

6-7 BEDFORD ROW

Heritage Appeal Statement

JCH00988
6-7 Bedford Row
1
December 2019

EXECUTIVE SUMMARY

1. This Heritage Appeal Statement has been prepared by Jennifer Cooke of RPS to assess the potential impact on the significance of 6-7 Bedford Row arising from the proposed installation of a new vertical stair/platform lift for step-free access including part removal of existing entrance steps.
2. The Appeal Scheme was refused by Camden Council with one reason stating that the proposed works would have a detrimental impact on the character and appearance of the Grade II listed 6-7 Bedford Row.
3. This Statement identifies the significance of 6-7 Bedford Row and the Bloomsbury Conservation Area and demonstrates that the Appeal Scheme will have a negligible impact resulting in less than substantial harm to the significance of the listed building. The Appeal Scheme proposes a high-level design solution which utilises and matches existing historic fabric on a scale which seeks to safeguard the appearance of 6-7 Bedford Row and the Bloomsbury Conservation Area.
4. This Statement also highlights the relevant legislation and policy documents which advocate making a listed building's main entrance accessible for all (Historic England Guidance Note: Easy Access to Historic Buildings (June 2015)) including Camden's Council's own policy that a sensitive design solution that facilitates dignified and easy access to and within listed buildings should be sought by the Council (Camden Planning Guidance (March 2019)).
5. Camden Council does not appear to have weighed the public benefits of the Appeal Scheme against this low level of harm as prescribed in paragraph 196 of the National Planning Policy Framework (February 2019). Given the nature of the current use of 6-7 Bedford Row and the consequential regular accessible access requirements, these benefits allow for the current (and likely optimum) viable use of the building to be retained with minimal impact to historic fabric and to the overall significance of the listed building. The benefits are described in more detail in the Statement of Case.
6. With no alternative accessible access available, the Appeal Scheme presents a reasonable and proportionate approach to the owner's needs that is essential in conserving the use of the building (Historic England Advice Note: Making Changes to Heritage Assets (February 2016)) which outweighs the low level of less than substantial harm on the significance of 6-7 Bedford Row.

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1 INTRODUCTION

- 1.1 This Heritage Appeal Statement has been prepared by RPS on behalf of Mr Julian Matthews of 7 Bedford Row ('the Appellant') in respect of a Listed Building Consent Appeal under section 20 of the Planning (Listed Buildings and Conservation Areas) Act, 1990 and a Planning Application Appeal under the Town and County Planning Act 1990 ('the Appeal'). This Statement has been written by Jennifer Cooke (BA Hons), MA, with input from Mansfield Monk Architects, who prepared the Design and Heritage Statement that accompanied the original application.
- 1.2 The Appeal is made against the London Borough of Camden's ('the Council') refusal of a Listed Building Consent and Planning Permission application for the part removal of existing entrance steps to facilitate the installation of a new vertical stair/platform lift for step-free access, together with associated internal machine cabinets and controls ('the Appeal Scheme') at 6-7 Bedford Row ('the Appeal Site'). The Council's reference is 2019/2175/L and 2019/1573/P.
- 1.3 The Listed Building Consent Application was refused under delegated powers on 18 September 2019 with 1 Reason for Refusal:
1. *The proposed works, by virtue of the detailed design and loss of historic fabric, combined with the prominent position of the entrance steps, would cause harm to the special architectural and historic interest of the host building, contrary to Policy D2 (Heritage) of the Camden Local Plan 2017.*
- 1.4 The Planning Permission Application was refused under delegated powers on 18 September 2019 with a slightly differently worded Reason for Refusal:
2. *The proposed works, by virtue of the detailed design and loss of historic fabric, combined with the prominent position of the entrance steps, would have a detrimental impact on the character and appearance of the host building which is Grade II listed, and the Bloomsbury Conservation Area, contrary to Policies D1(Design) and D2 (Heritage) of the Camden Local Plan 2017.*
- 1.5 This Statement addresses the significance of both the Appeal Site and the Bloomsbury Conservation Area in Section 5 of this Statement).
- 1.6 The following documents were submitted and made up the original application:
- Application Form
 - -2332 FM-AD-024-03 Letter
 - -2332 Design Access and Heritage statement 3 23.03.19
 - -2332FM-DM-024-01 dwg issue sheet 23.03.19
 - -2332 EX0G Rev D Existing Ground and Lower Ground Plans (1)
 - -2332 EXELE Rev C Existing Plan and external elevations
 - -2332 OSMap Rev B
 - -2332 DT30 Entrance Stir Lift plans elevation and section details (1)
- 1.7 The Council's Reason for Refusal of the Appeal Scheme is based on the Conservation Officer's email response dated 20th June 2019, that '*alterations to the stairs are considered to be too much of an intervention into the historic fabric. The removal of the steps and the associated alterations to the brick arch underneath stairs, the front elevation and the vaults would be harmful to the listed building*'. This email and the Council's subsequent decision makes no reference to the host building's significance nor the scale and design of the Appeal Scheme. Nor does it reference how any harm has been weighed against the public benefit provided by the Appeal Scheme.
- 1.8 The Conversation Officer's email and the Council's decision notice suggest that the proposed development is not fully understood by the Council as reference is made to:

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- alterations to the vaults which are not included in the Appeal Scheme;
- the proposed mosaic tiling in a radial fashion being out of keeping with the host building and the wider area even though these are an exact match to the existing historical fabric; and
- the question of whether accessible access can be accommodated to the rear of the Appeal Site. This is despite the fact that during the course of the application the reasons why accessible access could not be accommodated at the rear were discussed with the Council.

1.9 The Council does not appear to have undertaken the exercise of weighing any harm to the Appeal Site against the potential public benefits afforded by the proposed development and securing the buildings optimum viable use as required by paragraph 196 of the National Planning Policy Framework Section 4 of this Statement references the relevant policy documents including:

- Paragraph 196 of the National Planning Policy Framework (February 2019);
- Historic England's GPA2: Managing Significance in Decision-taking in the Historic Environment (March 2015);
- Historic England's Advice Note 2: Making Changes to Heritage Assets (February 2016);
- Historic England's Guidance Note: Easy Access to Historic Buildings (June 2015); and
- Camden Planning Guidance – Access to All (March 2019)

all of which should have been taken into account in considering the proposed development as well as the public benefits afforded by the Appeal Scheme. The benefits are detailed in the Statement of Case. Notably the Council's own Planning Guidance – Access for All (March 2019) states that for listed buildings and other heritage assets, the Council will balance the requirement to provide access with the interests of conservation and preservation. Sensitive design solutions that achieve access for all, to and within listed buildings, should be sought. Given the lack of opportunity to provide accessible access at the rear of the Appeal Site, the proposed Appeal Scheme is considered to provide such a sensitive design solution.

