



**50 Earlham Street
(Ground and Basement)
Seven Dials Warehouse
London WC2H**

London Borough of Camden

Planning, Design and Heritage Statement

Revision 1
October 2024

Executive summary

Monmouth Planning Limited on behalf Urban Pubs & Bars has been commissioned to prepare this Planning, Design and Heritage Statement in support of the planning application, advertisement application and listed building consent application at 50 Earlham Street, WC2H 9LJ.

The proposed development comprises: the internal and external refurbishment of the ground floor and basement level of the building in association with the change of use of the premises from Class E (restaurant) use to flexible sui generis mixed, competitive socialising/bar/restaurant use and/or Class E use. This statement has been updated to reflect the feedback received from the public consultation and comments received from the design officer. The works also include the external refurbishment of the entrances, including the display of new externally illuminated hanging sign and internally illuminated menu board on the Earlham Street, the installation of new timber doors to the Shelton Street frontage and removal of existing signage.

This planning application is made under the Town and Country Planning Act 1990 and has been submitted via the planning portal under reference PP-1321191 and PP-13225006.

50 Earlham Street forms part of the Seven Dials Warehouse on the National Heritage List, the premises is a Grade II listed building (List Entry Number: 1061403). The building is a substantial former brewery dating to the mid-19th century.

The assessment of the proposed works as shown in the attached drawings concludes that, in policy terms, the proposed change of use and physical works of alteration required will enhance the character and function of the local area. Owing to the “light touch” nature of the proposed physical works, the alterations will not impact negatively on the existing historic fabric nor on its setting and the surrounding designated heritage assets, due to the already changed nature of the area.

The warehouse suffered serious fire damage in 1999, much of the basement and ground floor were not affected by the event. The basement retains many original features such as the barrel-vaulted ceiling, cast iron columns, stone floor slabs and cellars. The exterior also retains original features such as exterior cranes and double height openings.

The exterior of 50 Earlham Street was recently updated and refurbished by the previous tenants who have now vacated. The works included the painting of the shopfront, new painted signage, new fascia and hanging signs and lighting. The aim of this application is to update and reinstate materials consistent with the age and character of the building.

The proposed works will include the refurbishment of the interior to provide a new indoor competitive socialising venue offering indoor table tennis, mini golf with a restaurant and bar use (sui generis). This will provide a new unique offer to the area that is different to the normal restaurant or bar use. All the internal works will be reversible and will not result in any harm to the historic fabric of the building or its significance. The exterior works will involve the removal of existing signage, paint, glass doors and repainting, as well as the display of new signage. These works are also reversible and will not impact the significance of the building.

1 Introduction

1.1 Scope

The purpose of this statement is to examine the planning, design and heritage issues associated with the proposed use of the ground floor and basement at 50 Earlham Street, for indoor leisure use with a restaurant and bar use. The scheme comprises: the internal refurbishment of the basement level of the building to provide the leisure, restaurant and bar, the internal refurbishment of the entrances at ground floor level for the provision of the mini golf and bar and the external refurbishment of the entrances, including the addition of new signage to the Earlham Street and Shelton Street frontages.

This statement will assess the impact of the scheme on the local area in terms of use and the impact of the use and alterations on the heritage assets and their setting.

The purpose of this statement is to examine the planning issues raised by the proposals and provides a comprehensive analysis of the relevant planning policy framework at national, strategic and local level, this statement is structured as follows:

- Section 1: Introduction
- Section 2: Application Site and Surrounding Area
- Section 3: Relevant Planning History
- Section 4: The Proposal
- Section 5: Planning Policy
- Section 6: Planning, Design and Heritage Considerations; and
- Section 7 Summary and Conclusion

1.2 Planning Designations and Designated heritage assets on site

The site designations:

- Seven Dials (Covent Garden) Conservation Area
- Archaeological Priority Area

The site is part of the Seven Dials Warehouse, a Grade II listed building. Several of the surrounding buildings, including nos. 24-26 and 34 Shelton Street, are listed at Grade II. No. 50 Earlham Street has group value with nos. 29-40 (even) Earlham Street and the Cambridge Theatre, both listed at Grade II.

The surrounding area comprises a number of listed buildings, many of these are listed for group value and contribute to the settings of each of these buildings. The buildings directly adjacent to the site which would be impacted upon by the proposals are;

- The Crafts Centre, 29-43 Earlham Street – NHL 1342094
- 36, 38 and 40 Earlham Street – NHL 1342095
- 24 and 26 Shelton Street – NHL 1236176
- 34 Shelton Street – NHL 1236199

The site lies within the Seven Dials Conservation Area (London Borough of Camden) and immediately south of the site is the Covent Garden Conservation Area (City of Westminster).

2 Application Site and Surrounding Area

2.1 The Site and Surrounding Area

50 Earlham Street forms part of the Seven Dials Warehouse, the application site comprises the basement and ground floor of the warehouse. The property is located on the south side of Earlham Street towards the eastern end of the street. The building occupies the corner site bound by Earlham Street to the north, and Shelton Street to the south. There are entrances both on Earlham Street and Shelton Street frontages. The Earlham Street entrance is the main entrance to the building for customers and is located halfway along the warehouse frontage. There are three arched openings. The main glazed shopfront is set back from the pavement and provides for a covered seating area within the arched openings. (Figure 1). The arched openings are currently closed off in the evenings with a steel roller shutter which will be retained.



Figure 1 – Earlham Street Frontage

The entrance on Shelton Street (Figure 3) comprises a double-height entrance with a black steel roller shutter which appears to be located in a former window given the remaining opening and brick arch visible above the entrance. Either side of the main door are two small narrow recessed openings with black painted doors. To the left of the entrance is a former crane entrance now closed with shutters. The brickwork around these openings is painted grey with black paint at plinth level and the opening frames, with fascia signs to both entrances.



