



DESIGN, ACCESS AND HERITAGE STATEMENT

47 MARCHMONT STREET, LONDON



Document Reference Marchmont Street - DAS

Client Mark Abomnes

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INTRODUCTION

- 1.1 This Design, Access and Heritage 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 office (Use Class B1) to restaurant (Use Class A3). Demolition of rear extension, removal of one rear window, internal door and wall. Creation of rear lower ground floor extension and rear ground floor extension (including two new windows), installation of new front external staircase and door and other associated works".
- 1.2 The application proposal seeks to introduce a new pizza concept restaurant to the Marchmont Street Neighbourhood Centre. The application site is currently vacant and has been accepted previously by Planning Officers of the London Borough of Camden (LB Camden) to have no internal features of historical merit. It is considered that the application is of considerable benefit to LB Camden, representing sustainable development and providing an enhancement of the vitality and viability of the Marchmont Street Neighbourhood Centre. The proposal will result in a new restaurant in the centre and the creation of new jobs, providing a more efficient and better use of the application site.
- 1.3 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. Whilst a rear extension is proposed at lower ground level, no excavation or lowering of the ground level is proposed. As such, no subterranean works are proposed.
- 1.4 The ground floor is currently occupied by Burger & Shake (Use Class A3) which has also converted part of the lower ground floor for a storeroom and plant room 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 new pizzeria style restaurant (Use Class A3). This lower ground floor has previously benefited from a planning permission resulting in the loss of B1(a) office use for residential use (LPA ref: 2010/0847/P), thereby evidencing that the loss of Use Class B1(a) floorspace is considered to be acceptable by the LB Camden.

- 1.5 The applicant has assembled a professional team to progress this planning application including Signet Planning, Steve Seary Architects and PC Environmental. The purpose of this statement is to examine the character and structure of the development in accordance with the requirements defined within National Planning Practice Guidance (2014), and to provide full justification for the application proposal.
- 1.6 In order to consider and explain the principles and concepts that have been applied to particular aspects of this proposal, this Design, Access and Heritage 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: Evaluation - Identification of site constraints and opportunities in order to establish the design objectives which underpin the development of the site.

Section 4: Design Proposals - Presentation of the design proposals, including the uses proposed, the amount, layout and scale of development, landscaping and appearance.

Section 5: Accessibility - Assesses the overall accessibility of the site and the specific access arrangements on site.

Section 6: Heritage Statement- Assesses the heritage impacts and implications of the application proposal.

Section 7: Summary - Provides an overview of how the development proposals achieve the development principles and the design objectives established.

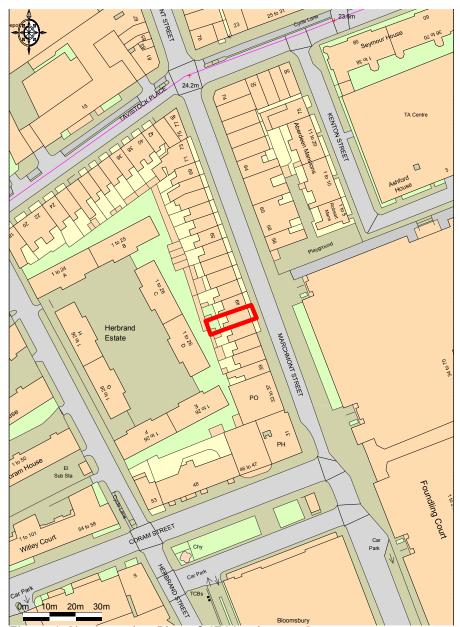


Figure 1: Site Location Plan of 47 Marchmont Street

ASSESSMENT

SITE DESCRIPTION

- 2.1 The application site comprises the lower ground floor and ground floor and the rear yard of 47 Marchmont Street. The ground floor of the unit is currently occupied by Burger & Shake (Use Class C3), a successful 'American style' barbecue restaurant which also occupies part of the lower ground floor. 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. It is also within the Central London area.
- 2.2 The application site forms part of a terrace within the Marchmont Street Neighbourhood Centre, all of which principally comprise commercial uses at ground floor and many with residential uses at lower ground floor level. To the rear of the site is a large six storey block of residential flats which forms part of the Herbrand Estate.
- 2.3 The site is included in the listing of the west side of Marchmont Street, from numbers 39-73. The application site was given Grade II Listed Building status on 14th May 1974 (list entry number 1113112: 39-73 Marchmont Street) along with a number of other properties on the road. 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 modifications to accommodate shopfronts. 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."