1.10 Historic England guidance contained in GPA2: Managing Significance in Decision-Taking in the Historic Environment (March 2015) is clear that the first step for all applicants is to understand the significance of any affected heritage asset and the contribution of its setting to that significance. The advice suggests a structured, staged approach to the assembly and analysis of relevant information:

- Understand the significance of the affected assets;
- Understand the impact of the proposal on that significance;
- Avoid, minimise and mitigate impact in a way that meets the objectives of the NPPF;
- Look for opportunities to better reveal or enhance significance;
- Justify any harmful impacts in terms of the sustainable development objective of conserving significance balanced with the need for change; and
- Offset negative impacts to significance by enhancing others through recording, disseminating and archiving archaeological and historical interest of the important elements of the heritage assets affected.

1.11 This Heritage Appeal Statement will address this issue in detail. It is structured to provide:

- 1) A description of the Appeal Site;
- 2) An appraisal of the relevant heritage-related legislation, policy and guidance;

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- 3) An assessment of the significance of the Appeal Site and the character of the Bloomsbury Conservation Area;
- 4) An assessment of the impact on this significance arising from the Appeal Scheme including all relevant design and mitigation measures; and
- 5) In accordance with paragraph 196 of the National Planning Policy Framework (2019) a description of how the Appeal Scheme allows for the current (and likely optimum) viable use of the building to be retained with minimal impact to historic fabric.

2 APPEAL SITE AND SURROUNDINGS

Description

- 2.1 The Appeal Site is made up of 6-7 Bedford Row which are a pair of former dwellings dating from 1717, that form part of the terrace which runs the length of Bedford Row. It is positioned to the north of High Holborn between Red Lion Square and Gray's Inn. It runs north to south between two major routes, Theobalds Road and Sandford Street and is located towards the southern end of Bedford Row. The terrace is constructed of brown or stock brick with brick bands at first floor and gauged red brick arches and dressings.
- 2.2 To the rear is a 1986 office building which fronts on to Jockey's Fields and is joined to the Appeal Site by an internal steel bridge/ walkway and a glazed atrium structure forming an internal courtyard. The rear office building is a concrete framed building clad in a light beige and blue engineering brickwork. First and second floors have internal looking staggered roof terraces. The third floor consists of an aluminium glazing system with a low pitch metal roof structure.
- 2.3 The Appeal Site is Grade II listed as part of a wider listing that includes 1-7 Bedford Row, with the full listing citation included at Appendix A. The listing confirms that the terrace was constructed between 1717 – 18 by Robert Burford, a carpenter and George Devall, a plumber. Both numbers 6 and 7 have wood Doric doorcases, patterned fanlights and panelled doors. The front elevation of number 7 is four bay whilst number 6 is comprised of only three. Both properties retain their original staircases and external railings however, they are different in design to each other and to the other buildings along Bedford Row. In fact no two entrances/staircases of 1-7 Bedford Row appear to be the same. The Appeal Site is within the London Borough of Camden and the Bloomsbury Conservation Area. It forms part of an almost continuous terrace of listed buildings to the east side of Bedford Row. The remaining buildings which are not listed are identified as being a 'positive building' which contributes to the streetscape and special character of the area.
- 2.4 The building has undergone substantive alterations since its original construction including a number of alterations during the course of the twentieth and twenty-first century. These include the substantial extension to the rear fronting onto Jockey Fields and most recently the external and internal alterations in application number 2018/5123/P. This application follows two others already made at the premises. An initial application for structural opening up and remedial works and a second application for installation of new/ replacement air conditioning units; an acoustic enclosure to internal courtyard; re-spray of existing balustrades and external windows; replacement rear doors to Jockey fields; removal of louvres on Bedford Row; and external repair works and internal alterations to both buildings. (2018/1041/L and 2018/5123/P) both of which were granted. A detailed planning history for the listed building is included at Appendix C.
- 2.5 In determining the application for the external repair works and internal alterations mentioned above (Ref: 2018/5123/P) the Council made permission subject to a number of conditions including that *'All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application'*. The reason given was: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.
- 2.6 The Council's decision also made reference to *'The proposed fenestration alterations are not considered to detract from the character of the listed building, street scene or wider area due to their minor scale, detailed design and siting. The revised proposal is not considered to cause harm to the grade II building's special interest or setting, or to the conservation area'*.

Bloomsbury Conservation Area

- 2.7 The Appeal Site is within the Bloomsbury Conservation Area which was designated in 1968. In April 2011 the Council adopted the Bloomsbury Conservation Area and Management Strategy, the purpose of which was to *'define the special interest of the Bloomsbury Conservation Area in order that it's key attributes are understood and can be protected, and that measures are put in place to ensure appropriate enhancement'*. The Appeal Site is located within Sub Area 10, Great James Street/Bedford Row which is described as:

'Although once primarily residential, the area now has a mixture of uses. The main and secondary thoroughfares (John Street, Doughty Street, Bedford Row, Rugby Street and Great James Street) are dominated by office uses but retain some residential uses (in particular in Millman Street). Throughout the sub area, there is an increasing trend to return townhouses to their original use as single family dwellings. The larger properties in Bedford Row are largely occupied by legal firms, due to their proximity to Gray's Inn and Lincoln's Inn. The mews tend to have a mixture of residential uses and small workshops including garages, printers and refuse collectors. Towards the eastern and western edges of the sub area, more retail uses can be found in streets closest to Gray's Inn Road and Lamb's Conduit Street, such as in Rugby Street and Guilford Street'.

- 2.8 Further information on the significance of the listed building and the Bloomsbury Conservation Area and the impact to this significance arising from the proposed development, in accordance with paragraph 189 of the NPPF, is provided at Section 5 of this Statement. In summary it is apparent that the listed building forms one part of a listed terrace and its significance is derived from its architectural and historic interest as an eighteenth-century dwelling constructed in the Georgian style. A number of alterations have been undertaken during the course of the twentieth and the twenty-first century. These include the substantial extension to the rear fronting onto Jockey Fields and most recently the external and internal alterations in application number 2018/5123/P.

