**Design, Access and Heritage Statement**

**Introduction**

This statement is submitted in support of an application for full planning permission and an associated application for listed building consent on behalf of the freeholder of 47 Marchmont Street, London, WC1N 1AP, for ”*change of use of lower ground floor from restaurant (Use Class A3) to residential flat (1 x 1 bed) (Use Class C3). Demolition of rear extension, removal of two rear windows, internal door, wall. Creation of rear lower ground extension and rear ground floor extension (including two new windows), installation of new rear stairs and door, new restaurant refuse area, relocation of a/c unit and other associated works*”.

The submitted application relates only to the lower ground floor and ground floor of 47 Marchmont Street, London WC1N 1AP. The upper floors of the property which are in residential use do not form part of this application. No subterranean works are proposed.

The existing ground floor and lower ground floor have an existing implemented planning permission for restaurant use. The ground floor is currently occupied by Burger and Shake which is also converted part of the lower ground floor for storeroom associated with the restaurant. The remainder of the lower ground floor has not been fully converted. It is proposed that this lower ground floor will be converted to a single residential dwelling (1 x 1 bed). The lower ground floor has previously benefited from a previous planning permission for residential use. The majority of lower ground floors along Marchmont Street are currently in residential use which includes the properties on either side of the application site.

This Design and Access and Heritage Statement has been prepared in support of this application for full planning permission and listed building consent and addresses all design and access matters relevant to the application and incorporates a heritage statement. This statement should be considered and read in conjunction with the accompanying application documents, particularly the application drawings.

The purpose of this statement is to examine the character and structure of the development in accordance with the requirements defined within DCLG Circular 01/2006 ‘Guidance on Changes to the Development Control System’.

In order to consider and explain the principles and concepts that have been applied to particular aspects of this proposal, this Design and Access Statement is divided into the following sections.

**Section 1: Introduction -** Outlines the background and purpose of this document.

**Section 2: Assessment** - An assessment of the site and its surroundings in terms of the physical, socio-economic and planning context.

**Section 3: Involvement -** Outlines the consultation process with relevant stakeholders.

**Section 4: Evaluation -**Identification of site constraints and opportunities in order to establish the design objectives which underpin the development of the site.

**Section 5: Design Proposals** - Presentation of the design proposals, including the uses proposed, the amount, layout and scale of development, landscaping and appearance.

**Section 6: Accessibility -** Assesses the overall accessibility of the site and the specific access arrangements on site.

**Section 7: Heritage Statement-** Assesses the heritage impacts and implications of the application proposal.

**Section 8: Summary -** Provides an overview of how the development proposals achieve the development principles and the design objectives established.

**Site Description**

The application site comprises the lower ground floor and ground floor and rear yard of 47 Marchmont Street. The upper floors of 47 Marchmont Street are in residential use and do not form part of the planning application. The application site is located on the west side of Marchmont Street and is within the defined Marchmont Street Neighbourhood Centre.

The ground floor of the unit is occupied by Burger and Shake which also occupies in part the lower ground floor. Burger and Shake benefits from an existing planning permission which allowed the conversion of ground and lower ground floors to restaurant use. This permission has been implemented.

The application site forms part of a terrace within the Marchmont Street Neighbourhood Centre, all of which principally comprise commercial uses at ground floor with residential uses above. To the rear of the site is a large six storey block of residential flats which forms part of the Herbrand Estate.

The site is included in the listing of the west side of Marchmont Street, from numbers 39-73, (reference no. 1113112). The listing is based on the external features of the buildings, detailing their origins as an early 19th Century terrace of housing, with later 19th Century and 20th Century operations to accommodate shop fronts.

An assessment of the building confirms that there is nothing of the special interest of building which remains at either ground or lower ground floor level. This has been accepted by officers in respect to a previous application for the site. (and is discussed within this Statement).

