



42 BEDFORD SQUARE: COURTYARD ARBOUR

Appeal Statement of Case

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DP9 Limited

100 Pall Mall
London
SW1Y 5NQ

Tel: 020 7004 1700
Fax: 020 7004 1790

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1.0 EXECUTIVE SUMMARY

- 1.1. This Appeal Statement relates to the construction of an independent, modular, glazed, landscaped structure “an Arbour” in the existing external courtyard space of 42 Bedford Square, London.
- 1.2. The appeal is submitted on the basis that Camden Council has failed to give notice of its decision within the appropriate timescale.
- 1.3. The existing courtyard space is located to the rear of the main house and separates the principal building from the mews house. 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.
- 1.4. The Arbour is a stand-alone, reversible element which has been designed to provide modern, enclosed internal and external space. The Arbour is intended as a piece of landscape art, which has a function in providing useable space for the Applicant’s reasonable enjoyment and also in providing an elevated landscape for wildlife to thrive in.
- 1.5. The Arbour has been sensitively designed to preserve and enhance the setting of the listing building and maintain the relationship between the house and the mews building. The Arbour will create an attractive, elevated landscape design which will significantly enhance the views of the courtyard from the host building and neighbouring properties.
- 1.6. The design of the Arbour is of exceptional quality and will create a unique garden experience. The innovative design concept is promoted by Martha Schwartz and Partners, internationally renowned Landscape Architects. The proposal is a contemporary interpretation of a traditional typology and is inspired by classical influences including arbours, loggias and planted greenhouses.
- 1.7. A significant benefit of the scheme is the extensive planting which will greatly enhance the biodiversity value of the site and create a diverse and sustainable habitat. Currently, the existing courtyard is paved and unplanted, with limited opportunities for wildlife. The Development will create a broad range of opportunities to promote biodiversity; plants, insects, birds and to a lesser extent, small mammals. Increasing biological activity and diversity will not only benefit the owner of the property, but the local ecosystem too, thereby offering public benefit.
- 1.8. In summary, the Development will provide a number of benefits which are outlined below:
 - The creation of an exceptional landscape design, which responds sensitively to its context and will enhance the setting of the listed building;

- A stand-alone, reversible element which sits within the courtyard and as such no historic fabric will be lost;
- The historic relationship between the principal Grade I listed building and the ancillary mews building will be preserved;
- The provision of useable internal and external space and that enhances the long-term, sustainable use of the property for residential accommodation;
- The proposals are in keeping with other infill developments to courtyards on Bedford Square as detailed in Paragraph 7.5;
- Significant enhancement of the biodiversity value of the site, through the creation of a diverse, sustainable habitat with extensive planting to attract wildlife;
- Improve the attractiveness of the existing courtyard space; the elevated garden will improve views from the main house and neighbouring buildings.

1.9. The proposals offer significant planning benefits for the site, and the London Borough of Camden.

2.0 INTRODUCTION

- 2.1. This Appeal Statement is submitted on behalf of Classic Design Investments Ltd, in respect of an appeal against the failure of the Council to determine the applications for planning permission and listed building consent relating to the property at 42 Bedford Square, London (Appendix 1).
- 2.2. The applications seek permission for:
- “The construction of an independent, modular, glazed, landscaped structure “an Arbour” for both internal and external use associated with the occupation of the property as a family dwellinghouse.”*
- 2.3. The application for planning permission and listed building consent was submitted to Camden Council via the planning portal on 16th November 2015 and confirmed as received on this day. Notification that the application was valid on receipt was confirmed on 10th December 2015. The reference number for the planning application is 2015/6464/P and the listed building consent is 2015/6935/L.
- 2.4. This Statement sets the context for the site and its surrounding area and describes the proposals for development. This Statement should be read and considered in conjunction with the submitted plans and drawings and other documents that comprise the application for planning permission and listed building consent.
- 2.5. This Statement has been prepared with input from the professional team appointed by the applicant to bring forward the proposal for the Grade I Listed building, including in particular BDP, Montagu Evans and Martha Schwartz and Partners.

3.0 SITE AND SURROUNDINGS

- 3.1. The site and surrounding area is described in detail in the Design and Access Statement which accompanied the application submission.
- 3.2. 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 (42 Bedford Square) which is physically linked to a mews building (13 Bedford Avenue) at basement and ground floor levels located on Bedford Avenue.
- 3.3. The property is located within the Bloomsbury Conservation Area. The building is Grade I Listed. Bedford Square was built between 1775 – 1783 and the linked mews building is of late 20th Century construction.
- 3.4. The existing building is currently vacant and the subject of various applications for planning permission and listed building consent for its use as a single family dwelling.
- 3.5. A contract to redevelop and refurbish the property was signed in December 2015 and works are due to commence on 1st February 2016.
- 3.6. Bedford Square comprises predominantly office and residential use. A number of buildings have been recently converted back to their original residential use from office.
- 3.7. 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 Goodge Street and Holborn are both within 500 – 600 metres. A large number of bus services run along the surrounding streets.
- 3.8. 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. It is 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.
- 3.9. 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).