- 2.4 An assessment of the building confirms that there is nothing of the special interest of building which remains internally at either ground or lower ground floor level. This has been accepted by officers in respect to previous applications for the site (discussed later within this statement).
- 2.5 In addition to being listed, the application site is also located within the Bloomsbury Conservation Area.
- 2.6 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.
- 2.7 The rear yard of the application site comprises hardstanding and does not provide any aesthetic benefit to the Bloomsbury Conservation Area. 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.
- 2.8 The Brunswick Centre is located to the east of the site, and constitutes a separate neighbourhood centre. The centre was renovated and re-

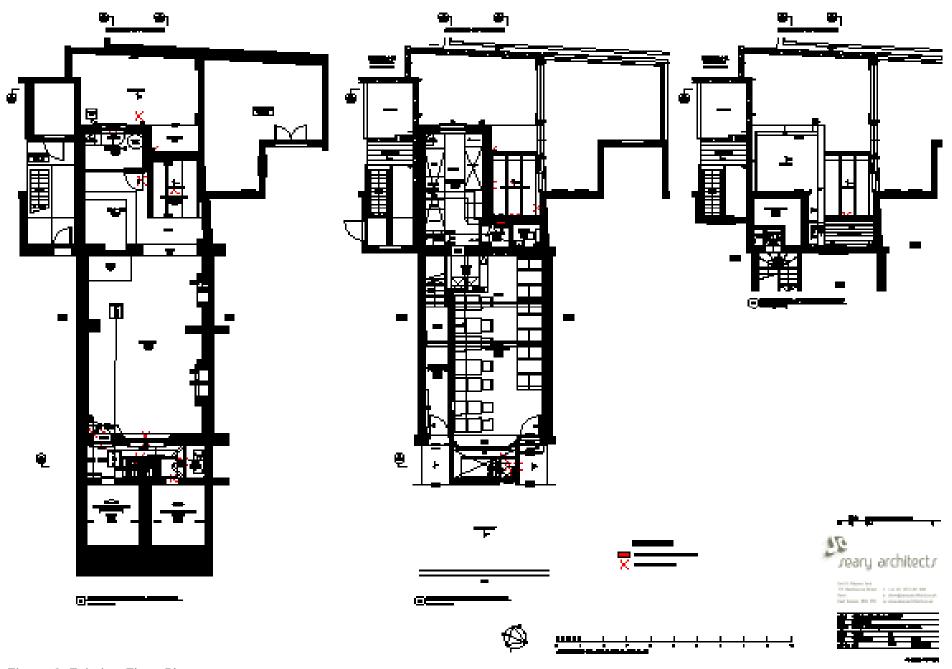


Figure 2: Existing Floor Plans



Figure 3: Existing Rear Elevation.



Figure 4: Rear elevation of 47 Marchmont Street

opened in late 2006. It is occupied almost exclusively by shop and restaurant national multiples, including a large Waitrose.

PLANNING HISTORY

- 2.9 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).
- 2.10 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. Notably, the Officer's Report states "few historic or architectural features survive and the internal character of the spaces has been so altered that there is little of special interest remaining".
- 2.11 The ground floor of the premises previously traded as Panino D'Oro (Use Class A3) 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.
- 2.12 A planning application for full planning permission and an associated application for listed building consent was submitted on 28th November 2011 (LPA Ref: 2011/6098/P and 2011/6142/L respectively). 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 a restaurant (Use Class A3). Following detailed discussions with the Council's Conservation Officer these applications were withdrawn. Subsequently, two further applications where submitted to facilitate the erection of a two-storey rear extension at lower ground and ground floor levels, installation of plant and flue to rear elevation on







Figure 5: Photographs of the lower ground floor.



Figure 6: Photograph of the front of 47 Marchmont Street

first to third floor level, and alterations to shopfront all in connection with the existing use of the lower ground floors and office (Use Class B1) and ground floor as a restaurant (Use Class A3). The relevant planning application was referenced LPA Ref: 2012/3559/P, whilst the associated listed building application was referenced LPA Ref: 2012/1581/L. Both applications where subsequently granted by decision dated 8 June 2012. An application for approval of details pursuant to condition 5 of this planning permission (LPA Ref: 2012/3559/P) was granted on 13 August 2012.

PLANNING POLICY CONTEXT

2.13 This section of the statement sets out the relevant planning policy background to the application proposal. This section considers only specific policies relating to design, access and heritage matters. Relevant policies relating to general planning matters are considered separately within the accompanying Planning Statement.

