

<b>Delegated Report (Members' Briefing)</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>27/09/2017</b>
		N/A		<b>Consultation Expiry Date:</b>	<b>21/09/2017</b>
<b>Officer</b>			<b>Application Number(s)</b>		
Catherine Bond			2017/4426/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
Tavistock Square Gardens Tavistock Square London WC1H 9EZ			Refer to draft 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>					
Installation of a memorial within Tavistock Square Gardens to commemorate the 13 innocent victims who lost their lives in the terrorist bombing at Tavistock Square on 7th July 2005.					
<b>Recommendation(s):</b>		Grant conditional permission			
<b>Application Type:</b>		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00
			No. Electronic	00		
Summary of consultation responses:	<p>A Site Notice was displayed for the period 25/08/2017 to 15/09/2017.</p> <p>A Press Notice was displayed for the period 31/08/2017 to 31/09/2017.</p> <p>No consultation responses were received.</p>					
CAAC/Local groups* comments: *Please Specify	<p>The following local groups and amenity societies were consulted:</p> <p>1. <u>Friends of Tavistock Square</u> – no response received.</p> <p>2. <u>Bloomsbury Conservation Area Advisory Committee</u> – 2 responses dated 01/09/2017 &amp; 25/09/2017. <b>Please refer to Assessment, Section 3.0 for the officer responses.</b></p> <p>(a) <u>Anthony Jennings</u> (01/09/2017):</p> <p><i>Object to principle of memorial being placed in Tavistock Square Gardens, as it is entirely coincidental that the incident happened opposite the gardens and it has no connection with the gardens, and would be misleading for visitors as to the location of the atrocity. A new memorial should be placed on the railings of BMA House, the site of the existing memorial.</i></p> <p><i>The BMA has denied BCAAC the opportunity to discuss the appropriate site for a memorial and this should be investigated.</i></p> <p><i>The proposal is contrary to the London Squares Preservation Act 1931 which does not permit any structures being erected in the gardens of protected squares, except as 'necessary or convenient'.</i></p> <p><i>Camden's own policies discourage changes to squares with no connection with them.</i></p> <p><i>Object to the proposed design which would destroy the rhythm of the square by breaking the historic planted margin in an arbitrary position for no justifiable reason.</i></p> <p>(b) <u>Tony Tugnut</u> (25/09/2017):</p> <p><i>Despite BCAAC's attempts, active engagement with the Memorial Trust prior to this application comprised only a site visit by which time it was faced with a fait accompli.</i></p> <p><i>Strongly object to the proposals which are harmful and wholly inappropriate given the historic context and role of the Square within Bloomsbury, and in relation to the desirability of preserving and enhancing the character and appearance of the conservation area.</i></p>					

*Object to the design concept which is functionally flawed with little or no design merit, comprising a reclined slab constructed in a rather menacing grey metal with the appearance of a secondary vehicle access and destroying the perimeter planting which screens road traffic from the tranquillity of the historic garden square.*

*Do not accept that the gap providing a view of the site of the incident is a valid argument, and a further memorial would transform the square and overload it with grief.*

*,  
A memorial should be sited on BMA House in the public realm immediately adjacent to the location of the incident, as a constant reminder of the tragic event and loss of innocent lives.*

*3. Historic England - response dated 29/08/2017 authorising the Council to determine the application in accordance with national and local policy guidance on the basis of its own specialist conservation advice.*

## Site Description

The application site is Tavistock Square Gardens, a public open space designated under the London Squares Preservation Act 1931, and situated in Sub Area 6 (Bloomsbury Square/Russell Square/Tavistock Square) of the Bloomsbury Conservation Area.

The land occupied by Tavistock Square was part of the Bedford Estate until it was developed in the late 18<sup>th</sup> and early 19<sup>th</sup> centuries, with the Estate maintaining the freehold. During World War II the square's railings were removed giving the gardens public access. In 1965 the management of the gardens as a public open space was transferred to the Council, in 1995 the boundary railings were reinstated, and in 2009 the gardens were restored with new infrastructure and planting. Today, the gardens contain mature trees and shrubs around the border and lawns and flower beds in the centre. The border contains a range of dense planting, including a small beech hedge, perennial shrubs and ground-cover planting at the front edge.