4.0 PLANNING HISTORY

- 4.1. In February 2015, planning permission was granted on appeal (ref. APP/X5210/A/14/2228630) for an application to internally reconfigure the building to bring it back into use as a single family dwelling. The proposals consisted 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.
- 4.2. Subsequent applications have been submitted to the Council associated with the development of the scheme approved in February 2015. A contract to carry out the works that is the subject of Listed Building Consent ref. 2014/4636/L and Planning permission ref. 2014/4633/P is agreed and works are programmed to commence on 1st February 2016.
- 4.3. The contractor is Beck Interiors Limited who carry out high quality residential and hotel projects to the highest standard, and the Arbour fits into this category.

5.0 DESCRIPTION OF DEVELOPMENT

- 5.1. This application proposes 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.
- 5.2. An Arbour is defined as a shady garden alcove with the sides and roof formed by trees or climbing plants trained over a framework. This Development is based upon the concept of an Arbour but has been designed to provide modern, enclosed internal and external space.
- 5.3. As expressed in the Landscape Design Report submitted as part of the application, prepared by Martha Schwartz and Partners, the Arbour is intended as a piece of landscape art, which has a function in providing useable space for the Applicant's reasonable enjoyment and also in providing an elevated landscape for wildlife to thrive in. The latter is particularly important having regard to the site's urban context, where there are limited habitats for plants, birds and animals.
- 5.4. The concept and design for the Arbour is described in greater detail in the accompanying Landscape Design Report, prepared by Martha Schwartz and Partners and Design and Access Statement, prepared by BDP which accompanied the planning and listed building consent applications.

6.0 PLANNING POLICY CONTEXT

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that when making any determination under the Planning Acts, it should be done so in accordance with the Development Plan unless material considerations indicate otherwise.
- 6.2. The Development Plan for the site comprises the London Plan (2015), the Camden Core Strategy (adopted November 2010), Camden Development Policies Document (adopted November 2010), Camden Site Allocations Local Development Document (September 2013) and the Fitzrovia Area Action Plan (adopted March 2014).
- 6.3. Camden Planning Guidance Documents are also a material consideration and their content has informed the development of these proposals.

Site Designations

- 6.4. The Site is identified within the London Borough of Camden's Policies Map (June 2013) as subject to the following designations:
- Central London Zone
 - Bloomsbury Conservation Area
 - Fitzrovia Action Plan Area
- 6.5. The following section includes an assessment of the proposals against the relevant planning policy and guidance.

National Planning Policy

- 6.6. The National Planning Policy Framework (NPPF) was published on 27 March 2012. The NPPF sets out the Government's economic, environmental and social planning policies and is to have immediate effect on all planning decisions. The NPPF is a material consideration when making a determination under the Planning Acts.
- 6.7. At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both the plan-making and decision-taking process. This means approving development proposals that accord with the development plan without delay, and where the development plan is absent, silent, or out-of-date, granting permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits of development, or specific policies in the NPPF indicate otherwise.
- 6.8. Paragraph 17 (NPPF) defines core planning principles. These include that planning should: proactively drive and support sustainable economic development; always seek to secure high quality design and a good standard of amenity; conserve heritage

assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

- 6.9. In relation to housing, section 6 NPPF is aimed at delivering a wide choice of high quality homes. In particular, paragraph 50 seeks the creation of sustainable inclusive and mixed communities. Local planning authorities should, amongst others, plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community.
- 6.10. Section 12 of the NPPF relates to “conserving and enhancing the historic environment”. The NPPF states that applications should describe the heritage assets affected and that when considering a proposed development and its impact on the significance of a designated heritage asset, great weight should be given to the assets conservation. Paragraphs 132 – 134 NPPF identify the manner in which the proposed development of a designated heritage asset should be assessed and the weighing of the public benefits against any perceived harm.
- 6.11. The guidance in the National Planning Practice Guidance (NPPG) expands on the advice in section 12 of the NPPF. In particular, paragraph 003, in describing what is meant by the conservation and enhancement of the historic environment emphasises that conservation is an active process of maintenance and managing change. In relation to buildings it is noted that generally the risks of neglect and decay of heritage assets are best addressed through ensuring that they remain in active use that is consistent with their conservation.
- 6.12. The NPPF considers that “Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people” (paragraph 56). It goes on to say that “it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes” (paragraph 57).
- 6.13. The NPPF paragraph 63 further states that “in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area”.
- 6.14. Paragraph 118 of the NPPF states that development proposals where the primary objective is to conserve or enhance biodiversity should be permitted and opportunities to incorporate biodiversity in and around developments should be encouraged.

Regional Planning Policy – London Plan

- 6.15. Chapter 3 of the London Plan addresses the matter of housing. It is noted that there is a need for housing to be delivered across London and that new housing developments should be of the highest quality internally (Policy 3.5). Minimum space standards are set out and reiterated in the GLA Housing SPG December 2012. The

GLA Housing SPG also includes detailed design standards setting out 'baseline' and 'good' standards. Policy 3.8 addresses housing choice whilst Policy 3.14 states that existing housing stock and its condition and quality should be enhanced. Boroughs are to promote the efficient use of existing stock by reducing the number of vacant and unfit dwellings and should prioritise, amongst others, listed buildings to be brought back into residential use.