STATUTORY DUTIES

THE PLANNING AND LISTED BUILDINGS AND CONSERVATION ACT (1990)

- 2.14 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."
- 2.15 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

NATIONAL PLANNING POLICY FRAMEWORK (MARCH 2012)

- 2.16 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and now constitutes guidance for local planning authorities and decision takers.
- 2.17 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".
- 2.18 The purpose of the planning system is to contribute to the achievement of sustainable development (paragraph 6).
- 2.19 Paragraph 7 confirms there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:
 - An economic role contribute to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
 - A social role supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality, built environment with accessible local services that reflect the community's needs and support its health, social and cultural well-being;

- An environmental role contributing to protecting and enhancing our natural, built and historic environment; and as part of this, helping to improve biodiversity, using natural resources prudently, and minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.
- 2.20 Paragraph 8 confirms that these roles should not be undertaken in isolation because they are mutually dependant. In order to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. It is confirmed the planning system should play an active role in guiding development to sustainable solutions.
- 2.21 The NPPF constitutes guidance for local planning authorities and decision-takers both in drawing up plans and as a material consideration in determining applications (paragraph 13).
- 2.22 At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking, this means:
 - Approving development proposals that accord with the Development Plan without delay, and
 - Where the Development Plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole;
 - or specific policies in the Framework indicate development should be restricted (paragraph 14).
- 2.23 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:
 - Not simply be about scrutiny but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;

- 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;
- Promote mixed use developments, and encourage multiple benefits from the use of land of urban and rural areas:
- 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.
- 2.24 The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future (paragraph 18).
- 2.25 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).
- 2.26 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).
- 2.27 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).
- 2.28 The Government attaches great importance to the design of the built environment. Good design is a key aspect to sustainable development, it is indivisible from good planning and should contribute positively to making places better for people (paragraph 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 (Paragraph 57).

- 2.29 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 (Paragraph 60). Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations (Paragraph 61).
- 2.30 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 (Paragraphs 64).
- 2.31 Local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal's economic, social and environmental benefits) (Paragraph 65).
- 2.32 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).
- 2.33 Paragraph128 confirms that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the

- potential impact of the proposal on their significance.
- 2.34 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).
- 2.35 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).
- 2.36 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.
- 2.37 Where a proposed development would lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply;
 - The nature of the heritage asset prevents all reasonable uses of

- the site; and
- No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that would enable its conservation; and
- Conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- The harm or loss is outweighed by the benefit of bringing the site back into use (paragraph 133).
- 2.38 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).
- 2.39 Local planning authorities should not permit loss of the whole or part of the heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred (paragraph 136).
- 2.40 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).

DEVELOPMENT PLAN

- 2.41 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the policies of the statutory development plan, unless other material considerations indicate otherwise.
- 2.42 The statutory development plan for this application comprises The London Plan (July 2011) together with Revised Early Minor Alterations (October 2013) and Further Alterations (March 2015), the Camden Core Strategy 2010-2025 (November 2010) and the Camden Development Policies 2010-2025 (November 2010).

THE LONDON PLAN (JULY 2011), REVISED EARLY MINOR ALTERATIONS (OCTOBER 2013) AND FURTHER ALTERATIONS (MARCH 2015)

- 2.43 Policy 5.3 (Sustainable Design and Construction) states the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments. Development proposals should demonstrate that sustainable design standards are integral to the proposal, including construction and operation and ensure they are considered at the beginning of the design process.
- 2.44 Policy 7.4 (Local Character) confirms that development should have regard to the form, function and structure of an area, place or street and the scale, mass and orientation surrounding buildings and should improve an areas visual or physical connection with natural features. Buildings, streets and open spaces should provide a high quality design response.
- 2.45 Associated Policy 7.6 (Architecture) confirms that architecture should make a positive contribution. Buildings and structures should:
 - a) be of the highest architectural quality;
 - b) be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm;
 - c) comprise details and materials that complement, not necessarily replicate, the local architectural character;
 - d) not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. This is particularly important for tall buildings;
 - e) incorporate best practice in resource management and climate change mitigation and adaptation;
 - f) provide high quality indoor and outdoor spaces and integrate well with the surrounding streets and open spaces;
 - g) be adaptable to different activities and land uses, particularly at ground level;
- 2.46 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)

- 2.47 Policy CS5 (Managing The Impact Of Growth And Development) confirms the Council will manage the impact of growth and development in Camden through a variety of means. Including, providing uses that meets the needs of Camden's population and contribute to the Borough's London-wide role and protecting and enhancing the environment and heritage and amenity and quality of life of local communities. In particular, the Council will protect the amenity of Camden's residents through a variety of means, but principally by ensuring that the impact of their occupiers and neighbours is fully considered. Mitigation measures will be required where required.
- 2.48 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, as well as requiring development of a high standard of design that respects local context and character.

