

Our Ref: 408444G/MT

6 July 2017



Patent, Design and
Trade Mark Attorneys

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Ms K Smith
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By Email: Kristina.smith@camden.gov.uk
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Dear Kristina

PLANNING APPLICATION REF: 2017/3034/P AT BEDFORD HOUSE, 21A JOHN STREET, LONDON, WC1N 2BF

We write to make comment to the above planning application as a major occupier of Bedford House, 21A John Street, London, WC1N 2BF.

Introduction

We are leading specialist patent and trade mark law firm, employing over 73 staff, a proportion of whom also live in the borough. As a business, we have a long-standing and positive history in this part of London and more specifically within the London Borough of Camden. We have been based at these current premises (Bedford House) for over 10 years and have been operating in this area since 1862, for over 155 years.

Due to our extensive history in this part of London, we have sought to remain in this area to ensure that the heritage and early beginnings of Page White and Farrer is retained; this forms an integral part of our business strategy as it stands today. Our current location provides an appropriate setting for our firm, within the Bloomsbury Conservation Area; it reflects our brand, history and ethos for providing specialist patent and trade mark advice across Europe.

We have reviewed the application and supporting documents in detail and do not consider that this planning application should be approved by the council. Please consider this as a formal objection to the above planning application.

[The planning application \(LPA Ref: 2017/3034/P\)](#)

The current planning application is seeking permission for:

"Extensions and alterations to provide additional office (Use Class B1) and ancillary floorspace, including single storey roof extension fronting John St elevation; single storey roof extension to the rear fronting John's Mews; seven storey core extension and seven storey infill extension both within south lightwell; provision of plant equipment at roof level; installation of fire escape staircase in north lightwell; and alterations to main entrance."

The expiry date for the statutory consultation period is 6 July 2017, although we are advised that the council will consider all written representations up to the determination of the planning application.

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The site is located within the Bloomsbury Conservation Area, an area of approximately 160 hectares, extending across LB Camden. It is also within the setting of five Grade II listed buildings, the closest of which abuts the northern boundary of the site. There are significant heritage considerations to be taken into account in determining this planning application as well as on the impact on an important local employer.

Our objection

Our objection focuses primarily on the impact of the proposed extension to the office building on the nearby listed buildings and on the Bloomsbury Conservation Area. These heritage assets are protected by the Planning (Listed Buildings and Conservation Areas) Act 1990, and as such the council will be aware of the requirement to consider the relevant legislative tests in considering whether to grant planning permission for the proposed development.

As currently submitted, the proposed development will not preserve or enhance the character or appearance of the Conservation Area; it will in fact adversely harm the setting of the adjoining listed terrace and the buildings at No. 21 John Street. The additional bulk proposed as part of the planning application will negatively impact on the special interest of the adjacent Grade II Listing No. 21 John Street, The Duke of York Public House on Roger Street and Nos 1-4 Mytre Court on John's Mews.

We have also considered the impact of the development proposals on our firm as an important local employer, with a long-standing history in the borough.

Legislative and planning policy context

When dealing with development that lies within or adjacent to a conservation area and that involves the setting of listed buildings, regard needs to be had to the relevant legislative tests and guidance. In this instance these are:

- Section 66 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990;
- National Planning Policy Framework (NPPF) (2012);
- London Plan Policies (2016); and
- LB Camden Core Strategy (2010) and Development Policies (2010).

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act requires that Local Planning Authorities, when considering development within a Conservation Area, to pay special attention to the desirability of preserving, or enhancing the character and appearance of the designated area. This is a statutory test that means if there is harm to the character or appearance of the Conservation Area the council is required to give significant weight to this as a material consideration and in the absence of public benefits, refuse the application.

In respect of considering whether to grant planning permission for development which affects a listed building or its setting, section 66 of the Act sets out that the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

In accordance with the NPPF, applicants are required to assess the impact of any new development on any heritage assets affected.

London Plan Policy 7.6 requires that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings while Policy 7.4. requires that buildings provide high quality design responses allowing a positive contribution to the character of a place to influence the future character of the area.

Adopted, LB Camden Policy CS14 requires development of the highest standard of design that respect local context and character, preserving and enhancing Camden's rich and diverse heritage assets and their settings. Conservation Area Policy DP25 requires that development is only to be permitted within conservation areas that preserves and enhances the character and appearance of the area.

LB Camden's emerging Core Strategy (submission version) is also a material consideration in this planning application. Policy D1 requires development to respect local context and character and preserve or enhance the historic environment and Policy D2 states that the council will not permit substantial harm to a designated heritage asset, including conservation areas and listing buildings.

The proposed development is required to comply with the above policy. As submitted in the current planning application, the extensions to the building do not comply with the requirements of Policy CS14, DP25 or emerging Policy D1 and D2. The roof extensions do not preserve or enhance the Bloomsbury Conservation Area or the special interest of the adjacent listed buildings, particularly the listed 21A John Street and the Duke of York Public House and the terraces at 22 – 28 John Street which immediately about the application site, to the north and to the south.