The rear yard of the application site mostly comprises hardstanding and does not provide any aesthetic benefit to the Bloomsbury Conservation Area. Similarly, the rear yards of surrounding properties on the west side of Marchmont Street are also generally similar with some further to the north containing large, double height, outbuildings.

The Bloomsbury Conservation Area incorporates the area between Euston Road to the north, Gray’s Inn Road, High Holborn to the south and Tottenham Court Road to the west and covers Marchmont Street. The development of the area began in the late 17th Century with Bloomsbury Square. Subsequent development was undertaken on a speculative basis, with plots of land surrounding the square being sold off for terraced housing and developed in line with the classical brief of the Opera House. According to the Bloomsbury Conservation Area Statement, the area is characterised by three or four storey terraces, constructed in a rectangular street pattern and incorporating open squares.

The Brunswick Centre is located to the east of the site, and constitutes a separate neighbourhood centre. The centre was renovated and re-opened in late 2006. It is occupied almost exclusively by shop and restaurant national multiples, including a large Waitrose.

**Planning History**

Planning permission was originally granted on 17 July 1968 for the change of use of the premises to a betting office. Planning permission was granted on 28th October 1977 for alteration and extension to the rear of the ground floor and basement (LPA Ref: M14/10/5/HP/1728). The change of use of the basement from storage purposes to use as office and craft workshop and the construction of a basement and ground floor extension at the rear was also granted on 28th October 1977 (LPA Ref: M14/10/B/25030).

A planning application for the change of use of the lower ground floor from office (Use Class B1) to two bedroom flat (Class C3) and alterations to the roof of the existing rear basement extension (LPA Ref: 2010/0847/P) was granted by decision dated 29 June 2010. An associated application for Listed Building Consent (LPA Ref: 2010/0849/L) for internal alterations and replacement of roof to existing rear extension in connection with the change of use of the basement from office (Class B1) to a two bedroom flat (Class C3) was also granted by decision dated 29 June 2010.

The ground floor of the premises has previously traded as Panino D’Oro (Use Class C3) as a restaurant for some 27 years. An application (LPA Ref: 2011/1437/P) for a Certificate of Lawfulness of an Existing Use or Development (CLEUD) confirming the lawful use of the ground floor as a restaurant was granted on 22 July 2011.

Most recently, a planning application for full planning permission and listed building consent was submitted on 28th November 2011 (LPA Ref: 2011/6098/P and 2011/6142/L). These applications proposed a rear extension at ground and lower ground floor levels extending the full depth of the rear garden and included the change of use of the whole of the lower ground floor to restaurant use (Use Class A3).

**Planning Policy Context**

This section of the statement sets out the relevant planning policy background to the application proposal.

**Statutory Duties**

The Planning and Listed Buildings and Conservation Act (1990)

With regard to applications for planning permission which may affect the setting of a statutory listed building, the Act outlines at Section 66:

*“s66(1) In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, The Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historical interest which it possesses.”*

With regard to applications for planning permission within conservation areas, the Planning (Listed Building and Conservation Areas) Act (1990) outlines in Section 72 that:

*“s.72(1) In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in sub section (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”*

**National Planning Policy Framework**

The National Planning Policy Framework (NPPF) was published on 27 March 2012. The NPPF sets out the Government’s planning policies for England, revoking and replacing the previous Planning Policy Statements and Planning Policy Guidance notes.

The NPPF constitutes guidance for local planning authorities and decision-takers and is a material consideration in the determination of planning applications (para 13). The NPPF is strong in its presumption in favour of sustainable development, and considers that local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. The purpose of the planning system is to contribute to the achievement of sustainable development (para 6). It further states *‘decision-takers at every level should seek to approve applications for sustainable development’* (para 187).

Paragraph 17 confirms that, within the overarching roles the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These principles include:

* Proactively drive and support sustainable economic development to deliver homes, business and industrial units, infrastructure and thriving local places the country needs.
* Encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.
* Conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore, significant weight should be placed on the need to support economic growth through the planning system (paragraph 19). To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century (paragraph 20).

