

Date: 12/03/2025  
Your ref: APP/X5210/C/24/3358176; APP/X5210/W/25/3358644  
Our ref: ENF23/0511; 2023/3310/P  
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The Planning Inspectorate  
Temple Quay House  
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Dear Jeremy Richards,

**Town and Country Planning Act 1990 (as amended).**

Appeal/ Planning Reference	Site Address	Development Description
Your Ref: APP/X5210/C/24/3358176; APP/X5210/W/25/3358644  Our Ref: 2023/3310/P; EN23/0511	Basement and Ground Floor 20 Endell Street London WC2H 9BD	Shopfront alterations (retrospective)

**Planning and Enforcement Appeals submitted on behalf of Baudry & Greene in respect of refusal of retrospective planning permission and subsequent enforcement notice.**

**INTRODUCTION**

This is an important site. It is located within the Seven Dials (Covent Garden) Conservation Area and the property makes a positive contribution to the conservation area. The application property is not listed; however, it is located next to 33 Betterton Street and opposite 22 Betterton Street and 31 Endell Street, which are all Grade II listed buildings. The pre-existing shopfront respected the conservation area and nearby listed buildings and the new replacement results in harm to these assets.

**Summary**

- 1.1. Planning Permission (2023/3310/P) was refused under delegated powers on 28 October 2024 for the following reason:
  1. *The shopfront alterations, by reasons of their design, materials, form, loss of historic and architectural features, result in an incongruous shopfront which causes harm to the character and appearance of the host property and conservation area, and harm to the setting of the adjacent listed buildings, contrary to policies D1 (Design), D2 (Heritage) and D3 (Shopfronts) of the Camden Local Plan (2017).*

- 1.2. An Enforcement Notice (ENF23/0511) was issued on 13 November 2024 which required the following actions to be undertaken within six months of the Notice taking effect (the notice would have taken effect on 26 December 2024; however, the current Appeal has now been made):
1. *Reinstate metal railings to replicate the design, materials and proportions of those removed from Betterton Street at ground level.*
  2. *Completely remove the large sliding windows on the Endell Street elevation at ground floor level and replace with fixed-closed timber windows to replicate those removed.*
  3. *Reinstate the blind window to replicate the design, materials and proportions of that removed on Betterton Street at ground floor level.*
  4. *Remove the serving hatch on Betterton Street at ground floor level and replace with a timber door.*
- 1.3. The Council wishes to rely on its *Delegated Report* (Officers Report), which sets out the decision-making process which lead to the refusal of planning permission, and as such this assessment is not repeated below. However, the Appellant's Statement of Case (SoC) and Heritage Appeal Statement raise some points in defence of the appeal which Council hereby wish to refute.
- 1.4. The Council will also provide an explanation as to why the steps set out within the Enforcement Notice were reasonable and necessary to overcome the objections and why six months is a reasonable compliance period.

## **Status of relevant policies**

- 1.5 The relevant policies are set out in the Officer Report. The following is of note.
- 1.6 The London Borough of Camden Local Plan 2017 (the Local Plan) was formally adopted on 03/07/2017 as the basis for planning decisions and future development in the borough. It should also be noted that the Council has published a draft new Camden Local Plan, which has just completed its Regulation 18 stage. Little weight can be afforded to the new plan, but it is nonetheless a material consideration. The council is of the view however that there are no material differences between the Plans in relation to this appeal. Similarly, there are no material differences between the previous NPPF and most recent updates in relation to this appeal.

## **2. COUNCIL'S RESPONSE**

- 2.1. For ease, the Council's response will follow the same format as the Appellant's SoC, starting with addressing the reason for refusal (RfR) of Planning Permission 2023/3310/P as outlined in their SoC and Heritage Appeal Statement, before moving on to addressing grounds (f) and (g) of the Appeal relating to the Enforcement Notice (ENF23/0511).

### **Council's Response to the Appellants SoC**

#### **The Appellant**

- 2.2. Section 7 of the Appellants SoC states that the '*sectional glazed frontage to Endell Street creates a sympathetic replacement at ground floor level which is in keeping*

*with the proportions and vertical emphasis of the upper floors of the building, and of those around it. The retractable awning, fixed stall riser, fascia panel and framing are pleasant features that evokes a more traditional appearance and character for the shopfront, the positive aspects of the presence of these overcome any harm and is a suitable replacement for that which previously existed.*

**The Council**

- 2.3. The points regarding 'sympathetic replacement', 'pleasant features' and the assertion that the proposed shopfront overcomes 'any harm and is a suitable replacement' are strongly refuted by the Council. The proposed shopfront causes harm to the character and appearance of the host property and conservation area and a detailed assessment of this is set out within the Officer Report.