CAMDEN DEVELOPMENT POLICIES 2010-2025 (NOVEMBER 2010)

- 2.49 Policy DP17 (Walking, Cycling and Public Transport) confirms, inter alia, that development should make suitable provision for pedestrians and cyclists
- 2.50 Policy DP22 (Promoting Sustainable Design And Construction) confirms the Council will require development to incorporate sustainable design and construction measures. Subsequent Policy DP23 (Water) confirms the Council will require developments to reduce their water consumption, the pressure on the combined sewer network and the risk of flooding by, inter alia, incorporating water efficient features.
- 2.51 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.
- 2.52 Policy DP25 (Conserving Camden's Heritage) advises that 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.

- 2.53 The policy confirms 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.
- 2.54 DP26 (Managing The Impact Of Development On Occupiers And Neighbours) confirms the Council will protect the quality of life of occupiers and neighbours by only granting planning permission for development which does not cause harm to amenity. The policy confirms the factors the Council will consider include:
 - Visual privacy and overlooking;
 - · Overshadowing and outlook;
 - Sunlight, daylight and artificial light levels;
 - Noise and vibration levels;

- · Odour, fumes and dust:
- Microclimate;
- The inclusion of appropriate attenuation measures.
- 2.55 Policy DP29 (Improving Access) confirmst the Council will seek to promote fair access and remove the barriers that prevent people from accessing facilities and opportunities.

CAMDEN PLANNING GUIDANCE 1 - DESIGN (2011)

- 2.56 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.
- 2.57 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.
- 2.58 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.
- 2.59 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.

<u>CAMDEN PLANNING GUIDANCE 4 - BASEMENTS AND LIGHTWELLS</u> (2013)

- 2.60 Paragraph 2.53 of this Planning Guidance has regard to planning and design considerations. It states that the Council will ensure that basement schemes:
 - do not cause undue harm to the amenity of neighbouring properties;
 - do not have a detrimental impact on the groundwater environment, including ponds and reservoirs;
 - do not have any effects on surface water run-off or ground permeability;
 - do not harm the recognised architectural character of buildings and surrounding areas, including gardens and nearby trees, and that conservation area character is preserved or enhanced;
 - conserve the biodiversity value of the site;
 - · achieve sustainable development; and
 - do not place occupiers at risk or have any effects on the stability or bearing capacity of adjacent land generally.

CONSTRAINTS AND OPPORTUNITIES

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

CONSTRAINTS

- The application site is a Grade II Listed Building.
- The site is located within the Bloomsbury Conservation Area.
- Need to be respectful of neighbouring properties.
- Proximity of residential units (Use Class C3) to the site.

OPPORTUNITIES

- Provision of new restaurant to provide enhancement of vitality and viability of Marchmont Street Neighbourhood Centre.
- Customer improvements to the existing Burger & Shake restaurant.
- Enhancement of existing listed building.





Figure 8: Further illustration of the rear of 47 Marchmont Street

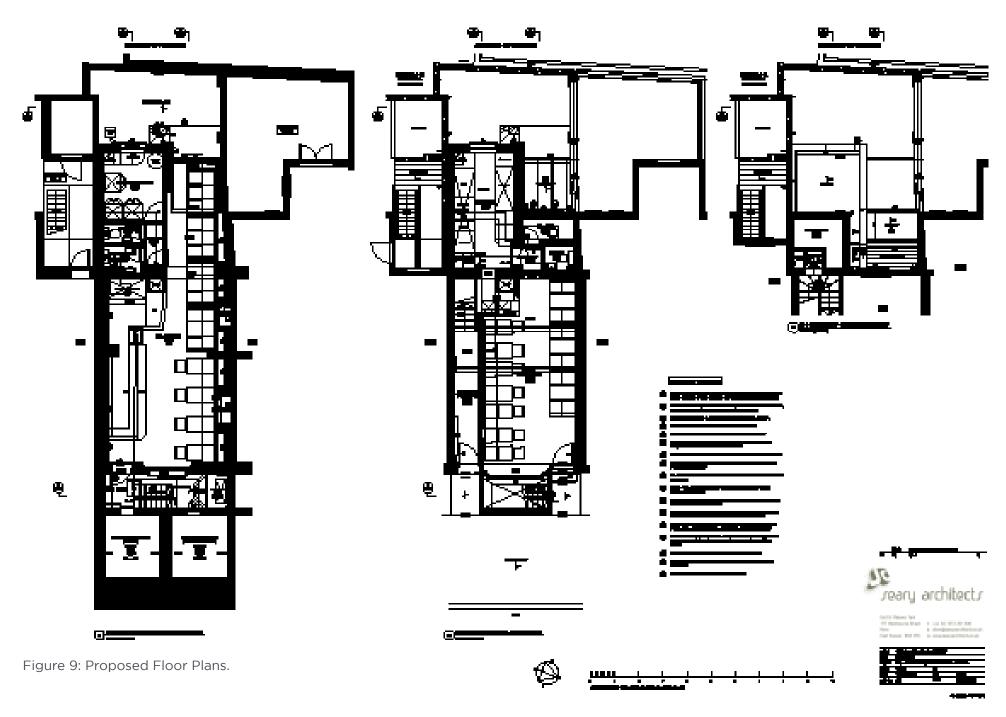
DESIGN PROPOSALS

4.1 This section of the Design, Access and Heritage Statement sets out details of the design proposals submitted and assesses their appropriateness in terms of scale and layout, appearance, landscaping and accessibility.

