

## **No. 11 Regent Square, London WC1H 8HZ**

**PINS Refs: APP/X5210/W/21/3274863 & APP/X5210/Y/21/3274864**

### **Final comments: heritage**

**November 2021**

#### 1. Introduction

- 1.1 This document has been prepared by Spurstone Heritage Ltd in response to LB Camden's Appeal Statement concerning the refusal of planning permission and listed building consent for works to No. 11 Regent Square (Application Refs 2020/4848/P and 2020/5385/L).
- 1.2 In the Council's para 5.4 the phrase '*alleged falsehood*' is unnecessarily strong. Nowhere in the Appellant's submissions is it alleged, or even suggested, that the Council has lied. In the Heritage Statement and the Appeal Statement I respectfully state my considered professional opinion as an experienced historic buildings consultant. Where our opinions differ, the Inspector's decision will set us straight.
- 1.3 This document aims only to provide clarity and detail in response to factual matters raised in the Council's Appeal Statement.

#### 2. The Council's Appeal Statement

- 2.1 In their Appeal Statement at 2.1 the Council describe No. 11 Regent Square as '*largely unaltered externally and at its lower three storeys.*' In fact, the house has undergone extensive alteration. This is explained in the Heritage Statement that accompanied the listed building consent application and in the Appeal Statement; for the Inspector's convenience, however, the changes are summarised below:
  - Front basement elevation: modern painted render, replacement window, front door and lightwell stair
  - Rear lower ground floor elevation: modern painted render, modern replacement window, closet wing rebuilt on enlarged, atypical plan with modern fenestration
  - Rear upper ground floor elevation: window opening partly blocked, modern replacement window
  - Rear second floor elevation: rebuilt from upper part of window 1951
  - Rear third floor elevation: entirely rebuilt 1951
  - Roof: entirely rebuilt 1951, 1m higher and with flat top and single-storey extension
  - Lower ground floor interior: stair replaced; corridor wall demolished and new partition inserted on wider plan; wall between front and rear rooms demolished; modern partition inserted on new line abutting chimneybreast in rear room; new door opening to rear room; new ceilings throughout; replacement windows to front and rear (noted above as changes to elevations)

- Ground floor interior: partition inserted between main stair and rear hall; door opening to front room reduced; opening in wall between front and rear rooms; kitchen units obscuring chimneybreast in rear room; window opening partly blocked; modern replacement window (noted above as change to rear elevation)
- Second floor interior: ceiling replaced 1951 or later
- Third floor: rebuilt 1951

2.2 At 5.5 the Council state: *'Para 2.7 [of the Appeal Statement] argues that, because changes happened to the building before it was listed, it cannot be described as unaltered.'*

No argument relating to the date of listing is put forward in para. 2.7, or anywhere else in the appellants' submissions. To be clear, para 2.7 reads in its entirety as follows:

*'In summary: far from being "largely unaltered", the rear elevation of No. 11 has been altered at four of its five storeys, and the closet wing and roof have been entirely rebuilt.'*

It is simply stating a fact to say that the building has been altered.

2.3 At 5.6 the Council state: *'The appellant describes the rear as having been repaired "from the second floor window up". However, since they mean from the top of the second-floor window, in fact only the third floor has been repaired.'*

The rebuilding begins six brick courses below the top of the window and includes the flat-arch lintel.

2.4 At 5.8 in reference to the external brick flue on the rear elevation at No. 13, the Council state: *'External brick flues, or chimneystacks, are familiar and historic components of the rear of such terraces'.*

We respectfully disagree: a full-height external flue of industrial character is an atypical feature for the rear of a domestic terrace. The flue at No. 13 an example of how the rear of this particular terrace has been altered with an addition taller than the proposed lift shaft.

2.5 At 5.9 the Council state: *'No 8, on the far side of the pair, appears to have the tallest rear extension in the terrace, reaching the first floor. This is still a storey lower than the proposal.'*

Fig 1 below shows the rear extension at No. 8. It was taken from the first-floor window of the extension that covers entirely the rear gardens of Nos. 4, 5 and 6 Regent Square and is provided for the Inspector's convenience as access to this viewpoint is not publicly available.

2.6 At 5.9 the Council continue: *'But if we take the immediate group as being 11 to 17, the consistency is even clearer, with nothing rising above upper-ground-floor level'.*

Nos. 1–17 Regent Square are listed together for their Group Value, and we question whether it is appropriate to pick and choose between those parts of the rear elevation that tend to support the Council's argument about consistency, and those that do not.

2.7 At 5.12 the Council state: *To argue that the basement had lost its plan form, there would have to be a very considerable degree less historic material present than there is. The alterations the appellant describes are either minor, or do not affect plan form.*

It is not clear what is meant here by 'historic material present'. The stair and all internal partitions in the basement are modern. The spine wall has been largely demolished to make the kitchenette. The ceilings are modern plasterboard. The windows are 1960s timber replacements, with fixed and top-opening lights and wired glass. The basement also is stripped of all historic joinery, flooring and chimney detail.

The effect on plan form has been considerable: none of the partitions is on the historic line, the proportions of all the internal spaces have been changed, and the door into the rear room has been moved. But in any case, the proposal would not change the existing layout insofar as it still approximates the historic plan form.

