



41 BEDFORD SQUARE AND 11 BEDFORD AVENUE
LONDON WC1B 3DP

PROPOSAL: Demolition of existing link structure between 11 Bedford Avenue and 41 Bedford Square to provide two separate office units (Class B1a) and erection of canopy and balustrades, new walk-on rooflight to rear terrace at ground floor level, refurbishment of all existing timber sash windows, new plant to front vaults and rear basement level.

Application for planning permission: 2019/3676/P

Application for listed building consent: 2019/4144/L

22 September 2019

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

1. The link structure is a common feature of all the buildings on the south side of Bedford Square. It was added in the 1970s and we understand was regarded at the time as a sympathetic addition to the listed buildings and was accredited with a Civic Trust Award. We are therefore surprised by the view expressed by Assembly Associates in the Historic Assessment that this is not fabric of any architectural or historic interest and in the Planning Statement that the 'elevation appears incongruous'.
2. Demolition of the link structure to create two separate, self-contained office buildings may not result in more flexible business space, indeed it may result in the building being less adaptable. While it seems a very good idea to provide small business units in this location, we are concerned that this might become a step towards securing a later change of use under permitted development rights of one or both of the office buildings in consideration of Local Plan Policy E2 and the exemptions given to the Article 4 direction for CAZ uses given in Camden Planning Guidance: Employment Sites and Business Premises, section 8. Indeed the internal arrangement proposed for 41 Bedford Square seems more appropriate for a residential than office use, with en suite bedrooms suggested on the third floor, kitchen/dining on the second, reception on the first and gym and staff accommodation in the basement. Furthermore, we are sceptical that either building can function as a separate planning unit – a self-contained office building – as proposed. While not a planning consideration, it seems they may not comply with the Equality Act or Building Regulations concerning means of escape in case of fire and access. They also appear to have neither accessible toilet accommodation nor refuse storage. Is this really a residential proposal?
3. **Bedford Square façade** - We are concerned by the proposal to retain external grilles that were recently added to two windows at basement level facing Bedford Square, possibly without consent (drawing 223_PL_021_P1). The 20th century decorative wrought iron work is inappropriate and damaging to the character of the grade I listed building and to the setting of the Bloomsbury Conservation Area. It causes harm to the significance of this listed building and its neighbours, contrary to Policy D2 of the Local Plan. Policy D2 states that *"To preserve or enhance the borough's listed buildings, the Council will... resist development that would cause harm to significance of a listed building through an effect on its setting"*.

The proposal is suggestive that there are particular issues of crime on Bedford Square that do not exist. This is a building that has residential uses on either side and to the rear, totalling some 140 homes, and enjoys the benefit of passive surveillance. 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"*. We suggest that at least the decorative wrought iron work should be removed, if not the grilles in their entirety.

The application refers to the 'refurbishment of all existing timber sash windows' but provides no details to assess whether what is proposed is suitable for a grade I listed building. The proposed secondary glazing to the Bedford Square facing windows would appear damaging to the historic character of the building.

We have no comments on the proposed Bedford Square façade cleaning. This is for others to assess mindful of experience with other buildings around the Square. Uniformity of appearance of the whole terrace is paramount.



4. **Bedford Avenue façade** – We welcome the proposal to clean and repair the Bedford Avenue façade. As officers may be aware, much progress has been made in heightening awareness among building owners on the south side of the Square of the importance of regarding the wall to Bedford Avenue as an entity. As a result, the facades to 15-19 Bedford Avenue were cleaned in the summer of 2017, which continues a process recently begun at the eastern end of the street.

This 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 cleaning has already begun, our 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 in similar brickwork 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.

11 Bedford Avenue is now one of only six remaining uncleaned facades. We welcome the proposal that the setting of this and adjoining grade I listed buildings and the Conservation Area will be enhanced by cleaning the facade to 11 Bedford Avenue – Number 9 is currently under refurbishment and we understand this will also include cleaning the Bedford Avenue façade. We have commented on the desirability of also including this in proposals for 13 Bedford Avenue (2019/3456/P & 2019/3879/L). To ensure some coordination and consistency over how this happens, we suggest façade cleaning is secured by an appropriate 'before occupation' condition unless respective building owners can come together with a joint proposal to do the work together.