**The Appellant**

- 2.4. Section 7 of the Appellants SoC goes further to state that '*on Betterton Street, historically it can be seen that the Council have approved the opening up of two blind windows on the upper floors which is more prominent on the building and site lines*'.

**The Council**

- 2.5. The approval the Appellant is referring to dates back to 1980 (Council ref: 30625) which pre-dates the designation of the conservation area and therefore has very little relevance to the proposal being currently considered.

**The Appellant**

- 2.6. Section 7 of the Appellants SoC states that '*the transformation from a door opening to serving hatch, also creates no additional harm to that which previously existed and provides further interest to the ground floor façade and brings activity to the shop's frontage*'.

**The Council**

- 2.7. The Council strongly refutes this statement and reiterates that the opening of serving hatch on Betterton Street has resulted in harm as set out within paragraph 2.13 of the Officer Report.
- 2.8. The comments regarding design and heritage as set out within Section 9 of the Appellant's SoC have already been addressed in the Officer Report and in the Council's response to the Appellant's Heritage Appeal Statement below. Therefore, these comments have not been repeated here.

**Council's Response to the Appellants Heritage Appeal Statement**

- 2.9. The Appellant has submitted a new heritage statement (Heritage Appeal Statement December 2024, hereafter HAS) in support of the Appeal. The HAS makes no further points, or presents any further evidence which, had it been presented at the time of application, would have in any way altered the Council's decision that the application should be refused for the reasons set out in the Officers Report and Decision Notice.
- 2.10. Notwithstanding this, it is considered appropriate to rebut certain points made in the HAS in order to assist the Inspector in their judgement, and therefore it is not agreed that:

**The Appellant**

1. *The Council chose to pursue enforcement action rather than to seek to negotiate resolution of their concerns. The preceding Planning Application provided only one opportunity to discuss the works.*

**The Council**

- 2.11. The Council provided the Appellant with free advice to the value of £1217.50 in order to address the unauthorised works. The Appellant chose to ignore this advice and has never submitted an approvable scheme to hold in reserve in the event of a refusal. The Council went beyond its obligations in seeking a resolution to the issue.

**The Appellant**

2. *The Council has failed to explain why the notice has been served, how the works demonstrably contravene planning policy and why it is in the public interest to pursue this matter.*

**The Council**

- 2.12. The reason for the notice being served is printed on the notice, including the policies contravened by the works and a description of how the works demonstrably contravene policy is set out in considerable narrative detail in the Officer Report. It is in the public interest to pursue the matter because the site is a positive contributor in a conservation area and within the setting of listed buildings, i.e. is part of the public realm and part of a site designated for its special character and appearance, the preservation of which is in itself a public benefit.

**The Appellant**

3. *There is nothing within the policies that the Council rely upon that would automatically mean the works were unacceptable: there is no 'in principle' policy objection to the works. The policies require professional judgements to be made, which the Council has failed to explain and rationalise. It is likely that the Council made its decision based on insufficient investigation and evidence.*

**The Council**

- 2.13. The Council respectfully refers the Inspector to the Officers Report issued at the time of refusal. There is no evidence which the Appellant has put in front of the Council in the course of the application or the Appeal which in any way alters the basis of information on which the decision was made.

**The Appellant**

4. *The conclusion of this assessment of the historical development of the area is that the existing building dates no earlier than the mid-19th century; it was in an area of active commercial area, with commercial uses neighbouring it in Betterton Street, and its joinery and shopfront is likely to be post WWII, because of bomb damage. The shopfront is not therefore of historic interest (as confirmed in the Seven Dials Conservation Statement).*

**The Council**

- 2.14. The Council has never been of the view that the previous shopfront was any earlier than the C20th. The issue is that the shopfront (and other alterations) which have replaced it are more harmful to historic character and appearance than the previous shopfront. While the previous shopfront was not of any intrinsic historic interest, it did at least have a degree of glazing subdivision and general appearance which was not alien to what one might expect to find on a C19th building.
- 2.15. The new shopfront and the other unauthorised works have failed to either preserve or enhance the appearance of the building at ground floor level and have in fact diluted

its otherwise positive contribution to the character and appearance of the conservation area, including its evidential and character relationship with surrounding listed buildings of the C18th and C19th. Therefore, there was no way in which the Council could approve an application which sought to retain these works and still meet its statutory obligation to preserve or enhance the character of the conservation area.