SCALE AND LAYOUT

- 4.2 The existing Burger & Shake restaurant is to remain at ground level whilst the upper storeys of the building do not form part of the application.
- 4.3 In terms of the proposed pizzeria restaurant, this is to be solely located on the lower ground floor and is to be an entirely separate entity from Burger & Shake with different branding and staff etc.
- 4.4 In regards to the layout of the pizzeria restaurant, the entrance will be from street level at Marchmont Street into the lightwell via the proposed external iron steps, where customers will enter via the front door. Part of the existing low level wall at the front of the premises will need to be removed to form a new stair entrance location. Internally, the seating area will extend to the rear of the premises, with a bar and food preparation area located to one side of the restaurant. Two new customer toilets are proposed towards the rear of the restaurant, along with a new plant / storage room.
- 4.5 At the front of the property at lower ground floor level, the existing air conditioning unit is to be retained. Similarly, the two vaults under the pavement at lower ground floor level are to be retained for storage purposes.
- 4.6 A small extension to the rear at lower ground and ground floor level is proposed to facilitate an additional office facility for the Burger & Shake restaurant, as well as an expanded customer seating area for the proposed pizzeria restaurant. This will be at the rear of the premises adjacent to the existing toilet facility.
- 4.7 The proposed rear extension only encompasses part of the width of the building rather than the full width in order to retain the original stepped character of the building. The proposed extension is sympathetic to the character of the listed building and the

- surrounding conservation area, thereby complying with policies DP24 and DP25.
- 4.8 In addition, the proposed extension will comply with advice contained within the English Heritage London terrace Houses 1660-1860 guidance. This states that extensions in Conservation Areas and to Listed Buildings should appear secondary to the main property and respect the original design of the building. The proposed rear extension at lower ground and ground floors would step down from the existing building, thereby creating a sympathetic protrusion which respects the design of this 19th Century property.
- 4.9 The proposed pizzeria style restaurant will run as a separate entity from the existing Burger & Shake restaurant on the ground floor. To facilitate this new restaurant use, part of the lower ground floor in the form of an existing poor quality conservatory is being demolished, and a new rear extension with a similar glazed roof is proposed in its place. The existing plant room towards the rear of the lower ground floor level will be expanded by knocking through an internal wall to create a larger room which will be used for plant and storage purposes for the new pizzeria restaurant.
- 4.10 It is considered that the proposed internal changes are acceptable. The lower ground floor is predominantly vacant and has not been in meaningful use for a considerable period of time. The internal condition of the lower ground floor is principally stripped back to brick with bare floors. It has previously been accepted by Planning Officers of the London Borough of Camden that the property has no internal features of historical merit. Planning application ref. 2010/0847/P and an associated application for listed building consent (ref. 2010/0849/L) were granted in June 2010 for a change of use of the lower ground floor from office to a two bedroom flat, along with roof alterations and internal alterations. The Officer's Report states that, "few historic or architectural features survive and the internal character of the spaces has been so altered that there is little of special interest remaining".
- 4.11 The new pizzeria restaurant will be branded differently from the existing Burger & Shake restaurant on the ground floor level. Food will be prepared and cooked in a separate area behind that bar on



the lower ground floor. A new oven is proposed for this purpose, however the new oven extract will be connected to the existing extract ducting internally, therefore no new extract unit is proposed. Whilst the restaurants will be separate entities, it is intended that customers in the pizzeria will still be able to order food from Burger & Shake should they wish, and vice versa. In order to accommodate this, a food lift is proposed between the ground floor and the lower ground floor which will move food between the restaurants in order to serve customers.

4.12 The submitted acoustic report by PC Environmental confirms that no additional noise insulation measures are required to ensure that the proposed lower ground floor restaurant meets with the requirements of the London Borough of Camden Noise Policies.