There are a number of memorials in the gardens, including a central statue of Mahatma Gandhi unveiled by Harold Wilson in 1968 (grade II listed), a Conscientious Objectors' Stone on the north side dating from 1994, beside which is a flowering cherry tree planted in honour of the victims of the 1945 Hiroshima bombing. Nearby a Ginkgo biloba tree, planted in 2004, is dedicated to Leonard Woolf, husband of the novelist Virginia, whose memorial in the south-west corner also erected that year. A bronze bust in the south-east corner dating from 1926 commemorates Dame Louisa Aldrich-Blake, the first female surgeon (grade II listed).

Tavistock Square is lined with buildings of various ages, including a grade II\* listed early 19<sup>th</sup> century terrace on the west side. On the north-east corner stands the grade II listed BMA House, originally designed by Edwin Lutyens; a small Transport for London plaque on the front railings marks the scene of the No 30 bus bombing on 7 July 2005 on the public highway immediately adjacent.

The precise location of the proposed memorial is in the north-east corner of Tavistock Square Gardens, on a site straddling the existing herbaceous border and a small section of the boundary railings abutting the pavement on the public highway. The location corresponds with, and is in line with, the position of the No 30 bus at the time of the explosion, as identified in the Coroner's report.

## Relevant History

### Tavistock Square:

20/08/2002: Planning permission ref PSX0105202 granted for erection of bronze memorial bust of Virginia Woolf on a stone pedestal.

04/07/2006: Planning permission ref 2006/2469/P and listed building consent ref 2006/2470/L granted for the erection of memorial plaque to be attached to the railings at the front of BMA House.

16/05/2017: Pre-application ref 2017/1350/PRE given for installation of 7/7 Memorial in Tavistock Square Gardens.

### Gordon Square:

23/10/2013: Planning permission ref 2013/3103/P granted for the erection of statue of Noor Inayat Khan (bronze bust on a slate plinth) in northern corner of Gordon Square.

### Brunswick Square Gardens:

10/07/2012: Planning permission ref 2011/5956/P refused for erection of bronze statue of the Bangabandhu Sheikh Mujibur Rahman in centre of Brunswick Square Gardens and associated hard and soft landscaping.

27/09/2012: Planning permission ref 2012/2355/P refused for the creation of a paved area into an existing circular planting bed in Brunswick Square Gardens to accommodate the memorial bust of the Bangabandhu Sheikh Mujibur Rahman (Founding Father of Bangladesh) and its plinth including a small path connecting the area around the statue with the external existing path.

## Relevant policies

### NPPF 2012

Paragraphs 126-141

### London Plan 2016

### Camden Local Plan 2017

A1 Managing the impact of development

A2 Open Space

A3 Biodiversity

D1 Design

D2 Heritage

### Camden Planning Guidance 2011/2015

CPG 1 (Design)

### Bloomsbury Conservation Area Appraisal and Management Strategy 2011

## Assessment

### 1.0 The Proposal

This application is for the installation of a memorial within Tavistock Square Gardens to commemorate the 13 innocent victims who lost their lives in the terrorist bus bombing at Tavistock Square on 7th July 2005.

### 1.1 Background

The project has been developed in consultation with the 7/7 Memorial Trust, the bereaved family members, the Friends of Tavistock Square, and other local community groups and stakeholders. Prior to this application, the proposal was vetted by the Council's Artworks and Memorials Panel. Subsequently, the Council gave pre-application planning advice, supporting the principle of a memorial in Tavistock Square, including its design and siting (see Relevant History section above). The Camden Design Review Panel also gave independent design advice on the proposal prior to this application (details in paragraph below).

The architects of the proposed memorial also designed the National 7 July Memorial in Hyde Park which opened in 2009, which commemorates all the victims of the terrorist attacks which occurred that day. The currently proposed installation aims to be site specific, and commemorates the thirteen victims of the Tavistock Square incident.

### 1.2 Principle

The proposal would build on designated open space, however given its scale and careful siting it would not detrimentally harm the character of the open space nor would the proposal inhibit the use of the public area.

CPG1 set out corporate guidance which sets out the Council's expectations for artwork and memorials within the borough. The guidelines include:

- Site specificity and context: The subject of an artwork, statue or memorial must have a clear historical or conceptual connection to the proposed location.
- 20 year principle: At least 20 years after the death of an individual or the date of the event

should elapse before an artwork, statue or memorial is erected in commemoration.

