

Ward: Bloomsbury

Officer: John Davies

Covent Garden Con Area (Bloomsbury)

Grade II Listed Building

Address : 61 & 61A Endell Street, WC2

Type of application : Full Planning

Date of Application : 15/04/1998

Application Number: PS9804332

Case File: P14/24/24

LONDON BOROUGH OF CAMDEN
TOWN AND COUNCIL
18 JUN 1998
RECOMMENDATION AGREED
ON BEHALF OF THE COUNCIL

Proposal :

Change of use of the ground floor and basement of no.61 from offices to retail use and the conversion of the office use on the first floor to a two bedroom flat and a two bedroom maisonette on the second and third floors. Redevelopment of the yard at the rear to provide a building on part two, part three and part four floors providing 5 self-contained flats. As shown on Drawing Numbers: A1153/ 001-005/P1; 010/P2, 011/P2, 012/P4, 013/P6, 020/P13, 021/P10, 024/P5, 025/P7, 026/P10, 027/P6, 028/P4, 30P3, 31P3, 32P1, 33P1, 34P2..

RECOMMENDATION SUMMARY : Grant Permission subject to Section 106

Type of application : Listed Building Consent

Date of Application : 15/04/1998

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Application Number: LS9804333

Case File: P14/24/24

Proposal :

Alterations to no.61 together with the demolition of the machine shop in the rear yard. As shown on Drawing Numbers: A1153/ 001-005/P1; 010/P2, 011/P2, 012/P4, 013/P6, 020/P13, 021/P10, 024/P5, 025/P7, 026/P10, 027/P6, 028/P4, 30P3, 31P3, 32P1, 33P1, 34P2..

RECOMMENDATION SUMMARY : Grant L B Consent with conditions

Applicant

Berkeley Homes (Surrey) Ltd
19 Portsmouth Road
Cobham
SURREY
KT11 1UG

Agent

Assael Architecture Ltd
Studio 2
92 Lots Road
LONDON
SW10 0QB

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Analysis Information

<u>Land Use Details</u>			
Existing		Sq Metres	
B1	Business	176	
B8	Warehousing	300	
C3	Dwelling House	156	
Proposed			
A1	Shop	96	
C3	Dwelling House	800	
<u>Residential Dwellings</u>		Exist	Prop
F3	Flat/maisonette - 3 habitable rooms	0	1
F4	Flat/maisonette - 4 habitable rooms	0	2
H3	House - 3 habitable rooms	0	2

1. SITE

1.1 The site comprises two parts. The frontage premises are a basement, ground and three storey terraced building (no.61). There is a vehicular access to the side leading to a vacant yard area at the rear. The site was until 1991 occupied by the Latchfords Timber Yard and the yard area up until this time was mostly enclosed by building structures comprising a single storey machine shop at the southern tip of the site surmounted by an open storage area enclosed by a chain link fence, a two storey open fronted storage structure with a pitched tiled roof in the middle of the site against the rear boundary and a lean to tiled roof structure at the north end to the rear of no.61.

1.2 No. 61 is listed Grade II as are nos.51-59 (odd) and 63-69 (odd) Endell Street. The building has an attractive front facade with pilasters at 1st and 2nd floors carrying entablatures; however, the listing description refers to its inclusion for group value. The former timber yard structures at the rear, although not referred to in the listing description, were attached and therefore could be considered to be part of the curtilage of the listed building. Presently only the machine shop structure remains, which is separate from the main building and of very little intrinsic architectural or historic interest. The site comes within the Covent Garden Conservation Area.

1.3 The timber yard site at the rear adjoins the rear of buildings fronting Endell Street, Shorts Gardens and Neal Street. Surrounding uses comprise commercial with predominantly residential uses on the upper floors in the Endell Street terrace. There are two storey mews buildings to the NW at the rear of 65-71 Endell Street, 68a Neal Street on the rear boundary is in office use, and the rest of the rear boundary adjoins a residential development known as Matthews Yard to the south.

