



Planning & Heritage Statement

Extraction System &
Air Conditioning Units
AT
63 Endell Street,
London WC2H 9AJ

Reference:
63ES-2634-LBC

Date:
10 March 2025

1. Introduction

- a. This Planning & Heritage Statement has been prepared by Just Planning on behalf of Da Mario Restaurant to support an application for listed building consent for a kitchen extraction system and air conditioning units at 63 Endell Street, in Covent Garden.
- b. Following a description of the site and surrounding area, the report will consider the significance of the heritage asset and evaluate the impact of the works on the building's special architectural and historic interest.

2. Site Description

- a. The application building is a three-storey, terraced building located on the western side of Endell Street. There is an Italian restaurant at ground floor and basement levels and a self-contained flat on the upper floors. The building is shown in the image in figure 1, below.



Figure 1: Image of the front elevation of the application building.

- b. The building is constructed in London stock bricks, which have been painted, and has a timber shopfront, a stall riser and signage enclosed by pilasters. There is a separate front door leading to the upper floor flat. The upper floors have timber sash windows. The building has a butterfly roof concealed behind a front parapet.
- c. The ground floor restaurant has a flat-roofed rear extension projecting to the rear boundary. There is a roof terrace above, with timber decking, accessed from the upper floor flat.

- d. A ventilation flue serving the restaurant's extraction system is attached to the rear wall of the building. The lower parts of the flue have boxed screening. The flue is shown in the satellite image in figure 2, below.



Figure 2: Satellite image of the flue.

- e. Two air conditioning units have recently been installed as replaced for older units. They have been installed in a void between the flat roof over the ground floor rear extension at the restaurant, and a timber terrace serving the flat above.
- f. The property is located in a built-up, urban area and is surrounded by similar terraced buildings.
- g. Numbers 63 to 69 Endell Street have a Grade II listing under list entry number 1078293. The description is as follows:

4 terraced houses with later shops. C18. Multi-coloured stock brick with stone cornice at 3rd floor level; No.63 has painted brickwork. 4 storeys and 2 windows each. Later C19 shopfronts, partly altered, No.67 being C20. Gauged flat red brick arches to recessed sash windows with original glazing bars. Parapet. INTERIORS: not inspected.

- h. The neighbouring property at number 61 Endell Street (Latchfords Timber Yard) is Grade II listed under list entry number 1078292. It has the following description:

Commercial premises & timber yard. Late C19. Red brick with stucco dressings and ground floor. Roof not visible. 3 storeys and cellar. 2 windows. Ground floor with pilasters, having enriched capitals, carrying entablature with dentil cornice and flanked by paired, modified consoles. Left hand of front forms the entrance to the yard; window to the right with panelled apron has altered glazing. Pilasters with enriched capitals rise through the 1st and 2nd floors carrying the entablature and projecting cornice. Louvred window openings with stucco heads to 1st and 2nd floors. Attached open timber storage sheds to rear the first floor being supported mainly on cast-iron columns with mushroom capitals; pantiled hipped roofs. Area to the left may have been stables. INTERIOR: retains some original and many old fixtures and fittings.

- i. The site is located within the designated Seven Dials Conservation Area.

3. Planning Policy

- a. The relevant parts of the development plan for the area are the Camden Local Plan, adopted in 2017, and the London Plan, adopted in 2021.
- b. Policy D1 of the Local Plan requires a high quality of design in all new development.
- c. Policy D2 seeks to preserve and enhance the borough's designated heritage assets, including listed buildings and conservation areas. According to the policy:

"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:

- *the nature of the heritage asset prevents all reasonable uses of the site;*
- *no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;*
- *conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and*
- *the harm or loss is outweighed by the benefit of bringing the site back into use"*

- d. For listed buildings, the council seeks to:

- *resist the total or substantial demolition of a listed building;*
- *resist proposals for a change of use or alterations and extensions to a listed building where this would cause harm to the special architectural and historic interest of the building; and*
- *resist development that would cause harm to significance of a listed building through an effect on its setting.*

- e. In respect of conservation areas, the policy states:

"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:

- require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area;*
- resist the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a conservation area;*
- resist development outside of a conservation area that causes harm to the character or appearance of that conservation area; and*
- 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."*

f. Policy TC4 (Town centre uses) supports the commercial functions of the borough's town centre and allows *"effective and unobtrusive ventilation"*.