APPEARANCE

- 4.13 The appearance of the rear extensions will be in materials already existing on site at present. At the ground floor level, the small extension to the rear of Burger & Shake will be constructed of new external insulated cavity walls within an outer skin of old stock brick work to match the existing external walls. The flat roof of the extension will be mid-grey coloured glass reinforced plastic with white painted timber fascia boards and associated lead flashings.
- 4.14 Two new windows to the rear of the new office are proposed in a style to match existing and appropriate to the listed building status of the application site. The windows will be white painted and traditionally detailed in a hardwood material.
- 4.15 At lower ground floor level, the rear extension to replace the existing poor quality rear conservatory will be in similar glass appropriate to the listed building. The proposed plant/storage room at the rear of the building will incorporate a white painted hardwood framed and aluminimum louvred grille.

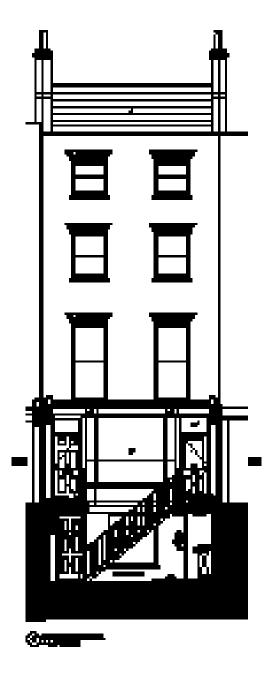


Figure 10: Proposed Front Elevation



Figure 11: Proposed Rear Elevation

- 4.16 At the front of the property there will be little change other than the proposed stairwell which will be constructed of black painted mild steel checquer plate treads and black painted handrails which are considered to be appropriate to the listed status of the building. Part of the existing low level wall at the front of the premises will need to be removed to form the new stair entrance location.
- 4.17 White painted aluminium acoustic louvered double access doors are proposed to the cupboard containing the existing A/C condenser unit. On the front elevation lightwell at the lower ground level, a conservation style traditionally detailed timber framed window is proposed. A new entrance door is proposed for the new pizzeria restaurant, which will be of a conservation style, traditionally detailed 6-panel moulded door with the top two panes comprising clear vision panels and brass ironmongery.
- 4.18 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. As stated the rear extension at ground floor 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.

LANDSCAPING

4.19 There is no opportunity for landscaping at the front of the site and no landscaping exists in this area at present. However, in addition there is no landscaping at the rear of the site at and this application offers the opportunity for a landscaped rear external area for the new restaurant in the future.

OTHER SPECIFIC DESIGN MATTERS

WASTE AND REFUSE

4.20 In accordance with the Council's design guidance CPG1, appropriate waste provisions are provided on site, within a safe location in order to minimise nuisance to occupiers and neighbours and their amenity space. The use of the understairs vaults for waste refuse for the proposed restaurant is considered to be appropriate. The refuse from the refuse area will then be taken by restaurant staff and left on Marchmont Street at the appropriate times for the Council's waste collection. This is how the site operates at present without problem. There is therefore an appropriate waste strategy for the site and has not considered any further details are required.

SECURED BY DESIGN

4.21 The issue of Secured By Design (SBD) has been taken into consideration in the formulation of this development proposal. Accordingly, all doors and windows will wherever possible, comply by Secured By Design accredited products. Door locks and standards will be to the appropriate requirements in conjunction with the requirements of English Heritage conservation principles. Window standards specification will incorporate enhanced security performance of casements. The applicant confirms it is happy to agree to an appropriate SBD condition.

AMENITY OF PROPOSED AND SURROUNDING OCCUPIERS

4.22 In terms of noise amenity, an acoustic report by PC Environmental is submitted with the application which confirms that subject to appropriate mitigation, the proposed application is acceptable in terms of noise impact and no additional noise attenuation measures are required to meet nationally accepted acoustic design criteria and specific requirements of LB Camden. Notably, the existing Burger & Shake restaurant has air conditioning and ventilation plant in the front lightwell and kitchen ventilation / extraction plant to the rear. As there is sufficient spare capacity within the current HVAC systems, no additional mechanical plant and equipment is required