Investment in business should not be over-burdened by the combined requirements of planning policy expectations. Planning policy should recognise and seek to address potential barriers to investment, including a poor environment or any lack of infrastructure, services or housing (paragraph 21).

It is recognised that the Government attaches great importance to the design of the built environment. *‘Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people’* (para 56). It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes (para 57).

Para 60 states *‘Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness’*. Para 61 further considers *‘Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment’*.

Para 63 confirms that *‘In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area’*. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions (para 64).

Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In developing this strategy, the local planning authority should take into account:

* The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
* The wider social, cultural and economic and environmental benefits that conservation of the historic environment can bring;
* The desirability of new development making a positive contribution to local character and distinctiveness (paragraph 126).

Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including development affecting the setting of the heritage asset), taking into account the available evidence and any necessary expertise (paragraph 129). In determining planning applications, local planning authorities should take account of:

* The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
* The positive contribution that conservation of heritage assets can make to sustainable communities, including the economic vitality; and
* The desirability of new development making a positive contribution to local character and distinctiveness (paragraph 131).

Paragraph 132 confirms that, 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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to, or loss of, a Grade II listed building, park or garden, should be exceptional. Substantial harm, to or loss of, designated heritage assets of a higher significance should be wholly exceptional. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use (paragraph 134).

Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the benefits of departing from those policies (paragraph 140). In assessing the determining of development proposals, local planning authorities should apply the presumption in favour of sustainable development (paragraph 197).

Indeed, the ministerial foreword by Greg Clark confirms that *‘The purpose of planning is to help achieve sustainable development’* and that *‘development that is sustainable should go ahead, without delay – a presumption in favour of sustainable development that is the basis for every plan, and every decision’*. In addition, the ministerial foreword confirms that *‘in order to fulfil its purpose of helping achieve sustainable development, planning must not simply be about scrutiny. Planning must be a creative exercise in finding ways to enhance and improve the places in which we live our lives’*.

The Development Plan

A Development Plan for the application site to comprise as the London Plan (July 2011) and the Camden Core Strategy 2010–2025 (November 2010) and the Camden Development Policies 2010-2025 (November 2010).

The London Plan

Policy 7.8 (Heritage Assets and Archaeology) confirms, inter alia, that development affecting heritage assets and their setting should conserve their significance, by being sympathetic to their form, scale, materials and architectural details.

Camden Core Strategy 2010 (November 2010)

Policy CS14 (Promoting High Quality Places And Conserving Our Heritage) confirms, the Council will preserve and enhance Camden’s rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens.

Camden Development Policies 2010 (November 2010)

Policy DP24 (Securing High Quality Design) requires all developments including alterations and extensions to existing buildings, to be of the highest standard of design and to consider character and setting, proportions of the existing building, quality of materials, and the appropriate location for building services equipment.

Policy DP25 (Conserving Camden’s Heritage) advises in respect to listed buildings, that the Council will preserve and enhance listed buildings and will prevent the total loss or substantial demolition of a listed building unless exceptional circumstances are shown that outweigh the case for retention; only grant consent for a change of use or alterations and extensions to a listed building where it considers this would not cause harm to the special interest of the building; and not permit development that it considers would cause harm to the setting of a listed building. The policy also confirms the Council will protect remains of archaeological importance by ensuring acceptable measures are taken to preserve them in their setting, including physical preservation where appropriate and that it will seek to protect other heritage assets including Parks and Gardens of Special Historic Interest and London Squares.

The policies confirm that in order to maintain the character of Camden’s Conservation Areas, the Council will, inter alia, only permit development within conservation areas that preserves and enhances the character and appearance of the area; prevent the total loss or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of the conservation area where this harms the character or appearance of the conservation area, unless exceptional circumstances are shown that outweigh the case for retention; will not permit development outside of a conservation area that causes harm to the character and appearance of that conservation area; and preserve trees and garden spaces which contribute to the character of a conservation area which provide a setting for Camden’s architectural heritage. The policy also confirms the Council will take account of conservation area statements, appraisals and management plans when assessing applications within conservation areas.