- Protected areas: Artworks, statues and memorials should not be sited in spaces which already have a high concentration of other artworks, statues or memorials. LB Camden Parks and Open Spaces have surveyed key artworks, statues and memorials across the borough and identified areas where any further development of artworks, statues and memorials is unlikely to be appropriate. These have been identified in site survey documents for Council owned or managed land and also through mapping of the density (saturation) of artworks, statues and memorials across the entire borough. We are unlikely to grant permission for new artworks, statues or memorials where identified as inappropriate in site surveys or in areas mapped as having a high saturated or existing works.
- Quality: Statues and memorials must be of the highest quality, from an artist who has been selected through a robust and transparent selection process.

The following sections of this report address the corporate guidelines. It is noted that the proposed memorial would fail the 20 year principle, however, it is considered that special circumstances are in place in this instance considering scale of tragedy memorialised and the clear connection of the event to the proposed location of the memorial.

### 1.3 Siting and Design

The memorial will take the form of a horizontally-positioned cast iron plaque, to be fabricated and weathered off site in an artisan foundry. The plaque will have a cambered surface curving in two directions to provide a sculptural quality.

The position of the memorial in the perimeter herbaceous border, close to the north-east corner of the gardens will create a strong visual connection between the gardens and the site of the incident in the southbound lane of the public highway outside BMA House. The plaque will form a break in the landscaped bank and planting, and will extend beneath the existing railings to meet the existing boundary stone. The site has also been selected for being the nearest possible point of quiet contemplation to the site of the incident in the roadway, both for those on planned visits and for passers-by. The location is endorsed by members of the bereaved families.

The dimensions and scale of the proposal derive from the constraints of the setting and context. The cast slab will rest between two stanchions of the existing non-original 1960s boundary railings, restricting it to a maximum width of 3000mm. The length of the memorial is dictated by the distance between the garden path and the historic stone plinth of 4730mm. Extending the memorial beneath the railings to the existing stone boundary plinth announces a presence onto the public pavement.

### 1.4 Inscription

The memorial's inscription will also reinforce the location of the incident. Its message is intended to be contemplated from within the gardens, as well as announcing a presence onto the public pavement and roadway beyond the railings. The inscription will be orientated towards the location of the incident. Its vertical orientation will echo the line and rhythm of the existing railings; leading the visitor's eye in the gardens from the plaque to the location of the incident in the roadway.

The scale of the memorial will also be derived from the dimensions of the lettering to ensure its message is legible. The inscription will consist of (i) details of the incident being commemorated (case height 140mm) and (ii) the names of the thirteen innocent victims. (case height 25mm). The font will be a modern version of the sans serif letterform, chosen as it is widely used for signage and plaques across London. The letters will be raised in relief as part of the casting process to create a rich visual effect.

### 1.5 Maintenance

The memorial has been designed to be low maintenance through the use of cast iron which has a proven track record as a commonly used material for street furniture and public artwork. As it weathers, the cast iron will develop a rich texture and depth. The memorial will be jet-washed annually as part of a contract with Camden's Parks and Open Spaces Service which is already responsible for maintaining the gardens.

## 1.6 Impact on Trees

The memorial will be positioned between two London plane trees. The design has been developed in consultation with Camden's arboricultural officer and the design team's structural engineer to mitigate any negative impact on the neighbouring trees. A trial pit investigation has been carried out by Camden's framework contractors to investigate the tree root layout and ground conditions and to guide the most appropriate foundation design for the installation to mitigate any negative impact on the trees. Three helical screw piles will be located strategically away from tree roots, their depth varying to suit the slope of the ground and the slab. A condition to ensure trees are protected will be included on the decision.

## 2.0 Camden Design Review Panel

On 17th March 2017 the proposal for the 7/7 Memorial in Tavistock Square Gardens was presented to the Camden Design Review Panel, which made the following comments:-

- The panel supports the proposal.
- The memorial's scale is appropriate for the incident.
- The directness of the memorial is right.
- The panel understands the reasoning behind the lettering orientation, especially as seen from the path.