- 6.16. Policy 7.8 of the London Plan deals with heritage assets and archaeology. Parts C – E of Policy 7.8 identify the matters that planning decisions relating to heritage assets should take in to account. Specifically it is stated that development affecting heritage assets and their setting should conserve their significance by being sympathetic to their form, scale, materials and architectural detail. Paragraph 7.31 provides supporting text to Policy 7.8 and notes that the careful protection and adaptive re-use of heritage buildings is crucial to the preservation of the diverse range and character of London's built heritage.
- 6.17. London Plan Policy 7.6 - Architecture requires buildings and structures to be of the highest architectural quality. The policy sets out design principles, which include providing high quality indoor and outdoor spaces and integrating well with the surrounding streets and open spaces.
- 6.18. London Plan Policy 7.19 - *Biodiversity and Access to Nature* encourages development proposals to, wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity.

Local Planning Policy

Core Strategy

- 6.19. Core Strategy Policy CS1 - Making the best use of Camden's limited land promotes the most efficient use of land and building by seeking development that makes full use of its site, taking into account quality of design, its surroundings, sustainability, amenity, heritage and any other considerations relevant to the site.
- 6.20. Core Strategy Policy CS14 - *Promoting high quality places and conserving our heritage* states that development should be of the highest standard of design that respects local context and character. The boroughs rich heritage assets and their settings are to be preserved and enhanced whilst the highest standards of access in all buildings and places will be sought: schemes should be designed to be inclusive and accessible. The supporting text notes that there are some 5,600 nationally listed buildings in the borough that give rise to its rich architectural heritage
- 6.21. Pages 126 – 129 describe Camden's character. For the southern part of the borough it is noted that most of Camden's growth will occur here. This area includes central London and has a rich, varied and dense character. The "planned" Georgian streets and squares e.g. Bedford, Russell, Fitzroy are evidence of the early expansion of London. The supporting text continues to note that "Modest mews developments to

the rear of the terraces contrast in scale and are a particularly characteristic type here and elsewhere in the borough”.

- 6.22. Core Strategy Policy CS15- *Protecting and improving our parks and open spaces and encouraging biodiversity* seeks to encourage biodiversity. Paragraph 15.20 notes that there are limited opportunities to provide new ground-level habitats in the borough due to lack of space. Whilst the provision of habitat at ground level is important, there are opportunities on new and existing buildings to provide habitats in the form of green or brown roofs and green walls. Camden will expect developments to provide opportunities for biodiversity within the fabric and curtilage of buildings.
- 6.23. Core Strategy Policy CS5 –*Managing the impact of growth and development* protects the amenity of Camden’s residents and those working in and visiting the borough by ensuring that the impacts of development are fully necessary, balancing the needs of development with the needs of local communities and requiring mitigation measures where necessary.

Development Management Policies

- 6.24. Development Policy DP25 - *Conserving Camden’s heritage* reiterates the principles of Policy CS14. Specifically, listed buildings are to be preserved or enhanced. Development that would cause harm to the setting of a listed building is not to be permitted. Permission will only be granted for alterations where these would not cause harm to the special interest of the building.
- 6.25. Camden Policy DP24 - *Securing High Quality Design* requires all developments, including alterations and extensions to existing buildings, to be of the highest standard of design and will expect developments to consider, inter alia, the character, setting, context and the form and scale of neighbouring buildings; the character and proportions of the existing building and where alterations and extensions are proposed; the provision of appropriate hard and soft landscaping including boundary treatments; and the provision of appropriate amenity space.
- 6.26. Paragraph 24.19 of Camden’s Development Policies asserts that new developments should respond to the natural assets of a site and its surroundings and that extensions and new developments should not cause the loss of any existing natural habitats, including private gardens.
- 6.27. Paragraph 24.22 further states that consideration of context is essential in the design of new landscaping. New planting can contribute to the attractiveness of a development, soften and balance the impact of buildings and contribute to the biodiversity value of a site. New hard and soft landscaping should be of high quality and positively respond to its local character.
- 6.28. Development Management Policy DP26 – *Managing the impact of development on occupiers and neighbours* states that the Council will only grant permission for

development that does not cause harm to amenity and will consider factors such as visual privacy and overlooking.