3 THE PROPOSED DEVELOPMENT

- 3.1 The proposed development is for *'the part removal of existing entrance steps for the installation of a new vertical stair/platform lift for step-free access, together with associated internal machine cabinets and controls'*.
- 3.2 Access to the Appeal Site from the street is stepped which does not provide inclusive access to staff, clients and visitors to the building. The current proposals advocate the Sesame Access Systems Solution which provides a bespoke solution to overcome stepped access into historical buildings. The solution offers compliance with relevant elements of the Equalities Act and relevant British Standards.
- 3.3 The lift design is unique to the Appeal Site and comprises a hydraulic platform that lowers the entrance steps to provide an accessible platform, the platform then rises to transport users to the higher level. Upon entering the building, the platform retracts into the formed pit and then the steps rise back to their original position. This solution provides access to the building whilst retaining the historical stepped approach when not required. Examples of this lift have been installed in many listed buildings around the country including Grade I listed Government building in Whitehall and the Grade I listed Bank of England. This lift system was also given approval for installation at the Grade II* listed Kimpton Fitzroy Hotel, Russell Square which is also in the Bloomsbury Conservation Area.
- 3.4 The proposed development would consist of the following;
- a. Temporary structural works to prop up existing structure to ensure maximum retention of the existing rendered brick arches and vaults.
 - b. Removal of the central section of steps and installation of new structural members and formation of lift pit. The intention is to retain the existing brick arches on either side of the lift pit however, the existing brickwork is rendered and not currently visible. If the existing render is found to be in poor condition the proposal is to re-render to match the existing.
 - c. Installation of Sesame stair lifting device and associated services
- a. Allowance for remedial works to building fabric/ external steps and railings.
 - b. Installation of new finishes to steps and lifting device. The proposed mosaic tiling in a radial fashion is an exact match to the existing historical fabric.
 - c. Installation of new door hardware and associated call buttons and controls.
- 3.5 All works are detailed on the submission drawings.
- 3.6 In proposing the Sesame Access System Solution the Appellant is seeking to follow the position given by the Council in the previously approved permission that: *'All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building... The reason given was: 'To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017'*.

4 LEGISLATION AND PLANNING POLICY

Legislation

- 4.1 Where any development may affect certain designated heritage assets, there is a legislative framework to ensure proposed works are developed and considered with due regard to their impact on the historic environment. This extends from primary legislation under the Planning (Listed Buildings and Conservation Areas) Act 1990.

Planning (Listed Buildings and Conservation Areas) Act, 1990

- 4.2 **Section 16 (1)** *Subject to the previous provisions of this Part, the local planning authority or, as the case may be, the Secretary of State may grant or refuse an application for listed building consent and, if they grant consent, may grant it subject to conditions. (2) In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State 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.*
- 4.3 The relevant legislation in this case extends from section 16 and section 66 of the 1990 Act which states that special regard must be given by the decision maker, in the exercise of planning functions, to the desirability of preserving listed buildings and their setting.
- 4.4 The meaning and effect of these duties have been considered by the courts in recent cases, including the Court of Appeal's decision in relation to Barnwell Manor Wind Energy Ltd v East Northamptonshire District Council [2014] EWCA Civ 137.
- 4.5 The Court agreed within the High Court's judgement that Parliament's intention in enacting section 66(1) was that decision makers should give 'considerable importance and weight' to the desirability of preserving (i.e. keeping from harm) the setting of listed buildings.
- 4.6 Section 69(1) of the Act requires LPAs to 'determine areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance' and to designate them as conservation areas. Section 69(2) requires LPAs to review and, where necessary, amend those areas 'from time to time'.
- 4.7 For development within a conservation area section 72 of the Act requires the decision maker to pay 'special attention [...] to the desirability of preserving or enhancing the character or appearance of that area'. The duty to give special attention is considered commensurate with that under section 66(1) to give special regard, meaning that the decision maker must give considerable importance and weight to any such harm in the planning balance.

National Planning Policy

National Planning Policy Framework (Ministry of Housing, Communities and Local Government, February 2019)

- 4.8 The NPPF is the principal document that sets out the Government's planning policies for England and how these are expected to be applied.
- 4.9 It defines a heritage asset as a: 'building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest'. This includes both designated and non-designated heritage assets.
- 4.10 Section 16: Conserving and Enhancing the Historic Environment relates to the conservation of heritage assets in the production of local plans and decision taking. It emphasises that heritage

assets are 'an irreplaceable resource, and should be conserved in a manner appropriate to their significance'.

- 4.11 For proposals that have the potential to affect the significance of a heritage asset, paragraph 189 requires applicants to identify and describe the significance of any heritage assets that may be affected, including any contribution made by their setting. The level of detail provided should be proportionate to the significance of the heritage assets affected. This is supported by paragraph 190, which requires LPAs to take this assessment into account when considering applications.
- 4.12 Under 'Considering potential impacts' the NPPF emphasises that 'great weight' should be given to the conservation of designated heritage assets, irrespective of whether any potential impact equates to total loss, substantial harm or less than substantial harm to the significance of the heritage assets.
- 4.13 Paragraph 195 states that where a development will result in substantial harm to, or total loss of, the significance of a designated heritage asset, permission should be refused, unless this harm is necessary to achieve substantial public benefits, or a number of criteria are met. Where less than substantial harm is identified paragraph 196 requires this harm to be weighed against the public benefits of the proposed development.
- 4.14 Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 4.15 Paragraph 200 stresses that LPAs '*should look for opportunities for new development within Conservation Areas [...] to enhance or better reveal their significance*'. This is complemented by Paragraph 201 which states that '*Not all elements of a Conservation Area [...] will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution [...] should be treated either as substantial harm under paragraph 195 or less than substantial harm under paragraph 196, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area [...] as a whole*'.