- 2.16. Comparison images of the previous and proposed shopfronts are shown in Figures 1 and 2 below.



Figure 1. Previous shopfront (drawing from c. 1979)

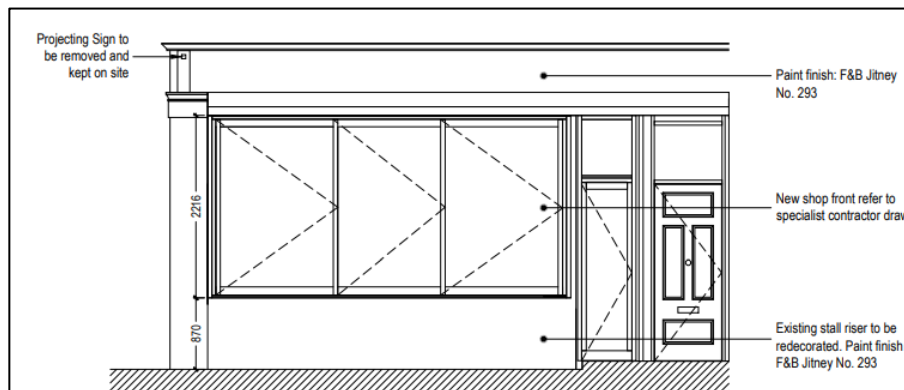


Figure 2. Iteration of unauthorised works proposed for retention as shown in application drawings

### The Appellant

5. *It is clear that prior to the alleged works being undertaken, the shopfront at No.20 Endell Street was in a poor condition. It had almost no architectural interest and it was disfigured by security blind boxes and poor-quality finishes. That situation lasted in excess of 15 years. The Council, for some bizarre reason, chose to take enforcement action after the Appellant had undertaken the enhancement works, as set out in the respective application.*

### The Council

- 2.17. All of these matters affecting the previous shopfront could have been addressed by the installation of a more appropriate shopfront via a pre-application discussion and a planning application made in advance of the works. The Council did not choose to take enforcement action “for some bizarre reason” but for the perfectly rational, and indeed legal, reason that there was nothing unlawful against which to enforce until the Appellant undertook works in a conservation area without planning permission

(the previous shop front was lawful and pre-dated the designation of the conservation area).<sup>1</sup>

### **The Appellant**

6. *The Council has not explained anywhere what the significance of the identified listed buildings is and how the appeal site contributes to that significance. Which listed buildings the Council has concerns with is not clear as they have referred to a building that is not listed (no.22 Betterton Street) and omitted any reference to a listed building which lies closer to the appeal site than others that are identified. The assessment undertaken within this statement demonstrate that the works have not resulted in any harm to the following listed buildings: 24 Betterton Street, 33 Betterton Street, 22 Endell Street and 31 Endell Street.*

### **The Council**

- 2.18. Please refer to the Officers Report para. 2.7 onward. For the avoidance of doubt the listed buildings for which the site forms the immediate visual setting are: 33 Betterton Street (GII), 22 Endell Street (GII), 31 Endell Street (GII) and 24 Betterton Street (GII\*). All of the listed buildings for which the appeal site forms part of the setting are of C18th-C19th date and have a relationship with the appeal site in terms of the evidential value of the pre-C20th townscape. The matter of setting of listed buildings is one which can be expanded quite considerably in terms of which element of the setting one is identifying. It could even be argued that the appeal site contributes to the evidential and experiential value (ergo setting) of listed buildings of pre-C20th date throughout the entire district. However, given the harm caused to the setting of the most immediate listed neighbour (Number 33 Betterton Street) is at the less than substantial end of the scale and the works fail to comply with the relevant conservation area guidance, it was not considered expedient to assess the impact on the setting of every possible listed building other than to note it was universally causing less than substantial harm in all relevant instances (when taking relevance to equate to visual co-experience).