Supplementary Planning Guidance

- 6.29. The GLA Housing SPG, December 2012, provides guidance to the housing policies in the 2011 London Plan. Baseline and Good Practice standards are set out in respect of matters ranging from outdoor spaces, cycle storage, internal floor areas, circulation in the home, privacy, daylight and sunlight to habitable rooms etc.
- 6.30. Camden's Planning Guidance CPG1 Design (September 2013) provides guidance on all types of detailed design issues and identifies that the Council is committed to excellence in design. Matters relating to heritage are described at pp13 – 21. In particular the guidance notes that applications for listed building consent should be fully justified and should demonstrate how proposals would affect the significance of a listed building and why the works or changes are desirable or necessary.
- 6.31. CPG1 provides guidance on the design of high quality landscapes. Camden will expect new landscape design to respond to, preserve and enhance local character.
- 6.32. Paragraph 6.31 notes that planning permission is unlikely to be granted for development whether in the form of extensions, conservatories, garden studios, basements or new development which significantly erode the character of existing garden spaces and their function in providing wildlife habitat.
- 6.33. Camden's CPG also sets out the functional, ecological and aesthetic objectives of soft landscaping (planting). These include, inter alia; integrating a site with its surroundings; providing spatial definition and enclosure; providing shelter, increasing the biodiversity value of a site, creating or contributing to the character of a place; and adding to people's sensory enjoyment in the use of a space.
- 6.34. Paragraph 6.45 notes that the long term success of planting schemes will determine species selection suitable for local growing conditions (soil conditions, temperature ranges, rainfall, sun light and shade) and provide for on-going maintenance.
- 6.35. Camden will assess planning applications against the degree to which planting schemes are appropriate for the site. The guidance further states that planning applications should be accompanied by:
- a statement of the design objectives of planting plans;
 - planting plans indicating species, planting patterns, planting size and density;
 - where appropriate, management plans.

Fitzrovia Area Action Plan

- 6.36. Adopted in March 2014 the AAP has been prepared to help to shape the future of Fitzrovia and the western part of Bloomsbury.

- 6.37. The AAP confirms that housing is the priority land use of the development framework. The document notes that efforts will be made to secure greater access to open space in the Area by, for example, seeking increased accessibility to, amongst others, Bedford Square. Pp 81 – 83 describe the Bedford Square Character Area, noting that the Square is a “virtually intact Georgian Square fronted by terraced townhouses forming a single composition.”

- 6.38. The APP notes that there is a deficiency of nature conservation sites in Fitzrovia.

7.0 PRINCIPAL PLANNING CONSIDERATIONS

7.1. The purpose of this Section is to assess the principal planning matters relevant to the proposals. As the applications have not been determined by Camden Council. This section sets out what the Appellant considers to be the key matters for consideration.

7.2. The principal issues can be described as follows:

- Principle of the Development;
- Works to a Listed Building;
- Design;
- Landscape and Ecology;
- Residential Amenity.

The Principle of the Development

7.3. The proposals seek to transform the existing, neglected courtyard space into an appealing, multi-functional internal/external space. The proposed Development is in connection with the use of the property as a single family dwelling and will enable the owner to enjoy the courtyard space throughout the whole year. The Arbour has been carefully and sensitively designed to respect its surrounding context, in particular the Grade I listed building, in accordance with the guidance set out in CPG1.

7.4. There are a number of examples on Bedford Square where over time, existing rear gardens and courtyards have been built upon and recent decisions have permitted rear extensions/infill developments. These include, for example, 18 Bedford Square (a replacement two-storey extension permitted in 2014) and 32-39 Bedford Square where development of the rear yards of nos. 34, 35 and 36, which incorporated a roof terrace at first floor level was permitted.

7.5. A number of properties on Bedford Square have been infilled and extended at the rear including for example, Nos. 15-16, Nos. 34 and 35, No. 36, No. 40, No. 44 and No.53-54. This indicates that whilst courtyard areas had a historic function, over time these have been adapted and altered to optimise the space.

7.6. The structure has also been inspired by the broader cultural initiatives in the immediate vicinity, such as the experimental sculptural structures which feature in Bedford Square.

7.7. In line with the aims of CPG1, the proposals will create a high quality landscape which will enhance the character of the courtyard space. The existing courtyard space is enclosed, overshadowed with very limited aesthetic or functional value. The Arbour will provide a number of functional, ecological and aesthetic benefits including: the provision of a multi-functional space for the owners of the property to enjoy, the

enhancement of the character of the courtyard space, an increase in the biodiversity value of the site, a significant improvement to the sensory enjoyment of the space and the preservation and enhancement of the setting of a Grade I listed building.