2. PROPOSAL

2.1 This report considers a revised proposal for the site which is different from the scheme which was approved by Committee in April only in respect of a reduction in the number of units proposed on the rear site from 6 to 5 together with elevational changes to the courtyard. The reduction in the number of units has been brought about by a re-planning of the internal layouts of the scheme so as to create a more mews style development with each unit having its own ground floor entrance with greater vertical separation between units. Fresh Planning and Listed building applications have been submitted by Assael Architects on behalf of Berkeley Homes for change of use of the ground floor and basement of no.61 from offices to retail use and retention of office use on the first floor and a one bedroom maisonette on the second and third floors. Redevelopment of the yard at the rear to provide a building on part two, part three and part four floors providing 5 self-contained flats.

2.5 The development comprises a single linear block running NW-SE along the length of the site comprising part 2 storeys at the SE end closest to Shorts Gardens and rising to 4 storeys at the NW end. The block is arranged around a landscaped courtyard approached from an access passage leading from Endell Street.

3. RELEVANT HISTORY

3.1 The timber yard has been at the premises for over 100 years. In 1986 planning permission and listed building consent were granted for redevelopment and refurbishment of the timber yard for continued timber storage use.

3.2 In 1991 part of the timber yard buildings were demolished following the collapse of adjoining unsafe buildings. The use of the yard for timber storage ceased and the owners found temporary alternative accommodation with the intention of returning when the storage structures were re-built.

3.3 On 21.7.95 planning permission and listed building consent were granted for the demolition and reconstruction of timber storage buildings and alterations to existing machine shop. The overall bulk of the approved new structures was similar to those being replaced.

3.4 With regard to no.61, planning permission and listed building consent were granted in 1989 for the erection of a rear extension to ground, first and second floors to provide access, use of part of the ground floor for retail, use of first floor for offices and formation of a flat on second and third floors.

3.5 On 2 April 1998 the Sub Committee approved proposals for change of use of the ground floor and basement of no.61 from offices to retail use and the conversion of the office use on the first floor to a two bedroom flat and a two bedroom maisonette on the second and third floors. Redevelopment of the yard at the rear to provide a building on part two, part three and part four floors providing 6 self-contained flats. The resolution to approve was subject to a legal agreement concerning car free housing, which is currently being completed so that no formal decisions have been issued yet.

4. RELEVANT POLICIES

Covent Garden Action Area Plan:

Section B3- Housing policies

Section B5- Industry and Commerce policies

Draft UDP:

EC5 - protection of employment uses

EC19- protection of warehouse and storage uses.

HG 11 and 12 - increase in residential uses.

EN16 - design and compatibility with surroundings
EN27- sunlight and daylight
EN33- development in a conservation area.
EN35- high quality design in CA
EN43- works to listed buildings
EN45- uses of listed buildings

HG13- density standards
HG16- residential space standards
HG20- new build mix

The Inspector's report on the Public Local Inquiry into objections to the Deposit Draft Unitary Development Plan was published in January 1997. The Council's Environment Committee formally considered the report's findings and the Council's response at a special meeting on April 29th 1998. The Committee agreed a draft Statement of Decisions on all of the Inspector's recommendations save those relating to the Inspector's chapter on the Central London Area. Proposed modifications and the Statement of Decisions will be placed on deposit for a statutory consultation period of six weeks. It is currently anticipated that this will be from 10th June - 22nd July 1998.

The Council's formal response to the Inspector's report constitutes a material planning consideration to be taken into account alongside the Council's draft UDP policies, the Inspector's report and the policies contained within the statutory Borough Plan.

The Inspector supported the aims of employment policies but recommended that they be re-worded to allow changes of use unless it can be demonstrated that the supply, variety and choice of sites would be prejudiced. The Inspector supported policies to protect the environment with some modifications, but recommended Policy EN35 be deleted for being superfluous. The residential policies to seek an increase in housing and the standards were generally supported.

5. CONSULTATIONS

5.1 **Statutory Consultee Comments**

English Heritage have given, as in the first scheme, flexible authorisation to Camden.

English Heritage (Archaeology) have considered the site and confirmed that there is no archaeological interest.

5.2 **Conservation Area Advisory Committee Comments**

BCAAC continue to object to the bulk of the scheme.

5.3 **Local Group comments**

CGCA comments to be reported.