### **The Appellant**

7. *The Council has chosen to ignore the considerable enhancements that the Appellant has carried out to the frontage of 20 Endell Street, which resulted in a significant improvement in the attractiveness of the property and to the streetscene. Those improvements are likely to have resulted in more people enjoying the local environment, returning to the locality, which in turn has helped support other businesses in the area.*

### **The Council**

- 2.19. The point regarding “enhancement” is obviously disputed. There is no objection in principle to the re-painting of the premises, in fact this did not in itself require

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<sup>1</sup> Notwithstanding its intrinsic character, the Seven Dials Conservation Area is one of the most important in the country in terms of its history as a seminal piece of heritage-led urban regeneration. Its formal designation as a “Conservation Area” was in 1974. The Initial Development Plan for Greater London was amended in 1973 to include the designation of Covent Garden as a Comprehensive Development Area. At the same time over 200 buildings were listed in the area and Seven Dials was given ‘Outstanding Status’ by the Secretary of State. The GLC prepared an Action Area Plan (CGAAP) as a broad basis for the future development of the area (1978) for a ten-year period. The document covered both Camden and Westminster. Camden undertook a review of the CGAAP in 1988 that contained interim policies for the area. The Seven Dials Monument Charity, a recognised local community group, produced the Seven Dials Renaissance Report in 1991, an environmental handbook which aims to improve the appreciation of the unique street plan and achieve a consistent standard of high-quality design. The work was funded by the Department of National Heritage. The Council supported the initial report in principle in July 1991. Buildings in Seven Dials have been restored based on the guidance. The revised version was completed in August 1997. The Handbook is an important reference for development proposals in the area and has recently been updated in an online version including references to shopfront alterations: <https://sevendialsc Covent Garden study/specifications/shopfronts/introduction/>

permission. All work which required planning permission is not considered to be an “enhancement”, hence the refusal of permission for the reasons set out in the Officers Report. The rest of the point is entirely conjecture and anecdotal and is not material to anything which the Council or Inspector can meaningfully consider in the matter of whether planning permission should have been granted or refused.

**The Appellant**

8. *The Council requires four items of work to be undertaken in order to address their concerns. However, those concerns are not based on any logical evaluation of the situation. The works that have been carried out have enhanced the appearance of the conservation area; they have not resulted in any harm to it.*

**The Council**

- 2.20. This is the entire crux of the Appeal, and the Council defers to the judgement of the Inspector. While the Appellant may consider the decision of the Council was not based on any “logical” evaluation it can hardly be disputed that it was at least based on an assessment reasoned against national and local guidance and policy.

**The Appellant**

9. *The Council has failed to provide any clear justification for the issuing of the enforcement notice. The Council has not demonstrated that it has undertaken an appropriate assessment of the impact of the works on the identified heritage assets, that accords with the NPPF definition of significance and relevant Historic England guidance. The assessment undertaken within this statement have shown that the works have not caused any material harm to the identified designed heritage assets. Rather, the works have enhanced the appearance of the shopfront to No.22, which has resulted in an enhancement to the appearance of the townhouse and the terrace and, has improved the contribution that the property makes to the character and appearance of the conservation area.*

**The Council**

- 2.21. The most relevant part of this point appears to be that regard was not had to the NPPF in terms of the assessment of the impact on heritage assets including listed buildings. The appellant’s HAS also made this point in Para. 6, addressed by the Council above.

**The Appellant**

10. *The lack of any clear demonstration by the Council means that it has failed in its duties, as set out at Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Furthermore, by proceeding with enforcement action without carrying out an appropriate level of investigation and analysis, the Council has acted in a cavalier manner, which is not in the public interest and is also potentially damaging to businesses.*

**The Council**

- 2.22. The Council has not only acted entirely in the public interest but also has been entirely guided in its decision by its statutory obligation to seek the preservation or enhancement of the character and appearance of a conservation area. The content of the HAS and its appendices has presented nothing of which the Council was not previously aware, or which the Council sees as in any way demonstrating that the refusal of planning permission was an incorrect decision.

**The Appellant**

- 2.23. The Appellant has submitted a Shopfront Study appended to the HAS.

### **The Council**

- 2.24. The Shopfront Study include a series of photographs of other shopfronts in the Seven Dials Conservation Area. Some are of merit, some are unlawful, many are on buildings which are not historic/positive contributors and some pre-date the designation of the conservation area and were therefore not subject to conservation area guidance.
- 2.25. The Council does not propose to respond to every example illustrated but notes that there is not one single example given which shows either an historic, or lawful post-designation, shopfront or set of exterior alterations of an equivalent design or appearance to the alterations which the appellant has executed.
- 2.26. It is also concerning that the Appellant has included shopfronts of harmful design as a means of demonstrating acceptability for the appeal scheme; especially in a conservation area where the statutory obligation is to seek preservation or enhancement.

