



Ms Rose Todd
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Direct Dial: 020 7973 3093

Our ref: L01439233

23 September 2021

Dear Ms Todd

Arrangements for Handling Heritage Applications Direction 2021

48 BEDFORD ROW LONDON WC1R 4LR
Application No. 2021/4042/L

Thank you for your letter of 8 September 2021 regarding the above application for listed building consent. On the basis of the information available to date, we offer the following advice to assist your Authority in determining the application.

Summary

No. 48 Bedford Row is a townhouse of the late 18th century, in a poor condition but with good interior and exterior integrity, listed at grade-II as part of a characterful townscape group. The proposals seek retrospective consent for demolition of the principal original staircase, damaged by dry rot, and its replacement with a staircase emulating the original form but varying its materials and engineering. Policy requires harm to significance to have a clear and convincing justification, and less-than-substantial harm to be balanced by public benefits. Neither retrospective nor designed proposals are presented with thorough justification, and negotiation and design should be undertaken to give confidence that the harm involved loss and replacement is minimised and resolved in the planning balance.

Historic England Advice

Significance

No. 48 Bedford Row is a townhouse of the late 18th century. It has four full storeys over a basement and is constructed in yellow stock brick with a stucco ground floor and string band at second-floor level. It is part of a terrace of three slightly varied and altered contemporary houses, nos. 46-48, which close the view at the bottom of the street. It is listed Grade II, as part of a small group, and is in poor condition, having been vacant for some time.

Impact

Proposals for the general refurbishment of the building with extensions to neighbouring



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buildings, all for office use, were approved in 2020 (refs 2020/0686/P and 2020/1335/L). According to the decision notice, those proposals were found to cause no harm to the listed building, no. 48.

In early 2021, further to the consents, an invasive investigation of the staircase was undertaken suggesting damp and rot. An survey of the staircase carried out by BMTrada (document TC21100) concluded on pp.7-8 evidence of decay in parts of the staircase from ground- to third-floor level consistent with dry rot. The report observed that treatment "commonly" requires cutting away of timbers within 1m of the areas affected, but recommended that "the exact requirements for dry rot fungicide treatment should be discussed with an appropriate dry rot remedial specialist." It further noted that removal might need to extend to the timber and masonry in the south wall (original rear elevation) of those house from which it was partially cantilevered. A specialist dry rot report with recommended remedial fungicidal works has not been submitted with the application documents. The staircase was removed in June 2021, with your written agreement, it is understood, as LB Camden's conservation officer. This application is partly to seek retrospective consent for that demolition of a principal internal element of the listed building.

The proposals would reinstate a winder staircase matching the arrangement and general appearance of the original, using the salvaged historic handrail. Steel plates and stringers would be incorporated in the new structure to correct structural conditions that would others be non-compliant with current engineering and building standards. These would be overlaid in timber or lath and plaster as appropriate, and while a regrettable deviation from the original, would not compromise appreciation of the original form of the replacement stair. In place of the original square section timber spindles, however, steel bars would be used across the length of the stair. This variation on the original construction would be easily detectible and would do some minor harm to the appreciation of the architectural special interest of the building, compounding that caused by the demolition of the original stair through its infection with rot that might have been prevented by use and proper ventilation.

Policy

The Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on decision makers to special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses (section 16). These duties are to be carried out subject to the detailed procedures in Chapter 16 of the NPPF (2021). Paragraph 199 states that "great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be)". Paragraph 200 states that "any harm to, or loss of, the significance of a designated heritage asset... should require clear and convincing justification". Paragraph 202 states that "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". Policy HC1(C) of the



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London Plan 2021 reiterates these policy provisions and requires the active management of the "cumulative impacts of incremental change from development".

Position

The loss of the fabric of the original staircase has resulted in harm to the listed building which should be rectified by the reinstatement of a staircase making a contribution to the architectural special interest of the listed building as close as possible to that of the original. The loss of fabric should have been undertaken with great care and informed by specialist investigation intending to minimise loss of historic fabric, and so of harm. The engineering justification given for the design presently proposed is limited in depth and does not show evidence of the consideration of alternative options or of the influence of specialist conservation advice drawing on knowledge of traditionally constructed buildings of this type.

Options for deviation from modern standards, for the provision of additional structural support through intervention in the cantilevering south (rear) wall (consented for alteration at some levels in the 2020 applications), or for the introduction of additional newels might merit consideration, seeking to minimise harm. In determining this application, you should be confident that the proposed design is clearly and convincingly justified as that which would minimise the residual overall harm resulting from loss and replacement of the staircase, and that any harm is resolved in the planning balance.

Recommendation

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 199, 200 and 202 of the NPPF.

In determining this application you should bear in mind the statutory duty of section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

We would urge your Authority to address the advice set out in this letter, and determine the application in accordance with national and local planning policy and in consultation with your specialist conservation advice. We have drafted the necessary letter of authorisation for your Authority to determine the application as you see fit and have referred this to the National Planning Casework Unit (NPCU) (copy attached). You will be able to issue a formal decision once the NPCU have returned the letter of authorisation to you, unless the Secretary of State directs the application to be referred to them.



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This response relates to designated heritage assets only. If the proposals meet the Greater London Archaeological Advisory Service's published consultation criteria we recommend that you seek their view as specialist archaeological adviser to the Local Planning Authority.

The full GLAAS consultation criteria are on our webpage at the following link:

<https://www.historicengland.org.uk/services-skills/our-planning-services/greater-london-archaeology-advisory-service/our-advice/>

Yours sincerely

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