Figure 3 – Shelton Street Frontage

The application site is currently vacant, having previously been occupied by Bierschenk providing a bar and restaurant use at basement and ground floor level. The basement area occupies the full extent of the warehouse. Seven Dials warehouse was a former brewery building dating from the mid-19th century. The build suffered fire damage in the 1990's

but most of the basement was unaffected by the fire.



2.1.1

Figure 3- Site Location Plan

The local area is characterised by its mix of commercial uses at both ground floor level and upper floor level. Shelton Street comprises a mix of large warehouse buildings which have been converted to office, retail, restraint, leisure, and educational uses.

Earlham Street and Shelton Street are commercial in nature and is a bustling, thriving area comprising a mix of retail, entertainment and theatre uses.

Internally, the ground floor consists of the area spanning between the two entrances. An industrial lift with steel concertina doors is accessed from the ground floor and links to the basement, a timber ramp providing level access to the lift, open plan spaces and visible extraction ducts linked to the basement area beneath. There is a metal and timber staircase to basement level with double height ceilings to the basement space beneath this is modern and was installed under planning permission 2023/2305/L. There are cast iron columns supporting a visible steel frame made of steel beams and steel joists. The columns are visibly similar to those in the basement and therefore may be historic. The steel joists appear to be modern. The lighting is modern along with the glazed railings installed as part of the approved works carried out under listed building consent 2023/2305/L. Please refer to the photos sheet 1 for the internal photos of the building.

The basement is a large open space with a brick barrel vault ceiling supported by ornate cast iron pillars typical of mid-19th century industrial buildings (Figs 8 to 12). Parts of the basement have been sub-divided to provide space for toilet facilities, plant and electrical equipment, kitchen, and glazed beer cooling room. The western end of the basement contains smaller rooms - also with barrel vaulted ceilings - where the walls and ceiling have been painted. The floor is made up of large tiles, we think these are terracotta, which have been painted and covered in vinyl within the kitchen areas and bar areas. While the ceilings are still of bare brick, many of the walls have been painted or whitewashed. The existing electrical system has been refurbished and upgraded where necessary, including lighting, audio, video, and alarm systems. The fire detection and alarm will also be overhauled and upgraded where necessary along with the heating, ventilation, and air conditioning (HVAC) systems. This has all been granted under listed building consent application 2023/2305/L.

The building is Grade II listed and is located north of the southern boundary of the Seven Dials (Covent Garden)

Conservation Area. The Conservation Area was designated in 1971 and subsequently extended further, though the area around Seven Dials forms the historic core and is a clear sub-area (defined as sub- area one). Earlham Street is mentioned as forming its own character area and is dominated by the former brewery buildings, of which the site is one of them. Only a few of the early 18th and 19th century buildings remain, but the scale and plot sizes of the original Seven Dials design is evident. The building of which the site is part of is one of these buildings which contributes positively to the sub-area of the Conservation Area.¹⁸

The area around the site is characterised by four-storey buildings, formerly industrial in nature with very narrow streets. All of these are now commercial in nature and have modern shopfronts with accompanying lighting and advertising that give the area an eclectic urban retail character.

Immediately south of the site is the north-west boundary of the Covent Garden Conservation Area located within the City of Westminster. This was designated in 1971 and enlarged several times. The core of the Conservation Area is centered around the Piazza of Covent Garden and the immediately surrounding streets.¹⁹ The former brewery buildings on Shelton Street are of note but they form a core within themselves in their surrounding area.

3 Planning History

3.1 Relevant Planning History

- Advertisement consent was refused on the 26/04/1996 for the display of two externally illuminated canvas banners to Earlham Street entrance and two externally illuminated canvas banners to Shelton Street entrance (reference A9600786). The reason for refusal was as follows: “The display would be harmful to the character and appearance of the building and the Conservation Area by reason of its size, design and location.”
- Advertisement consent was granted 24/10/2001 for the installation of a sign measuring 800mm by 600mm to be externally illuminated by tube strips both sides (reference ASX0105004). This small sign was to be at fascia level.
- Listed building consent and advertisement consent refused on 05.09.2008 for Works in connection with the display of illuminated signage at ground and first floor levels on the Earlham Street and Shelton Street elevations in connection with the restaurant use. 2008/2824/A & 3876/L.
- Advertisement consent granted for the installation of 1 X timber sign with brass lettering, 1 X wall mounted timber sign, 1 x non-illuminated hanging timber projecting sign with traditional metal bracket, and 1 x menu board at Earlham Street, and 1 x timber sign with brass lettering, 1 x wall mounted timber sign and 1 x menu board at Shelton Street. 2023/2353/A.
- Listed building consent granted for internal alterations including installation of access staircase, creation of bar areas and glazed beer cooling area, and works to walls and flooring, external works including removal of paint and erection of signage. 2023/2305/L.
- Advertisement consent and listed building consent granted for the installation of an advertising banner to the existing flagpoles on the Earlham Street elevation for a period of 12 months. 2023/4723/A & 2023/4721/L.

4 The Proposals

4 Proposal

The description of development is as follows:

“Use of the ground floor and basement for sui generis use as a competitive socialising venue/bar/restaurant or Class E use. External alterations to the building including the repainting of the Earlham Street and Shelton Street façade, installation of a new timber door and formation of new steps to the Shelton Street frontage, display of replacement painted signage to both the Shelton Street and Earlham Street frontage. Internal alterations to include the infill of the ground floor void, removal of non-original stud partitions and the installation of new fire door with lobby. Display of an externally illuminated hanging sign and internally (back lit LED) menu case to the Earlham Street”

Proposed change of use

Planning permission is sought for the change of use of the basement and ground floors for use as a sui generis competitive socialising venue/bar/restaurant or Class E use with associated internal and external alterations.

In terms of expected operation, it is proposed that the premises will be 10.30am- 12.30am Monday to Saturday and 12pm to 12am on Sundays these hours are in accordance with the approved licensed hours.