- to serve the lower ground floor, therefore no new noise sources will be introduced.
- 4.23 In addition, the submitted noise report gives consideration to the insulation between the restaurant and adjoining properties both in terms of walls and floor/ceiling. The noise report confirms that the amenity occupiers of the adjacent residential properties will not be adversely affected by the presence of the proposed restaurant.
- 4.24 In terms of odours, the existing Burger & Shake restaurant has an existing high level flue which removes the odours to the roof. It is proposed that the oven in the pizzeria restaurant will connect to the existing extract ducting internally, therefore no new odour extraction system is required. As a result, there are no odours which will escape from the primary cooking occuring on site as these will be dispatched out at the roof level.
- 4.25 It is noteworthy that there are already residential units above Burger & Shake which coexist with the restaurant without problem. It is entirely common for residential units to be located in close proximity to restaurants (either directly over, underneath or adjacent) as is the case with other restaurants within the Marchmont Street Neighbourhood Centre, as well as within the wider borough of Camden. In this instance, there are residential units both above and either side of the existing restaurant which have not raised any concerns over the restaurant's operation. The ground floor of the premises has been a restaurant for a considerable period of time, and this demonstrates that both the restaurant uses and surrounding residential uses can coexist in a complementary manner. As such, it is considered that the proposed pizzeria restaurant on the lower ground floor will be able to function without adversely impacting on surrounding residential amenity.
- 4.26 In terms of planning policy, restaurant uses are encouraged within Neighbourhood Centres as they create vitality and viability. It is also considered that the proposals will enhance the setting of the Conservation Area and will improve the aesthetic quality of the Grade II Listed Building.
- 4.27 In the presence of the submitted acoustic report prepared by

PC Environmental, it is not considered there is any basis for the withholding of planning permission on principle for a restaurant use at this location.

ACCESSIBILITY

- 5.1 This section of the Design, Access and Heritage Statement sets out details of the site's accessibility, how access to the site has been arranged and, what considerations have been incorporated to the scheme in respect to the critical issue of inclusive access.
- 5.2 Full consideration has been taken of the Council's relevant policies relating to access matters.

ACCESS TO THE SITE

- 5.3 The site is located within the defined Highly Accessible Area within the Camden Core Strategy and has a PTAL rating of 6(b) (excellent). 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).
- 5.4 It is anticipated though that (as currently happens at Burger & Shake as well as other restaurants in the area) the majority of patrons visiting the restaurant will make their journey there by foot. Pavements surrounding the proposed restaurant are wide and provide ease of movement for both pedestrian and disabled wheelchair users.

CAR PARKING

5.5 Policy DP18 (Parking Standards and Limiting the Availability of Car Parking) confirms the Council will seek to ensure that developments provide the minimum necessary car parking provision and that the Council will expect development to be car free within the Central London area. The application site is located within Controlled Parking Zone CAE. Accordingly, the applicant has not provided any car parking spaces as part of the development. The applicant is happy to agree to the proposed residential unit being car free via a Section 106 Agreement.

CYCLE PARKING

5.6 No cycle parking spaces are proposed. This is in accordance with London Plan standards which states that cycle parking is not required for A3 uses below a threshold of 100 sqm.

INCLUSIVE ACCESS

- 5.7 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.
- 5.9 Whilst the applicant has sought to fully incorporate inclusive access, this is simply not been feasible, particularly in terms of access for wheelchair users as a result of the listed building status of the property. Whilst the lower ground floor unit is all on one level with appropriate room standards to assist movement through the proposed restaurants and is laid out in a manner which can adapt over time, the entrance to the premises (as is the case in all other lower ground floor units on Marchmont Street) via steps at the front lightwell entrance. It is not possible to change the depth of the steps without encroaching on the entrance to the understairs vaults and it is not possible to have a lift or otherwise at the front of the property to assist wheelchair access. The applicant has therefore sought to provide a scheme as accessible as possible within the constraints of the listed nature of the building.
- 5.10 The proposed signage on the building will clearly indicate a restaurant use. The point of entry to the premises will clearly be visible from Marchmont Street.

HERITAGE STATEMENT

- 6.1 In accordance with the requirements of the NPPF, this heritage statement describes the significance of the heritage assets affected by the development proposal.
- 6.2 The purpose of this statement is to assist with the determination of the application by informing the decision takers on the effects of the development on the historic built environment, and to value judgements on the significance of the heritage assets presented and the effects of the proposals upon that significance are appraised. This statement also sets out how the proposals comply with the guidance and policy of the NPPF and local policy framework. Specifically, this assessment assesses the significance of the relevant designated heritage assets and the effects of the development upon them. Each of these matters are now considered in turn below.

THE SIGNIFICANCE OF THE RELEVANT HERITAGE ASSETS

- 6.3 There are two specific heritage assets which need to be considered in this heritage assessment. Firstly, the application site is a listed building whilst secondly it is located within the Bloomsbury Conservation Area.
- 6.4 The site is included in the listing of the west side of Marchmont Street, from numbers 39-73. The application site was first listed on 14th May 1974 (list entry number 1113112—39-73 Marchmont Street). 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 modifications to accommodate shopfronts. 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."

- 6.5 An assessment of the building confirms that there is nothing of the special interest of building which remains internally at either ground or lower ground floor level. This has been accepted by officers in respect to previous applications for the site. This is expanded upon below.
- 6.6 In addition to being listed, the application site is also located within the Bloomsbury Conservation Area.
- 6.7 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.

