

<b>Members Briefing</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>06/10/2011</b>	
		N/A / attached		<b>Consultation Expiry Date:</b>		22/09/2011	
<b>Officer</b>				<b>Application Number(s)</b>			
Charles Rose				2011/4102/L			
<b>Application Address</b>				<b>Drawing Numbers</b>			
53 Bedford Square London WC1B 3DP				Refer to decision notice			
<b>PO 3/4</b>		<b>Area Team Signature</b>		<b>C&amp;UD</b>		<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>							
Submission of details pursuant to condition 5d (plan, section and elevation of all new fireplaces at a scale of 1:10 with typical details at a scale of 1:2 including corresponding floor plans) of listed building consent 2008/2644/L granted on 12/05/2009 for the works associated with the change of use from office use (Class B1) to residential use (Class C3) to create a single-family dwelling house							
<b>Recommendation(s):</b>		<b>Approve details</b>					
<b>Application Type:</b>		<b>Approval of Details (Listed Building)</b>					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	<b>00</b>	No. of responses	<b>00</b>	No. of objections	<b>01</b>
				No. electronic	<b>00</b>		
<i>Summary of consultation responses:</i>		<p>Press and Site Notice: No Response</p> <p>Planning Enforcement team: We have no objections to the as fitted fireplaces</p> <p>1no. Unsolicited objection received:</p> <p>1 There is documentary evidence that there were originally neoclassical timber chimneypieces in principal rooms as referred to in the Historic Environmental Report (RMA Heritage) which was provided to your authority by Thistle &amp; Rose</p> <p>2 As your authority will be aware, the guidance contained in the Conservation Principles published by English Heritage states that decisions relating to development consent procedures will comply with the provisions of the Granada Convention. Article 1 of the Convention defines 'architectural heritage' as comprising inter alia buildings and structures of conspicuous historical interest, including their fixture and fittings.</p> <p>4 In the circumstances, insofar as there is no evidence of the appropriate EIA having been carried out, it is would appear that the competent environmental authorities may have circumvented the legal framework set out in Directive 85/337 as amended.</p> <p>5 If, indeed, this is the case, it should be pointed out that development consent cannot be granted until there has been a complete assessment, in accordance with the legal requirements laid down at EU level, as to whether or not the development project in question may have a significant effect on the environment, that is to say, inter alia the architectural heritage.</p> <p>6 Furthermore, to the extent that the authority has sanctioned the use of Chinese manufactured marble chimneypieces notwithstanding evidence that timber neoclassical chimneypieces were originally fitted in 53 Bedford Square, government guidelines on the embedded energy implications long haul importation have also been contravened.</p>					

*Response:*

*1. The Council takes its decisions, based on the application before them including evidence to hand at the time of the decision and, in relation to 53 Bedford Square, with consideration given to the RMA report provided by Thistle and Rose. It is the Council's view that the decisions have and will be taken with the appropriate considerations in mind.*

*It is correct that the RMA report shows documentary evidence that there were originally neoclassical timber chimneypieces in principal rooms to properties in Bedford Square. However this does not prevent the applicant from applying to install stone fireplaces to principal rooms of 53 Bedford Square as proposed. for which there is equal if not more evidence based on Survey of London and English Heritage records and the inspection of the buildings within the square.*

*2-6 The Environmental Information Regulations 2004 do not apply to the information upon which the Council bases its decisions in relation to the appropriate replacement chimney pieces in Bedford Square.*

*The Council does not consider that the information relates to elements in the environment and, as previously stated, falls outside the scope of the Regulations. We are in receipt of decision of the Information Commissioner (FER0224316) which also concludes that information relating to "internal features", such as marble chimney pieces, is not environmental information.*

**CAAC/Local groups\* comments:**  
\*Please Specify

N/a

**Site Description**

The application site is located on the southern side of Bedford Square and forms part of a symmetrical terrace of 15 houses, which date from 1775. The building comprises ground plus two upper floors, mansard and basement with a full height canted bay rear elevation. The property forms the end of terrace, returning on the junction with Bloomsbury Street and includes the Mews building at no. 35 Bedford Avenue.

**Relevant History**

29/05/2009 GRANTED Change of use from office use (Class B1) to residential use (Class C3) to create a single-family dwelling house. (ref: 2008/2641/P)

12/05/2009 GRANTED Works associated with the change of use from office use (Class B1) to residential use (Class C3) to create a single-family dwelling house. (ref: 2008/2644/L)

(15/12/2006) two fireplaces stolen Ref: EN06/1052

**Relevant policies**

**LDF Core Strategy and Development Policies**

CS14 and 25

**Assessment**

**1.0 Proposal**

1.1 Approval is sought to discharge condition 5d (plan, section and elevation of all new fireplaces at a scale of 1:10 with typical details at a scale of 1:2 including corresponding floor plans) of listed building consent 2008/2644/L granted on 12/05/2009 for the works associated with the change of use from office use (Class B1) to residential use (Class C3) to create a single-family dwelling house.

1.2 The condition reads:

“Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the Council before the relevant part of the work is begun:

d) Plan, section and elevation of all new fireplaces at a scale of 1:10 with typical details at a scale of 1:2 including corresponding floor plans

The relevant part of the works shall then be carried in accordance with the approved details”

- 1.3 In addition two fireplaces from the front and rear room at first floor level were stolen in 2006 following squatters entering the building.
- 1.4 The main issues to consider are the impact the reinstatement of the new and replacement fireplaces would have on the architectural and historic interest of the grade I listed building.
- 1.5 The fireplaces have already been installed and inspected on site. The existing fireplaces to second and third floor anti rooms have been retained and refurbished. At basement and second floor level simple timber fire surrounds have been installed. To ground and first floor stone fireplaces
- 1.7 The size, design and style of the fireplaces are considered to successfully respond to detailed architectural treatment of the interiors including mouldings and decorative features and relate to the hierarchy and architectural vocabulary throughout the house.

## **2.0 Enforcement**

- 2.1 The replacement first floor fireplaces are considered to be suitable replacements for the fireplaces stolen in 2006.

## **3.0 Recommendation**

- 4.1 For the reasons stated above the fireplaces would be of high quality and would preserve the special architectural and historic interest of the grade I listed building in compliance with the relevant Camden Core Strategy and Local Development Plan Policies and it is recommended that the condition be discharged and the enforcement case closed.

## **DISCLAIMER**

**Decision route to be decided by nominated members on Monday 03<sup>rd</sup> October 2011.**

**For further information see**

**{ [HYPERLINK "http://www.camden.gov.uk/ccm/navigation/environment/planning-and-built-environment/planning-applications/development-control-members-briefing/"](http://www.camden.gov.uk/ccm/navigation/environment/planning-and-built-environment/planning-applications/development-control-members-briefing/) }  
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