**Camden Planning Guidance 1 – Design (2011)**

Para 3.20 highlights that works to listed buildings are assessed on a case by case basis, taking into account the individual features of a building, its historic significance and the cumulative impact of small alterations. Para 3.22 confirms that the Council has a statutory requirement 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. The Council will consider the impact of proposals on the historic significance of the building, including its features, such as original and historic materials and architectural features, original layout of rooms, structural integrity and character and appearance.

Para 3.23 confirms the Council’s expectation that original or historic features are retained and repairs to be in matching material. Proposals should seek to respond to the special historic and architectural constraints of the listed building, rather than significantly changing them.

Para 3.26 notes that some works that are required in order to comply with the Building Regulations may have an impact on the historic significance of a listed building and will require listed building consent.

Para 3.29 recognises the role that the historic environment can play in reducing the impact of climate change. For example, reusing existing buildings could avoid the material and energy cost of new development. The Council seeks a balance between achieving higher environmental standards with protecting Camden’s unique built environment.

**Involvement**

The applicant has made a submission for pre-application advice in respect to the application proposal. Formal pre-application was advice was received from LB Camden dated 28 August 2014 (your ref: 2014/3616/PRE).

This advice has been reviewed and has featured into this application.

This section of the Design and Access Statement gives consideration to the relevant constraints and opportunities afforded by the application proposal.

**Constraints**

  The site is located within the Bloomsbury Conservation Area

 The application site is a Grade II Listed Building

 Need to be respectful of neighbouring properties.

**Opportunities**

 Provision of new residential unit to provide enhancement of vitality and viability of Marchmont Street Neighbourhood Centre.

**Design Proposals**

**Scale and Layout**

The proposed restaurant is to remain at ground level (the upper stories of the building do not form part of the application). The ground level entrance leads into the dinning area. The internal layout is shown for illustrative purposes only. The restaurant will have a high quality diner feel with ‘back to back’ booth seating.

In terms of refuse, it is proposed to utilise the under pavement vaults for the storage of refuse/recycling facilities. The operator will then ensure that the rubbish is taken out to street level for collection by the Council’s Waste Services.

The proposed rear extension is considered to be in keeping with the property and is in keeping with the Officers advice.

**Appearance**

Full details of the works to be undertaken are set out within the following heritage statement and on the relevant plans.

In terms of the appearance of the rear extension as seen from the Herbrand Estate at the rear, this will be subservient to the main bulk of the building. The rear extension will comprise matching bricks and is of a design appropriate and respectful of the listed building. As such, from an appearance point of view it is considered the scheme is entirely acceptable. In terms of the rear, all of the works are in the rear yard which is already surrounded by existing high walls. As such, the majority of the works will not be visually intrusive and visually will not provide significant difference to the situation as it exists at present.

This proposed rear extension is not considered to adversely effect either the adjoining occupiers. The adjoining occupier to the north (No. 45) has a large garden house in its rear garden (as opposed to using it for external purposes which will not be affected by the structure as it has no windows or roof lights facing the site. There is no development adjacent to No. 49 and it is therefore not envisaged the proposal will have any impact on this property.

**Landscaping**

The proposed application does not involve or include any landscaping elements. This is because there is no opportunity to provide any new or additional landscaping.

**Accessibility**

The applicant is committed to a policy of equality, inclusion and accessibility for those who visit the site and has strived to exceed all required standards and achieve a development which promotes inclusion and accessibility for all staff and customers.

The provision of an accessible and inclusive environment has been an integral theme throughout the design process, from its initial conception to its evolution through to the planning application process. The concept of inclusive design seeks to remove barriers which create undue effort, separation or special treatment which enables everyone to participate equally regardless of gender, disability or age.

Full consideration has been taken of the Council's relevant policies relating to access matters.

