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|---|--|----------------------------|--|----------------------------------|---------------------------------|-------------------------------------|--|
| <b>Delegated Report</b>   |  | <b>Analysis sheet</b>      |  | <b>Expiry Date:</b>              |                                 | <b>19/05/2023</b>                   |  |
|   |  | N/A / attached             |  | <b>Consultation Expiry Date:</b> |                                 | <b>23/04/2023</b>                   |  |
| <b>Officer</b>  |  |                            |  |                                  | <b>Application Number(s)</b>    |                                     |  |
| Sam FitzPatrick   |  |                            |  |                                  | 2023/0732/P                     |                                     |  |
| <b>Application Address</b>  |  |                            |  |                                  | <b>Drawing Numbers</b>          |                                     |  |
| 117 Shaftesbury Avenue<br>London<br>WC2H 8AD  |  |                            |  |                                  | Please refer to decision notice |                                     |  |
| <b>PO 3/4</b>   |  | <b>Area Team Signature</b> |  | <b>C&amp;UD</b>                  |                                 | <b>Authorised Officer Signature</b> |  |
|   |  |                            |  |                                  |                                 |                                     |  |
| <b>Proposal(s)</b>  |  |                            |  |                                  |                                 |                                     |  |
| Installation of external extractor fan and two condenser units to existing ductwork on flat roof and associated alterations to shopfront. |  |                            |  |                                  |                                 |                                     |  |
| <b>Recommendation(s):</b>   |  | Refuse Planning Permission |  |                                  |                                 |                                     |  |
| <b>Application Type:</b>  |  | Full Planning Permission   |  |                                  |                                 |                                     |  |

|                                     |  |    |                   |    |
|-------------------------------------|--|----|-------------------|----|
| Conditions or Reasons for Refusal:  | Refer to Draft Decision Notice   |    |                   |    |
| Informatives:                       |  |    |                   |    |
| Consultations                       |  |    |                   |    |
| Adjoining Occupiers:                | No. of responses   | 02 | No. of objections | 02 |
| Summary of consultation responses:  | <p>Site notices were displayed from 29/03/2023 to 22/04/2023<br/>A press notice was published from 30/03/2023 to 23/04/2023</p> <p>Two objections were received from local residents, whose concerns can be summarised as follows:</p> <ul style="list-style-type: none"><li>• Extractor fans and plant equipment would cause disruptive noise;</li><li>• The addition of further plant to the existing lightwell would further disrupt outlook from nearby residential units.</li></ul> <p><u>Officer Response:</u></p> <ul style="list-style-type: none"><li>• Please refer to section 4 of the report for concerns relating to amenity.</li></ul>                   |    |                   |    |
| Covent Garden Community Association | <p>A letter of objection was received on behalf of the Covent Garden Community Association, whose objection can be summarised as follows:</p> <ul style="list-style-type: none"><li>• Shopfront alterations would harm the historic fabric of the building and the wider area;</li><li>• Proposed plant would cause issues relating to noise, smell, and outlook for neighbouring occupiers.</li></ul> <p><u>Officer Response:</u></p> <ul style="list-style-type: none"><li>- Please refer to section 3 of the report for concerns relating to design and conservation.</li><li>- Please refer to section 4 of the report for concerns relating to amenity.</li></ul> |    |                   |    |

## Site Description

This application relates to the ground floor and roof level of a five storey mid-terrace building located to the north east corner of Cambridge Circus on the north side of Shaftesbury Avenue, just opposite the junction with Earlham Street. The area is characterised by primarily commercial and entertainment uses with some residential uses above ground level.

The host building is located within the Seven Dials (Covent Garden) Conservation Area and, while not listed, is identified in the Conservation Area Statement as making a positive contribution to the character and appearance of the Conservation Area. The building is also within the Central London Area and part of the Tottenham Court Road/Charing Cross Road Central London Frontage.

## Relevant History

**2015/3897/P** – Alterations to shopfront including replacement entrance door, shortened bay returns and installation of louvre panel above (Retrospective). **Granted 21/10/2015.**

**PSX0004429/P** – The retention of seven chiller units and of a kitchen extract duct on the flat roof at fifth floor level. **Granted 18/08/2003.**

**PSX0204317** – Alterations to existing shopfront. **Granted 24/06/2002.**

**PS9904325** – The installation of air conditioning plant on the roof. **Granted 13/05/1999.**

**PS9804962** - Alterations to the ground floor frontage comprising the relocation of the existing shopfront at 119 Shaftesbury Avenue into No.117 and the formation of a new shopfront and entrance to the upper parts of No.119. **Granted 19/11/1998.**