## 3.0 Responses to consultation comments

*Object to principle of memorial being placed in Tavistock Square Gardens, as it is entirely coincidental that the incident happened opposite the gardens and it has no connection with the gardens, and would be misleading for visitors as to the location of the atrocity. A new memorial should be placed on the railings of BMA House, the site of the existing memorial.*

Officers disagree that the proposed location of the memorial within the gardens of Tavistock Square is inappropriate. This is on the basis that 7 July 2005 bus bombing occurred just metres away in the southbound section of the eastern stretch of roadway. This roadway is an integral part of the square as are the gardens, and they are intrinsically linked as together they make up this fine London square. To avoid any ambiguity or misunderstanding of the location of the incident, the precise siting of the memorial will be in the north-east corner of the gardens directly to the west of the position of the bus, and its design has been carefully developed to be site-specific orientating itself towards this point on the roadway.

This application is assessed on its own merits including the proposed location of the memorial in Tavistock Square Gardens. Whilst there has been a small Transport for London plaque on the front railings of BMA House marking the scene of the incident since 2006, the site is very tight and offers little scope for a larger, more permanent installation warranted by the tragic incident. The site is adjacent to a narrow pavement bordering the busy roadway which offers little scope for quiet contemplation and visitors are likely to cause congestion on this busy north-south pedestrian route in Bloomsbury.

*The BMA has denied BCAAC the opportunity to discuss the appropriate site for a memorial and this should be investigated.*

This is not a planning consideration. It is the Council's duty to determine the current application on the basis of its own merits and with respect to the applicant behind the proposed memorial and its proposed location. The BMA is not the applicant so any discussions sought with its representatives by BCAAC bear no relevance to this application.

*The proposal is contrary to the London Squares Preservation Act 1931 which does not permit any structures being erected in the gardens of protected squares, except as 'necessary or convenient'.*

This is not a planning consideration. The London Squares Preservation Act 1931 does not constitute planning legislation. Notwithstanding, it should be noted that planning permission has been granted over a number of years for memorials and public artworks in Tavistock Square (see Relevant History section), and in this instance a strong case has been made for locating a site specific memorial in the gardens to commemorate an incident which took place in the square itself.

*Camden's own policies also discourage changes to squares with no connection with them.*

As above, it is considered that the proposed installation will have a very strong link to Tavistock Square as it will commemorate a significant and tragic event within its history which took place in the roadway only metres from its proposed siting. In this aspect, it is not contrary to any of the Council's planning policies or guidance set out in the Local Plan, in CPG or in the Bloomsbury CAA & MS.

*Object to the proposed design which would destroy the rhythm of the square by breaking the historic planted margin in an arbitrary position for no justifiable reason.*

Whilst it is acknowledged that a break will be made in the planting of the herbaceous border on the east side of the gardens, the memorial has been carefully designed and sited between two mature plane trees so as not to damage their roots, and will involve the removal of a stretch of low-level planting not exceeding 3 metres in width, which is a very small section when considered in the context of the overall length of the border. Furthermore, the creation of the gap is a key element of the design of the proposed installation as it will create the visual and physical link through the railings with the location of the incident in the roadway from the gardens, as well as providing a direct view of the memorial from the public pavement and highway. Cast iron has been selected as the principal material for the memorial as it will develop a patina of age which will complement the natural landscaping of the gardens, and the design of the slab is sufficiently robust to allow fallen leaves and other foliage to rest upon its surface whilst retaining a strong presence in the square.

*Despite BCAAC's attempts, active engagement with the Memorial Trust prior to this application comprised only a site visit by which time it was faced with a fait accompli.*

A site visit was held in December 2016, which was attended by the scheme's architects, BCAAC members and Council officers. The applicant body took into account the concerns raised by BCAAC, ahead of submitting this planning application. The applicant also saw it as extremely important to take into account the wishes of the bereaved families, as well as other stakeholders, who were closely involved in the development of the scheme. The applicant therefore had to weigh up a number of considerations and viewpoints regarding the design and siting of the memorial ahead of submitting the planning application.

