

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>01/11/2006</b>
		N/A / attached	<b>Consultation Expiry Date:</b>	<b>29/09/2006</b>
<b>Officer</b>		<b>Application Number(s)</b>		
Alex Bushell		2006/3681/P and 2006/2555/L		
<b>Application Address</b>		<b>Drawing Numbers</b>		
Bloomsbury Ballroom Victoria House 37-63 Southampton Row London WC1B 4DA		Drawings: 5132/1000 RevA, 5132/1006, 5132/1007, 5132/3000, 5132/3001, 5132/3002, 5132/3003, 5132/3004, 5132/3005, 5132/3006, 5132/3007, 5132/3008, 5132/3009, 5132/3010, 5132/3011, 5132/3012, 5132/3013, 5132/3014, 5132/3015, 5132/3016, 5132/3017, 5132/3018, 5132/3019 RevA, 5132/3020, 5132/3021, 5132/3038, 5132/3039, 5132/3040, 5132/014 RevF, 5132/016 RevP, 5132/017 RevA, 5132/222 RevF, 5132/223 RevF, 5132/231 RevB, 5132/254, 5132/255, 5132/256, 5132/258, 5132/257, 5132/401, 5132/402, 5132/403, 5132/404, 5132/406, 5132/407, 5132/408, 5132/409, 5132/420, 5132/422, 5132/800 RevA, 5132/801 RevA, 5132/802 RevA, 5132/803 RevA, 5132/804 RevA, 5132/806 RevA, 5132/808 RevA, 5132/907 RevA, 'Ballroom Speaker Hangs', 'Geo S 2 point hang' dated 19/7/2006, 'Proposed audio flying points for ballroom Geo S cabinets' dated 5/7/2006, Design and Access Statement Dated 24 <sup>th</sup> August 2006		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
1. (PP) The retention of use of part of upper basement level (with ground floor entrance lobby) as an events promotion venue and public bar (sui generis) as an amendment to planning permission ref. PSX0004957 dated 18 July 2001; and 2. (LBC) The retention of works relating to the refurbishment and refitting of basement ballroom, bars and ancillary spaces to incorporate an events/promotions venue, associated works to the ground floor comprising the installation of bronze pin -mounted lettering to one side of the Bloomsbury Square entrance.				
<b>Recommendation(s):</b>		1. Grant Planning Permission; and 2. Grant Listed Building Consent.		
<b>Application Type:</b>		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses No. electronic	00 00	No. of objections	00
Summary of consultation responses:	A site notice was displayed adjacent to the site on 8 <sup>th</sup> September 2006, to which there was no response.					
CAAC/Local groups* comments: <small>*Please Specify</small>	The <b>Bloomsbury CAAC</b> responding by saying it has ‘no comment’.					

### Site Description

The application relates to the upper basement level of Victoria House, Bloomsbury Square – a ballroom, adjoining 'crush bar' and area under the existing lightwell with access and escape areas at ground level. It is part of the internal basement area of the Grade II listed Victoria House on the east side of Bloomsbury Square within the Bloomsbury Conservation Area.

### Relevant History

**18/07/2001** - PSX0004957 and LSX0004958

"Refurbishment of the listed building including alterations at roof level; alterations to the shopfronts; the formation of an internal vehicular loading bay at the north end of the Bloomsbury Square elevation; the erection of a roof over the two existing two light wells to form atria, with new internal walls, and the insertion of pods in the atria. The use of the building to involve:- retention of office use on part of the ground and all the upper floors; double height Class A1 retail units on the Southampton Row frontage; retention of the existing bank on the southern corner and introduction of new restaurant use (with entrance and bar on Vernon Place); and a new health club on the basement floors."

*The space that forms the current application unit was for a restaurant (at that time the A3 – prior to recent introduction of Class A4 – also included the crush bar). There was no access door shown between the Crush Bar and what was shown as a reception area (now used for purposes ancillary to the office space above), although the space where toilets have now been accommodated was shown as open.*

Relevant conditions:

- Hours restriction for 0700 hours to midnight/ 2300 hours on a Sunday;
- No music so as to be audible in adjoining premises or the highway; and
- No loading except within the curtilage of the building.

**19/11/2001** - PSX0104986

"Variation of condition 2 of planning permission ref: PSX0004957 dated 18 July 2001 to allow the Class A3 use to operate 0700-0200 Monday to Saturday, 0700-2400 Sundays and the Class D2 use to operate 0600-2400 Monday to Saturday and 0700-2300 on Sundays."