Works to a Listed Building

- 7.8. The scale, form and positioning of the Arbour has been designed to preserve and indeed enhance the setting of the listed building, in accordance with the aims of the NPPF. The Arbour has been sensitively designed to conserve the relationship between the house and the mews building, by creating the Arbour as a separate object within the courtyard space. The landscaping and sculptural form of the Arbour allows the structure to be read within the space, but as a clearly distinct and separate element from the principal building and the mews house.
- 7.9. The Arbour is a stand-alone, reversible element and therefore no historic fabric would be lost and the buildings' features would remain unaltered. The Development will retain and conserve the existing walls and plane of yorkstone paving, as the landscape will be elevated above the floor level of the courtyard. The structure has also been designed to be disconnected from the existing walls and is fully reversible, therefore the existing volume of the courtyard can be restored in the future.
- 7.10. Appeal decisions ref. APP/F3925/A/04/1152473 and APP/F3925/E/04/1151666 relate to the replacement of an existing conservatory with a timber and double glazed orangery at a Grade II listed, gothic style, stone-built country house in West Ashton, Wiltshire. A key consideration related to whether a proposed orangery would be appropriate having "special regard to the desirability of preserving the building or its setting and any features of special architectural or historic interest which it possesses". The Inspector considered that whilst the orangery would cover a ground floor window and would block a sight of the first windows this was inconsequential as the orangery was an add-on structure, the windows would still exist internally, no historic fabric would be lost and as an architectural feature they would remain unaltered. Further, the proposed development had been designed to match and respect the character of the building. Consequently, the Inspector concluded that for the reasons above the scheme would preserve the building and any features of special architectural or historic interest.
- 7.11. The Arbour would not be visible in public views from Bedford Square. As such, any views of the Arbour are from the building itself and at limited places from neighbouring properties due to the 6m boundary walls at each side of the courtyard. Views from the east are blocked by the main house. The use of suitable landscaping softens the courtyard space and will create an attractive landscape design. The elevated garden will offer attractive views from within the house and neighbouring properties, replacing a previously paved and unattractive space with extensive, visually appealing planting which is designed to host wildlife.
- 7.12. The appeal decision ref. T/APP/N2345/A/99/1035128/P7 at Cruck Barn, Preston considered the effect of various garden structures on the setting of a Grade II listed

building. The Inspector concluded that the gardens structures would not compromise or hinder appreciation of the listed building from various viewpoints. It was noted that the only public view of the building is from a long distance away and therefore views of the important south frontage are from within the building's curtilage. The Inspector considered that the layout of the garden has been carefully and thoughtfully designed, successfully executed and that it complemented the special character of the former barn and enhanced the setting of the listed building. In the case of this application the proposed Arbour will not compromise or hinder the appreciation of the listed building and will in fact improve upon the existing courtyard space, thereby enhancing the listed building's setting.

Design

- 7.13. The Arbour is of exceptional design quality and will provide a unique garden experience. The quality of the existing courtyard is poor and unattractive and offers limited opportunities for external recreation and quiet enjoyment. As such, this proposal seeks to improve the sensory enjoyment of the space as well as enhance the character of the courtyard, in line with the objectives set out in Camden's CPG 1.
- 7.14. The innovative design concept is promoted by Martha Schwartz and Partners, internationally renowned Landscape Architects. The Arbour is of lightweight construction with a slender metal frame supporting numerous planted modules and has been designed to sensitively respond to its context. The proposal is a contemporary interpretation of a traditional typology and has been inspired by classical influences including arbours, loggias and planted greenhouses.
- 7.15. The courtyard had a historic function as a "service space" to support the infrequent use of the house during 'the season'. It now provides little benefit as a private open space. The proposal will significantly enhance the character of the courtyard, particularly given its overshadowed and constrained nature. The Development will provide a new, attractive landscape which preserves and enhances the character of the host building, whilst also offering a unique and innovative landscape design solution. The design has been carefully considered so that the relationship between the new element, the historic fabric and the setting in which it is placed preserve the significance of the heritage asset.

Landscape and Ecology

- 7.16. The Arbour will be extensively planted to enhance the biodiversity value of the site, which is a significant benefit of the scheme, not just for the Applicant but for the local ecosystem too. The existing courtyard is paved and unplanted, with limited opportunities for wildlife. The selection of habitats and planting has been developed by a leading habitat specialist, and is appropriate to its local, urban context. The Development will create a broad range of opportunities to promote biodiversity; plants, insects, birds and to a lesser extent, small mammals. The Arbour will significantly improve the wildlife habitat and ecological value of the site, in accordance with the guidance set out in CPG1 and London Plan policy 7.19 which

states that opportunities to incorporate biodiversity in and around developments should be encouraged.

- 7.17. The proposed Development will create a diverse, sustainable habitat. The Development includes wildlife habitat features such as bird boxes, logs taken from open countryside that contain insects, extensive planting and a small water element to attract birds. These features are all intended to increase biological activity and diversity, for the benefit of the local area and in accordance with the aims of policy at all levels.
- 7.18. Given that there is a deficiency of nature conservation sites in Fitzrovia generally, the proposals will offer significant benefits. Camden's Core Strategy recognises that there are limited opportunities to provide new ground-level habitats in the borough due to a lack of space. This proposal presents a sensitive yet innovative solution to enhancing the biodiversity of the site within the curtilage of a listed building.
- 7.19. As outlined in paragraph 24.22 of the Development Management Policies document, new landscaping can have a number of benefits. This proposal will improve the aesthetic quality and attractiveness of the courtyard space, soften and balance the relationship between the main house and the mews building as well as markedly improve the biodiversity value of the site. The proposed landscaping positively responds to the character and setting of the listed building and is of the highest quality.