National Guidance

Historic England: GPA2: Managing Significance in Decision-Taking in the Historic Environment (March 2015)

- 4.16 This document provides advice on numerous ways in which decision making in the historic environment could be undertaken, emphasising that the first step for all applicants is to understand the significance of any affected heritage asset and the contribution of its setting to that significance. In line with the NPPF and PPG, the document states that early engagement and expert advice in considering and assessing the significance of heritage assets is encouraged. The advice suggests a structured, staged approach to the assembly and analysis of relevant information:
1. Understand the significance of the affected assets;
 2. Understand the impact of the proposal on that significance;
 3. Avoid, minimise and mitigate impact in a way that meets the objectives of the NPPF;
 4. Look for opportunities to better reveal or enhance significance;
 5. Justify any harmful impacts in terms of the sustainable development objective of conserving significance balanced with the need for change; and
 6. Offset negative impacts to significance by enhancing others through recording, disseminating and archiving archaeological and historical interest of the important elements of the heritage assets affected.

HEAN2: Making Changes to Heritage Assets (February 2016)

- 4.17 The purpose of this document is to provide information in respect of the repair, restoration and alterations to heritage assets. It promotes guidance for both Local Planning Authorities, consultants, owners, applicants and other interested parties in order to promote well-informed and collaborative conservation.
- 4.18 The best way to conserve a building is to keep it in use, or to find an appropriate new use. This document states that *'an unreasonable, inflexible approach will prevent action that could give a building new life...A reasonable proportionate approach to owners' needs is therefore essential'*. Whilst this is the case, the limits imposed by the significance of individual elements are an important consideration, especially when considering an asset's compatibility with Building Regulations and the Equality Act. As such, it is good practice for LPAs to consider imaginative ways of avoiding such conflict.
- 4.19 This document provides information relating to proposed change to a heritage asset, which are characterised as:
- Repair;
 - restoration;
 - addition and alteration, either singly or in combination; and,
 - works for research alone.

HEGN: Easy Access to Historic Buildings (June 2015)

- 4.20 Historic England's Guidance Note relating to easy access to Historic Buildings states that it advocates:
- the broadest possible public access to the historic environment and to the interpretation that makes it come alive.
 - good quality solutions that make access easier while simultaneously encouraging responsible care of the historic places that matter to us all.
 - access solutions that combine conservation with excellent and innovative modern design.
- 4.21 Historic England go on to say that:
- 3.2'...the aim should be to make a building's main entrance accessible to everyone on a permanent basis. Conservation constraints may arise from the design and character of the building's façade and setting and each building will have its own characteristics, which should, as far as possible, be respected in considering alterations for access...[.] Classical buildings, for example, are usually built to a single, unified plan that follows strict rules of symmetry and proportion...[.] the entrance is often set upon a base and approached by a flight of steps. Alterations to such buildings need to respect these rules, although sometimes relatively small-scale changes may break them without significantly affecting the appearance... Georgian and Victorian terraced houses with steps up to the front door can pose seemingly intractable problems in relation to access....When dealing with level changes and restricted space, the conservation concerns are likely to centre on issues of scale, proportion and continuity in materials, design and finish, as well as structural factors affecting corridor widths and floor levels'*

Strategic Policy

The London Plan: The Spatial Development Strategy for London Consolidated with Alterations since 2011 (Greater London Authority (GLA), March 2016)

- 4.22 Adopted in March 2016, policies set out in this document are operative as formal alterations to the London Plan, the Mayor of London's spatial development strategy, and form part of the development plan for Greater London. In particular, this document encourages the enhancement of the historic environment and looks favourably upon development proposals that seek to maintain heritage assets and their setting.
- 4.23 Policy 7.8 Heritage Assets and Archaeology provides the relevant policy with regards to development in historic environments and seeks to record, maintain and protect the city's heritage assets in order to utilise their potential within the community. It states that *'Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.'*
- 4.24 Policy 7.8 also further supports Policy 7.4 by requiring LPAs to formulate policies that seek to maintain and enhance the contribution of built, landscaped and buried heritage assets to the environmental quality, cultural identity and economy, as part of managing London's ability to accommodate change and regeneration.

Local Planning Policy

- 4.25 In considering any planning application for development, the planning authority will be mindful of the framework set by government policy, in this instance the NPPF, by current Development Plan Policy and by other material considerations.

Camden Local Plan (July 2017)

- 4.26 The Camden Local Plan sets out the Council's planning policies and replaces the Core Strategy and Development Policies planning documents (adopted in 2010). It ensures that Camden continues to have robust, effective and up-to-date planning

Camden Planning Guidance – Access for All (March 2019)

- 4.27 The Council has prepared this Camden Planning Guidance (CPG) on Access for All to support the policies in the Camden Local Plan. This guidance is therefore consistent with the Local Plan and forms a Supplementary Planning Document (SPD) which is an additional material consideration in planning decisions. This document should be read in conjunction with, and within the context of, the relevant policies in Camden's Local Plan referenced below.

6. Listed buildings and heritage assets

- 4.28 For listed buildings and other heritage assets, the Council will balance the requirement to provide access with the interests of conservation and preservation. Sensitive design solutions that achieve access for all, to and within listed buildings, should be sought. Measures to facilitate dignified and easy access to and within listed buildings can often be sensitively incorporated without damage to the buildings special architectural or historic interest.

Policy D1 Design

- 4.29 The Council will seek to secure high quality design in development. The Council will require that development:
- a. respects local context and character;

- b. preserves or enhances the historic environment and heritage assets in accordance with Policy D2 Heritage;
- c. is sustainable in design and construction, incorporating best practice in resource management and climate change mitigation and adaptation;
- d. is of sustainable and durable construction and adaptable to different activities and land uses;
- e. comprises details and materials that are of high quality and complement the local character;
- f. integrates well with the surrounding streets and open spaces, improving movement through the site and wider area with direct, accessible and easily recognisable routes and contributes positively to the street frontage;
- g. is inclusive and accessible for all;
- h. responds to natural features and preserves gardens and other open space;
- i. incorporates high quality landscape design (including public art, where appropriate) and maximises opportunities for greening for example through planting of trees and other soft landscaping,
- j. incorporates outdoor amenity space;
- k. preserves strategic and local views;
- l. for housing, provides a high standard of accommodation; and
- m. carefully integrates building services equipment.

4.30 The Council will resist development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Excellence in design

4.31 The Council expects excellence in architecture and design seeking to ensure that the significant growth planned for under Policy G1 Delivery and location of growth will be provided through high quality contextual design.