Relevant conditions:

- Personal to Moving Image Plc;
- Temporary change to hours for 1 year only; and
- No music so as to be audible in adjoining premises or the highway.

**23/5/2002** – appeal decision against the temporary condition – allowed, therefore permission, if implemented would be valid indefinitely.

**14/08/2003** - 2003/1517/P

"Variation of condition 1 of planning permission Ref: PSX0104986/R1 dated 20th November 2001 to allow the restaurant (Class A3 Use) in the upper basement to be operated by Coastdean Ltd instead of Moving Image Plc, from 0700 to 0200 hours Monday to Saturday and from 0700 to 2400 Sundays." Condition requires that use reverts to former hours when Coastdean Ltd cease occupancy.

*The drawing submitted with this application shows the crush bar with the bar in place, but no access to the space behind.*

**19/09/2005** - 2005/2770/P and 2005/2773/L

“Use of basement vault space and adjacent lightwell as public cafe bar (Use Class A4) and the ballroom area as function/events promotion space (Sui Generis) including the addition of a glazed roof over the lightwell all as an amendment to planning permission ref. PSX0004957 dated 18 July 2001.”

+

“Internal works associated with the use of the basement vault space and adjacent lightwell as a public café bar and ballroom area as function/events promotion space.”

Planning permission refused on the basis of the appearance of the lightwell infill being detrimental to the appearance of the LB and the C and A of the CA.

LB consent refused for two reasons:

“The proposed addition of a glazed roof over the lightwell and removal of sections of basement wall would distort the character and appearance of the lightwell and cause damage to the fabric of the building to detriment of the special interest of the listed building contrary to policies EN27 (basement areas) and EN38 (preservation of listed buildings) of the London Borough of Camden Unitary Development Plan 2000.”

And

“The removal of the counter and installation of partitioning would distort the layout and harm the special interest of the north end room contrary to policy EN38 (preservation of listed buildings) of the London Borough of Camden Unitary Development Plan 2000.”

**31/07/2006** - 2006/2554/A

Advert consent for: “Display of anodised letters on the fabric of the building.”

*LB consent still not granted as it forms part of the current submission*

### **Relevant policies**

The relevant UDP Policies are as follows:

SD1, 5, 6, 7, B1, 4, 6, 7, T1, 2, 3, R1, 2, and 3.

The Inspector's Report into the Camden Local Development Framework Core Strategy and Development Policies Development Plan documents ("DPD"s) was published on 13th September and found the policies in the DPDs to be sound.

This means "considerable weight" can now be given to these LDF policies even though at this stage they have yet to be formally adopted by the Council. Where there is a conflict between UDP policies and these LDF policies the Planning Inspectorate would consider it reasonable to follow the latter .

However prior to formal adoption UDP policies should still be taken into account as the Council's adopted Development Plan.

The relevant CS and DPD Policies are as follows:

CS3, 5, 7, 8, 9, 14, 17, 18, DP12, 16, 17, 24, 25, 26

## Assessment

The applications relate to the use of the part of the upper basement incorporating ballroom, crush bar, a toilet area and floor space under the pavement on the other side of the lightwell. There is a ground floor access lobby on the south west corner of the building facing Bloomsbury Square.

As the works have already been undertaken and the use has occurred for a number of years, the application is retrospection and seeks the retention of each the application for planning permission and listed building consent.

The considerations material to the determination of the application are summarised as follows:

- The principle of the use;
- The impact of the use;
- The impact of the physical changes on the special architectural or historic importance of the listed building.

### The principle of the use

The use of this part of the upper basement was originally used for functions in a manner considered ancillary to the primary use of the wider building as a Class B1A office use (it was built for the Liverpool Victoria Insurance Co.)

The permission granted in 2001 for the refurbishment of the entire building included a separate Class A3 restaurant in space the subject of this application and it included a Crush Bar, which at the time would have been part of the A3 use (since 2005, there is a separate Class A4 use for bars). In addition the 2005 application to vary the terms of the Class A3 part of the building to allow the use of the same space as a function/events promotion space (Sui Generis) was only refused on grounds that the covering of the lightwell was unacceptable in listed building terms

Given that the use of the basement space does not displace any Class B1 employment space and has already been in separate use as a restaurant/bar with a similar character and capacity in terms of numbers of people (500), the principle of the use change is acceptable. It is also within the Central London Area with good public transport accessibility, suitable for a an entertainment use.

### The Impact of the use

The nearest residential occupiers are within buildings on the other side of Bloomsbury Square or on the south side of the same square on Vernon Place – each noise sensitive façade is approx. 85 – 90m away from the entrance door.