### **The Council**

- 2.27. In conclusion, the Council maintains that the proposed development results in less than substantial harm to the character and appearance of the conservation area. The elements of the site that contribute to its significance are its 1840s appearance, its visual relationship with adjacent heritage assets of a similar historic appearance, and its historic relationship with the early C19th terrace of which it forms a part. All of these elements form part of its positive contribution to the character and appearance of the conservation area, which in this vicinity is chiefly defined by its late C18th and C19th character. The proposed development would result in the dilution and legibility of almost all of these characteristics at ground floors level on the subject site thereby causing harm to the character and appearance of the conservation area.
- 2.28. The alterations which have occurred to the shopfront and ground floor elevation of the building do not meet the requirements of the relevant guidance for the area and as a result fail to preserve or enhance the otherwise positive contribution which the site makes to the character and appearance of the conservation area. There has also been a degree of harm to the setting of neighbouring listed buildings due to the erosion of the historic character and evidential townscape of the site although this is also less than substantial and commensurate with the equivalent impact to the character and appearance of the conservation area.
- 2.29. Having outlined the assessment of harm in respect of heritage assets, the Council therefore submits the above findings to the authority of the Inspectorate for determination and respectfully requests that the Appeal is dismissed.
- 2.30. Should it be of assistance to the Inspectorate, the full internal report from the Conservation Officer which was produced at the time of the assessment of the original application has been included as Appendix 1.

### **Section (f) – The steps required by the notice, exceed what is necessary to remedy the breach of planning control.**

### **The Appellant**

- 2.31. *The requirements set out in the notice are unreasonable and excessive as the notice does not take into proper account the possibility of a reasonable and possible alternative already discussed on site with the Council that they might accept.*



**The Council**

- 2.32. Informal discussions with officers on site do not represent the Council's official stance on any specific element, nor do they imply that the works are considered less harmful. The Council reiterates that, to date, no acceptable proposal has been submitted, and no pre-application request has been received.

**The Appellant**

- 2.33. *The existing shopfront held little merit and was not considered to make a positive contribution to the area.*

**The Council**

- 2.34. The Council disagrees with the assertion that the existing shopfront holds little merit or does not contribute positively to the area. On the contrary, the Officer's delegated report clearly indicates that the shopfront retains 19th-century detailing and makes a positive contribution to the conservation area as a whole. The steps required in the enforcement notice are therefore required to remedy this harm.

**The Appellant**

- 2.35. *The Council indicated on site that some of the suggested changes might be acceptable. Although this was expressed as a broad suggestion at the time by the Council officer. The Council has not indicated that such a revised proposal would not be granted.*

**The Council**

- 2.36. The Council can only reiterate that not indicating that something is unacceptable, is not the same as indicating acceptability. Again, in absence of an acceptable proposal, the Council cannot consider any lesser steps than those required in the notice.

**Section (g) The period specified in the notice falls short of what should reasonably be allowed**

**The Appellant**

- 2.37. *The appellant is submitting a pre application request with the Council in tandem with this appeal. With the aim to submit a revised planning application shortly after pre application discussions. This would take at least 6months if not more subject to the speed at which the Council might deal with such a matter and given the time of year and the Council's delays in dealing with pre-application requests and planning applications.*

**The Council**

- 2.38. The Council is yet to receive a pre-app request and on the basis that no acceptable proposal has been received, considers that six months is a reasonable timeframe for compliance.

**The Appellant**

- 2.39. *The appellant has sought and would like to continue to work positively and proactively with the Council. They have a proven, reliable and consistent enhancement to the area, and they wish to continue their positivity to the area. This is demonstrated by the support they have received since opening and during the course of the planning application.*

**The Council**

- 2.40. The Council can only assess proposals presented to it regarding the appeal site so cannot consider other projects the appellant may be involved with as a basis for extending the compliance period.

**The Appellant**

- 2.41. *Further time would be needed to obtain the instruction of third parties such as manufacturers and builders and take into account manufacturing times frames.*
- 2.42. *Therefore, we kindly request that an additional 18 months is allowed from the date of this decision to allow sufficient time for negotiations to take place with the Council on a suitable alternative scheme which would allow a viable business to operate.*

**The Council**

- 2.43. The Council considers that six months is a reasonable timeframe to allow manufacturers and builders to complete the necessary work. Given that the Council has not yet reviewed a proposal deemed acceptable, it is not reasonable to extend the compliance period of the enforcement notice based on the appellant's intention to submit a pre-application request, which has not been received at the time of writing.