5.4 Adjoining Occupiers	Number Notified	17
	Replies Received	00
	Objections	00
	In support	00

6. ASSESSMENT

6.1 The main issues to consider in this second application are largely identical to those in the first scheme and, therefore, the assessment contained in the first report is repeated here with specific reference as appropriate to the amendments highlighted in bold type. The main issues are the principle of the loss of the timber yard, the height and bulk of replacement buildings, compliance with residential standards, impact on adjoining occupiers, access and parking issues.

Land use issues

6.2 Officers consider the existing use falls within Class B8 (storage and distribution). The relevant policies are EC19 and EC5 in the draft UDP regarding protection of storage and business class floorspace respectively.

6.3 The former wood yard use on the site closed down in 1991 following the collapse of structures in the rear yard. The owners made attempts to re-establish the business on the site but found that it was not a viable use. They considered the access arrangements around the site to be particularly poor and a reduction in demand for timber in the area leading to a loss of trade.

6.4 Policy EC19 seeks to retain sites suitable for storage uses and will only allow a change to other B1-B7 uses if the land or buildings are no longer suitable for such purposes in terms of accessibility, size, location, condition, servicing provision, impact on amenity and the surrounding environment and highway network. Alternatively if it is demonstrated that there is no realistic prospect of demand for B8 use in the medium term.

6.5 Policy EC5 seeks to retain employment sites within Classes B1-B8 considered suitable for such uses on grounds of accessibility, size, location and condition. An exception may be made where the proposed use is from office use within Class B1 (a) to a residential use.

6.6 It is considered that the following factors are relevant to assessment of the proposals under the above policy criteria.

- * The site has been vacant and un-used for 5 years and a beneficial use needs to be found;
- * the site has been cleared apart from the former machine shop structure, which appears to be in very poor condition;

- * the site is in a backland location surrounded on all sides by predominantly residential uses, where the protection of amenity is of paramount importance;
- * access into the site for larger vehicles is restricted leading to the likelihood of on-street servicing. This is likely to cause problems as Endell Street is one way working south-bound and very narrow in places. Therefore increased congestion would be likely to result from this.
- * the applicants have submitted supporting evidence in respect of the limited likelihood of re-use of the site for employment purposes. This comprises a statement by the current owners and former occupiers of the site who used the site as a wood yard and estate agents views of the employment potential of the site. These indicate that it is unlikely that the site would be taken up for employment purposes in the immediate future.

In the context of the above circumstances it is considered that the principle of an alternative use on the site is acceptable. In which case residential would be the most appropriate alternative use. This position was accepted by Committee in determination of the first scheme.

Height, bulk and design issues

6.7 This is a backland site surrounded by properties which generally have their main frontages onto surrounding roads. It is part of a conservation area and a number of frontage buildings are listed. The bulk and height of the scheme have not been changed in any way and have been strongly influenced by the former presence of timber storage structures on the site, which were demolished over five years ago, and a valid permission to redevelop the rear of the site for the same use.

6.8 The scheme varies in height from two storeys at the Shorts Gardens end to four storeys at the other end where it adjoins the tall rear elevation of 68a Neal Street. The height, bulk and massing respect the character and scale of the adjoining townscape and are appropriate for this backland location. The 4 storey element is located adjacent to 68a Neal Street which is higher than other buildings surrounding the site.

6.9 Consideration needs to be given to the impact of the proposals on the setting of listed buildings in Endell Street and the character and appearance of the Conservation Area. The elevational design of this scheme is as before with stock facing brick work to the ground floor elevations with a natural or buff coloured rendered treatment to the upper floors. **The only difference is the incorporation of additional entrance points at ground floor, which are subtly introduced into the approved ground floor window openings.** The development has a strong 'industrial'

character emphasized by large window openings with metal multi-framed window units. This character is further emphasized by curved, non-reflective metal roofing. The design approach is considered satisfactory in the context of the location and history of the site.

6.10 The previous timber storage structures on the site were very large and uncompromising in appearance being basically large timber sheds. Their removal, though welcome, has left a part vacant site, which has a neglected and unsightly appearance. In this context the proposed development would enhance the appearance of the site and bring it back into beneficial use. The redevelopment of the machine shop structure on the site is considered acceptable. It may have been stables originally but it is now in very poor condition and retains very little architectural merit. It is considered that the setting of adjoining listed buildings would not be harmed by the development. It is also considered that the proposals, by reason of their contemporary design and visual interest, would preserve and enhance the character of the conservation area.