Residential Amenity

Privacy and Overlooking

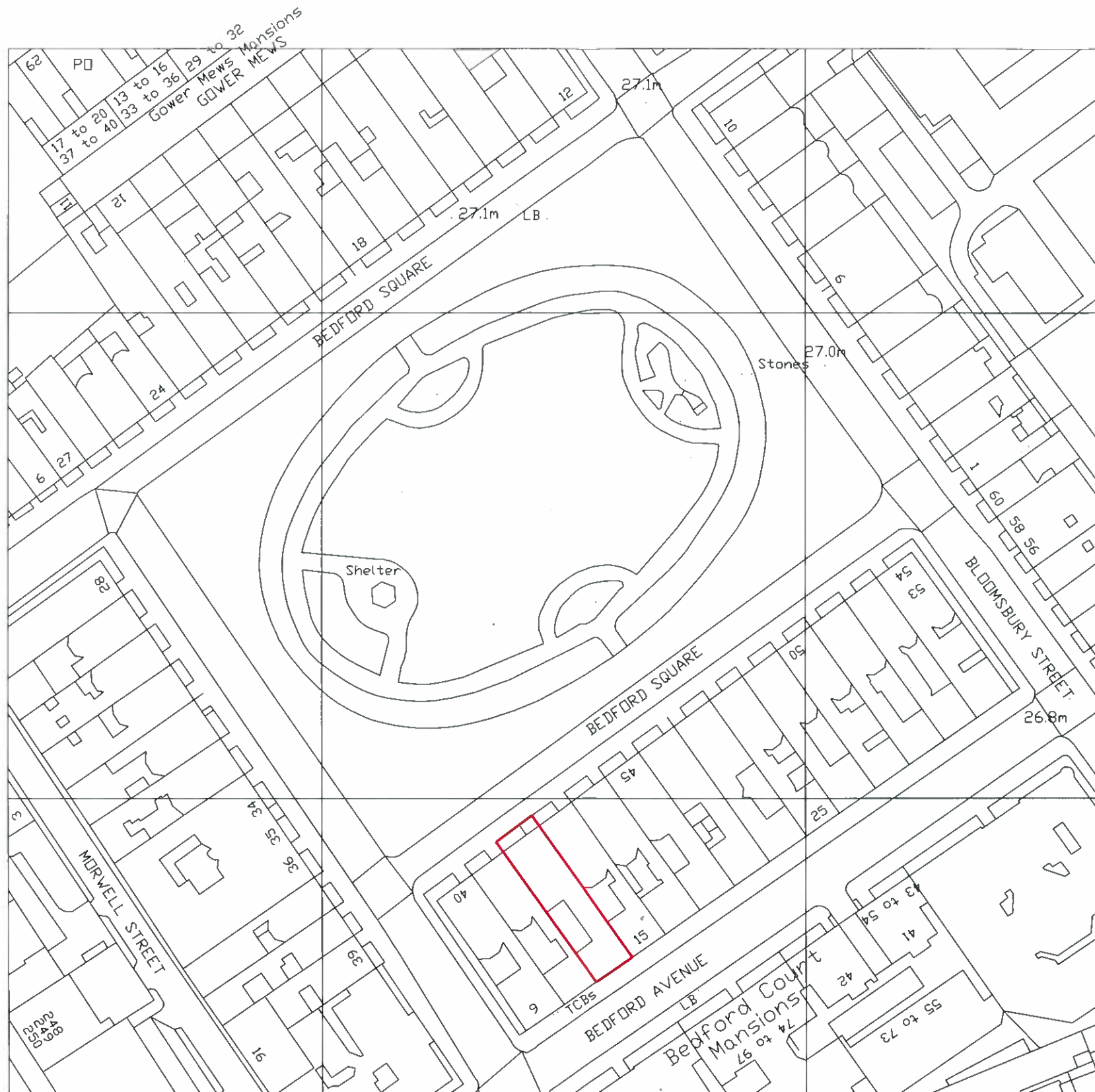
- 7.20. The Development has been thoughtfully designed and positioned to minimise the impact upon the amenities of residential occupiers. The design of the courtyard structure has been informed by the positioning of existing window openings in order to maintain views out and daylight within the internal rooms whilst also enhancing privacy between principal room and bedroom accommodation in the main house and Mews. It is considered that the covered planted areas will have significant benefits for the occupier of the property when seen from the principal rooms. The existing lower ground rooms currently experience relatively low levels of light owing to the enclosed nature of the courtyard space and the proposed development will ensure an improved aspect from these rooms.