Policy D2 Heritage

4.32 The Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens and locally listed heritage assets.

Designated heritage assets

4.33 Designed heritage assets include conservation areas and listed buildings. The Council will not permit the loss of or substantial harm to a designated heritage asset, including conservation areas and Listed Buildings, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a. the nature of the heritage asset prevents all reasonable uses of the site;
- b. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;
- c. conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- d. the harm or loss is outweighed by the benefit of bringing the site back into use.

- 4.34 The Council will not permit development that results in harm that is less than substantial to the significance of a designated heritage asset unless the public benefits of the proposal convincingly outweigh that harm.

Conservation Areas

- 4.35 Conservation areas are designated heritage assets and this section should be read in conjunction with the section above headed 'designated heritage assets'. In order to maintain the character of Camden's conservation areas, the Council will take account of conservation area statements, appraisals and management strategies when assessing applications within conservation areas.

The Council will:

- e. require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area;
- f. resist the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a conservation area;
- g. resist development outside of a conservation area that causes harm to the character or appearance of that conservation area; and
- h. preserve trees and garden spaces which contribute to the character and appearance of a conservation area or which provide a setting for Camden's architectural heritage.

Listed Buildings

- 4.36 Listed buildings are designated heritage assets and this section should be read in conjunction with the section above headed 'designated heritage assets'. To preserve or enhance the borough's listed buildings, the Council will:

- i. resist the total or substantial demolition of a listed building;
- j. resist proposals for a change of use or alterations and extensions to a listed building where this would cause harm to the special architectural and historic interest of the building; and
- k. resist development that would cause harm to significance of a listed building through an effect on its setting.

Bloomsbury Conservation Area Appraisal and Management Strategy Adopted 18 April 2011

- 4.37 The Character Appraisal and associated Management Strategy seek to provide a clear basis for the assessment of proposals and identify an approach to addressing issues that have the potential to impact on the special interest of Bloomsbury.

- 4.38 Owing to the size and complexity of the Conservation Area, it has been sub-divided into a series of character areas that generally share common characteristics to assist in defining those features that contribute to the area's special interest. The common characteristics of the sub areas and their constituent elements are broadly a function of a combination of the following: land use, density of development, scale and style of buildings, construction materials, period of development and influence of vegetation and open spaces. The assessment of the character and appearance of the area is based on the present day situation. Interest in an area may consequently derive from the combined effect of subsequent developments that replaced the earlier fabric as well from the original remaining buildings and street pattern.

Townscape Character Area (TCA) 7: Bloomsbury Conservation Area—Sub Area 10: Great James Street/Bedford Row, Camden Council

- 4.39 The Appeal Site is in Sub Area 10—Great James Street/Bedford Row of the Bloomsbury Conservation Area. Originally laid out by Nicholas Babon, the streets here were further developed in the Georgian era as primarily residential areas, and characterised by large buildings which match the scale of the broad thoroughfares dating from the eighteenth and nineteenth centuries. A clear hierarchy of streets involves an evolution of scale which is also echoed within the detailing of the buildings, from Millman street through to the Grand Bedford Row. The TCA also includes areas of later 19th century terraces such as the Rugby estate, and twentieth century housing on Millman Street . Today the area contains a mixture of uses, with a trend towards converting buildings currently used for offices back to residential properties.

Significance

- 4.40 The significance of this TCA is derived from both its historic and architectural interest as a well preserved urban area of late eighteenth and early nineteenth centuries. For example, town houses along John Street and Doughty Street are examples of extraordinarily well preserved Georgian streets. The clear hierarchy of urban form found within the grid street layout is also matched by hierarchy of built form at building level, between town houses and mews buildings, indicative of both architectural and historic interest. Architectural interest is found in the elaborate detailing and proportion of the façade treatments of many of the buildings extant, with brick and stucco detailing indicative of the piecemeal nature of the building process of the time in terms of speculative development. Later construction in the late nineteenth and twentieth centuries is indicative of architectural and historic interest, illustrating the evolution of styles. The TCA includes many listed buildings themselves designated due to their special architectural and historic interest, many are townhouses noted for their strict adherence to classical proportions and detailing. Further listed buildings of note within the TCA include the red brick Holborn Police Station at the turn of the twentieth century, and the intricate elevation of the Yorkshire Grey Public House. Which both contain architectural interest.

Setting

- 4.41 The setting of the TCA contributes to its significance and is predominately defined by the other sub areas. These include Sub Area 5 and 3, Sub Area 6 and Sub Area 8. These have a positive contribution to the significance of the TCA, illustrating the historical development of the Sub Area.

Townscape

- 4.42 The townscape of the TCA is defined by a series of hierarchies working at a series of scales, from that of the urban to that of the individual building. This is broadly indicative of Georgian and Regency town planning. The grid of streets which constitute the TCA is divided up into wide thoroughfares with taller, larger townhouses matching the proportions of the street, such as Bedford Row, down to smaller street widths with smaller proportioned built form creating the street frontage. The architectural detailing within the principal faced of the buildings, fronting the streets, reflects their place within this hierarchy. The long terraces of townhouses of three or four storeys atop a basement which make up the central thoroughfares are paired with much lower mews buildings of two storeys, centred around much narrower streets. This relates to their previous function servicing the main town houses (with a garden between) and their low place within this urban, and indeed social, hierarchy. Urban form is further defined through the architectural treatment of buildings at corner plots, many of which are refaced within the nineteenth century and help to emphasise the corner areas. Vegetation is strictly composed and controlled and further helps to define the hierarchy of streets, and whilst the TCA contains no designed open space, regularly placed trees help to mark the more prominent thoroughfares. The natural topography of the locale is subsumed into the street

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layout, and evident when combined with planting to accentuate the grandeur of a street, such as within Grays Inn Road.

5 HERITAGE ASSESSMENT

Assessment of Significance

5.1 The NPPF defines significance as:

'The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting'.

5.2 These heritage interests are defined in Planning Practice Guidance (PPG) which has been adopted in order to aid the application of the NPPF. The PPG defines the different types of heritage interest as follows:

- **Archaeological interest:** As defined in the Glossary to the NPPF, there will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.
- **Architectural and artistic interest:** These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skill, like sculpture.
- **Historic interest:** An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation's history, but can also provide meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity.

