

**PLANNING INSPECTORATE REFS:**

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**TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)  
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990**

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**APPEAL BY CLASSIC DESIGN INVESTMENTS LIMITED AGAINST THE FAILURE  
OF LONDON BOROUGH OF CAMDEN TO DETERMINE APPLICATION FOR:**

1. Planning application ref. 2015/6464/P, and;
2. Listed building consent ref. 2015/6935/L

**for the following development:**

*“Erection of a glazed arbour in rear courtyard, and associated replacement of window with door”.*

**42 BEDFORD SQUARE, LONDON, WC1B 3DP**

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**APPEAL TO BE DETERMINED BY WAY OF A HEARING**

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**DRAFT STATEMENT OF COMMON GROUND**

January 2016

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**STATEMENT OF AGREEMENT**

In accordance with the Town and Country Planning (Hearings Procedure) (England) Rules 2000 (as amended), the content of this Statement has been prepared by DP9 Ltd on behalf of Classic Design Investments Ltd (and agreed by the London Borough of Camden.)

The purpose of this document is to set out the agreed factual information prior to the Hearing due to commence on .....2016.

.....  
DP9 Ltd on behalf of Classic Design Investments Ltd

.....  
London Borough of Camden

Dated:

FIRST DRAFT

## 1.0 DESCRIPTION OF APPEAL SITE AND SURROUNDINGS

- 1.1 The site and surrounding area is described in detail in the Design and Access Statement which accompanies the application for planning permission and listed building consent.
- 1.2 The site is located on the south side of Bedford Square. It is a mid-terraced property that comprises a principal building on Bedford Square that is physically linked at basement and ground floor levels to a mews building located on Bedford Avenue.
- 1.3 The existing building benefits from a grant of planning permission for the change of use from office to residential in 2007. In 2015, planning permission and listed building consent were granted to reconfigure the building to bring it back into use as a single family dwelling.
- 1.4 The site is within the Bloomsbury Conservation Area. The building is Grade I Listed forming part of the Square which was built in the period 1775 – 1783. The linked mews building is of late 20<sup>th</sup> Century construction.
- 1.5 The site is well served by public transport and is in close proximity to Tottenham Court Road underground station (200 metres to the south) whilst Goadge Street and Holborn are both within 500 – 600 metres. A large number of bus services run along the surrounding streets.
- 1.6 Bedford Square comprises buildings in predominantly office and administrative use. A number of the properties are, however, in residential use (as single dwelling houses) having in the past ten years or so been converted from office to residential use – putting the buildings back to their original use, see number 52, number 40 and in particular number 53 Bedford Square, granted planning permission and listed building consent for conversion from office to use as a single dwelling house in 2008 (reference 2008 / 2641 / P).
- 1.7 The courtyard space, to which this appeal relates, is located to the rear of the main house which separates the principal building from the mews house and at a level one and two storeys below the principal, ground floor and first floor rooms of the main house. The courtyard is framed between two large walls (6m) high between the house and the mews house.
- 1.8 The courtyard is currently paved and enclosed by the main house, the Mews and boundary

walls, with access from the house limited to the lower ground floor level. The courtyard offers little opportunity for recreation due to its enclosed nature, and the fact that it is overshadowed by surrounding properties and gains little sunlight. The courtyard space is approximately 4.41 metres in width and 8.62 metres in length (circa 38 sq m).

