BLOOMSBURY ASSOCIATION

42 BEDFORD SQUARE AND 13 BEDFORD AVENUE,
LONDON WC1B 3DP

PROPOSAL: Minor internal alterations at lower ground, second and third floor levels including an alteration to the design of the secondary staircase from second to third floor and the relocation of the staff kitchen door and link ramp and reinstatement of the rear room at lower ground floor level.

Application for listed building consent: 2017/6975/L

18 March 2018

The Bloomsbury Association objects to this application and wishes to make the following comments:

1. This is a complex proposal in that it is substantially complete and has been preceded by a number of different applications for planning permission and listed building consent for different applicants and by different designers for different owners, which in turn have all been partially completed. The current application does not consider the entire listed building, as one might reasonably expect it to, but different parts or floors at different stages, which makes it extremely difficult to comprehend and relate to the buildings' immediate planning and construction history.

   Our current comments are primarily concerned with proposals for 13 Bedford Avenue as we feel that this is a part of the proposal that could have a more significant impact on the public realm; proposals for the main building, facing Bedford Square, are primarily internal and require a specialist review that is beyond the resources available to the Association.

   By way of background, our comments on previous applications, 2014/4633/P and 2014/4634/L are attached. These are still relevant and are resubmitted as part of our comments on the current application. We highlight the following in particular.

2. We are particularly concerned that current proposals mostly show proposals for 13 Bedford Avenue as 'greyed out', as if to infer they are not part of the proposal, which of course they are. This is ambiguous and, if a decision is made on this basis, it is likely to be legally unsound. It should be clear that 13 Bedford Avenue is an integral part of the grade I listed building, an integral part of the proposed use and of the current proposal. It is not to be excluded.

3. **We strongly object** to the proposed external security grilles to the windows at ground and basement levels facing Bedford Avenue. This is damaging to the character of the listed building and to the setting of the Bloomsbury Conservation Area. It would cause harm to the significance of this listed building and its neighbours, contrary to Policy D2 of the Local Plan. It is suggestive that there are issues of crime on Bedford Avenue that do not exist. This is a residential street that has residential uses along its entire southern side and enjoys the benefit of passive surveillance. Indeed, if this building is really going to be used as a single family dwelling, as the applicant's planning consultant leads us to believe in their covering letter, then it will naturally provide active visual engagement between those in the street and those on the lower floors of the building. Camden Planning Guidance states: "For listed buildings, and in more important locations within conservation areas, there will be a presumption against the use of external security shutters, grilles or meshes". On this basis alone, the application should be refused.

4. We question the use proposed for 13 Bedford Avenue that is described in the applications as 'guest accommodation'. Details provided on the drawings suggest that the accommodation may be more suited to self-catering studio or serviced apartments suitable for short-term or holiday rental than residential use. Clarification on what the exact nature of this proposed C3 use is

should be sought before granting listed building consent to facilitate something that may not comply with planning policy.

5. As officers are aware, much progress has been made in heightening awareness among building owners on the south side of the Square on the importance of regarding the wall to Bedford Avenue as an entity. As a result, the facades to 15-19 Bedford Avenue were cleaned last summer, which continues a process recently begun at the eastern end of the street.

   What we are talking about is an ornamental wall, originally conceived as a single architectural entity, built but poorly maintained by a succession of single owners and now in fragmented ownership. It has already been partly 'restored', 'repaired', 'conserved' or whatever you care to term it at its eastern end, as has Bedford Court Mansions in its entirety, on the south side, and is at risk of losing its architectural integrity as a single composition.

   Starting from the premise that this has already begun, the current suggestion seeks to 'repair' a visually damaged streetscape so the ornamental wall is again perceived as a whole in the context of the Mansions, opposite. This seems to be what was originally intended when the mews on the south side of the Square were comprehensively redeveloped on behalf of the 11th Duke of Bedford in the 1890s. Caroline Mews was widened into Bedford Avenue, Bedford Court Mansions was built in five phases and the wall added as an important part of the composition. This perception of a wider context is much the same effect as each of the four 'palace facade' terraces enclosing Bedford Square. It might be argued (no doubt with some controversy) that perception of the whole may be more important than its constituent parts.

   13 Bedford Avenue is now one of only six remaining uncleaned facades. We would hope that the Council will be proactive in requiring that the setting of this and adjoining grade I listed buildings and the Conservation Area are enhanced by requiring the facade to 13 Bedford Avenue to also be cleaned. We note that this is not included in the applicant's proposal, which seems odd for such an apparently prestigious project, and urge the Council to ensure that it is, if necessary through condition.