These hours are broadly in line with the other entertainment uses within the vicinity of the site such as Escapologist Bar at 35 Earlham Street and the Crown and Anchor located at the corner of 22 Neal Street. We have also reviewed the planning history for the Thomas Neals Centre and 41 Earlham Street, and they have no conditions restricting their hours of opening.

Following discussions with the CGCA and as noted in their comments to the application, our client would also like to offer a condition which does not allow access into the premises to new customers after 11pm. The condition could be worded as follows:

“The premises shall be open to customers between the hours of 10.30am and 12.30am Monday to Saturday and 12pm to midnight on Sundays. New Admission to the premises shall be restricted after 11pm., with no new patrons allowed entry after this time. All patrons must vacate the premises by 00:30 Monday to Saturday and midnight Sundays”

This is a standard licensing condition which the CGCA has suggested in their comments to the application. As such, including this under planning is the most suitable solution as it is precise and enforceable as set out below.

Paragraph 56 of the NPPF states that ‘Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects’ In this case it is considered that the proposed wording of the condition is both precise, reasonable and enforceable.

The key points on *how it can be enforced are as follows:*

1. **Monitoring Compliance:** Local authorities can monitor the premises to ensure compliance with the condition. This may involve periodic inspections, especially during the specified hours.
2. **Reporting Violations:** Residents or nearby businesses can report any violations of the condition, such as continued admissions after 11pm or patrons still present after the permitted opening hours.
3. **Documentation:** It’s important for the premises owner to maintain records, such as staff

training and signage indicating the admission hours, to demonstrate compliance.

An Indicative Operational Management Plan (OMP) has been submitted in support of the application. The applicant would be agreeable to a condition being imposed which requires compliance with the OMP. This is as per the condition the Council imposed on planning permission granted for 67 Kingsway LPA reference 2023/34/36/P.

As agreed with the CGCA deliveries and servicing be carried within the hours of 08:00 to 18:00 Monday to Friday, 09:00 to 18:00 on Saturdays and no servicing on Sundays except refuse collection between the hours of 09:00 to 18:00.

External Works

Externally, the works will include the following:

- The painting of the existing painted brick wall.
- Painting of brand artwork for bat and ball to be hand painted onto painted brickwork.
- Repainting of stallriser.
- Removal of existing signage and render repaired and repainted.
- Display of internally illuminated (back lit LED) menu case in the same location as the existing menu board and similar to the one granted at 41 Earlham Street under advertisement consent 2017/4620/A.
- Display of an externally illuminated hanging sign measuring 600X 844mm.
- Installation of a new timber door to the Shelton Street frontage with painted signage.
- Painting of architrave surround.
- Removal of existing menu board on the Shelton Street frontage.
- Formation of new steps set back from the arch on Shelton Street