Significance of the Appeal Site

5.3 As an early eighteenth-century building, designed in the Georgian style the significance of the Appeal Site is drawn from its architectural interest together with its historic interest. Despite alterations the architectural interest of the listed building is evident both internally and externally. Externally this is visible in the symmetrical elevation, continuing the principles of neo-classical, polite architectural design that was popular in the eighteenth and nineteenth centuries which presents a simple, restrained façade with limited architectural detailing or embellishment. Internally this is continued by the relationship between spaces and rooms within the listed building. This includes a large, well-proportioned ground floor.

5.4 However, the plan form has been compromised by subsequent internal alterations, including:

- a. the opening up of the front reception room at number 7 Bedford Row;
- b. the insertion of twentieth-century partitions; and
- c. the addition of a 1986 office building which fronts on to Jockey's Fields and is joined to the Appeal Site by an internal steel bridge/ walkway and a glazed atrium structure forming an internal courtyard.

5.5 Despite these internal changes, the front elevation including the retained historic features and the overall design, present a typical example of eighteenth-century, polite town planning and architecture, with the Appeal Site demonstrating a number of important design features of this era that are still appreciable from the Bloomsbury Conservation Area. This contributes to the historic and architectural interest of the listed building, which is also drawn from its development as part of the wider speculative residential development of Bloomsbury during the eighteenth century as part of numbers 1-7 Bedford Row with which it shares its listing.

Significance of Bloomsbury Conservation Area

- 5.6 The significance of the listed building is also closely bound with its setting as part of Bedford Row and Sub Area 10: Great James Street/Bedford Row of the Bloomsbury Conservation Area.
- 5.7 As discussed in Section 4 the significance of Sub Area 10: Great James Street/Bedford Row, is derived from both its historic and architectural interest as a well preserved urban area of late eighteenth and early nineteenth centuries. Architectural interest is found in the elaborate detailing and proportion of the façade treatments of many of the buildings extant, with brick and stucco detailing indicative of the piecemeal nature of the building process of the time which was driven by speculative development.
- 5.8 The Appeal Site makes a high contribution to the significance of the relevant Sub-Area of the Bloomsbury Conservation Area as one of the listed buildings that contributes to the historic and architectural interest of the urban area.

Reason for Refusal 1

- 5.9 The Council only gave the following reason for refusal in response to the Listed Building Consent Application:

The proposed works, by virtue of the detailed design and loss of historic fabric, combined with the prominent position of the entrance steps, would cause harm to the special architectural and historic interest of the host building, contrary to Policy D2 (Heritage) of the Camden Local Plan

- 5.10 The Council gave the following reason for refusal in response to the Planning Permission Application:

The proposed works, by virtue of the detailed design and loss of historic fabric, combined with the prominent position of the entrance steps, would have a detrimental impact on the character and appearance of the host building which is Grade II listed, and the Bloomsbury Conservation Area, contrary to Policies D1(Design) and D2 (Heritage) of the Camden Local Plan 2017.

- 5.11 This is considered below, with the Appellant's response to the reason for refusal provided.

Impact on significance of the Appeal Site

- 5.12 The scale and design of the Appeal Scheme is considered to have a negligible impact on the special architectural and historic interest of the Appeal Site as a Grade II listed building which is considered to cause a low level of less than substantial harm on its significance. As referenced above this significance is derived from both internal and external features of the Appeal Site. The Appeal Scheme will not impact the internal relationship between spaces and rooms within the listed building. The large, well-proportioned rooms will remain intact and importantly there will be no requirement to widen, change or replace the existing front doorway or door.
- 5.13 Minor works will be required to insert the associated internal machine cabinets and controls. The installation of the lifting device will require new electrical services, a machine cabinet and associated controls. These will be located in the vaults under the footpath. However, installation of these will utilise existing penetrations and service voids/ runs to ensure minimal disturbance of any historic fabric.
- 5.14 There will be no impact on the symmetrical elevation nor the simple, restrained façade of the building with the limited architectural detailing or embellishment that are identified as contributing to its

architectural and historic interest remaining unaffected by the simple unobtrusive design of the Sesame Access System solution.

- 5.15 The existing railings will be utilised as part of the Sesame Access System solution negating the need for new handrails or further intervention.
- 5.16 The Council appear to have misread or misunderstood the design proposals as specific reference is made to '*...the appearance of the replacement steps, mainly the proposed mosaic tiling in a radial fashion is out of keeping with the host building and the wider area...*'. However, this proposed tiling is an exact match to the existing historical design.
- 5.17 The proposed development does require cutting through the brick archway underneath the steps to insert structural steels and padstones however the existing brick archway at the edge of the steps will be retained. The intention is to retain the existing brick arches on either side of the lift pit however, the existing brickwork is rendered and not currently visible. If the existing render is found to be in poor condition the proposal is to re-render to match the existing. Such works will not detract from the architectural and historic interest of the Appeal Site. It is apparent that the doorway immediately beneath the steps has already undergone late twentieth century alteration which now includes a modern arch above the doorway.
- 5.18 The proposed development would accordingly have no impact on the plan form and fabric of the listed building. Any loss of fabric would be limited and would not undermine the overall historic interest of the listed building, with the works subsequently having a negligible impact on the overall significance of the listed building. Due to the nature of the Sesame Access System this will be the minimum impact necessary to provide accessible access.
- 5.19 The Council's decision to refuse permission of the Appeal Scheme demonstrates either a misunderstanding of the relevant legislation and policy documents or a failure to fully read all documents associated with the application, which may have affected the decision-making process.
- 5.20 In accordance with Section 196 of the NPPF, this low level of less than substantial harm should be weighed against the public benefits of the Appeal Scheme (in this case the provision of accessible access) including, where appropriate, securing the optimum viable use of 6-7 Bedford Row as a designated heritage asset. Given the nature of the work carried out at the Appeal Site, the specific need of current employees and the regular accessible access required as described in the Statement of Case the negligible impact the proposed development would have on the Appeal Site's significance appears to be balanced with these public benefits and the opportunity to secure the building's optimum viable use.
- 5.21 In this context it is worth noting:
- Historic England's guidance on Easy Access to Historic Buildings (June 2015) which advocates, amongst other points, (see paragraph 4.20 of this Statement) *access solutions that combine conservation with excellent and innovative modern design with the aim being to make a 'building's main entrance accessible to everyone on a permanent basis'*; and
 - Section 6 of the Council's CPG – Access for All (March 2019) which makes specific reference to '*Measures to facilitate dignified and easy access to and within listed buildings can often be sensitively incorporated without damage to the buildings special architectural or historic interest.*'
- 5.22 The Sesame Access System is specifically designed for historic buildings and is an award-winning design of the highest standards which has been used in some of the most prominent historical buildings in the UK including the Grade I listed Bank of England and a Grade I listed building in Whitehall. This lift system was also given approval for installation at the Grade II* listed Kimpton Fitzroy Hotel, Russell Square which is also in the Bloomsbury Conservation Area. It includes small-scale changes which are in proportion and importantly propose continuity of materials, design and finish. This achieves the aims of 'Access for All' in the Council's own planning guidance and in the

Historic England Guidance note referenced above in making the building's main entrance accessible for all without significantly affecting the appearance of the building.

