicant reports the WEP Team Programme Manager contacting the planning department and being advised by the Team Manager (South) in December 2022 that ‘The main intent [of the condition] is that the opportunity is taken now to install pipe work within the fountain’s base *which likely avoids the need for the whole thing to be moved and foundations dug up again* to install the same in the future should it be desired/made a Council priority to restore it to working condition in the future.’”

2.3 The proposed variation to Condition 5 does not future proof the drinking fountain. Should the Council wish to restore it to working condition, it will need to be dismantled and likely taken off site and foundations dug up again. This is because the applicant has failed to make any provision for internal and external fittings such as taps, access hatch, internal pipework and drainage.

2.4 In addition, in support of the application to vary the applicant has submitted, at Appendix B (p10), a number of claims regarding “the difficulties of accommodating flowing water within the fountain” (at 3.3). These “difficulties” fall in three main categories and can be addressed as follows:

2.4.1 Safety: Similar Victorian and Edwardian drinking fountains have been successfully reinstated to full working order. The boroughs of Barnet, Bromley, Hounslow, Hackney, Kensington & Chelsea, Merton, Tower Hamlets and Wandsworth, as well as the Royal Parks, have all either recently been or are currently involved with projects to reinstate historic drinking fountains (examples are shown at Annex A). A number of these successfully reinstated drinking fountains include a raised setting with steps and/or stepping stones. Such features have not been considered a safety impediment to bringing them back into the public realm.

2.4.2 Access: All the above mentioned drinking fountains (examples at Annex A) were, or are in the process of being, reinstated to full working order whilst meeting the relevant criteria set out in the presiding authorities' equivalent of policy D2 of the Camden Local Plan 2017.

2.4.3 Cost: That the applicant failed to comply with Condition 5 in a timely and cost effective manner should not be grounds for varying the Listed Building Consent Decision.

2.5 These and other “difficulties” are addressed in more detail at Annex B.

3. Conclusion

3.1 It should be noted that there is nothing so very unusual about the 1897 Jubilee Drinking Fountain or its setting. Drinking fountains of similar type have been successfully restored externally, upgraded internally, connected to the water mains and reinstated to full working order as drinking fountains.

- 3.2 It was for the applicant to comply with Condition 5 in a timely and cost effective fashion when the opportunity presented itself. Failure to have done so should not be grounds for varying the Listed Building Consent Decision.
- 3.3 That the applicant is now seeking retrospectively to vary Condition 5 means the intention to “future proof the potential of the fountain to be reused for drinking water at a later date” (at 3.5) and remove the need to dismantle it once again to avoid incurring additional costs, will not be met by the proposed variation to Condition 5.
- 3.4 **Therefore, Condition 5 of Listed Building Consent Decision 2020/1446/L should be RETAINED, the 1897 Princes Square Jubilee Drinking Fountain connected to the water mains and brought back within the public realm to be used as a drinking fountain in the future thereby enhancing its historic and architectural significance.**

Annex A: Examples of drinking fountains recently reinstated to full working order



Pic. 1. Stepney Green (1884), Tower Hamlets



Pic. 2. Hadley Green (1885), Barnet



Pic. 3. St Paul's Recreation Ground (1889),
Hounslow



Pic. 4. Albion Square Gardens (1910), Hackney



Pic. 5 & 6. Albion Square Gardens (1910), Hackney, before and after reinstatement as a working drinking fountain, with plaque over hatch.

Annex B: The Heritage Project, 'Report on Constraints November 2022'

In support of the proposed variation to Condition 5 of the Listed Building Consent, the applicant has included at Appendix B (p10) a 'report on connection with the November 2022 removal of condition application' which addresses perceived “difficulties” with the 1897 Jubilee Drinking Fountain being connected to the water mains and reinstated as a working drinking fountain. However, there are a number of assertions made within the report that need to be addressed directly.

1. *“Its design differs to many of the similar fountains of the era in that it is furnished with a number of steps [...] Similar fountains do not have these steps and as such this particular fountain would appear unique to its location.”* This is incorrect. The inclusion of a raised platform, either octagonal or square, was common. Steps and/or stepping stones were often included, as can be seen at Annex A, all of which have been reinstated as working drinking fountains.
2. *“Water originally flowed continually from the fountain - arrangements and alterations would have to be made to turn the water on and off as it would not be practical to allow continuous water flow”* This is incorrect. Examples from the 1860s would have been supplied with a continuous flow of water but by 1897 this was no longer the case. Furthermore, figure 2 (p8) shows the drinking fountain with bubbler taps, most likely installed in the 1920s. These on/off taps replaced the original taps and are evidence of historic maintenance upgrade to the drinking fountain.
3. *“There is no maintenance panel or access in the existing structure to allow either connection, maintenance or isolation [...] It would also not be possible to provide this access without affecting the external appearance of the fountain.”* This is correct. However, commemorative plaques have been added to access hatches of reinstated drinking fountains (Annex A, Pics 5 and 6) and the insertion of a hatch covered with a plaque would resolve this.
4. *“The fountain will be reconstructed on a plinth giving it greater protection and prominence [...] The plinth will double as a seat [...] Using the listed structure as a drinking fountain is not compatible with creating seating within the newly landscaped area”* This is puzzling. No mention is made of an additional plinth/seat in the Method Statement submitted in support of Listed Building Consent (2022/4232/L), nor does such a plinth/seat feature in published illustrations for the redesigned Princes Circus South.
5. *“Assessment of the existing structure has shown that in theory bespoke fittings could be provided to the interior of the fountain.”* This is correct in both fact and theory. Drinking fountains such as this can be provided with fittings in compliance with health, safety and heritage considerations as has been shown by Hounslow Council's project to reinstate the St Paul's Recreation Ground drinking fountain, itself a design very similar to the Princes Square Jubilee Fountain (Annex A, Pic. 3). Additionally, Chichester Stoneworks, in the Condition Report submitted in support of application 2020/0946/P, wrote “It would also be possible to reinstate its function as a drinking fountain if a source of potable water together with adequate drainage is provided. Costings have been provided separately.”
6. *“A working fountain would require considerable funding for ongoing maintenance and there is no available or future fund identified for this upkeep and care”* It may be worth noting the Central District Alliance has a Public Realm and Transport Infrastructure budget.