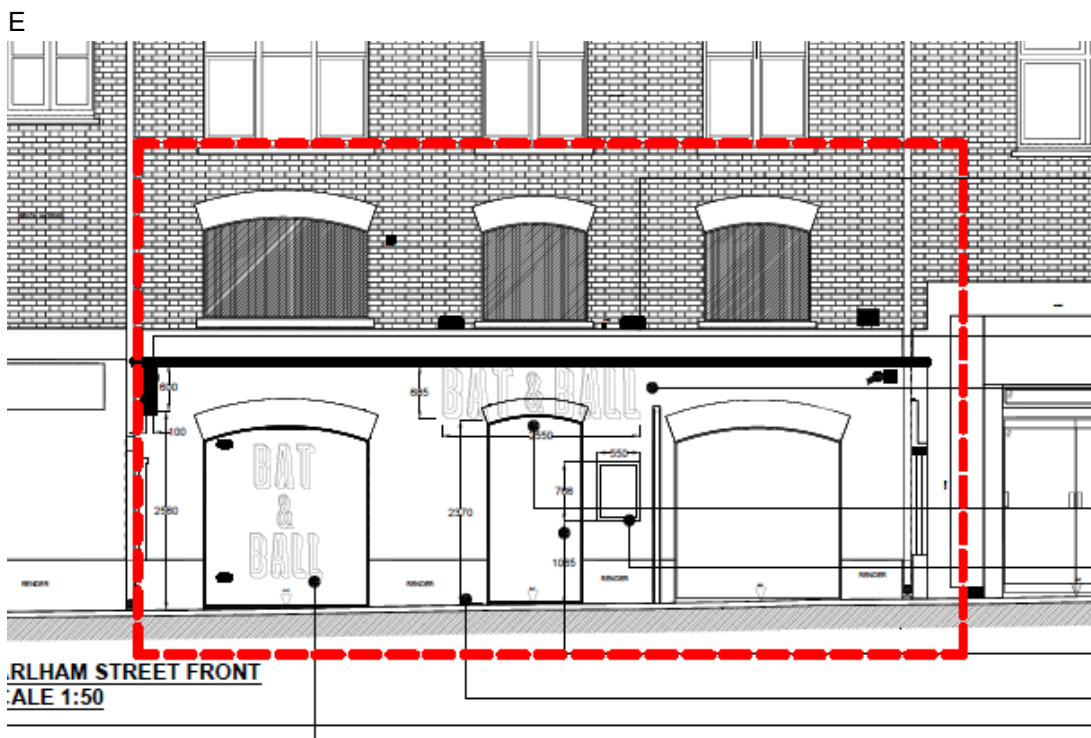


Figure 4 Proposed Earlham Street entrance

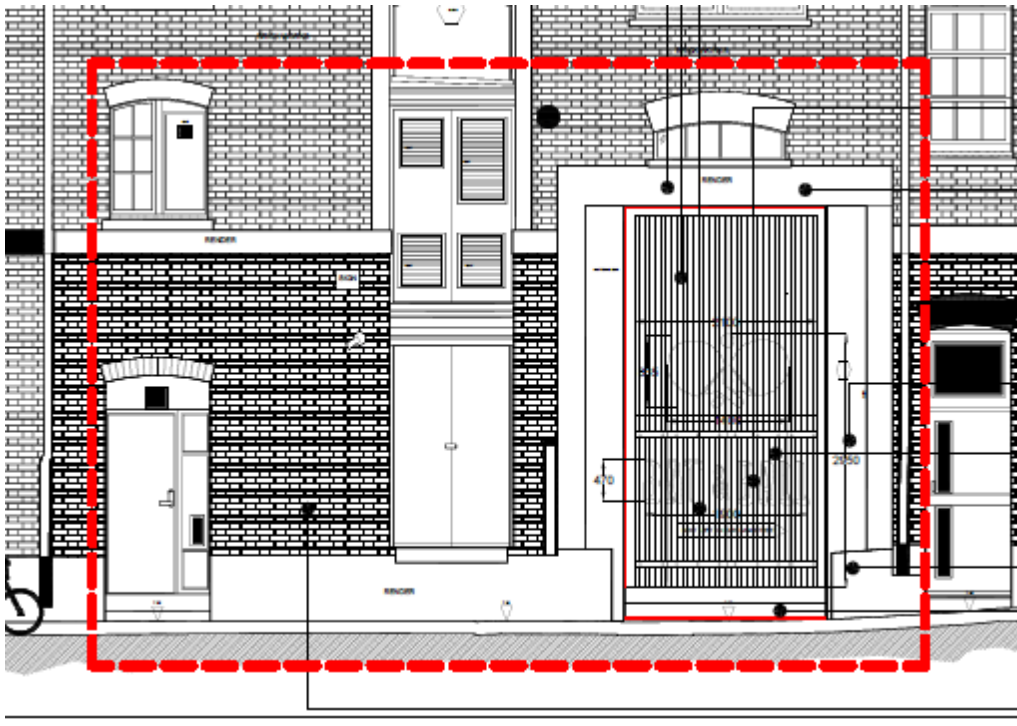


Figure 5 Proposed Shelton Street entrance.

Internal Works

The proposals for the interiors constitute a “light touch” refurbishment to transform the space into an indoor leisure and hospitality use. The unit has historically been in bar and restaurant use and the applicant is proposing to reuse the existing spaces already provided with a light touch update to meet their requirements. The existing extraction ducts and WC facilities are already present and will be reused, these will just be refurbished where needed.

Ground floor proposals

- Installation of new shopfront doors to replace glass shopfront doors which are set back from the building front.
- Steps recessed to provide DDA compliant access.
- Installation of a mini-9-hole golf course freestanding
- Existing void to be covered, there is evidence to show that the void was closed. The void will be filled with timber joists upon the existing steels.
- Existing glazed balustrades to be retained to maintain the view and visibility of the area below.

Basement proposals:

- Removal of modern kitchen enclosure/stud walls to create an open plan floor layout within the main floor area.
- Installation of a stud wall and door within basement vaults.
- Proposed new opening within modern stud work wall.
- Installation of a new fire lobby.
- Installation of new fire door.
- The existing lift will be retained albeit refurbished.
- The existing electrical system will be refurbished and upgraded where necessary, including lighting, audio, video, and alarm systems. The fire detection and alarm will also be overhauled and upgraded where necessary along with the heating, ventilation, and air conditioning (HVAC) systems.

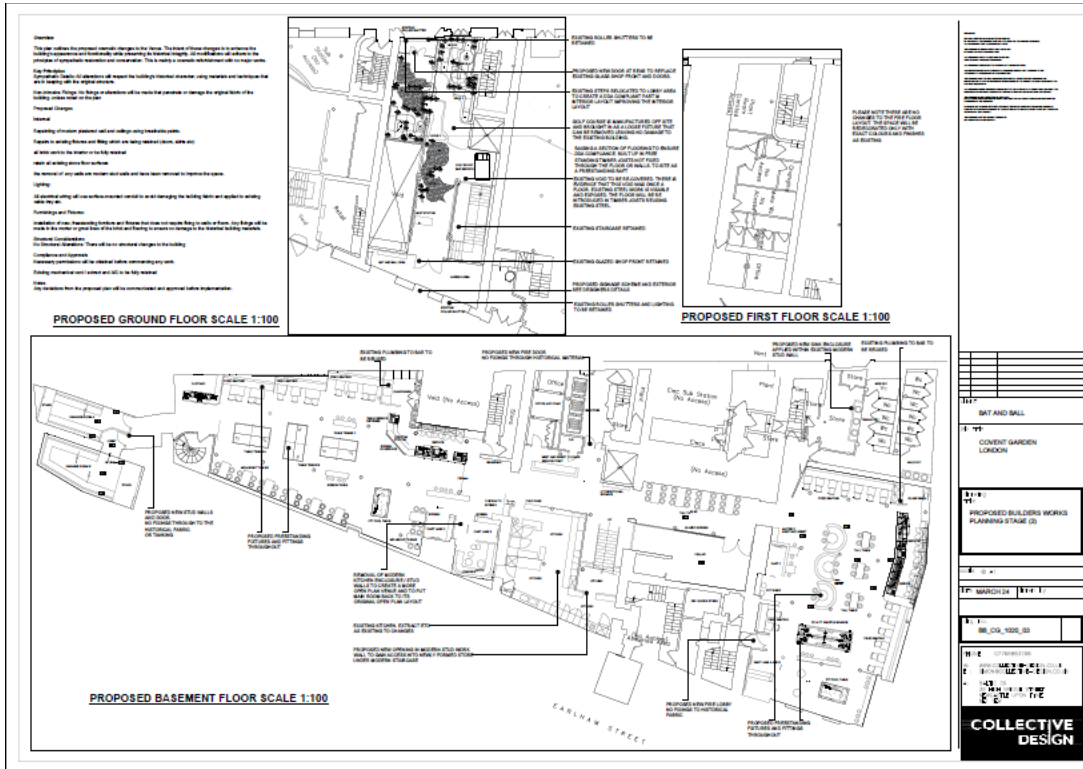


Figure 6 Proposed Internal Basement Plan

5 Planning Policy

5.1 Relevant Planning Policy

Government Guidance

Section 38(6) of the Planning and Compulsory Purchase Act states that planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise.

