
Appeal Decisions

Site visit made on 28 July 2020

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an Inspector appointed by the Secretary of State

Decision date: 22 December 2020

Appeal A Ref: APP/X5210/W/20/3246425 6-7 Bedford Row, London WC1R 4BS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Julian Matthews, 7BR, against the decision of the Council of the London Borough of Camden.
 - The application Ref 2019/1573/P, dated 22 March 2019, was refused by notice dated 18 September 2019.
 - The development proposed is the part removal of existing entrance steps to facilitate the installation of a new vertical rising stair/ platform lift to allow for ambulant disabled/ wheelchair access into the premises.
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Appeal B Ref: APP/X5210/Y/20/3246427 6-7 Bedford Row, London WC1R 4BS

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Julian Matthews, 7BR, against the decision of the Council of the London Borough of Camden.
 - The application Ref 2019/2175/L, dated 22 March 2019, was refused by notice dated 18 September 2019.
 - The works proposed are the part removal of existing entrance steps to facilitate the installation of a new vertical rising stair/ platform lift to allow for ambulant disabled/ wheelchair access into the premises.
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Decisions

Appeal A Ref: APP/X5210/W/20/3246425

1. The appeal is allowed and planning permission is granted for the part removal of existing entrance steps to facilitate the installation of a new vertical rising stair/ platform lift to allow for ambulant disabled/ wheelchair access into the premises, at 6-7 Bedford Row, London WC1R 4BS, in accordance with the terms of the application Ref 2019/1573/P, dated 22 March 2019, and the plans submitted with it, subject to the conditions at the end of these decisions.

Appeal B Ref: APP/X5210/Y/20/3246427

2. The appeal is allowed and listed building consent is granted for the part removal of existing entrance steps to facilitate the installation of a new vertical rising stair/ platform lift to allow for ambulant disabled/ wheelchair access into the premises, at 6-7 Bedford Row, London WC1R 4BS, in accordance with the terms of the application Ref 2019/2175/L, dated 22 March 2019, and the plans submitted with it, subject to the conditions at the end of these decisions.
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Preliminary Matter

3. As the proposal concerns a listed building in a conservation area, I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issues

4. The main issues are the effect of the proposal on the special architectural and historic interest of the grade II listed building, whose statutory address is numbers 1-7 and attached railings and lamp holder, 1-7 Bedford Row, and whether it would preserve or enhance the character or appearance of the Bloomsbury Conservation Area (CA).

Reasons

The significance of the listed building and the CA

5. The 5-storey façade of this early C18 terrace of houses, listed for its value as a group, encloses the street in an almost single plane of brickwork. Its continuity is broken by a delicate, projecting band of brickwork above the ground floor, and the cills of the classically arranged and delicately embellished window openings as they nudge politely out, towards the street.
6. The plane of the façade descending below the street is visible to varying degrees from the footway, through the slender iron railings enclosing the open lightwells. This arrangement, together with the continuous, simple parapets at the roof, gives a theatrical character to the building's enclosure of the street. In this set piece, the short leaps of the stairways up from the footway play the supporting roles to the rhythmic drama of graceful entry announced by the entrances of the houses. The subtle differences between them give a delightful idiosyncrasy to the terrace, and a flicker of movement across this example of restrained Georgian harmony.
7. Closer-to, the camber-arched door opening leading from the lightwell into the basement of No 7 has been carefully positioned directly below this stairway, minimising its bearing on the order of the elevation in which the ground floor entrance is the focus. The vault supporting the stairway is a neat but complex way to allow free passage along the lightwell below it. This suggests how important this second access into the house may have been. The design, detailing and careful execution of the stairway across the lightwell at No 7, the arrangement of the basement elements, the clarity and elegance of the supporting vault below the stairway, and the surviving integrity of the doorway leading from the lightwell into the basement of the building, as well as the repetition of some of these features across the other houses of the building, retain special architectural and historic interest.
8. The listed building forms part of a long and cohesive array of buildings enclosing the street. Its restrained architecture and coherent colours and textures are reflected in the terraces opposite and alongside which together form the colourful backdrop to the street, set stage-like behind the broad footways, punctuated by the shifting light and sound of the mature trees. This listed building makes a substantial contribution to the historic significance and townscape of the CA, marking a moment in the expansion of development after the Great Fire, and the stylistic and social shifts in London at the time of its construction.