8.0 CONCLUSION

- 8.1. The potential for contemporary architecture and landscape design to contribute to the historic environment is well established. When well-conceived, contemporary elements can create new relationships which are both visually and intellectually stimulating. While there will be some occasions where an existing environment is so sensitive that almost any change is undesirable, more often an historic place or building can be enhanced through thoughtful and imaginative design.
- 8.2. Having undertaken a detailed appraisal of 42 Bedford Square and its associated mews property, the existing courtyard space can accommodate change without harm to the significance of the asset, and that there is no basis to seek preservation of the existing condition for its own sake, as a matter of principle. The scheme aspires to achieve the very highest standard of design which is sensitive to the context, and which takes the opportunity to enhance appreciation and enjoyment of the historic townhouse.
- 8.3. This assessment and approach is consistent with national policy and guidance. The Glossary to the NPPF is very clear that conservation is 'the process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance'. Historic England's Good Practice Advice Note 2 reinforces the point that, 'change to heritage assets is inevitable but it is only harmful when significance is damaged.'
- 8.4. The proposed Arbour has been thoughtfully conceived with a full appreciation of the building's heritage values and setting. Visually and architecturally distinct from the historic building, the Arbour complements the main house whilst expressing its own visual interest, elegance and beauty through its sculptural form. The flora and fauna sustained by the structure will introduce a dynamic, temporal dimension to the courtyard, with the Arbour's appearance changing through the seasons to reveal and conceal the underlying architectural form.
- 8.5. The introduction of the Arbour would not harm the significance of the listed building, but would contribute to the architectural interest of the property, and enhance the relationship between the main house and the courtyard. At the same time, it would support family occupation and enjoyment of the heritage asset in the use for which it was originally designed. In relation to the historic fabric, the scheme's impact is benign, and indeed, reversible.
- 8.6. The Arbour's lightweight, skeletal form will maintain a sense of openness across the courtyard, with minimal effect on one's ability to understand the relationship between the main house and the mews building. In this respect, the Arbour is clearly legible as a contemporary garden structure, placed within, rather than filling, the existing space and viewed as such from the main house.
- 8.7. For all of these reasons, the proposal accords with relevant national and local planning policies, and is consistent with the statutory duty to have special regard to

the desirability of preserving listed buildings and their setting. If that assessment is not shared for any reason, the proposal may fall to be considered under paragraph 134 of the NPPF, where the public benefits of the proposal are to be balanced against any perceived impact on the significance of the heritage asset. This appeal statement has detailed the full range of public benefits associated with the development, which provide in themselves a compelling case to grant planning permission and listed building consent.

Appendix A: Site Location Plan



BUILDING DESIGN PARTNERSHIP LTD SHALL HAVE NO RESPONSIBILITY FOR ANY USE MADE OF THIS DOCUMENT OTHER THAN THAT FOR WHICH IT WAS PREPARED AND ISSUED.

ALL DIMENSIONS SHOULD BE CHECKED ON SITE.

DO NOT SCALE FROM THIS DRAWING.

ANY DRAWING ERRORS OR OMISSIONS SHOULD BE BROUGHT TO THE ATTENTION OF BUILDING DESIGN PARTNERSHIP LTD AT THE ADDRESS SHOWN.

REV. A - PLANNING AND LIC APPLICATION MK LT 08.2013
 FIRST ISSUE - STAGE 0 DESIGN FREEZE MK LT 24.07.2013

18 Brewhouse Yard
 Clerkenwell
 London, EC1V 4LJ
 United Kingdom

T +44 (0)20 7912 8000
 F +44 (0)20 7912 8388
 www.bdp.com

BDP.

42 BEDFORD SQUARE

P2005698

LOCATION PLAN

1:500

07.2013

(15)AP001

A

Appendix B: Email correspondence with Camden Council
18th December 2015 – 5th January 2016

Cassandra Dean

From: Baxter, Nick <Nick.Baxter@camden.gov.uk>
Sent: 05 January 2016 14:45
To: Alice Broomfield
Subject: Bedford Square 42, 2015/6464/P

Dear Alice – I have now discussed the proposed conservatory with my mentor and I'm afraid we consider it to be unacceptable in principle.

In appearance, the proposal is essentially a two-storey infill building, taking up approximately two thirds of the external yard space of the grade-I-listed building. It is uncharacteristic and obtrusive in design and too bulky, and takes up too much of the garden, much of which has already been used up by the link building. It could conceivably be used to replace the existing link building, but any further loss of external space would be resisted.

Under the circumstances, I recommend that you withdraw the proposal, unless you wish me to determine it. Please let me know which you would prefer.

I'm sorry not to have had better news.

Kind regards,
Nick Baxter MSc
Senior Heritage and Conservation Officer
Regeneration and Planning
Culture and Environment
London Borough of Camden

Telephone: 020 7974 3442
Web: camden.gov.uk

5 Pancras Square
5 Pancras Square
London N1C 4AG

Please consider the environment before printing this email.

We want to hear your views on the changes we are proposing to how we consult on planning applications. To find out more and have your say visit www.camden.gov.uk/sci. Consultation closes on the 20 January 2016.

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Cassandra Dean

From: Alice Broomfield
Sent: 05 January 2016 16:52
To: 'Dike, Darlene'
Cc: Matthew Gibbs
Subject: RE: 2015/64646/P and 2015/6935/L - 42 Bedford Square
Attachments: P05_(15)AP101.pdf; P05_(15)AP100.pdf

Dear Darlene,

Thank you very much for your emails.

As requested, please find attached amended site location plans at a scale of 1:1250 (for both existing and proposed).

In response to your query regarding how the Arbour is secured, the modular 'columns' would be mechanically fixed directly to the proposed concrete slab below. The floor finish (including the refurbished and reinstated York Stone) will sit above this slab, concealing the fixing method and ensuring that the 'columns' are viewed as the same dimension above finished floor level.