The statutory development plan for LB Camden comprises the National Planning Policy Framework (2021), The London Plan (2021) and Camden Local Plan.

Listed Buildings and Conservation Areas

The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the legal requirements for the control of development and alterations which affect buildings, including those which are listed or in conservation areas. Buildings which are listed, or which lie within a conservation area are protected by law. Grade I are buildings of exceptional interest. Grade II* are particularly significant buildings of more than special interest. Grade II are buildings of special interest, which warrant every effort being made to preserve them.

5.2 National Planning Policy Framework

The National Planning Policy Framework (NPPF) was adopted in March 2012 and updated in 2018, 2019, 2021 and in September and December 2023. At the core of the NPPF is a presumption in favour of sustainable development which should be at the heart of both plan making and decision taking. The NPPF outlines the planning systems three overarching objectives to achieving sustainable development which are interdependent and need to be pursued in mutually supportive ways. The three objectives include economic, social and environmental.

The NPPF guides Local Planning Authorities (LPA) to adopt a pro-active approach to considering planning applications and should apply a 'presumption in favour of sustainable development'. The following sections of the NPPF are considered to be relevant in the determination of the proposed scheme:

Building a strong, competitive economy: The NPPF seeks that LPA's planning policies are flexible enough to accommodate needs not anticipated in the plan, allow for new flexible working practices (such as live-work accommodation) and to enable a rapid response to changes in economic circumstances.

Conserving and Enhancing the Historic Environment: The NPPF seeks to ensure that LPA's plan positively for the conservation and enjoyment of the historic environment. In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

In addition to the above, further detailed national planning guidance is provided online via the Government's 'Planning Practice Guidance' published in 2016 and last updated in February 2024. The extensive document is continually updated to reflect recent changes in legislation and ministerial statements and sets out the government's planning policies for England and how these are expected to be applied.

The National Planning Policy Framework (NPPF) was revised on 20th July 2021 and sets out the government's planning policies for England and how these are expected to be applied. This revised Framework replaces the previous NPPF which was published in March 2012 with revisions in 2018 and 2019.

5.3 Regional policy

The London Plan

The overarching strategies and policies for the whole of the Greater London area are contained within *The London Plan: The Spatial Development Strategy for Greater London* (GLA 2021), adopted in March 2021.

Policy HC6 ‘Supporting the night-time Economy’ states that:

- A) Boroughs should develop a vision for the night-time economy, supporting its growth and diversification, within strategic areas of night-time activity (see Table A1.1 and Figure 7.6), building on the Mayor’s Vision for London as a 24-Hour City.¹²⁹
- B) In Development Plans, town centre strategies and planning decisions, boroughs should:
 - 1) promote the night-time economy, where appropriate, particularly in the Central Activities Zone, strategic areas of night-time activity, and town centres where public transport such as the Night Tube and Night Buses are available.
 - 2) improve access, inclusion and safety, and make the public realm welcoming for all night-time economy users and workers
 - 3) diversify the range of night-time activities, including extending the opening hours of existing daytime facilities such as shops, cafés, libraries, galleries and museums
 - 4) address the cumulative impact of high concentrations of licensed premises on anti-social behaviour, noise pollution, health and wellbeing and other issues for residents and nearby uses, and seek ways to diversify and manage these areas
 - 5) ensure night-time economy venues are well-served with safe and convenient night-time transport
 - 6) protect and support evening and night-time cultural venues such as pubs, nightclubs, theatres, cinemas, music and other arts venues.
- C) Promoting management of the night-time economy through an integrated approach to planning and licensing, out-of-hours servicing and deliveries, safety and security, and environmental and cleansing services should

Policy HC1 “Heritage conservation and growth” states that:

- A. Boroughs should, in consultation with Historic England, local communities and other statutory and relevant organisations, develop evidence that demonstrates a clear understanding of London’s historic environment. This evidence should be used for identifying, understanding, conserving, and enhancing the historic environment and heritage assets, and improving access to, and interpretation of, the heritage assets, landscapes and archaeology within their area.
- B. Development Plans and strategies should demonstrate a clear understanding of the historic environment and the heritage values of sites or areas and their relationship with their surroundings. This knowledge should be used to inform the effective integration of London’s heritage in regenerative change by:
 - 1) setting out a clear vision that recognises and embeds the role of heritage in place making
 - 2) utilising the heritage significance of a site or area in the planning and design process
 - 3) integrating the conservation and enhancement of heritage assets and their settings with innovative and creative contextual architectural responses that contribute to their significance and sense of place
 - 4) delivering positive benefits that conserve and enhance the historic environment, as well as contributing to the economic viability, accessibility and

environmental quality of a place, and to social wellbeing.

- C. Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings, should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.
- D. Development proposals should identify assets of archaeological significance and use this information to avoid harm or minimise it through design and appropriate mitigation. Where applicable, development should make provision for the protection of significant archaeological assets and landscapes. The protection of undesignated heritage assets of archaeological interest equivalent to a scheduled monument should be given equivalent weight to designated heritage assets.
- E. Where heritage assets have been identified as being At Risk, boroughs should identify specific opportunities for them to contribute to regeneration and place-making, and they should set out strategies for their repair and re-use.

5.4 Local planning policy

Following the Planning and Compulsory Purchase Act 2004, Planning Authorities have replaced their Unitary Development Plans (UDPs), Local Plans and Supplementary Planning Guidance with a new system of Local Development Frameworks (LDFs). UDP policies have been either 'saved' or 'deleted'. In most cases archaeology policies are likely to be 'saved' because there have been no significant changes in legislation or advice at a national level.