- 5.23 The Conversation Officer's email dated 20th June 2019 raises the question of whether accessible access can be accommodated to the rear of the Appeal Site. However, the unusual plan form of the listed building which has evolved considerably since the 1980's means that it would not be possible to accommodate accessible access at the rear of the building and within the rear existing circulation spaces, without the removal of historic fabric and features that would be demonstrably more harmful than is proposed by the Appeal Scheme. The access is very narrow and not suitable for a lift platform. If this were widened the user would have to leave their wheelchair or alternative at the ground floor level and then movement around the building would be restricted or impossible.

Bloomsbury Conservation Area

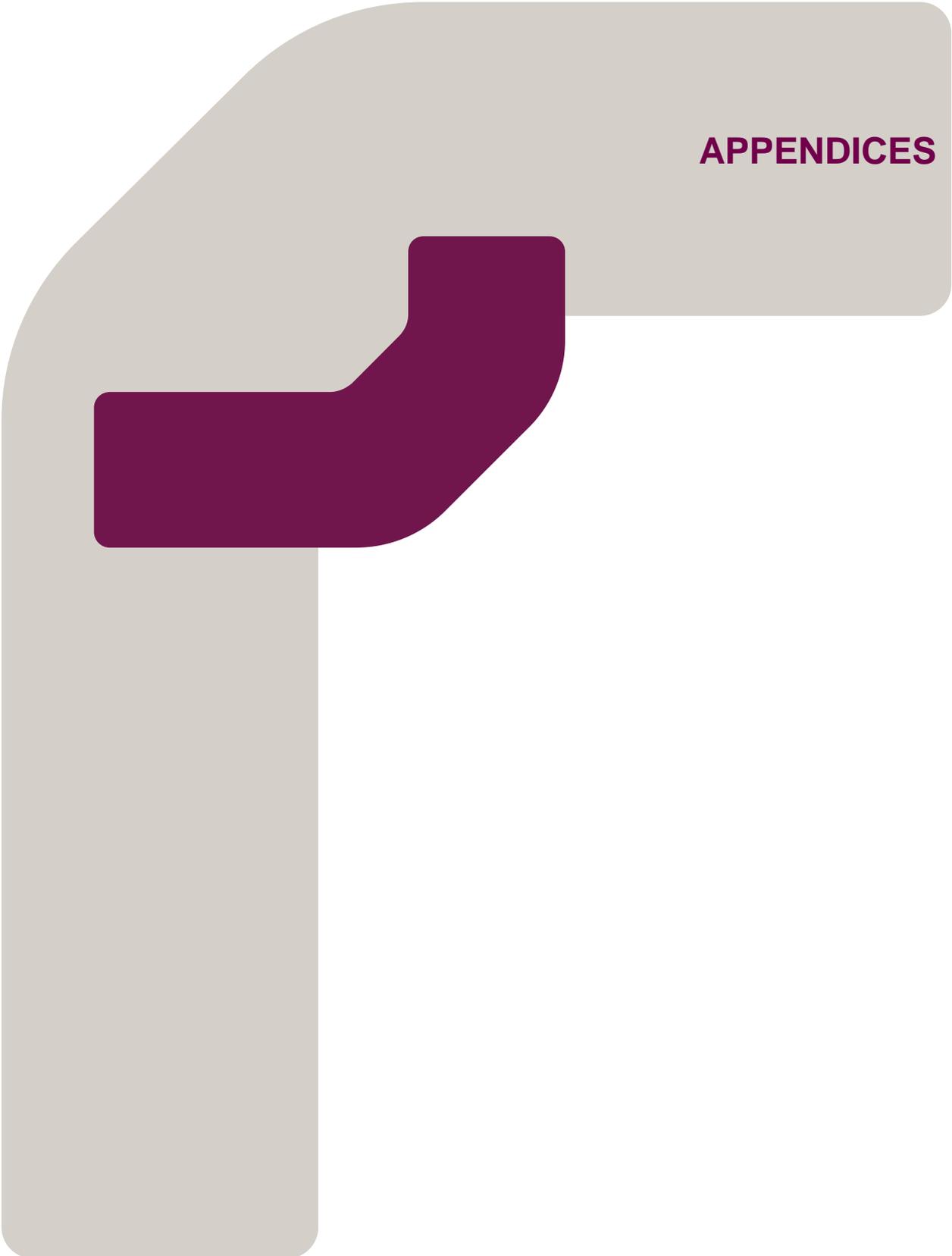
- 5.24 In the 'Assessment' section of the Delegated Report, the Council references the impact of the Appeal Scheme on the character and appearance of the listed buildings and wider Bloomsbury Conservation Area. Although this is not specifically stated in the Reason for Refusal, this Statement addresses the Council's comments and the Appellant's response.