Compliance with residential standards

6.11 The new build scheme comprises 5 self-contained residential units with the following mix:

2	two bedroom	houses
1	two bedroom (4 person)	maisonette
2	three bedroom (6 person)	maisonettes

The residential density of the scheme, including 2 proposed units within no.61, would be 195 HRA based on a total of 27 habitable rooms. This is within the normal range of acceptable densities for new development in this area of between 85 to 250 HRA. This is the same as the previous scheme.

6.12 The nature of the site in terms of its location, shape and proximity to surrounding uses imposes particular constraints on the design of a scheme for the site. It is not possible to place windows on the SW site boundary which would be overlooking Matthews Yard and therefore the proposed units must rely on light and aspect from the NE (looking towards the rear of the Endell Street terrace). With the exception of two units at the western end of the site which have south facing windows, all the units have NE facing windows and would therefore only receive sunshine in the early part of the morning. Nevertheless, it is considered all units would have adequate daylight, but within a constrained backland setting which restricts outlook. **The revised scheme improves daylight and outlook to the scheme generally by providing houses and maisonettes so that no units are only confined to the ground floor.**

6.13 The only amenity space proposed in the scheme is the communal landscaped courtyard area. There were terraces proposed at various levels in the original scheme which were deleted because of concerns about inter visibility between units resulting in loss of privacy.

6.14 The conversion proposals for no 61 comprise the formation of a retail unit on the ground floor and basement and the creation of a 2 bedroom (3 person) flat at first floor level and a 2 bedroom (4 person) maisonette on the 2nd and 3rd floors. Both flats would be accessed from a stairwell at the rear. Internally, this building has been substantially altered with the floor plan and architectural details being removed. The proposed works are considered satisfactory. New metal gates are proposed at the entrance to the site in Endell Street, which are considered a significant improvement on the existing roller shutter.

Impact on adjoining occupiers

The revised proposals will have no greater impact on surrounding occupiers than the approved scheme as the height and profile of the building envelope and elevational treatment (excepting door openings) remain the same. The following daylight assessment is therefore copied from the first scheme. The overlooking assessment is varied in respect of altered internal layouts and different room uses.

Daylight and Sunlight

6.15 With regard to premises in **Endell Street** it is proposed to redevelop an existing structure used as a machine shop with a barrel vaulted roof structure. The existing roof has a height of 4.7 metres above the courtyard level. The existing boundary wall facing Endell Street would be raised to 5.2 metres (an increase therefore of 50 cm). From this edge the proposed roof to the building would increase in height in a curved profile to a maximum height of 1.8 metres in the centre of the roof. It is considered that the marginal increase in the height of the roof at the eaves would not materially worsen sunlight and daylight provision to these premises, which only have residential floors at 1st floor level and above.

Shorts Gardens

6.16 The machine shop structure extends to the boundary of the site adjoining nos.41 and 43-45 Shorts Gardens. These premises are in retail and residential use and comprise 4 storey buildings. There are windows to flats from 1st to 3rd floor levels facing the application site including a terrace at 1st floor level to nos. 43-45 and a terrace at no. 41 at 2nd floor level. The proposed development would be two storeys high at the Shorts Garden end and set back between 4 to 5 metres from the boundary. A number of residents in Shorts Gardens have objected that the proposals will

result in loss of light. Officers have considered these objections carefully and visited the each of the flats to assess the impact. The applicants have submitted sections showing the relationship between the proposed development and 41-45 Shorts Gardens.

6.17 Officers have applied a daylight test from the British Research Establishment (BRE) report 1991. This test comprises the 25 degree angle from the residents windows. If no part of the new building cuts this angle the development is unlikely to have an effect on daylight to the premises. This test has been applied to all windows in these premises and it is satisfied in every case. This indicates that the scheme would not result in any technical daylight infringement. Nevertheless, the residents' perceptions of the impact are that the loss of daylight will be noticeable and result in a reduction in outlook although some were not aware that the new building was being set back from the boundary by 4 metres. The lowest and most affected windows are to the first floor flats at nos.41 and 43/45. The former is to a small bedroom and the latter is a kitchen/ diner. Officers note the concerns of residents about daylight but consider the loss of light not to be so serious as to warrant refusal of the scheme.