The effect on the listed building

9. The shortening of the basement door and opening required to accommodate the machinery, as well as the alterations to insert beams and padstones would remove some historic fabric. However, the lost fabric does not appear to me to have singular archaeological significance nor sufficient interest to distinguish it from its surrounding material, either architecturally or historically. In view of the limited amount and low significance of the fabric to be removed, and the remaining fabric of similar age, the lost fabric would not harm the special architectural or historic interest of the building. It is not a determinative factor in this proposal.
10. At basement level, the shortening of the door and opening would affect the integrity of the architecture of No 7. That the door appears already short would diminish the effect of its shortening. Nonetheless, changing the height of this opening would harm the historic integrity of the building. I appreciate that the effect of this on the significance of the building would be limited by its lack of prominence, but the change to its special interest would not be one of preservation.
11. In the lightwell, the installation which would under-sail the vault would only be visible in the most acutely angled views from street level. Its set-back from the cheeks of the vault, together with the screening effect of the railings along the back edge of footway would limit its visual impact at street level. Nonetheless, encountered from within the lightwell, this undercut would be a cumbersome addition, its low soffit working against the design rationale of the vault being built there in the first place.
12. I have taken into account that the other lightwells of the listed building include various appendages less discreet than this proposal; meter boxes, canopies, ducts, pipes and cable trays criss-cross the wells. Nonetheless, to undercut the vault, to obstruct the passage along the lightwell, and to reduce the opening in the wall would introduce a structural and architectural anomaly in the context of the circulation of the former house, and the means of support to the entrance stair. This would erode a part of the historic and architectural significance of the building.
13. At ground floor, the first and second risers of the stair would not change position, but the depth of the third tread would be shortened; its nosing would be within the door opening rather than nudging past it, as now. This would have an effect on the historic integrity of the stair. However, given the variation in the detailing of the steps, encasements and pilasters in the other entrances to the listed building, the impact on its architectural significance would be low.
14. There would also appear two shadow gaps running along the edges of the moving sections of steps. This break in continuity of the step would reveal the presence of the sesame lift, detracting from the integrity of the step as a continuous element of construction. Notwithstanding this, the aesthetic harm would be very slight, especially given the dark banding incorporated into the tiling pattern on the steps.
15. The Council objects to the proposed radial pattern of the mosaic tiled finish, though it appears to me to follow closely the present pattern. The proposed numeral in the mosaic does appear larger and slighter more regular than the

one in the present finish. However, the precise pattern of the tiling, and the shape and size of the numeral, could be secured by condition.

16. The street position of the call button has little place historically in the building. However, given its scale and location in the street railings, subject to its sensitive detailing and service routing, I can see no reason why it should detract from the architectural integrity of the building which already contains more prominent intercom devices at entrances.
17. Because of the shortcomings above, I cannot conclude other than that the proposal would not preserve the grade II listed building, and its features of special architectural and historic interest described above. How much weight should be attributed to this harm, and the conflict with policies D1 and D2 of the Camden Local Plan 2017 (LP) which require development to preserve or enhance the historic environment I shall return to in the planning balance, below.

The effect on the CA

18. I have identified harm to the street façade of the listed building and its architectural order. I have taken into account that the proposal would have only limited prominence in views from the street. However, the listed building contributes significantly to the sum of architectural and historic interest of the CA, particularly the order and arrangement of the facades of the buildings which form frontages within it.
19. Against the scale of the group of buildings and the street, I acknowledge the degree of harm to the significance of the CA would be very limited. Nonetheless the Act requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of the CA, against which test, the effect of this proposal on the appearance of the CA, fails, placing it in conflict with LP policy D1, and LP policy D2 where it requires development to preserve or enhance the character or appearance of conservation areas.

Planning Balance

20. I have found harm to the significance of the listed building and its special historic and architectural interest, as well as to the appearance of the CA, contrary to the clear expectations of the Act. Paragraph 193 of the National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation.
21. It goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets. Although I agree with the parties that the degree of harm here would be less than substantial, this does not equate to a less than substantial planning objection, especially where the statutory tests are not met. In these circumstances, paragraph 196 of the Framework advises that this harm should be weighed against the public benefits of the proposal, which the appellant claims is the step-free access.