## Relevant policies

### National Planning Policy Framework (2021)

### The London Plan (2021)

### Camden Local Plan (2017)

- **A1** Managing the impact of development
- **A4** Noise and vibration
- **D1** Design
- **D2** Heritage
- **D3** Shopfronts
- **CC1** Climate change mitigation
- **CC2** Adapting to climate change

### Camden Planning Guidance

- CPG Amenity (Jan 2021)
  - o Chapter 6 – Noise and vibration
- CPG Design (Jan 2021)
  - o Chapter 2 – Design Excellence
  - o Chapter 3 – Heritage
  - o Chapter 6 – Shopfronts
- CPG Energy efficiency and adaptation (Jan 2021)
  - o Chapter 3 – Making buildings more energy efficient
  - o Chapter 7 – Energy reduction
  - o Chapter 8 – Energy efficiency in existing buildings

### Seven Dials (Covent Garden) Conservation Area Statement (1998)

## Assessment

### 1. The Proposal

- 1.1. Planning permission is sought for the installation of two condenser units and an external extractor fan to the existing ductwork on the flat roof of the building, as well as associated alterations to the shopfront including the replacement of decorative glazing with ventilation grilles.

### 2. Assessment

- 2.1. The principal considerations in the determination of this application are:

- Design and conservation;
- Amenity;
- Energy and sustainability.

### 3. Design and Conservation

- 3.1. Local Plan policies D1 (Design), D2 (Heritage), and D3 (Shopfronts) are aimed at achieving the highest standard of design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance, and character of the area. Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas. Policy D3 states that alterations to shopfronts should consider the existing character, architectural and historic merit and design of the building and its shopfront

- 3.2. The site is located within the Seven Dials Conservation Area. Due to the height of the building, the proposed plant to the roof of the building would have very limited visibility from the public realm. Additionally, the roof is already used for plant equipment, therefore the installation of further units would not have any detrimental impact to the appearance of the flat roof as existing.

- 3.3. However, the proposed alterations of the shopfront, namely the removal of the decorative glazing and mullions and installation of ventilation grilles, would have a negative impact on the appearance and character of the building, and the wider setting, harming the positive contribution it makes to the conservation area. Currently, there is an established traditional-style glazing pattern to the shopfronts at no.117 and no.119 Shaftesbury Avenue, and this repetitious design contributes to the character and appearance of the building and conservation area. Disrupting the pattern by removing part of the glazing and installing uncharacteristic and oversized grilles would appear incongruous causing less than substantial harm and negatively impact the character and appearance of the building and wider conservation area.

3.4. Given the above and that the proposal would be considered to have a negative impact on the appearance and character of the shopfront, building and the wider Seven Dials Conservation Area, it would therefore be considered unacceptable in terms of design and conservation due to it being contrary to Local Plan policies D1, D2, and D3.

#### **4. Amenity**

4.1. Local Plan policy A1 (Managing the impact of development) seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and by only granting permission for development that would not harm the amenity of communities, occupiers, and neighbours. Policy A4 (Noise and vibration) aims to ensure that noise and vibration is controlled and managed appropriately, setting out noise level thresholds to ensure that neighbours are adequately protected from noise and vibration.

4.2. The applicant has submitted a noise impact assessment that has been reviewed by the Council's Environmental Health Officer, and they have concluded that there would be no adverse impact on neighbouring residents in terms of noise and vibration. Compliance conditions would have been placed on the application in the event of an approval to limit noise and vibration. Because of the scale and siting on the unit, there would be no adverse impacts relating to outlook, daylight, privacy.

4.3. It is therefore considered that the proposal is acceptable and complies with Local Plan policies A1 and A4.

#### **5. Energy and Sustainability**

5.1. Policy CC1 (Climate change mitigation) requires that all development minimises the effects of climate change and meets the highest feasible environmental standards. Policy CC2 (Adapting to climate change) requires development to be resilient to climate change and adopt measures for adaptation, such as to reduce the impact of overheating.

5.2. The proposal seeks to update plant equipment to be more energy efficient and enhance sustainability benefits. The new models proposed would be of a more efficient design and allow for greater energy efficiency at the application site and in the operation of the occupying business.

5.3. It is therefore considered that the proposal would accord with policies CC1 and CC2 of the Local Plan, as well as the advice in the Energy Efficiency and Adaptation CPG.

#### **6. Recommendation**

6.1. The proposed alterations to the shopfront, namely the replacement of the decorative glazing and mullions with ventilation grilles, by reasons of their design, materials, location and size, would constitute an incongruous addition harming the character and appearance of the shopfront and host property, the parade and the wider Seven Dials Conservation Area. The proposal would therefore be contrary to policies D1, D2, and D3 of the Camden Local Plan 2017.

6.2. It is therefore recommended that planning permission is refused.