g. According to policy HC1 of the London Plan:

"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."

h. The revised National Planning Policy Framework (NPPF), adopted on 19 December 2024, sets out the government's national planning policies and how these policies should be applied. It identifies a presumption in favour of sustainable development. Development is sustainable when it meets the economic, social and environmental needs of a community.

i. Paragraph 202 states that:

"heritage assets ... are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations"

j. Paragraph 210 requires that local planning authorities take account of the *"desirability of sustaining and enhancing the significance of heritage assets and*

putting them to viable uses consistent with their conservation” as well as “the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality”.

k. According to paragraph 212:

“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”

l. According to paragraph 213:

“Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.”

4. Assessment

- a. Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require special regard to be had to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.
- b. Section 72(1) of the Act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. Paragraph 202 of the NPPF advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.
- c. The application property forms part of a row of four terraced buildings, built around 1846, which are Grade II listed for their group value. It is constructed in traditional materials, including stock bricks and timber sash windows, and it has a traditional architectural form with a ground floor shopfront (a later addition) and a butterfly roof.
- d. The air conditioning units are entirely concealed from public and private views in a void between the flat roof of the existing ground floor rear extension and timber decking above, serving as a terrace to the upper floor flat.
- e. The ventilation flue is attached to the rear of the building and rises up to extract at roof level. It is nevertheless concealed from public view and discreetly tucked away to one side of the rear elevation. It has a dark colour to help it blend in with the surrounding brickwork.
- f. The rear of the building has a utilitarian character and is not specifically mentioned in the listing description. It has been altered at ground floor through the construction of the rear extension and roof terrace. The flue has no impact on its historic or architectural significance.
- g. In addition, the rear streetscape is diverse, with various alterations to buildings and large-scale new developments to the rear of the buildings, including at Latchfords Yard, adjoining the site.
- h. It is not unusual to see equipment of this kind to the rear of commercial premises in town centre locations, and similar ventilation flues are visible along the street at other restaurants, such as Bob Mansour, at number 57.
- i. The applicant contends that the development causes no harm to heritage assets. If the council is minded to conclude that the development does cause 'less than substantial' harm, in the phrasing of the NPPF, the applicant argues that any

modest harm is outweighed by the public benefits of the proposal, including securing the building's optimum viable use.

- j. The ground floor and basement at the application site has been in use as an Italian restaurant for decades. Da Mario Covent Garden is a fixture of the local area and the local community.
- k. Appendix A is a statutory declaration dating from 1994 in which it is explained that the restaurant was in use as a café serving hot food since at least 1963. The hot food use therefore predates the Grade II listing of the building in January 1973.
- l. The council's policies support a mix of uses in its town centres, including restaurants. They also support the nighttime economy.
- m. Given its history, configuration, size and layout, its optimum use is as a restaurant. Its continuation as a restaurant should be considered its optimum viable use at this time.
- n. As a restaurant, it needs a mechanical ventilation/extraction system and the flue shown on the submitted plan (and in the image in figure 2, on page 4 of this report) has been in place for many years. It allows fumes to be dispersed at roof level so that noxious odours do not harm living conditions at the flat upstairs.
- o. Given the presence of this upper-floor flat, it is obviously not possible to run the ducting through the building internally. The external flue is the only practical way to provide the restaurant with the ability to cook hot food, and therefore to remain in business.

5. Conclusions



- a. The extractor flue is discreetly located on the rear elevation, away from public views, and the air conditioning units are entirely concealed within a void between the ground floor extension roof and timber decking above.
- b. The special significance of the listed building derives from its age, architectural design and materials. The key elevation is the front elevation – the rear is not visible from the public realm and is more utilitarian. The rear streetscape is also heavily developed with new buildings and other alterations.
- c. The flue attaches to the rear elevation without permanently altering the building itself – its original design remains clearly discernible. If the ground floor was to change to some other use in the future, and the restaurant were to close, the flue could simply be removed.
- d. The extraction equipment is essential to support the continued operation of the restaurant, which represents the optimum viable use for the ground floor and basement of the building. This use has been established for decades and contributes positively to the character and economic vitality of the commercial district.
- e. For these reasons, the applicant respectfully requests that listed building consent be granted.



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