Need for step-free access

22. There is step-free circulation inside Nos 6 & 7, by means of 2 vertical lifts and a platform lift on the stair linking the listed building section of the offices to the section in the modern building which can be entered off Jockey's Fields.

However, both entrances require visitors, staff and members of the public to negotiate stairs.

23. The principal entrance, which is in Bedford Row, leads to a reception area, approached by 3 steps. Temporary ramps can be placed over the steps, but this relies on staff being available to set-up and remove them. This restricts access. Exiting also requires a wheelchair user to make a backwards manoeuvre into the street. This does not promote direct access to the building for all.
24. The entrance via the modern building in Jockey's Fields, is approached along the mews side of the street block, opposite the tall, blank wall which encloses South Square Gardens. It opens into a stair core. The siting, lack of reception area and utilitarianism of this entrance gives it more the character of a fire exit than an entrance into a large office. More significantly, to move from street level and into the building at this back entrance, visitors must climb or descend a flight of stairs. There is a stair lift on the descending stair, but this requires people who use mobility scooters or wheelchairs to transfer at the first landing, onto the lift, and then off it at the second landing, and for the chair or scooter to be transferred afterwards. Not everyone is able to make those transfers. While there is step-free access inside the building, visitors cannot get into it without negotiating stairs by means of either temporary ramps or a sit-down stair-lift. The need for step-free access from street level is clear.

Alternative siting

25. I appreciate the Council's point that installing a platform lift at the Jockey's Fields stair core would not affect the listed building like this proposal. However, the width of the stair there would limit its effectiveness. Unlike the principal entrance, the stair core at the back entrance is two flights wide. Having seen inside the basement spaces and the headroom below the flights, I am not convinced that a sesame type stair lift is a realistic option at the back stair.
26. Historic England guidance¹ describes a platform lift from street level through the lightwell to the basement being a potential solution to vertical access into a Georgian terraced house. This proposal would avoid the potential impact of gates, tracking and return position conflicts from that kind of lift here. Moreover, making the entrance into the listed building accessible in place of the rear access would follow the same guidance by making the building's main entrance accessible to everyone, on a permanent basis.

Public benefits

27. As well as people visiting in direct connection with the office used by around 100 members of staff, members of the public attend weekly seminars and monthly conferences in the seminar room, which holds around 80 people. I appreciate the Council's point that visitors come only by invitation. Nonetheless, the benefits to flow from this proposal would not be solely private but would also be a benefit to the public at large.
28. There is no suggestion that the use of the building would cease in the absence of this proposal. However, Nos 6 & 7 have already been converted and

¹ Easy Access to Historic Buildings, Historic England, June 2015, section 3.2

extended. Making them more accessible would secure the optimal viable use of Nos 6 & 7 and contribute to the long-term conservation of the listed building. This proposal does therefore amount to the public benefit described in paragraph 196 of the Framework.

Balance

29. The aesthetic and historic values I have identified are the more conspicuous elements of the building's significance, which was listed for the group value of the houses. To the very slight harm from the conspicuousness of the lift installation at street level I attribute only moderate weight. The harm to historic significance from the shortening of the basement door, and the aesthetic impact of the under-cut, given the location of the lift and the broader significance of the building, I attribute moderate weight. The harm to architectural and historic significance from the passage restriction, and the structural anomaly from undercutting the vault attract the most weight. However, given the siting of the proposal and its design which has minimised harm to the heritage values that give significance to the building, I give this harm no more than moderate weight. Overall, I give the collective harm I have identified from this proposal considerable importance and weight in the planning balance of these appeals.
30. In reconciling the preservation of the significance of the CA and the particular features of special architectural and historic interest of the listed building affected by this intervention, I give very substantial weight to the public, social benefits the proposal would bring. In addition to that, given the alterations already undertaken, I give moderate weight to the contribution the proposal would make to sustaining the significance of the listed building, helping to secure its optimum viable use and long-term conservation.
31. In weighing this balance, I conclude that the public benefits which the proposed intervention would bring would decisively outweigh its harmful effects. It would, overall, preserve the special interest of the listed building and the appearance of the CA, satisfying the requirements of the Act, and paragraph 192 of the Framework. Nor would it conflict with LP policies D1 and D2 which protect heritage assets from less than substantial harm unless the public benefits convincingly outweigh that harm.