In relation to the sliding doors, there will be a sliding mechanism inserted between the York Stone Paving. The principles are illustrated in the DAS but the intent of this is to enable a level threshold, so the top of the rail would match the finished floor level of the stone paving. This has additional benefits in improving access and allowing the York stone paving to be read continuously either side of the sliding rails. The sliding door system would be fixed to the structure around all four sides, to the arbour structure above and on both sides, and ultimately to the concrete slab below.

I hope the above answers your queries but please let me know if you have any further questions.

Best,

Alice Broomfield

direct: 020 7004 1741
mobile: 07795 397 615
e-mail: alice.broomfield@dp9.co.uk

DP9 Ltd
100 Pall Mall
London
SW1Y 5NQ

telephone: 020 7004 1700 **facsimile:** 020 7004 1790 **website:** www.dp9.co.uk

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From: Dike, Darlene [<mailto:Darlene.Dike@camden.gov.uk>]
Sent: 04 January 2016 18:42
To: Alice Broomfield <alice.broomfield@dp9.co.uk>
Subject: RE: 2015/64646/P and 2015/6935/L - 42 Bedford Square

Hi Alice

Sorry to bombard you! I also have a very quick query about how the propose arbour is to be secured. I understand from your design and access statement that the structure will be disconnected from the walls, but wanted to understand how it will be secured to the ground, if at all?

It would also be helpful for you to confirm whether a sliding mechanism to assist the sliding doors featured, will be inserted in to the York Stone paving, as appears to be the case from drawings.

Kind regards

Darlene Dike

Planning technician
Development management
Regeneration and planning

Tel: 0207 974 1029

Web: www.camden.gov.uk/planning

We want to hear your views on the changes we are proposing to how we consult on planning applications. To find out more and have your say visit www.camden.gov.uk/sci. Consultation closes on the 20 January 2016

From: Dike, Darlene
Sent: 04 January 2016 18:12
To: 'Alice Broomfield'
Subject: RE: 2015/64646/P and 2015/6935/L - 42 Bedford Square

Hi Alice

Thanks for this. It's a minor point but I've just noticed that the site location plan provided is at scale 1:500 when it is required at scale 1:1250. Could you please send across an amended site location plan at scale 1:1250 for our records.

Kind regards

Darlene Dike

Planning technician
Development management
Regeneration and planning

Tel: 0207 974 1029

Web: www.camden.gov.uk/planning

We want to hear your views on the changes we are proposing to how we consult on planning applications. To find out more and have your say visit www.camden.gov.uk/sci. Consultation closes on the 20 January 2016.

From: Alice Broomfield [<mailto:alice.broomfield@dp9.co.uk>]
Sent: 04 January 2016 14:35
To: Dike, Darlene
Cc: Matthew Gibbs
Subject: RE: 2015/64646/P and 2015/6935/L - 42 Bedford Square

Dear Darlene,

Further to your site visit at 42 Bedford Square before Christmas, please find attached electronic copies of the Courtyard Arbour visualisations which were shown at the meeting.

Please let me know if you have any queries.

Best,

Alice Broomfield

direct: 020 7004 1741
mobile: 07795 397 615
e-mail: alice.broomfield@dp9.co.uk

DP9 Ltd
100 Pall Mall
London
SW1Y 5NQ

telephone: 020 7004 1700 **facsimile:** 020 7004 1790 **website:** www.dp9.co.uk

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From: Dike, Darlene [<mailto:Darlene.Dike@camden.gov.uk>]
Sent: 18 December 2015 12:52
To: Alice Broomfield <alice.broomfield@dp9.co.uk>
Subject: Re: 2015/64646/P and 2015/6935/L - 42 Bedford Square

Dear Alice

Thank you for your application at the above address.

I will be the case officer for your application and in order to get a better understanding of your proposals I would like to arrange a site visit for the following time slot.

- Tuesday 22nd December at 3.00pm

Please confirm by way of reply whether this is convenient for you.

Kind regards

Darlene Dike

Planning technician
Development management
Regeneration and planning

Tel: 0207 974 1029

Web: www.camden.gov.uk/planning

We want to hear your views on the changes we are proposing to how we consult on planning applications. To find out more and have your say visit www.camden.gov.uk/sci. Consultation closes on the 20 January 2016.

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**Appendix C: Email correspondence from Camden Council
dated 5th January 2016**

**Appendix D: Email correspondence from Camden Council
dated 28th January 2016**

Cassandra Dean

From: Dike, Darlene <Darlene.Dike@camden.gov.uk>
Sent: 28 January 2016 11:10
To: Alice Broomfield
Subject: Re: 42 Bedford Square - 2015/6464 & 2015/6935

Hi Alice

Thanks for your time on the phone. As discussed we no longer send a formal letter of acknowledgement for validation, but I can confirm that your applications were both deemed valid as of 20th November 2015.

Kind regards

Darlene Dike

Planning technician
Development management
Regeneration and planning

Tel: 0207 974 1029

Web: www.camden.gov.uk/planning

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Appendix E: Courtyard Arbour visualisation (with planting)



Appendix F: Courtyard Arbour visualisation (without planting)