The Local Plan was adopted by Camden Council on 3 July 2017. It replaced the Core Strategy and Camden Development Policies as the basis for planning decisions and future development in Camden.

Policy G1 Delivery and location of growth

The Council will seek that development makes the best use of the site and takes into consideration its surroundings and amenity and resists development that makes inefficient use of Camden's limited land.

Policy C1 Health and Wellbeing

Sets out that the Council will promote vibrant and healthy communities by ensuring there are services that support health, social and cultural wellbeing.

Paragraph 4.49 of the Local Plan states cultural and leisure facilities such as theatres, galleries, and museums; live music, comedy and dance venues and provision for sports and exercise contribute enormously to Camden's attractiveness as a place to live, work or study.

Policy C3 Cultural and Leisure facilities

States that new leisure facilities will be sought in mixed use development and will seek use or extended access for the community in appropriate developments. Large scale facilities should be located whereas many people as possible can enjoy their benefits and make use of public transport to get there. Central London and town center's will therefore be the most appropriate locations. Small facilities are stated to be appropriate anywhere in the Borough providing they do not have an adverse impact on the surrounding area or the local community.

Policy TC2 Camden's centres and other shopping areas

Sets out the council's intention to promote successful and vibrant centres throughout the borough to serve the needs of the local population including visitors. The council will ensure the provision and maintenance of a range of shops including food, drink and entertainment and other town centre uses do not have a harmful impact on residents and will focus such uses in key areas, including Central London Frontages. The council will protect the

primary frontages as locations for shops (A1) together with a broader range of other town centre uses to create centres with a range of shops, services and food, drink and entertainment uses which support the viability and vitality of the centre.

Policy TC4 Town center uses

Advises that the development of shopping, services, food drink, entertainment and other town centre uses does not cause harm to the character, function, vitality and viability of a centre, the local area or the amenity of neighbours.

Camden Planning Guidance (Town Centers and retail) advises that Earlham Street lies within the Covent Garden Special Retail Area and is within the Councils; designated primary retail frontage. The Council states that food, drink and entertainment uses are an important part of the mixed use character and function of Covent Garden.

Policy TC1 Prioritising walking, cycling and public transport

Promotes sustainable transport by prioritising walking, cycling and public transport in the borough. Proposed development should meet the cycle parking and cycle facilities standards in the London Plan.

Policy T2 Parking and car-free development

Requires all development in the borough to be car-free and no on street parking permits will be issued.

Policy CC5 Waste

Outlines that developments should include facilities for the storage and collection of waste and recycling.

Policy A1 Managing the Impact of Development

The Council will seek to protect the quality of life of occupiers and neighbours. We will grant permission for development unless this causes unacceptable harm to amenity. We will: a. seek to ensure that the amenity of communities, occupiers and neighbours is protected; b. seek to ensure development contributes towards strong and successful communities by balancing the needs of development with the needs and characteristics of local areas and communities; c. resist development that fails to adequately assess and address transport impacts affecting communities, occupiers, neighbours and the existing transport network; and d. require mitigation measures where necessary.

Policy A4 Noise and Vibration

Outlines that development should have regard to Camden's noise thresholds and that planning permission will not be granted for proposals that would generate and unacceptable noise and vibration impacts; or development sensitive to noise in locations which experience high levels of noise, unless appropriate attenuation measures can be provided and will not harm the continued operation of existing uses

Policy D1 Design

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. promotes health;
- i. is secure and designed to minimise crime and antisocial behaviour;
- j. responds to natural features and preserves gardens and other open space;
- k. 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,
- l. incorporates outdoor amenity space;
- m. preserves strategic and local views;
- n. for housing, provides a high standard of accommodation; and
- o. carefully integrates building services equipment.

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

Policy D2 Heritage

States that; 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.

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.

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 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.

Policy D3 Shopfronts

The Council will expect a high standard of design in new and altered shopfronts, canopies, blinds, security measures and other features. When determining proposals for shopfront development the Council will consider:

- a. the design of the shopfront or feature, including its details and materials;

- b. the existing character, architectural and historic merit and design of the building and its shopfront;
- c. the relationship between the shopfront and the upper floors of the building and surrounding properties, including the relationship between the shopfront and any forecourt or lightwell;
- d. the general characteristics of shopfronts in the area;
- e. community safety and the contribution made by shopfronts to natural surveillance; and
- f. the degree of accessibility.

The Council will resist the removal of shop windows without a suitable replacement and will ensure that where shop, service, food, drink and entertainment uses are lost, a shop window and visual display is maintained. Where an original shopfront of architectural or historic value survives, in whole or in substantial part, there will be a presumption in favour of its retention. Where a new shopfront forms part of a group where original shop fronts survive, its design should complement their quality and character.

Policy D4 Advertisements

The Council will require advertisements to preserve or enhance the character of their setting and host building. Advertisements must respect the form, fabric, design and scale of their setting and host building and be of the highest standard of design, material and detail. We will support advertisements that:

- a. preserve the character and amenity of the area; and
- b. preserve or enhance heritage assets and conservation areas. We will resist advertisements that:
- c. contribute to an unsightly proliferation of signage in the area;
- d. contribute to street clutter in the public realm;
- e. cause light pollution to nearby residential properties or wildlife habitats;
- f. have flashing illuminated elements; or
- g. impact upon public safety.

The Council will resist advertisements on shopfronts that are above fascia level or ground floor level, except in exceptional circumstances. Shroud advertisements, banners, hoardings / billboards / large outdoor signboards are subject to further criteria as set out in supplementary planning document Camden Planning Guidance on advertisements.