Impact on Significance of Bloomsbury Conservation Area

- 5.25 The significance of the Bloomsbury Conservation Area (section 4 of this Statement) is derived from both its historic and architectural interest as a well-preserved urban area of late eighteenth and early nineteenth centuries. Although the Appeal Site makes a high contribution to the significance of the relevant Sub-Area of the Bloomsbury Conservation Area as one of the listed buildings this contribution is predominately derived from the overall architectural design and symmetrical proportions of the Appeal Site as well as the brick and stucco detailing. All of which will be unaffected by the Appeal Scheme. This, combined with the scale and design of the Appeal Scheme in comparison to the scale of the Bloomsbury Conservation Area and the fact that each of the buildings on Bedford Row are subtly distinct in terms of detailing with no two entranceways the same, means the Appeal Scheme will cause no harm to the significance of the Bloomsbury Conservation Area.
- 5.26 The Council specifically references Policy D1 of the Camden Local Plan that proposed alterations should be:
- of the highest standard of design requiring consideration of character, setting, context and the form and scale of neighbouring buildings; and the proportions of the existing building; and
 - of good design should respond appropriately to the existing context positively integrating with and enhancing the character, history, archaeology and nature of the existing buildings on the site and the other buildings immediately adjacent.
- 5.27 The same policy also states that the Council will seek to secure high quality design in development that 'is inclusive and accessible for all' (D1 (g)).
- 5.28 The Council's Decision Notice also references that the rear of the Appeal Site provides an alternative option for accessible access in the context of potential impact on the Bloomsbury Conservation Area. The Appellant's response is the same as that referenced above in the context of the Appeal Site as a listed building in paragraph 5.23. Namely that due to the unusual plan form of the listed building it would not be possible to accommodate a passenger lift within the existing circulation spaces, without removal of historic fabric that would be demonstrably more harmful than locating it to the front of the listed building.

6 SUMMARY AND CONCLUSIONS

- 6.1 This Heritage Appeal Statement responds to Camden Council's refusal of a Listed Building Consent application for the part removal of existing entrance steps for the installation of a new vertical stair/platform lift for step-free access at the Grade II listed 6-7 Bedford Row.
- 6.2 This Statement includes an assessment of the significance of the listed building and identifies how the Appeal Scheme will affect that significance. It is demonstrated that the proposed development accords with relevant legislation, national planning policy and local planning policy and guidance, including site-specific guidance provided by the Council in considering the current application.
- 6.3 As such it is considered that the proposed development has been sensitively designed and would have a negligible impact on the significance, or special architectural and historic interest, of the listed building whilst complying with the relevant guidance on accessible access. The public benefits associated with the Appeal Scheme and detailed in the Statement of Case, outweigh this low level of less than substantial harm. Furthermore, the proposed development would sustain the viable use of the building as a law firm's offices providing a safe accessible passage through the main entrance.



APPENDICES

Appendix A
Listing Citation

Appendix B
Decision Notice

Appendix C
Planning History



4.0 Planning context

4.1 Planning Application (8800111)

6-7 Bedford Row and 6-7 Jockey's Fields WC1
Reserved matters.
'Approval of details of facing bricks and window frame colour'
Permission granted: 20 April 1988.

4.2 Planning Application (8800060)

6-7 Bedford Row and 6-7 Jockey's Fields WC1
Full or Outline Permission with Conditions
'Revision to scheme of redevelopment approved by letter dated 23rd January 1987 and with revision approved by letter dated 26th October 1987 to provide an extension at second floor level for office purposes as shown on drawing numbers 87311/111A 302C 303C 305B 306B & 307B'
Permission granted: 24 March 1988

4.3 Planning Application (8770538)

6-7 Bedford Row and 6-7 Jockey's Fields WC1
Approval of Details Listed Building Consent
'Submission of details pursuant to condition 03 of listed building consent ref TP295/MN/TNB dated 23rd January 1987. (Plans submitted).'
Permission granted: 13 April 1988

4.4 Planning Application (8702022)

6-7 Bedford Row and 6-7 Jockey's Fields WC1
Full or Outline Permission with Conditions
'Redevelopment of 6-7 Jockey's Fields by the construction of a three storey link block (to 6-7 Bedford Row) and building with attic storey to be used as offices as a variation to the scheme approved by letter dated 23rd January 1987 (Reg.No. PL/8500577/R4) as shown on drawing numbers 87311/100B 101C 102C & 110 revised by letter dated 28th September 1987.'

4.5 Application (8570112)

6-7 Bedford Row and 6-7 Jockey's Fields WC1
Listed Building or Conservation Area Consent
'Refurbishment and restoration of 6-7 Bedford Row involving partial reinstatement of the rear elevation roof and upper storeys and demolition of non-listed buildings at 6-7 Jockey's Fields as shown on drawing numbers TP 295/1c 2c 3c 4b 5c 6b 7a & 8a and Schedule of works (ref.295) Structural Report prepared by Sir Frederick Snow & Partners as amended by Addendum Structural Report dated 20th November 1985 & second Addendum Structural Report dated 24th November 1986 revised by letters dated 29th April 1985 23rd May 1985 21st November 1985 & 25th November 1986.'
Decided at appeal.
Permission granted: 18 December 1986

4.6 Planning Application (8500577)

6-7 Bedford Row and 6-7 Jockey's Fields WC1
Full or Outline Permission with Conditions
'Redevelopment of 6-7 Jockey's Fields by the construction of a three storey link block (to 6-7 Bedford Row) and building with attic storey to be used as offices as a variation to the scheme approved by letter dated 23rd January 1987 (Reg.No. PL/8500577/R4) as shown on drawing numbers 87311/100B 101C 102C & 110 revised by letter dated 28th September 1987.'
Decided at appeal.
Permission granted: 18 December 1986

4.7 Application (HB1405)

6 Jockey's Fields and 7 Bedford Row WC1
Historic Planning Application
'The demolition of 6 Jockey's Fields and works of alteration to the room basement vaults at 7 Bedford Row.'
Listed Conditional: 15 November 1976

4.8 Application (16265)

7 Bedford Row WC1
Historic Planning Application
'Replace the existing tiled, hipped roof by a concrete flat roof at 7 Bedford Row, W.C.1.'
Permission granted: 25 May 1973

4.9 Application (HB604)

7 Bedford Row WC1
Historic Planning Application
'Demolition of 2nd and 3rd floors of rear eilet wing of 7 Bedford Row, WC1 and rebuilding; replacement of existing tiled hipped roof with flat concrete one.'
Listed conditional: 12 December 1973

4.10 6-7 Bedford Row WC1

Listed building application
'Provide a series of trial holes and removal of wall/ floor and ceiling finishes in order to expose the building fabric, in order to identify structural defects within the building.'
Permission granted: 4th April 2018.

4.11 6-7 Bedford Row WC1

Full planning & Listed building application
'Installation of new/replacement air conditioning units and acoustic enclosure to internal courtyard (x6) and at rear roof level (x7) to Jockey Field's. Re-spray of existing balustrades and external windows to Jockey Fields. Replacement rear doors to Jockey fields and removal of louvres on Bedford Row. External repair works and internal alterations to both buildings.'
Permission granted: 26th February 2019.