**The Appellant**

- 2.44. *This full requirement of the notice would also prevent the business from continuing and operating at its maximum. In this respect, the appellant is not challenging all the requirements of the notice (as stated above the Appellant is willing to make amendments potentially) but the time frame which would directly affect, on an immediate basis, their ability to continue operating the unit, which could be at a detriment to the business at this time of year. The appellant remains willing to reach agreement with the Council, but the enforcement notice does not give sufficient time to either do this or carry out whatever proves necessary whilst at the same time enabling the appellant to manage and develop the business's growing customer base necessary to ensure the long-term viability of the site... a period of 18 months would give time for all that is necessary to resolve issues between the Council and the appellant.*

**The Council**

- 2.45. The Council is sympathetic to the impact the enforcement notice may have on the business and, as such, has allowed a compliance period of six months to enable the business to make necessary arrangements. The appellant's request for an 18-month extension to allow yet another application to be assessed cannot be considered a valid basis for extending the compliance period, as noted above.
- 2.46. While the Council typically allows less time for such amendments to be carried out, it is considered that six months is more than sufficient in this case. The appellant has failed to provide sufficient justification on why the works required to comply with the notice would take longer than the recommended time period. Without prejudice to the above, should the Inspector decide to extend the compliance period, the Council believes that 8 months would be more reasonable than 18 months. Considering these alterations were carried out in 2023, the Council deems it excessive to allow unauthorised and harmful alterations to a historically significant building for over two years.

### **3. CONCLUSION**

- 3.1 In summary, Council maintains the position that the application should be refused and considers that the information submitted by the Appellant in support of the Appeal does not overcome or address Council's reasons for refusal.
- 3.2 As such, it is respectfully requested that the Inspector dismisses the appeal accordingly.

#### **4 Conditions**

- 4.1 Should the inspector be minded to allow the appeal, the council is unable to recommend any conditions that would mitigate the negative impact of the works.

If any further clarification of the appeal submissions is required, please do not hesitate to contact Sarah White on the above direct dial number or email address.

Yours sincerely,

Sarah White  
Senior Planning Officer

**Appendix 1 – Internal Conservation Officer Report**

## **Internal Conservation Observations provided to Planning Officer**

**2023/3310/P - 20 Basement And Ground Floor, Endell Street, London, WC2H 9BD**

### **Site and Significance**

20 Endell Street is a positive contributor within the Seven Dials Conservation Area. It is part of a short terrace of c.1840 by James Pennethorne which has shopfronts across all ground floor elevations. None of the shopfronts date entirely from the C19th but they retain some elements of C19th detail and fabric and are of a fixed nature with the exception of Number 16 which has had some iteration of an openable shopfront for about 40 years and likely since before the conservation area was designated. The Conservation Area Statement and Management Strategy describes the context as:

Endell Street has an interesting architectural diversity, with many distinctive buildings. The street was constructed in its present form in 1846 as part of plans drawn up by Pennethorne (successor to Nash) for improvements to London. As a result, it is wider than most Seven Dials streets with a number of mid Victorian medium scale commercial buildings

The site also forms the setting of a series of broadly contemporary (C18th and C19th) listed buildings namely: Number 33 Betterton Street (GII), 22 Endell Street (GII), 31 Endell Street (GII) and 24 Betterton Street (GII\*).

### **Proposal**

Retention of unauthorised works.

### **Impact of Proposal on Significance**

The Conservation Area Statement contains guidance on shopfronts and frontages as follows:

*SD7 In all cases, existing/original architectural features and detailing characteristic of the Conservation Area should be retained and kept in good repair, and only be replaced when there is no alternative, or to enhance the appearance of the building through the restoration of missing features. Original detailing such as door/window pediments and finials, timber shopfront facades, iron balustrades, timber framed sash windows, doors, where retained add to the visual interest of properties, and where removed in the past replacement with suitable copies will be encouraged. Original, traditional materials should be retained wherever possible and repaired if necessary.*

*SD17 The installation of a new shopfront and most alterations to the existing shopfront will need planning permission. The installation of external security shutters also requires planning permission. SPG contains more detailed advice on the design of shopfronts and signage.*