As the space is subterranean and well noise insulated, the main impact would be from patrons arriving at and leaving the premises. Most customers are likely to either use Holborn Tube and arrive/depart away from the quieter residential areas or pick up taxis on the main routes, also away from the areas with a more residential/office character.

In 2001 the restaurant/bar occupier applied to extend the hours of operation to 2am. This permission was personal to Coastdean Ltd and limited to one year to assess the impact of the change and allow the Council to reassess in light of experience.

Significantly, the use as an events promotion venue and public bar by a new occupier Vince Power Music Group has been in place for a number of years (albeit without permission) and was commenced shortly after the application was submitted in 2006.

Over this period of continued late night operation there have been no complaints to the Council on grounds of noise nuisance and the use has included high profile entertainers (eg Amy Winehouse).

In light of the proximity of existing residential use and the experience of the events promotion and

public bar use over a number of years, it is considered acceptable in noise and impact terms, compliant with UDP Policies relating to residential amenity and impact of entertainment use (SD6, R2, R3) and also compliant with emerging LDF policy (CS7, DP12, DP26).

As the new occupier submits that it would be occupied in a similar manner to the previous and there is potential for noise disturbance later in the night when background noise levels are lower (fewer vehicles on the main routes), it is considered appropriate to use the same hours restriction as that granted to Coastdean on a temporary basis in 2001.

Air handling equipment is all sited internally and utilises existing vents outlets on the building. No noise nuisance results.

### **Listed Building**

All alterations are internal with the exception of the facing of the signage to the entrance (advert consent granted in 2006) and the main elements are summarised as follows:

- Alterations to the interior of the 'crush bar' including light fittings, the removal of a bar counter, the installation of new partitioning to form a WC and other minor changes;
- The addition of double doors to the left of the stage and other fittings (mixing desk/hung speakers) in the main Ballroom;
- New fittings under the pavement (beyond lightwell) to provide a seating area; and
- The installation of partition walls to form kitchen, stores, WCs, plant room and offices; all within an area outside the ballroom under the entrance lobby.

In the main the alterations are sympathetic to the parts of the basement space that is important in historic building terms, particularly the ballroom, which was used as an ancillary events/entertainment place by the building's original occupiers. The new double doors are acceptable and necessary to facilitate safe use of the space by an independent occupier. These changes are supported as they bring the building into active use and ensure long term protection of the most significant part of the Victoria House basement space. The doors have been designed to match other doors in the ballroom and the spatial quality is retained (an improvement over the previous bar space included as part of the Coastdean operation).

The new partitioning and fittings to the south of the ballroom and beyond the lightwell relate to parts of the building with no particular architectural merit and are not harmful to the listed building.

In respect of the previous 2005 proposal the main concern in planning and listed building terms was the incorporation of the lightwell into the internal space and the proposed glazed roof. This component has now been removed as is now acceptable.

The other point of contention relates to the removal of the bar counter and the partitioning to form a WC in the 'crush bar'. Officers took the view that the loss of fabric and the alterations to spatial character the internal area were unacceptable. The scheme also blocks off a circulation route from other parts of the basement space. Indeed, when the initial site inspection was undertaken in 2006 and it was established that the works were underway a letter was written advising that works cease and the bar circulation route be reinstated. However, since the works have been carried out, more detailed assessment of the impact has been undertaken. It has now become clear that the bar counter was a later addition and the circulation route has been effectively removed by virtue of the separation of the space into independent units of occupation. The subdivision of the space beyond the application site area has been further subdivided and the original circulation routes no longer exist. While a WC area has been formed behind a partition the original door and its surround have been retained to enable the former function to be read. Having regard to the now retrospective nature of the application and the fact that the remaining concern relates to the spatial quality of the crush bar only – itself a subservient and relatively less significant part of the basement of the building – it is considered not expedient to take listed building enforcement action (Site visit undertaken with Joanna

Ecclestone March 2009). Consequently, it is considered appropriate to grant retrospective listed building consent for this component of the works.

The advertisement is a small scale sign 'Bloomsbury Ballroom' with independent lettering mounted on the external blockwork. It is low key and does not cause harm to the architectural or historic significance of the building.

As the application is retrospective, there is no requirement for use of conditions.

The applications are accordingly recommended for approval.

**Disclaimer**

***This is an internet copy for information purposes. If you require a copy of the signed original please contact the Culture and Environment Department on (020) 7974 5613***