6 Planning, Design and Heritage Considerations

6.1 Planning – Land use

The legal framework for determining planning applications is set out in section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. These state that a local planning authority must have regard to the provisions of the development plan and other relevant material considerations when considering an application for planning permission; and that determination of the application must be in accordance with the development plan unless material considerations indicate otherwise.

The development plan for the purpose of this application comprises policies contained within the NPPF, the London Plan and Camden's Local Plan.

The proposals seek to introduce an indoor leisure use at ground floor level with a restaurant and bar use.

The premises were last operated as a German Beirkeller and prior to this as a restaurant use and has been in this use for over 20 years, as such the principle of an entertainment use in this location has been established and the

issues solely relate to the proposed indoor leisure use. Bat and Ball, is an indoor table tennis offer. They provide table tennis tables where customers can book a table for either leisure or tournament play. At ground floor level there will be a small 9-hole indoor golf area. The main use will be contained at basement level with a large ground floor entrance, it is therefore considered that the impact upon residential amenity will be negligible.

This part of the City Center is characterised by entertainment uses; therefore, this application will seek to enhance the character and function of the local area by providing a new and unique offer to complement and enhance the existing restaurant and bar use.

The applicant proposes to implement the use in accordance with the enclosed Operational Management Plan.

The opening hours will be 10am to 00.30 Monday to Saturday and noon to midnight on Sundays. The Applicant is agreeable to a condition being imposed restricting the opening hours of the proposed Sui Generis use only as the existing restaurant use is currently unrestricted under planning and the landlords would like to retain this use for the future. The opening hours are considered acceptable and in keeping with the commercial character of this street and are broadly in line with the premises at 35 Earlham Street and the Crown and Anchor which are all open until midnight.

The site has a PTAL rating of 6b which makes this site highly accessible. The building is close to several rail and tube stations and is served by nearby bus stops as such the location of the site is highly suited to this type of use being proposed and allows for the use of public transport. The proposals do not include any onsite car parking.

The proposed use of the premises under this application has potential to deliver several significant public benefits to not only to the Site, but also to the commercial function of Covent Garden, the CAZ and to Camden more widely. The new use would not harm the character and function of the area given its commercial character within a central location with a large variety of uses, including entertainment uses. The proposal would not change the amount of food, drink or entertainment proportions in Camden and conversely, will bring an empty unit back to a viable use and contribute to a vibrant entertainment offering in the borough. Therefore, it is considered the proposal is supported by Local Plan policies Local Plan Policies G1, C1, C3, and Camden planning guidance.

Highways, Deliveries and Servicing

No car parking is provided for the proposed use and no changes are being proposed on the highways land. It is proposed that all staff and the vast majority of visitors travelling to the premises will be using the public transport network.

Servicing

Delivery and servicing will be undertaken from Shelton Street as existing and will be carried out between the hours of 08:00 to 18:00 Monday to Friday, 09:00 to 18:00 on Saturdays and no servicing on Sundays except refuse collection between the hours of 09:00 to 18:00. Waste will be stored on site in the dedicated space at basement level and then brought out to Shelton Street on collection day.

Amenity

The proposals are considered to comply with Local Plan A1. In terms of adverse effect of noise, this part of Covent Garden is largely commercial in nature and include uses such as the Escapologist Bar at 35 Earlham Street and the Crown and Anchor located at the corner of 22 Neal Street both of which are open beyond 11pm. The nearest noise sensitive receptor would be located at on the upper floors of the Seven Dials Warehouse adjacent to the Escapologist. It is likely that the proposed competitive socialising and bar/restraint use is unlikely to generate additional activity in this area, beyond the previous restaurant use. The main entertainment use is located at basement level, the premises will be monitored by security staff and will comply with the OMP submitted.

Visitors will be entering and exiting the proposed venue solely via the main entrance on Earlham Street which is set back from the front of the building providing a buffer for noise transmission. Given the commercial nature of the immediate vicinity, it is not considered that activity from the proposed use would have detrimental effect on residential amenity. Conversely, Earlham Street is an appropriate commercial thoroughfare on which the proposal will generate activity and interest.

No new plant equipment is being proposed as part of this application.

The proposed opening hours will be

- 10.30am- 12.30am Monday to Saturday and
- 12pm to 12am on Sundays

These hours are in accordance with the approved licensed hours.

The applicant is also proposing that no new customers will be allowed entry after 11pm and proposes the following condition to secure this.

“The premises shall only be open to customers between the hours of 10.30am and 12.30am Monday to Saturday and 12pm to midnight on Sundays. New Admission to the premises shall be restricted after 11pm, with no new patrons allowed entry after this time. All patrons must vacate the premises by 00:30 Monday to Saturday and midnight Sundays”.

To ensure the smooth running of the premises and prevent public nuisance, the applicant will employ a door supervisor to control queues and ensure the unneighborly manner of all patrons. Please see the Operational Management Plan for further details.

It is therefore considered that the proposed development will not impact on surrounding residential amenity and therefore complies with Local Plan policies A1 and A4.

6.2 Design and Heritage Assessment

The significance of a heritage asset is based on an assessment of its value to present and future generations. Significance is judged based on four main values (historic, evidential, aesthetic and/or communal) and is interconnected.

All heritage assets have a setting, to a greater or lesser extent. Setting is, however, not an asset in its own right; its significance lies in the contribution that setting makes to the significance of assets. The assessment of setting, or nature of the surrounding area around the heritage asset, plays an important part when determining whether proposed works will have an impact on the significance of a heritage asset.

6.3 Statement of Significance

The site forms a small part of a much wider building which is Grade II listed and therefore has a high significance baseline. It has high historical and evidential value as an example of a 19th century industrial building. The site itself, and primarily its basement, retains features, such as the barrel-vaulted ceilings, small cellars, bare brick walls and tiled floors that allow the former use of the building to be legible as an industrial building and contribute positively to its significance. The small area of double height ceiling on either side of the ground floor passage may be historic and would be appropriate for brewery machinery or other mechanisms to lower and lift barrels to and from the basement. The presence of Brewer’s Yard to the south contributes to the overall history and evidence of the site’s construction background. The historic brewery was located to the south of the site but was extended as the population of London grew. Like many historic breweries, the establishment at Brewer’s Yard was located close to the public houses it supplied.