The development in its current form, should not be supported by the council.

Assessing the impact of the development

The applicant's Design and Access Statement, describes the design development of the proposals and highlights the reductions made to the scheme as a result of pre-application feedback from the council. From this, it is evident that the proposals have been the subject of previous comment from the council. However, the proposals in their current form, still fail to preserve or enhance the heritage assets.

The applicant's Heritage Assessment, also forms part of the planning application documents. We refute the conclusions drawn in this assessment as to the impact of the proposed development on the identified heritage assets.

The assessment fails to recognise the significance of the building at 21A John Street and the Duke of York Public House on Roger Street as well as the listed terraces at 22-28 John Street, providing only limited commentary on these buildings. 21A John Street was listed in 2010 because it is a "stylish design characteristic of the 1930s, which responds in scale and materials to the streetscape of Georgian Bloomsbury, the quality of its sculptural embellishment and brickwork and its planning interest as an early missed use development of commercial offices, flats and a public house which was particularly forward-looking for its time." While the c. 1890 terraces at 22-28 John Street, listed in 1951 make a notable contribution to the character and appearance of the Conservation Area due to their significance as an almost complete "Georgian street, lined with terraces."

The townscape views included within the applicant's Design and Access Statement, from John Street, towards the listed buildings (20-28 John Street and 21A John Street and the Duke of York Public House) highlight the impact of the proposals.

Townscape views

The roof extensions on both the John Street and John's Mews frontages impede views within the Conservation Area and negatively affect nearby listed building.

The view from Roger Street looking south-west, highlights the impact of the John Street façade extension. The nature of the roof extension regrettably appears to blend in with the mansard roof of the listed terrace at 20 John Street, making it difficult to differentiate the roof lines of the two buildings.

The bulk scale and mass of the roof extension, visible from this viewpoint adversely affects the status and character of the roof line of the listed terrace at 20 John Street. As such, this element of the proposal does not preserve or enhance this listed building.

In addition, the view from John's Mews looking north does not provide an accurate view of the proposal as the view point is set too far back. In order to adequately assess this view, the viewpoint should be from further along John's Mews to the north, towards the site.

The Bloomsbury Conservation Area Appraisal specifically notes, at paragraph 5.187, that:

"the public house forms the corner feature at the western end of a larger contemporaneous office building, Haines House."

The impact on the status and character of the distinctive corner feature at the Duke of York Public House should be considered by the council.

We also question whether the applicant agreed specific viewpoints with the council as part of the pre-application discussions and whether they have submitted the required views?

If the above view was included in the application documentation, the proposal would be significantly more visible and the negative impact on The Duke of York PH, more apparent. The applicant needs to provide independently verified views to properly assess these impacts.

Other comments

We employ a large number of patent and trade mark attorneys who live and work within the borough and surrounding area. As a significant local employer with a long-standing history in the borough, we are opposed to the development proposals as the scheme threatens our office location, contrary to the statement in paragraph 3.11 of the applicant's Planning Statement, that this development will "provide existing tenants with the opportunity to expand."

As an existing major tenant within the building, we believe that this proposal would negatively impact our ability to remain in this location, an area of London that we have occupied for over 155 years. The on-going uncertainty relating to the implementation of any development proposals that are approved by the council pose a risk to our firm in terms of our ability to remain in this location.

Conclusion

The development should not be supported by the council. As currently submitted, the proposed development will not preserve or enhance the heritage assets, as stated in the applicant's supporting documentation. The development also poses a threat to our occupation of Bedford House and indeed our status as a long-standing local employer.

The additional bulk and height proposed as part of this planning application will negatively impact on the special interest of the listed buildings directly adjacent to the site, as well as those that surround the site. The special interest of the Bloomsbury Conservation Area will also not be preserved or enhanced, as is required by the Planning (Listed Buildings and Conservation Areas) Act 1990.

The townscape views provided as part of the applicant's supporting documentation have been strategically selected by the agent to show the scheme with negligible impact on the listed buildings

adjacent to the site; in particular, these viewpoints fail to show the impact of the scheme on the roof life and corner feature of the Duke of York Public House. There will also be a notable negative impact on the roof line of the listed terrace at 20 John Street, directly opposite the site. The council must seek additional, independently verified views of the scheme from appropriate locations within the Conservation Area, and surrounding the site.

In addition to the heritage impacts, the proposed development also poses an unacceptable level of risk and uncertainty for the continuity of Page White and Farrer in the borough. As a firm employing over 73 staff, a proportion of whom live and work in the borough, we may be forced to look elsewhere for suitable premises, ending the long-standing history of our business in this area of London.

As such, the proposed extension of Bedford House does not comply with Policy DP25 or emerging Policy D2. In addition, it also fails to comply with the relevant legislative tests as required under section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. It is on this basis that we request the council refuses planning permission for this development.

We trust that these representations will be given due consideration but please do not hesitate to contact me or our agents, Indigo Planning, if you have any questions.

Yours sincerely




Martyn Townsend
PAGE WHITE AND FARRER