- 2.8 After 5.17 the numbering of the paragraphs in the Council's Statement goes awry. However, both the paragraphs numbered 5.15 (pages 5 and 6) raise the same concern about the quantity of historic fabric that would have to be removed to make the lift openings. In response the appellants have provided the following details:

*Reinserting a lintel and making a door opening*

*Windows next to the proposed lift enclosure vary up the building in width and positions. At first floor level the window is widest so the nib between the window reveal and new door opening is narrowest at approximately 400mm.*

*The new door opening would be made with verticals cut to size retaining a nib of 400mm.*

*The seat for the lintel is generally required to extend 150mm beyond opening width. Therefore a minimum of 250mm width of brickwork — a whole brick length — would be retained to the side of the window.*

*The window, its reveal and window arch would not be impacted by the making of a new opening.*

*Building regulations part M section 1B "wheel chair accessible door widths for homes" states minimum clear widths required is 775mm, with the ideal width being 900mm.*

*The first floor has reduced access width (but still within standard) to ensure protection of the historic architectural joinery.*

*A platform lift is proposed, which maximises the travel floor area.*

*As platform lifts do not have an inner cabin there is more flexibility in door sizes at each floor.*

- 2.9 At 5.17 (page 5) the Council state: *'It is not good practice to issue permissions to harmful schemes on the basis that they are so undesirable that they will be removed as soon as possible.'*

The appellants' submissions have never termed the works 'undesirable'; that is the Council's term. Nor has it been part of the appellants' case that the works would be removed 'as soon as possible'. The 'Note on reversibility' at 4.28 of the Heritage Statement (2.28 of the Appeal Statement) was included as a suggested compromise to demonstrate the appellants' willingness to respond positively to the Council's concerns.

The point is simply that if someone in future decided to remove the lift then it would be simple to do so, i.e. it is reversible, not necessarily a permanent change to the building. The appellants' requirement for the lift stems from personal, medical needs. A future occupier might not have those needs so might wish to reverse the change, and would be able to do so.

- 2.10 At 5.13 the Council state: *'the upper part of the existing rear elevation can be seen in some views from St Georges Gardens to the rear of the site and it stands to reason that the top of the proposed lift would be visible as well.'*

The lift shaft will rise no higher than the lintel of the second-floor window, which cannot be seen from St George's Gardens. The Inspector will have the opportunity to check this on the site visit.

- 2.11 At 5.23 the Council state: *'the kitchen can be moved at any time and is not dependent upon the installation of an external lift'*.

In fact, because Mr Smith's disability prevents him from using the stairs, the relocation of the kitchen is entirely dependent on the provision of the lift: without it, Mr and Mrs Smith will be obliged to carry on living at the bottom of the house and so need to keep a kitchen there. The proposed lift provides the appellants with the incentive to invest in the active conservation of their heritage asset. (NPPG Paragraph: 015 Reference ID: 18a-015-20190723. Revision date: 23 07 2019).

- 2.12 At 5.24 the Council state: *'CA statements cannot mention every aspect of every conservation area.'*

Of course not; our point is simply that the *Bloomsbury Conservation Area Appraisal* does find space to mention numerous rear elevations of terraces or flats that have features of interest and are well-preserved and highly visible (e.g. 5.34, 5.56, 5.121, 5.123, 5.157, 5.236 *inter alia*). Regent Square is not one of them; the clear implication is that it makes a lesser contribution to the character and appearance of the conservation area.

Appendix 3 of the *Appraisal* is a Built Heritage Audit (by sub area). The Appeal Site is in Sub Area 12: Coram's Fields/Brunswick Centre. Under 'Views', the *Appraisal* mentions the *'Wide view of regular rhythm of chimneys & the roofline of the south terrace on Regent Square'* (page 148). This view would not be affected by the proposal.

- 2.13 In 5.28 the Council comments that the Historic England publication, *Easy Access to Historic Buildings* is: *'intended to relate to public buildings. The advice clearly applies to circumstances where it has already been decided that a lift is a requirement, and it is necessary to conduct a damage-limitation exercise to work out where to put it.'*

Clearly the guidance is prompted by a desire to improve access to public buildings. Considerations of privacy and access for photography and study of examples also mean that guidance of this type necessarily uses public buildings as case studies. However, we do not agree that privately owned buildings are excluded from this guidance. The introductory text, says, *'These guidelines are intended for those who own, manage or occupy historic buildings in England ('Why Access Matters', page 2)*. Nothing in the guidance excludes private dwellings.

Indeed, we do not see how the private nature of the Site would make irrelevant the HE advice highlighted at para. 6.27 of the Appeal Statement: *'Sensitive alteration will have due regard for what it is that makes a particular building special or significant,'* and *'...lifts are best located in the less-sensitive parts of historic buildings, for example... in areas that have already been disturbed or altered.'* (HE 2015, para. 1.1 and page 34, Section 3.)

- 2.14 At 5.29: *The proposal has taken as its starting point that there must be a lift and worked backwards from there...'*

This is unfair. As explained in the Appeal Statement at paras. 4.5–4.9, under the heading 'Evolution of the lift proposal', the appeal proposals represent the fourth iteration of the proposals, arrived at after extensive consultation and compromise by the appellants.



## Illustration



*Fig 1. Western part of the rear elevation of Nos. 1–17 Regent Square. The white extension with roof terrace is at No. 8. The full-height external flue is at No. 13*

**Author:** Kit Wedd  
**First draft issued:** 8 November 2021  
**Final issued:** 10 November 2021  
**Finalv2 issued:** 11 November 2021  
**© Spurstone Heritage Ltd 2021**

Spurstone Heritage Ltd is a limited company registered in England and Wales, number 11056930  
Registered address 29 Waldegrave Road, Ealing, London W5 3HT