*SD18 There are many historic shopfronts dating from the late 18th and 19th century and a number of well designed modern shopfronts. Proposals for new shopfronts will be expected to preserve or enhance the visual character and appearance of the shopping streets, through respect for the proportions, rhythm and form of the original frontages. Any shopfront of historic interest or architectural quality should be retained and if necessary repaired and the loss of those shopfronts identified under Shopfronts of Merit and any other historic/original shopfront will be strongly resisted. The restoration of wide shopfront entablatures will be welcomed as these can provide planting. Shopfronts that are considered to be out of character with the building or the area generally should be replaced with new shopfronts that are appropriate to the building and enhance the appearance of the Conservation Area.*

*SD19 Similarly shop signage should be appropriate for the Conservation Area, respecting the proportions of the shop frontages, and maintaining the division between units and reflect the plot widths of buildings. Internally illuminated box signs are unacceptable and generally signage should be non-illuminated or externally illuminated. Signage will usually consist of one fascia sign and one projecting sign. Shop signs should not normally be above ground floor level.*

Although not a policy document the Seven Dials Streetbook (produced after the conservation area was designated) also contains guidance on shopfronts, essentially stating that any replacement shopfront to a pre-C20th building should take a traditional form:

*A shopfront should not be designed in isolation but rather conceived as part of the complete elevation and the whole building into which it is fitted. Respect should be paid to the overall proportions and architectural style of the building and the relationship with other surrounding façades. This principle applies equally to the restoration of traditional shopfronts and the design of modern ones. Building widths and subdivisions should be continued through and related to the ground to maintain the vertical emphases. The horizontal emphasis of a consistent fascia line and the proportions of the glazing should also be carefully considered.*

*When restoring old shopfronts, the details should be determined as far as possible by the evidence of the original building. A good example of this best practice can be seen in the [Historic Shopfront Case Studies](#). If too little of an old shopfront survives for it to be restored with confidence, evidence for missing details can often be obtained from adjacent shopfronts in buildings of similar date and style or from archive photographs such as those in the [Building-by-Building](#) section of this Study. The state of preservation of the building and any details revealed should always be assessed and recorded before restoration works are started. Level entries from highway footpaths help those with mobility problems.*

*Great care is needed in the selection of materials and colours for shopfronts on listed buildings and in a Conservation Area. Materials such as brushed aluminium, plastic, Perspex, garish tiles and laminates should be avoided. The ill-considered removal or addition of glazing bars can result in an historically incorrect shopfront design.*



### 3.2 Shop Fronts

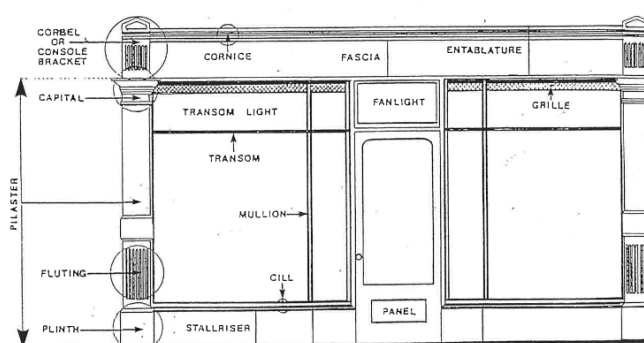
The Seven Dials Conservation Area contains an interesting and extensive series of painted timber shop fronts dating from the late eighteenth and nineteenth centuries. Much of the special character of the streets is derived from these and it is important that they are properly maintained and that any missing sections be accurately restored using good quality joinery and appropriate Georgian or Victorian colours. Well-maintained traditional shopfronts or imaginatively designed new ones are important not just for the preservation of the character of the buildings but for the attractive overall appearance of the shopping streets and their commercial success.

Scale, detailed design, the use of correct materials and appropriate colour schemes are all important in making shop fronts attractive. A shop front should not be designed in isolation but rather conceived as part of the whole building into which it is fitted. Respect should be paid to the overall proportions and architectural style of the building and the relationship with other surrounding façades. This principle applies equally to the restoration of traditional shop fronts and the design of modern ones. Building widths and subdivisions should be continued through and related to the ground to maintain the vertical emphases. The horizontal emphasis provided by a consistent fascia line and the proportions of the glazing should also be carefully considered.

When restoring old shop fronts, the details should be determined as far as possible by the evidence of the original building. If too little of an old shop front survives for it to be restored with confidence, evidence for missing details can often be obtained from adjacent shop fronts in buildings of similar date and style. In eighteenth, nineteenth and early twentieth century buildings, shop windows are often set into an architectural framework composed of classical elements such as pilasters with bases and capitals, a frieze enlarged to produce a flat fascia, cornice and console brackets. It is important that these features should be retained or, if damaged, replaced in replica.