   On the recent cleaning of the facades to 15-19 Bedford Avenue, there was discussion about how far you go in mitigating the consequences of poor maintenance and the impact of mans' and nature's intervention through such things as pollution and acid rain without damaging the historic, material and visual integrity of the envelope of a building. Historic England consider this at length in their technical advice published last month on Conserving War Memorials. Is it preservation, restoration or conservation? Therein lies the importance of the method statement and scope of work. Work on 15-19 has shown it can be done sensitively and it should now be rolled out for all the facade on Bedford Avenue, as buildings come forward for refurbishment, as this has done.

6. There still appears to be no internal refuse storage provided for the uses in 13 Bedford Avenue. Listed building consent should not be granted for something that may not comply with planning policy.

The Association supports good quality design that will enhance Bloomsbury's streetscape. While the points made are relatively minor, we are surprised they have arisen so late in the development process and look to the Council to encourage the applicant to revise and resubmit it, addressing the points made.

We would be grateful if you would let us know of any further modification to the application and the decision, if it is to be determined under delegated powers.

Stephen Heath
On behalf of the Bloomsbury Association

Copies to:
Councillor Adam Harrison, London Borough of Camden
Antonia Powell, London Borough of Camden
Bloomsbury Conservation Area Advisory Committee
Chair, Bloomsbury Association

Comments made on the previous applications

42, 42A BEDFORD SQUARE & 13 BEDFORD AVENUE
LONDON WC1B 3DP

CONVERSION OF EXISTING BUILDING CONTAINING 6 SELF-CONTAINED DWELLINGS (1 X 1 BED FLAT, 4 X 2 BED FLATS AND 1 X 4 BED MAISONETTE) FOR USE AS SINGLE FAMILY DWELLINGHOUSE (CLASS C3), ERECTION OF TWO STOREY INFILL EXTENSION AT LOWER GROUND FLOOR LEVEL TO EXISTING LINK BETWEEN PRIMARY AND MEWS BUILDINGS, ERECTION OF NEW FLAT ROOF TO ENCLOSE EXISTING THIRD FLOOR TERRACE INCLUDING LIFT OVERRUN, INSTALLATION OF BALUSTRADE AROUND LANTERN AT ROOF LEVEL, REMOVAL OF EXISTING ROOF LIGHTS AND VENTS, INSTALLATION OF HATCH TO ROOF, INSTALLATION OF 3 X AIR CONDENSERS TO MIDDLE OF EXISTING ROOF, ALTERATIONS TO EXTERNAL STEPS AND ALTERATIONS TO FENESTRATION.

Application for planning permission: 2014/4633/P
Application for listed building consent: 2014/4634/L

11 August 2014

The Bloomsbury Association objects to this application and wishes to make the following comments.

1. The applicant, *Classic Design Investments Ltd*, appears to be a property development and investment company based in Horsham, Sussex. The applicant also seems to be associated with other companies: *CDI Bedford 42 Ltd* and *42 Bedford Square LLP*, based in Barnet. Ownership of the building appears to lie with RER London Ltd, based in St James'. The latter advertises their project in Bedford Square here: http://www.rer.uk.com/projects/current/bedford-square-london-wc1 This states "*RER London Ltd purchased 42 Bedford Square in the January of 2012*." We therefore question the exactitude of information given in Certificate A of the application form concerning ownership.

   The web site also describes the project as "*The refurbishment of a Grade 1 Georgian House and Mews into a single house of 10,000 sq. ft… This will provide an elegant 10 bedroom Georgian Mansion with its main aspect overlooking Bedford Square*." This infers that this may be a speculative development. An extract of the web page is attached.

   We have no objection to the use of the building as a 10-bedroom Georgian family house, as this is what it was originally intended for. However, we question the use proposed for 13 Bedford Avenue, a building that is described in the application as 'guest accommodation' and suggest that the Council seeks further clarification on what the exact nature of this proposed C3 use is and whether it complies with policy.

   It is unusual for a speculative development but, if there is unequivocal evidence of a sale subject to planning consent and if the accommodation can be confirmed as necessary and ancillary to the residential C3 use of the main house, that is acceptable to us as justification for the loss of six separate dwellings. However, what the drawings appears to show are several self-catering studio or serviced apartments suitable for short-term or holiday rental. Indeed, as the existing accommodation on Bedford Avenue seemed to operate occasionally as holiday lets, we would look to a condition being applied to any consent (or preferably through a separate Unilateral Agreement) limiting their use to prevent them from being rented out to the public as holiday or serviced apartments or from becoming C1 or C4 use, which would neither justify conversion from six dwellings to one nor be appropriate for the setting of the Grade I listed building.

2. Given the failure of a similar development proposal by the previous owner, the Council should ask to see independent verification of the financial viability of this proposal.