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## 2.0 PLANNING HISTORY

- 2.1 In 2007 planning permission and listed building consent was granted for the change of use and conversion of the application property from Class B1 office to Class C3 residential. The approvals (2006 / 5534/ P and 2007 / 0134 / L) dated 23rd August 2007 provided for the subdivision of the building into a principal unit in the main building (at ground to third level) with separate flats at the basement level and in the mews at the rear. A Section 106 Agreement was entered into associated with the approval and this included financial contributions to open space and education (totalling circa £36,040)
- 2.2 The 2007 permissions were implemented by the previous owner but the works of conversion were never fully completed in accordance with that for which approval was granted.
- 2.3 The current owners of the property purchased the building in its current condition on 3<sup>rd</sup> February 2012.
- 2.4 In February 2015, planning permission was granted on appeal (ref. APP/X5210/A/14/2228630) for use of the property as a single family dwelling. Listed building consent (ref. 2014/4636/L) for these works was granted in September 2014. The proposals consist of the principal building off Bedford Square providing the main accommodation, including dining and living spaces alongside bedrooms for the family, with the mews building providing guest and some staff accommodation. The application also sought to remedy the deficiencies evident from the partially completed works undertaken since 2007.
- 2.5 Subsequent applications for either approval of details pursuant to conditions or listed building consent have been submitted to the Council associated with the development of the scheme approved in February 2015.

### 3.0 PROPOSED DEVELOPMENT

3.1 The proposals comprise the creation of a modular, landscaped structure in the existing courtyard between the main house and mews building, referred to in this application as an Arbour.

3.2 The description of development is as follows:

*“Erection of a glazed arbour in rear courtyard, and associated replacement of window with door,,.*

3.3 The planning application and listed building consent application was submitted on 16<sup>th</sup> November 2015 and received on 16<sup>th</sup> November 2015. The application was registered on 10<sup>th</sup> December 2015 and considered valid from 20<sup>th</sup> November 2015.

## **4.0 PLANNING POLICY CONTEXT**

- 4.1 A list of key relevant national and local planning policies and guidance that are relevant to the appeal proposals is set out below.
- 4.2 The statutory development plan for the purposes of Section 38 (6) of the Planning and Compulsory Purchase Act 2004 comprises the London Plan (2015) consolidated with alterations since 2011, the Camden Core Strategy (2010), Development Policies Document (2010) and Fitzrovia Action Plan (2014).

### **National Policy**

- 4.3 The National Planning Policy Framework (March 2012) and National Planning Practice Guidance (2014) form the national development framework.

### **National Planning Policy Framework**

- 4.4 The NPPF is a material consideration when making a determination under the Planning Acts.

### **National Planning Practice Guidance (NPPG)**

- 4.5 The NPPG sets out guidance in regards to key issues contained within the NPPF. This should be taken into account when assessing the application.

### **Regional and Local Policies**

- 4.6 It is agreed that the development plan policies that are relevant to the applications subject to these appeals are as set out below.

#### ***London Plan (2015)***

Policy 3.8: Housing Choice  
Policy 3.14: Existing Housing  
Policy 7.4: Local Character  
Policy 7.6: Architecture  
Policy 7.8: Heritage Assets and Archaeology  
Policy 7.19: Biodiversity and Access to Nature

#### ***Core Strategy (2010)***

Policy CS1: Making the best use of Camden's limited land  
Policy CS5 –Managing the impact of growth and  
Policy CS6: Providing Quality Homes  
Policy CS14: Promoting high quality places and conserving our heritage  
Policy CS15- Protecting and improving our parks and open spaces and encouraging biodiversity



***Development Policies Document (2010)***

Policy DP24: Securing High Quality Design

Policy DP25: Conserving Camden's heritage

Policy DP26: Managing the impact of development on neighbours

***Fitzrovia Area Action Plan (2014)***

**Other material considerations**

It is agreed that the following documents provide other material considerations in the determination of the appeals.

***London Plan Supplementary Planning Guidance***

The Housing SPG, December 2012

***London Borough of Camden Supplementary Planning Guidance***

CPG1 Design (September 2013)

CPG2: Housing (September 2013)

**5.0 SCHEDULE OF DRAWINGS AND OTHER DOCUMENTS ACCOMPANYING THE APPEAL APPLICATION**

5.1 A composite list of drawings and documents comprising the applications will be incorporated in the agreed document.

**6.0 MATTERS AGREED BETWEEN THE PARTIES**

6.1 This will be expanded in discussion with the Council and those areas of agreement identified for the Inspector in advance of the Hearing.

**7.0 PLANNING CONDITIONS**

7.1 A draft list of conditions will be discussed and agreed for discussion at the Hearing.

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