*Strongly object to the proposals which are harmful and wholly inappropriate given the historic context and role of the Square within Bloomsbury, and in relation to the desirability of preserving and enhancing the character and appearance of the conservation area.*

Officers disagree that the scheme is either harmful or inappropriate in its proposed context. Officers have carefully assessed the nature of the proposed memorial as a piece of public artwork, together with its impact on surrounding heritage assets including the character and appearance of the Bloomsbury Conservation Area and the setting of a number of listed buildings and structures. Officers have also taken into account the comments received from the Camden Design Review Panel, which support the proposal. Officers consider the installation to be sensitive and sympathetic in terms its impact on such heritage assets and therefore no harm has been identified with reference to paragraph 132 of the NPPF, which requires an assessment of the impact of a proposed development on the significance of a designated heritage asset. Whilst it follows that paragraphs 133 and 134 (relating to the need to identify public benefits to justify substantial or less than substantial harm) are not applicable, it should be noted that officers consider there to be notable public benefits derived from the installation in this location of a sensitively-designed public memorial proportionate to the size and scale of the 7 July 2005 bus bombing.



*Object to the design concept which is functionally flawed with little or no design merit, comprising a reclined slab constructed in a rather menacing grey metal with the appearance of a secondary vehicle access and destroying the perimeter planting which screens road traffic from the tranquillity of the historic garden square.*

The proposed memorial seeks to record one of the most important events in the square's history into its urban fabric. Rather than taking a more traditional figurative form like existing memorials in the gardens, the design aims to create a physical representation directly related to its context and location, in order to commemorate the lives lost in the incident. As such, it takes on a more abstract form, which picks up on many of the more traditional elements of memorial design but also has an overtly modern appearance which relates strongly to the time in history it represents as well as being responsive to the site. It is acknowledged that public artwork such as this example may be interpreted subjectively evoking a range of emotional responses, but officers have made an objective assessment of the proposals and their impact on designated heritage assets in the context of current policy and guidance and have found them to be acceptable. The issue of the gap is addressed in the officer response above, where it is outlined that the visual connection with the site of the incident is a key part of the design concept of the proposed memorial..

*Do not accept that the gap providing a view of the site of the incident is a valid argument, and a further memorial would transform the square and overload it with grief.*

The issue of the gap has already been addressed in the officer response above (as above), where it is outlined that the visual connection with the site of the incident is a key part of the design concept of the proposed memorial. Whilst there are a number of memorials in the gardens, some of which have been in position for many years, these memorials commemorate eminent people who had connections with the Bloomsbury area rather than specific events linked to the area's history. A memorial to the 7 July 2005 bus bombing will therefore be the first installation in the gardens to commemorate an event in Tavistock Square itself which had tragic consequences, and which warrants a memorial of this scale within a peaceful and tranquil setting where visitors can contemplate.

*A memorial should be sited on BMA House in the public realm immediately adjacent to the location of the incident, as a constant reminder of the tragic event and loss of innocent lives*

As stated above, this application is assessed on its own merits including the proposed location of the memorial in Tavistock Square Gardens. Whilst there is a small Transport for London plaque on the front railings of BMA House marking the scene of the incident, it is adjacent to a narrow pavement bordering the busy roadway which offers little scope for quiet contemplation and is not combatable with the high footfall of this stretch of the pavement which is part of a key north-south route within Bloomsbury. Furthermore, the existing plaque is modest in scale and does not give details of the innocent victims. It should also be noted that the concept has been explored but not furthered of locating the memorial on the principal front elevation of BMA House, accessed via a bridge link over the front lightwell. It is likely that harm would be identified to the building's special interest as a grade II listed building due to the physical impact of the proposal. These issues have lead the applicants to consider the gardens as a more appropriate location for a permanent memorial.

#### 4.0 Neighbour Amenity

Given the nature of the proposal it would not have an adverse impact on any neighboring properties in respect of privacy, outlook, daylight/ sunlight or noise.

#### 5.0 Conclusion

It is considered that the proposed memorial to the 7 July 2005 innocent victims of the Tavistock Square bus bombing is a sensitive design solution thoughtfully located within Tavistock Square Gardens. The proposal has been designed so as not to affect tree roots in the gardens, preserves the character and appearance of the Bloomsbury Conservation Area, and has no negative impact on the

setting of listed buildings and structures located within the square. As such the proposal complies with NPPF paragraphs 126-141, Camden Local Plan policies D1 and D2, and guidance to be found in CPG and the Bloomsbury CAA & MS.

#### 6.0 Recommendation

Grant Planning Permission with standard conditions.

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 22 January 2018, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.***