6.18 Premises in **Matthews Yard** would not be affected by these proposals because the bulk of the development is no greater than that which previously existed on the site or has planning permission for redevelopment for a replacement wood yard.

Overlooking Issues

6.19 The only sources of overlooking to Shorts Gardens are potentially from the ground floor living room of Unit 1 and an associated bedroom at first floor level , which face the rear of 41-45 Shorts Gardens. The ground and first floor rooms would face a 3 metre high brick wall and windows at first floor level are proposed above eye level. It is therefore considered that there would be no material overlooking to existing adjoining occupiers.

6.20 There are no windows in the scheme facing 49-55 Endell Street. With regard to nos. 57 and 59 Endell Street, the nearest windows in the proposed scheme would be to a reception and dining room on the ground floor and bedrooms at first floor at a distance of 7.5 metres from the Endell Street premises. It is not considered that the privacy of existing occupiers would be prejudiced from the ground level rooms because of the intervening 3 metre boundary wall and because floor levels in the Endell Street properties are at a higher level. The applicants have amended the proposed bedroom windows at first floor level to be predominantly obscure glazed and, therefore, no privacy infringements should arise. Moreover, the rooms in the proposed scheme at first floor level are bedrooms and their occupants would normally be expected to preserve their own privacy by curtains, blinds, etc.

6.21 The rear of no.63 Endell Street has a roof terrace at the rear at 1st floor level enclosed by a densely planted trellis screen. The proposed building would adjoin the terrace at 1st floor level with a flat roof over. A similar relationship would pertain if the approved timber yard permission was implemented. There is a window to a bedroom at 2nd floor level in the proposed scheme which would be 7.5 metres from the building line at no 63. This window would be designed as an Oriel type with the glazing at 45 degrees to the rear wall. This would reduce the potential for overlooking to a satisfactory degree. Furthermore, all proposed windows at third floor level facing Endell Street would be predominantly fixed shut and obscure glazed.

Access and parking issues

6.22 The scheme includes no provision for car parking in contravention of the Council's normal car parking standards. The applicants have, however, agreed for this scheme to be car free as in the first scheme. A legal agreement would be necessary to formalise this.

6.23 Information on refuse storage arrangements are shown in the proposals, which comprise the provision of storage facilities within the courtyard area.

7. LEGAL COMMENTS

7.1 In determining any application for listed building consent, the Council are required under s16(2) of the Listed Buildings Act 1990 to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

7.2 In determining any planning application which affects a listed building or its setting, the Council are required under s66 of the Listed Buildings Act 1990 to have regard to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses.

7.3 In determining any planning application within a Conservation Area, the Council are required under s72 of the Listed Buildings Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.

8. RECOMMENDATIONS

That subject to the completion of a legal agreement covering the legal arrangements associated with a 'car free' development;

i) Grant Planning Permission

Condition(s)

1. The details of the elevations and facing materials to be used on the building shall not be otherwise than shall have been submitted to and approved by the Council before any work on the site is commenced. (CD01)

2. No development shall take place until full details of hard and soft landscaping and means of enclosure of all unbuilt, open areas have been submitted to and approved by the Council. (CE02)

3. Obscure glazing shall be installed to windows as indicated on the approved drawings and shall be retained in perpetuity.

+ CROSS-PLAN CONDITION

ii) Grant Listed Building Consent

+ INFORMATIVE

Condition(s)

1. All new work and work of making good shall be carried out to match the original work as closely as possible in materials and detailed execution. (CL01)