3. We are concerned at the extent of demolition and new structural work proposed to the fabric of the Grade I listed building. We urge the Council to seek the views of the Georgian Group on whether the historic integrity of the building is put at risk by these proposals before it reaches a decision, particularly as so much work was done to the building previously without listed building consent, including removal of the roof. We would also like to see a structural statement accompanying the application.

4. We disagree with the conclusion that the façade to Bedford Avenue is of 'Secondary significance' and the statement in the Heritage Impact Assessment that "To the rear of the property, setting contributes far less to significance. The later construction of the mews property has resulted in considerable change to the original layout of the property, and views of the main house are very limited." This suggests that the rear of the building facing Bedford Avenue makes minimal contribution to its setting when it is a vital part of a red brick composition created on the redevelopment of Caroline Mews into Tavistock Street (as it was then) by the Duke of Bedford from 1890-1896 to form Bedford Court Mansions.

   A report in the *The Building News* on 20 April 1894 states: "*Bedford-court Mansions enjoy many advantages; for instance, no building can be erected opposite on the north side of Tavistock-street, as an expensive ornamental wall is now being built along the whole length to close in backs of this Bedford-square houses… The elevation is of red brick and white stone, and is intended to be continued the length of the new street, thus forming a complete façade of about 700ft. in length."* The importance of this wall is recognised in the Council's document, *Bloomsbury Conservation Area Appraisal and Management*.

5. Modification of the entrance door to 13 Bedford Avenue to meet 'DDA requirements' is not a valid justification and will result in inappropriate panelling proportions and an opening with a ramp rather than steps that will detract from the consistent design of adjacent door openings. 'DDA compliance' is not longer a material planning consideration as the Disability Discrimination Act 1995 has been repealed and replaced by the Equalities Act. Maintaining the integrity of the architectural expression of the ornamental screen wall is crucial.

   The need to conserve the special characteristics of historic buildings is recognised in *Approved Document M of the Building Regulations*. The guidance states that the aim should be to improve accessibility where practically possible, provided that the work does not prejudice the character of the building.

   It is curious that compliance with Approved Document M governing access has not been required for the entrances of any of the other buildings on Bedford Avenue whose use has been changed to residential. We understand compliance with the Equality Act is not a requirement for residential buildings. It is, however a requirement for buildings in which services are provided and where staff are employed, such as serviced or hotel apartments.

6. We object to the proposal to install secondary glazing to the Bedford Square frontage particularly when the noise report accompanying the application concludes that it is not necessary for acoustic reasons. Bedford Square is a single composition the setting of which can be damaged by alterations to one building that are visible externally. Similar proposals have been recent tested in applications for listed building consent to modify the windows of other buildings in Bedford Square and have been refused. With advice from the Bloomsbury Conservation Area Advisory Committee, we would like to see the Council take a consistent approach to safeguarding the historic asset of Bedford Square.

   We note that Policy DP25 states that the Council will "only permit development within conservation areas that preserves and enhances the character and appearance of the area" and will "not permit development that it considers would cause harm to the setting of a listed building". This proposal fails to satisfy on both counts.

7. The broad principles established in national policy and guidance on the historic environment are reflected in the London Plan. Its policies seek to ensure that the protection and enhancement of historic assets in London is based on an understanding of their special character, and form part of the wider design and urban improvement agenda. The characteristics of 21st century air-conditioning units are not compatible with a policy that seeks to protect these values nor are they compatible with the 'presumption in favour of sustainable development' through which development decisions will be made on the basis of national policy enshrined in the Localism Act 2011. They also fail to meet the objectives of PPS 5 and Policies DP24 and DP25 of the Council's Local Development Framework.

   It is a wider precedent that is causing us such concern here and that is the proliferation of highly visible and audible external air conditioning equipment in recent planning applications for listed buildings in the Bloomsbury Conservation Area. We have argued that these buildings are of high thermal capacity, were purpose designed for natural ventilation and do not need air-

conditioning. To propose otherwise is contrary to the objectives of Policies DP24 and DP25 of the Council's Local Development Framework.

Often the internal building services installation is designed sympathetically but its external impact is always a concern. The effect on the setting of the listed building, its asset value in the public realm and its impact on the conservation area are often ignored, which is contrary to the principles established in PPS5. The current proposal for external air conditioning does not include for these nor does it reflect the high standards of design required by Policy DP22 and that the Association expects for alterations to a listed building in the Bloomsbury Conservation Area.

There is a long history of noise nuisance associated with external air-conditioning equipment in this area, dating back to 1997. Noise emissions from equipment serving the St Giles Hotel have been regularly monitored by the Council's Environmental Health Team and have been found to be at a level that constitutes a statutory nuisance. A Noise Abatement Notice was served in December 2000 under the Environmental Protection Act 1990 / Noise and Statutory Nuisance Act 1993 in order to protect the amenity of residents directly opposite in Bedford Court Mansions. An application to install air conditioning equipment in the basement of 40 Bedford Square has also been approved (2011/1716/P), despite objections from neighbours.