The site has a medium aesthetic significance as an example of a 19th century industrial building, while primarily a functional space the columns contain small decorative features. Its historic use as brewery would have provided employment to a high number of people living in London, and this will have continued to be the case following the closure of the brewery when the building as a whole continued to be used by numerous other businesses. Following its conversion as a mixed use building, the site has been used as a bar with a restaurant offer and before this as a temporary exhibition space. Both of these uses have permitted the wider public to access it and appreciate its historic significance. As such, the site has a high communal value.

6.4 Statement of Setting Significance

Conservation Areas have a high significance baseline due to their evidential and historic value, in most cases both illustrative and associative.

The aesthetic value of Conservation Areas derives from the architecture within them and is often the reason for their designation. The communal value of Conservation Areas derives from the benefit visitors and residents get from being able to appreciate the architectural development. Earlham Street and the surrounding streets are characterised by former industrial buildings which have now been converted into retail premises. The presence of other listed buildings of architectural, historical and aesthetic note contribute to all of their settings and the significance of the Conservation Area.

In both cases, the setting of the Seven Dials and Covent Garden Conservation Areas is enhanced by the high-quality architecture of the buildings present. Generally, the condition of the buildings is good which further enhances the significance of the area.

The presence of modern advertising signage and lighting could be argued to contribute negatively to the setting of nearby heritage assets, however it could equally be argued that it forms part of the new urban setting and as long as it is aesthetically done and adequately maintained it is not a detriment.

6.5 Impact on 50 Earlham Street

The proposed internal works are primarily “light touch” in nature and will re-use existing substantial fittings such as the extraction ducts and WC facilities. The existing lacquer covering the terracotta floor slabs will largely be left as it is to ensure the protection of the floor and only small areas will be repaired where non-original stud partition walls will be removed.

The new floor spanning across part of the staircase, new stud partition walls, and fire doors will all be reversible and so will not cause any damage to the historic fabric.

All of the areas of significance within the site (terracotta slabs, cast iron columns, barrel vaulted ceiling and cellars) are being retained and enhanced through maximising their visibility and exposure. The use of the area as a new leisure and entertainment use will seek to retain the existing visible beer storage and cooling area retaining a link with the site’s previous use as part of a large important brewery.

The external works can be described as an upgrade of the existing exterior décor”. Scarring from previous menu boxes and advertising are visible and so while more noticeable than the interior proposed interventions, the proposed exterior works will seek to use materials traditional to the building and signage methods in keeping the character and function of the building and will not cause any harm to the significance of the listed Seven Dials Warehouse.

Overall, the proposed works will not cause any harm to the significance of the site, the scheme will enhance the significance of the asset through the new use of the site as leisure, bar and restaurant use.

6.6 Impact on surrounding heritage assets

The internal works will not be visible from any of the surrounding designated heritage assets. The new use will be an indoor leisure/restaurant/bar; the site was previously a bar for over 20 years. Noise will be restricted to patrons on the street. The new lighting will be minimal and so will not be obtrusive.

The external works will only be visible from the immediately surrounding opposite streets at oblique views or head on. The proposed signage will not be overly visible nor imposing unless viewed head on. The external proposed works are not deemed to cause any harm to the setting of nearby listed buildings or the Conservation Areas. Instead, the proposed works will improve the appearance of the site and therefore have a positive impact on the

surroundings.

The surrounding area is a popular commercial area with numerous bars and restaurants; the Craft Centre (Grade II listed) just opposite the site to the north is a large food hall while several other similar establishments are located within the immediate vicinity. The new use of the site will fit in with the character and nature of the area and therefore will not have a negative impact on the nearby listed buildings or the Conservation Areas.

6.7 Benefits of the Proposals

In summary, the proposals contained within this application are supported by policy and will deliver several principal benefits.

These benefits can be broadly summarised as follows:

- Reactivating a unit that is currently vacant.
- Contributing to and diversifying the entertainment and cultural offering in the CAZ.
- Creating more local interest in this part of Covent Garden
- Provision of jobs in association with the operation of the use including at fit out stage.

7 Summary and Conclusions

7.1 Conclusions

The site includes the ground floor and the basement within the large Grade II listed warehouse known as the Seven Dials Warehouse and comprises 50 Earham Street. The warehouse was formerly part of the Watney, Combe, Reid & Co. brewery; following its closure, the warehouse was leased and eventually subdivided to provide a mixed-use building.

The basement retains many original features such as the barrel-vaulted ceiling, cast iron columns, floor slabs and cellars. The overall exterior also retains original features such as exterior cranes and double height openings. The entrances to the site have recently been refurbished this application seeks to repaint the frontage and display new signage to relate to the new tenants use.

The proposed works include the refurbishment of the interior to provide a new hospitality venue offering table tennis with a food and beverage offer. All internal works will be reversible and will not result in any harm to the historic fabric of the building or its significance. Less than substantial harm will be caused to the fabric by the installation of a new timber floor slab over part of the staircase entrance which is new staircase – this will be of a small footprint and can be remedied following the removal of the floor slab. This harm is necessary to ensure the continued use of this space and maintain its communal significance. The exterior works involve the removal of existing paint as well as the insertion of new timber door on Shelton Street and display of new signage. These works are also reversible and will not impact the significance of the building.

The proposed use will provide a direct link with the former use of the site as a brewery and the retention of the cellar and bar areas will enhance the interpretation of the building. The proposed uses will enhance the character and function of the local area providing a new and unique use. The exterior works will only be visible head on from the opposite street and or obliquely and so will not result in any negative impact on nearby heritage assets.