**Access to the Site**

The site is located within the defined Highly Accessible Area within the Camden Core Strategy. The site is located some five minutes walk north of Russell Square Underground Station. The site is close to the corner of Tavistock Place which is served by a number of London buses. Nearby public car parking is available at the Brunswick Centre and at Coram Street. (which joins Marchmont Street and is located to the south of the application site).

**Legibility**

The point of entry to the premises will be clearly visible from Marchmont Street.

**Disabled Access**

Direct level access to the site will be at street level into the ground floor restaurant. The entrance into the proposed restaurant will have a level access and will be clearly legible.

**Heritage Statement**

The application site was first listed on 14th May 1974 (list entry number 1113112—39-73 Marchmont Street). The site forms part of the terrace of buildings running from 39-73 Marchmont Street which have been listed as Grade II. The listing notice states

*“Terrace of 18 houses with the later shops. C1801-6. Yellow stock brick; numbers 45, 61 and 63 stucco storeys and cellars, 2 windows each. Mostly altered later C19 and C20 shopfronts. Gauged brick, (mostly reddened) flat arches to recessed sash windows, some with original glazing bars. Parapets.*

*No.43: original wooden shopfront with pilasters and brackets carrying projected cornice. Shop window altered. Round—arched house doorway with fluted jambs, lionhead stops, cornice—head, and light panelled door. Shop doorway with fanlight and panelled door.*

*No. 45: architrave, recessed sash windows. Stucco cornice and blocking course.*

*Nos. 57 & 59 mid C19 wooden shopfronts with pilasters carrying entablature with dentil cornice flanked by enriched consoles.*

*Shop window on No. 59 with segmental—arched lights.*

*Square—headed house doorways with overlights and panelled doors (No. 57 C20). No. 57 with wrought — iron sign (at 1st floor level).*

*Nos. 61 & 63: recessed sash windows with architraves and cornices. Bracketed stucco cornices at 3rd floor.*

*Nos. 65 — 73: with enriched fascia consoles.*

*No. 69: with plaque ‘ST.G.B 1817’.*

*No. 71: with plaque ‘S PP 1791’.*

*INTERIORS: not inspected.”*

The listing notice illustrates that the properties have been listed principally because of their overall qualities particularly to the front and to the streetscene of Marchmont Street. There is no reference within the listing notice to the rear of the property and, the listing notice confirms that the interiors have not been inspected. As such, the key elements of the listing relate to the overall design and front of the property. Accordingly, in respect to the significance of the relevant heritage assets to be affected, this is principally relevant to the front elevation. In addition, it should be noted that No. 47 is not specifically referenced within the listing notice.

The rear of the property and the interior of the property is not mentioned either within the listing notice or within the Bloomsbury Conservation Area Appraisal Statement. The rear of the property is not notably a public viewpoint only being visible from adjacent properties and upper flats of the Herbrand Estate to the rear.

The proposed works including the rear extension is considered to be in keeping with the existing buildings and survey to the main building using similar bricks. It is not considered that the new rear stair is out of keeping with the property and it is not considered that any of the works proposed have any adverse impact on the quality of the listed building.

**Sustainability**

The application has been considered in respect to the issues of sustainability and, in the construction of the property it is intended to ensure the proposal complies with all relevant sustainability requirements. The re-use of the existing vacant site (albeit with a new extension) effectively represents a *“recycling”* of the existing building and represents a sustainable alternative to entirely new building proposals

**Summary**

This Design and Access Statement accords with the requirements identified within Circular 1/2006 and the design approach to this application has been comprehensive.

The applicant has undertaken consideration of the significance of the relevant heritage assets considered to be theListed Building itself and the Bloomsbury Conservation Area. In respect to the key qualities of the relevant heritage assets this relates to the frontage of the building to Marchmont Street. It is not considered that the new extension to the rear will adversely effect the character of the listed building, rather it will act as a subservient element to the rear. Neither is it considered the proposed rear extension will have any adverse effect on neighbouring properties. Either in terms of general light, noise or feelings of overbearing.