With this background, the Association consider that is inappropriate for further external air-handling equipment to be added that may compound what is already a severe problem by further degrading the noise climate, particularly on the roof of a building directly opposite residential buildings. Whilst this solution might be expedient, it should not be considered in isolation. Local residents are suffering from the expediencies of the past and a more holistic approach is now needed.

8. We are very concerned about the positioning of the proposed extract equipment and air-conditioning condensers at roof level on 42 Bedford Square and possibly also at second floor level on the Bedford Avenue frontage. Our concerns are three-fold: the visibility of roof mounted plant from the north side of the Square; from other buildings, particularly other building in the Square and their proximity to adjacent residential uses.

   The application documents include an acoustic report that is submitted in support of the proposal. It concludes with the comment that noise emissions from the air-conditioning equipment can be controlled with the use of specialist acoustic enclosures but as the services design is only 'conceptual', no details are provided. Whatever your views might be on the energy responsibility of installing air-conditioning in a Grade I listed Georgian building that was purpose designed for natural ventilation, the lack of any thorough proposals for designing out noise emissions is our principal reason for objection, particularly as the provision of a noise rated enclosure to equipment at roof level would increase its visual prominence.

   We understand that Camden guidance is that noise levels adjacent to residential uses should be measured at 1m external to a sensitive façade and not at an undisclosed location 'on site'. Furthermore, the report states that background noise levels were measured on weekdays when the noise of passing vehicles on the street is at its greatest. Weekend levels should be the base line.

   The noise impact assessment does not consider impact on residential uses in Bedford Court Mansions and makes no proposals for sound attenuation in order to mitigate noise emissions. We are therefore sceptical of its conclusions. This is contrary to LDF Policies DP 26, DP27 and DP28. DP26 states '*The Council will protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity.'*

   No conclusive design information is provided to confirm that noise emissions from the equipment will be contained within permitted limits when heard from the nearest residential buildings as required by Development Standard DS6 of the Council's UDP and LDF Policies DP26 and DP28. Given the proximity of adjacent residential buildings on Bedford Avenue, whose amenity will be directly affected, and adjacent at 40 Bedford Square, the application should not be accepted on this basis.

9. No details are provided of what is proposed on Bedford Avenue behind the louvred screen. It is described as 'plant' on the drawings, which could include all manner of noise generating equipment. There is a louvred window elsewhere on Bedford Avenue but it was done a long

time ago and should not set a precedent as an appropriate design solution. The proposal should not be approved on such a vague and imprecise basis.

10. With the recent sale of all the buildings on the south side of Bedford Square and the resulting fragmented ownership, there is a risk that the programme of refurbishment of the frontages to Bedford Avenue that was begun by their former owners, Crown Estates, will not be completed.

    The elegant ornamental brick and Portland stone screen wall to the south sides of these buildings was constructed by the Duke of Bedford in 1894 and mirrors the architecture of Bedford Court Mansions opposite. After years of neglect, this wall is now very grimy. Indeed, it is so dirty that Camden Council has had to install additional street lighting to manage incidences of anti-social behaviour and drug use on this side of the street.

    When 49, 50 and 51 Bedford Square were refurbished a few years ago, their respective sections of the Bedford Avenue ornamental wall were cleaned. The transformation by simply removing years of grime is astonishing. We would hope that, as more buildings on the south side of the Square are brought forward for refurbishment through the planning process, the Council will be proactive in ensuring that the Conservation Area is enhanced by requiring that further sections of the Bedford Avenue wall are also cleaned until its entire length is complete. We note that this is not presently included in the applicant's proposal, which seems odd for such an apparently prestigious project, and urge the Council to ensure that it is, if necessary through separate legal agreement.

11. There appears to be inadequate provision for storage of waste on the premises, contrary to LDF Policy DP6, and no waste management plan is included in the application.

12. This is a substantial construction project in a sensitive location. A construction management plan must be agreed with the residents of Bedford Court Mansions and adjoining owners and submitted for consideration prior to the application being determined. This should specifically exclude the use of the paved area of Bedford Square to facilitate construction; it should limit construction access and deliveries from Bedford Square and should manage access from Bedford Avenue, particularly during the demolition stage.

The Association supports good quality design that will enhance Bloomsbury's townscape. In its present form we are concerned that this proposal may not meet the high standard required by Policy DP30 and we look to the Council to refuse the application. If further information/clarification is sought from the applicant, we would wish to be consulted on any revised proposals.

We would be grateful if you would let us know of the officer recommendation, if it is to be decided under delegated powers, or the meeting date if it is to be decided by Committee.

Stephen Heath
On behalf of The Bloomsbury Association