### TERMINOLOGY OF PARTS OF A SHOP FRONT (see also Glossary)





The alterations which have occurred to the shopfront and ground floor elevation of the building do not meet the requirements of the relevant guidance for the area and as a result fail to preserve or enhance the otherwise positive contribution which the site makes to the character and appearance of the conservation area.

There has also been a degree of harm to the setting of neighbouring listed buildings due to the erosion of the historic character and evidential townscape of the site.

The alterations do not “preserve or enhance the visual character and appearance of the shopping streets, through respect for the proportions, rhythm and form of the original frontages.” The former shopfront was not a shopfront of merit but it was at least of traditional fixed nature and presented the commercial/retail frontage of the building primarily to Endell Street. Therefore, had an application been made prior to the alterations it would have been expected that any proposed shopfront “should be replaced with new shopfronts that are appropriate to the building and enhance the appearance of the Conservation Area.”

The most harmful elements of the executed works are the partial loss of the railings (they are not historic fabric in the sense they seem to date from post-1939, but the old maps show there were always railings there), the unrelieved depth of the new fascia board (and loss of the cast iron grille), the large openable windows within the shopfront, the erection of awnings on Betterton Street, the knocking out of the blind opening to Betterton Street, the creation of a display case and serving hatch in the former door to Betterton Street.

Prior to the works the shop had an animated commercial frontage to Endell Street and a quiet secondary frontage to Betterton Street. This is quite typical of C19th Metropolitan Works schemes and although the arrangement was lost on the other end of the terrace (at some point prior to the designation of the conservation area) the subject site had retained the authentic 1840s townscape character on the Betterton St return frontage:



The character of the site has accordingly been altered from its historic form of shopping parade with non-commercial return elevation into a much more busy commercial corner frontage (of the type normally associated with a public house):





Aside from the loss of railings, the creation of a concertina shopfront, the opening of the blind window and the conversion of the side door into a serving area, there is also harm caused to the character and appearance of the area by the fact that the new windows are in square section aluminium. This is entirely at odds with the character of the 1840s host building and the

expectation that almost all new shopfronts in pre-C20th buildings in the conservation area should be of painted timber. The previous shopfront may well have been of metal, but if so it was metal of a very fine profile and, in any case, any replacement shopfront in the conservation area should seek to “enhance” under the relevant part of the Act.

Camden’s Local Plan, Design & Heritage states at 7.76 that:

“If a shopfront is replaced or altered, the design should respect the characteristics of the building and, where appropriate, shopfront windows and framework features, such as pilasters, fascia’s and console brackets, should be retained or restored.”

Unfortunately, the proposed design does not respect the characteristics of the historic building of which the shopfront is a part, because of its modern proportions, its obvious slider runnels, and its coated metal frame. A design that retains the previous framework features would be acceptable, using a sympathetic wooden frame.

Camden’s Local Plan, Design and Heritage states at 7.77 that:

“Folding or opening shopfronts will not generally be acceptable, as they can create a void at ground level that can harm the appearance of a building and can also have a negative impact on local amenity, for example in terms of noise and disturbance.”

The proposed design is fully-opening. It does not go all the way down to ground level, but is still likely to have the same negative impact on local amenity. It is certainly not characteristic of C19th shopfront design.

The Seven Dials Study planning policy document states in the ‘Shopfront Windows’ section that: “Modern flat sectioned glazing bars are not appropriate in a conservation area. Windows should always be made of timber.” The proposed windows are in square section aluminium frames.

Section 72(1) of the Listed Buildings Act 1990: In the exercise of various functions under the Planning Acts in relation to land in conservation areas (including determination of planning applications) the Council is required to pay special attention to the desirability of preserving or enhancing the character and appearance of the Conservation Area. In the case of this application the retention of the unauthorised works would result in failure to preserve or enhance the otherwise positive contribution the site makes to the character and appearance of the conservation at a level of less than substantial harm.

Section 66(1) of the Listed Buildings Act 1990: In considering whether to grant planning permission for development which affects a listed building or its setting, the Council is required to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. In the case of this application the retention of the unauthorised works would result in failure to preserve the setting of the listed buildings at Number 33 Betterton Street (GII), 22 Endell Street (GII), 31 Endell Street (GII) and 24 Betterton Street (GII\*).