Conditions

32. In addition to the statutory time condition (1), a plans condition against the planning permission (2) is necessary to secure the extent of the proposal and for clarity and precision.
33. To protect the special architectural and historic interest of the listed building, a condition (2) against the consent for more details of the work to shorten the basement opening are necessary. The call button and its location would be the most conspicuous elements of the proposal at street level. A condition (3) for details of its materials, finish, size and any cable run to it are needed to ensure it remains as discrete as possible. The necessity for details of the finishes to the steps has already been discussed. In addition, a condition (4) to ensure that the patterns and numeral in the tiling reflect the existing and to ensure that any edge movement restraint considered necessary is included at this stage. One of the drawings shows a Trespa panel enclosing the cheeks of the under-cut below the vault. A notwithstanding condition (5) is therefore needed

to secure a more sensitive finish so close to the white-painted, rendered vaults. To cover unidentified, minor making good in connection with the works, a matching materials condition (6) is necessary.

34. Because of the likely short programme for the works, the need for the details to be resolved before implementation, the sensitivity of the building and the prominence of the steps, these conditions must be resolved prior to commencement of the works. I note the Council's suggested conditions for a sample panel to be retained on site, and for a construction method statement. However, given that the steps are not much larger than a sample panel, I am not sure what purpose a panel would serve, so long as the drawn details are at a sufficiently large scale. Similarly, the drawings already indicate temporary works and construction sequencing. Given the isolation of the structure and this information, I see no necessity for a method statement.

Conclusion

35. For the reasons given above, and having considered all matters raised, the appeals are allowed.

Patrick Whelan

INSPECTOR

Schedule of conditions

Appeal A Ref: APP/X5210/W/20/3246425

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development shall be carried out in accordance with the following approved drawings:

EX0G	Rev D	Existing Ground and Lower Ground Floor plans with OS Map and Block Plan Ref: External Platform lift works
EXELE DT30	Rev C	Existing External Building Elevations Proposed Entrance Stair lift Plans, Elevations and section details
DT32		Proposed Entrance Stair lift, Existing and Proposed Step details (at larger scale)
DT33		Proposed Entrance Steps, Elevations & Sections (at larger scale)
SKT1		TEMPORARY WORKS & CONSTRUCTION SEQUENCE STAGES 1& 2
SKT2		TEMPORARY WORKS & CONSTRUCTION SEQUENCE STAGES 3 & 4
SKT3		TEMPORARY WORKS & CONSTRUCTION SEQUENCE STAGES 5 TO 11
N/A		SECTION THROUGH EXISTING VAULT

Appeal B Ref: APP/X5210/Y/20/3246427

- 1) The works authorised by this consent shall begin not later than 3 years from the date of this consent.
- 2) Prior to the commencement of the works, full details of any joinery and masonry adjustments to be made to the basement door and its opening, to include retained and new work, shall be submitted to the local planning authority and approved in writing. The works shall be carried out in accordance with the approved details.
- 3) Prior to the commencement of the works full details of the lift call button, including its materials, finish, siting, fixing, and any cabling to it, as well as any new cable runs and circuit boxes, control boxes or displays, automatic door openers and their siting and cable runs, shall be submitted to the local planning authority and approved in writing. The works shall be carried out in accordance with the approved details.
- 4) Prior to the commencement of the works, full details, including layouts and sections at 1:2, 1:5, and 1:10 of the finishes to the steps including the numeral, the tiling pattern, the removeable post's spigot, and any edge restraints or finishes, shall be submitted to the local planning authority and approved in writing. The works shall be carried out in accordance with the approved details.
- 5) Prior to the commencement of the works, and notwithstanding approved drawing DT33, details of an alternative material to form the cheeks of the lifting gear under the vault, in place of the Trespa panels indicated, shall be

submitted to the local planning authority and approved in writing. The works shall be carried out in accordance with the approved details.

- 6) 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.

END OF SCHEDULE OF CONDITIONS