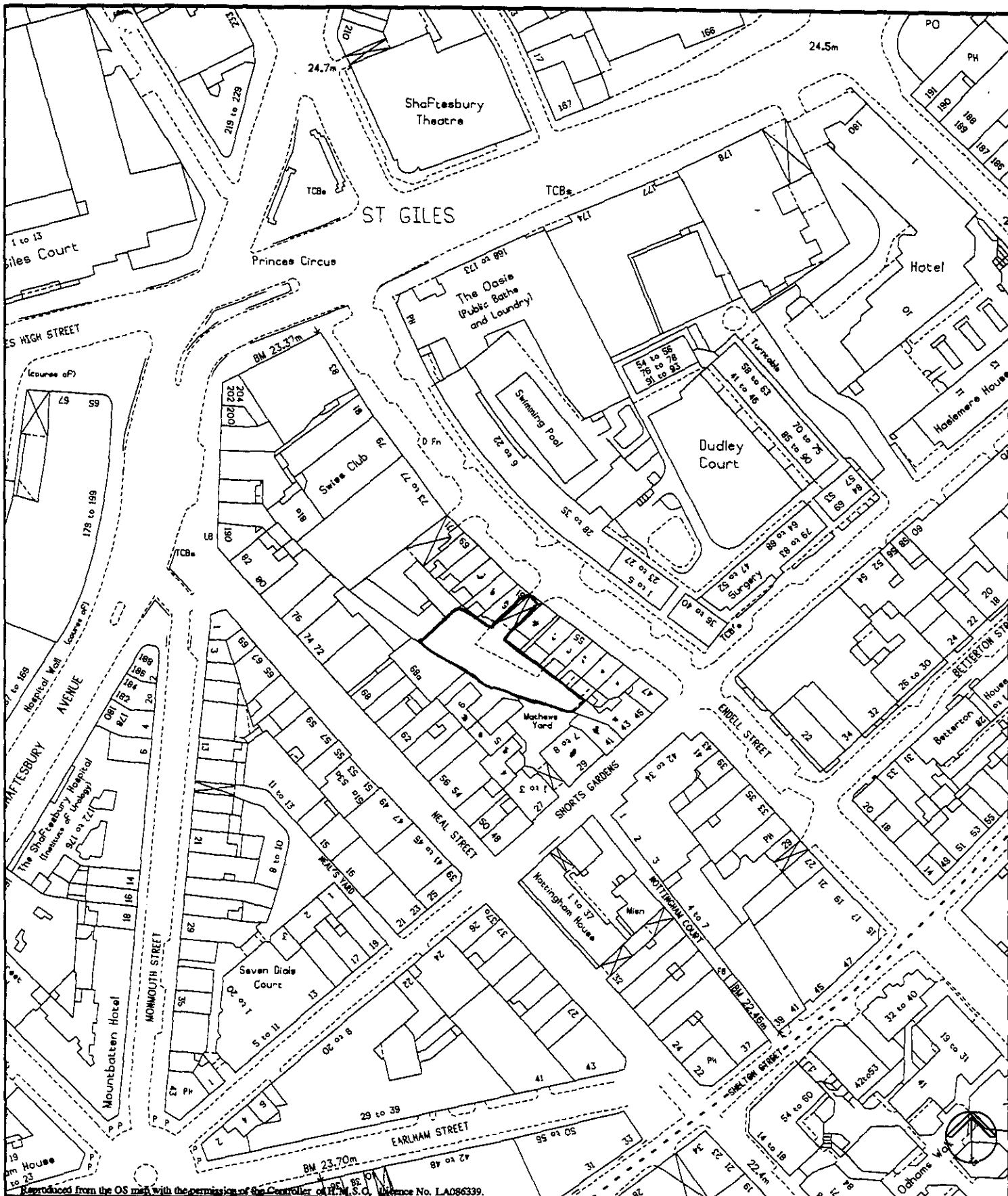
2. The new sash window shall match the existing original sash windows in terms of materials dimensions and finished appearance.

3. Detailed drawings of the new wrought iron gates (Scale 1:10) shall be submitted to and approved by the Council before the relevant work is begun on site.

4. Under the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 8(2) (c) owners of a listed building must give the Royal Commission on the Historical Monuments of England 30 days notice of works including any element of demolition for which consent has already been granted and allow the Royal Commission access to the building so that it may if it wishes make a record of the building before works begin.

+ CROSS-PLAN CONDITION

+ INFORMATIVE



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London Borough of Camden

Environment Department

Town Hall Extension

Argyle Street Entrance

London WC1H 8EQ

61 & 61A ENWELL STREET

Date: 21-Apr-1998

Scale: 1 : 1250

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