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 man's 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 in 2018 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.

There appears no functional justification for a louvred window opening at street level. The proposed powder coated aluminium louvers would be damaging to the character of a grade I listed building. See also our comments on the same window to the neighbouring building, 2019/3456/P and 3879/L.

5. **Noise impact assessment** - Existing air-handling plant on adjacent buildings operates at its limits and has caused problems for local residents. In particular, there is a long history of noise nuisance associated with the external air-conditioning equipment on the St Giles Hotel, dating back to 1997. Noise emissions from this equipment on Adeline Place 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. The Council served a Noise Abatement Notice in December 2000 under the Environmental Protection Act 1990 / Noise and Statutory Nuisance Act 1993 in order to protect the amenity of residents of Bedford Court Mansions, opposite.

It appears from measurements on other recent applications that emissions from existing air-conditioning and ventilation plant on the adjacent St Giles Hotel building resulted in existing noise levels on balconies at Bedford Court Mansions being from 4 to 13 dB higher (night to day, respectively) than what is currently recommended as an upper guideline level for outdoor amenity space.

Mindful of the history of cumulative noise emissions from existing plant, existing surveyed noise levels may not necessarily be an appropriate base line from which to work. The time will come either through replacement, refurbishment or enforcement action when there will be lower noise levels. This suggests that, irrespective of the outcome of the noise impact assessment, a reasonable future background noise level to be anticipated should be much lower than that surveyed. For this reason, on another recent proposal for Adeline Place (A2015/3605/P), the Council accepted a recommendation that the lowest LA90 background level be used (instead of the statistical low put forward in the assessment) and subtracting 15dB from it, and this was agreed by the Planning Inspector at Appeal.

The Inspector commented in his decision: "The appellant's noise assessment found that the night-time noise from plant at Bedford Court Mansions would be 10 dB(A) below the background noise level. That would be in accordance with the noise and vibration threshold referred to in CPD Policy DP28" [*Policy applicable at the time*]. He then went on to say: "I am mindful of the potential for multiple sources of plant noise in this location and the close proximity of residential properties. I agree with the Council that, in the particular circumstances of this case, it would be appropriate to stipulate the criterion of 15 dB(A) below the background, notwithstanding that this is a stricter criterion than that set out in the development plan." [*paragraphs 21 and 22 of the Inspector's Decision*].

The assessment criteria given in Ion Acoustics' Plant Noise Report are based on Camden Local Plan Policy A4 and Appendix 3, which have now incorporated the stricter criteria discussed by the Inspector above. The impact assessment may need to be revised because the 'Rating Level' of 15dB below background is not achieved for the nearest receptor. The impact on residential balconies on the south side of Bedford Avenue is not considered.

We stress this because is not unusual for installed equipment to differ from that described in a planning application nor for the mitigation measures recommended in the impact assessment to not be implemented. The noise assessment often needs to be verified when the design of the mechanical services systems are finalised and plant installed. The Association is concerned that although approval for this is often required by condition, as is eventual in-situ testing of noise emissions from the installation on completion, there is no certainty that this equipment can achieve the necessary sound attenuation levels. We note that no acoustic specification is given for the plant room doors on application drawings 223_PL_022_P1 and 024_P1. To allow development with this degree of uncertainty is unsafe.

6. There are a number of development proposals currently under construction close to this building: 40 Bedford Square, 42 Bedford Square, 53 Bedford Square, the underground hotel beneath the St Giles Hotel on Adeline Place and the Council's West End Project, all in close proximity to adjacent residential buildings. How potential conflicts might best be managed on this proposal during the construction stage should be addressed, perhaps through submission for approval of a Demolition and Construction Management Plan.
7. We note that no Design & Access Statement accompanies the planning application.

The Association supports good quality design that will enhance Bloomsbury's streetscape. While the points made here are relatively minor, we look to the Council to encourage the applicant to address them before determination.

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

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