IMPACT ASSESSMENT OF THE APPLICATION PROPOSAL

6.8 Both the application site and the Bloomsbury Conservation Area are designated heritage assets. As such, an assessment of the impact of the application proposal on these designated heritage assets is required. Each of these is now considered in turn below.

IMPACT ON NO. 47 MARCHMONT STREET (APPLICATION SITE)

- 6.9 It is considered that the application proposal results in significant heritage benefits and enhancement of the existing listed building.
- 6.10 The interior of the existing lower ground floor of the application site provides no meaningful historic contribution to the listed building context. There is no historical elements of note within the lower ground floor. This is discussed above.
- 6.11 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. Notably, the Officer's Report states "few historic or architectural features survive and the internal character of the spaces has been so altered that there is little of special interest remaining".
- 6.12 These comments were echoed in the Officer's Report on the most recent application for a rear extension on the site (LPA ref: 2012/1526/P and LPA ref: 2012/1581/L). The Report, when considering internal works, states "In respect of its design and impact in listed building terms, there is little historic fabric on ground floor level and the plan form has been much altered. The internal fit-out of a restaurant will not harm the special interest of the listed building".
- 6.13 The Report goes on to state that "The internal alterations at lower ground floor level are minor and do not impact on historic fabric or plan form since this portion of the building has already been much altered, having lost its original plan form and decorative features."

- 6.14 The site is currently vacant with a poor quality rear conservatory addition and has no historical elements of note. The works proposed to the lower ground floor therefore bring this vacant floorspace back into beneficial use which is to be welcomed. There are no changes of note to the property at the front other than the proposed new stairwell which will be similar to that which is existing, and a new entrance door to the new pizzeria restaurant, however this will not be easily viewable from street level. Notwithstanding this, the proposed entrance door will be of a conservation style and traditionally detailed.
- 6.15 This will therefore provide visual improvements to the front of the property. In terms of the rear, the poor quality lower ground floor extension is to be replaced by a better quality lower ground extension which should be welcomed. The rear of the premises is currently an untidy rear yard area. The application proposal involves the landscaping of the rear garden area which will provide both visual enhancements to the existing listed building whilst creating an appropriate amenity space for customers and emphasising the external nature of the rear yard area which is lost in aerial views as it is fully concreted at the current time.
- 6.16 In terms of the proposed plan layout of the restaurant, the historical plan form of the unit has long since gone, and any attempt to recreate this is difficult in terms of the restaurant use. The benefits of the proposal in terms of bringing the lower ground floor back into beneficial use and improvements to the rear are considered to outweigh any concerns on this matter. Furthermore, it is not the case that any plan form is actively being removed, as no room layout exists at the current time.

IMPACT ON THE BLOOMSBURY CONSERVATION AREA

6.17 In terms of any impact on the Bloomsbury Conservation Area, this is related to any impact on the group value of the listed buildings which contribute to the character of this part of the Bloomsbury Conservation Area. In this respect, it is not considered that the proposed changes will have any adverse impact on the Bloomsbury Conservation Area. Indeed, the changes to the rear of the property in terms of the additional landscaping are considered to be of

- positive heritage benefit to the Bloomsbury Conservation Area.
- 6.18 The application proposal retains the original building which is the preferred approach to development in the area as stated in the Conservation Area Guidelines. The retention and enhancement of the building contributes to the historic and architectural character and appearance of the area.
- 6.19 It is therefore not considered the application proposal has any adverse impact on the wider Bloomsbury Conservation Area given its relatively minor nature.

SUMMARY

- 6.20 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.
- 6.21 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.
- 6.22 The proposed works including the rear extension is considered to be in keeping with the existing buildings and will match the main building using similar bricks. It is not considered that the new external staircase 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.
- 6.23 Overall, it is considered the application proposal has positive benefits to both the listed host building and the wider Bloomsbury Conservation Area.

25

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 an entirely new building.

SUMMARY

- This Design, Access and Heritage Statement accords with the requirements identified within National Planning Practice Guidance and the design approach to this application has been comprehensive.
- The applicant has undertaken consideration of the significance of the relevant heritage assets which are considered to be the listed building itself and the Bloomsbury Conservation Area. In respect to the key qualities of the listed buildings this relates to the frontage of the building to Marchmont Street. It is not considered that the new extension to the rear will adversely affect the character of the listed building, rather it will act as a subservient element to the rear. It is not considered that the application proposals will have any advice impact or the Bloomsbury Conservation Area. Neither is it considered the proposed rear extension or change of use of the lower ground floor will have any adverse effect on neighbouring properties or result in unacceptable living conditions for the proposed occupiers.
- Overall, it is considered the application proposal is of significant merit and it is requested that planning permission is forthcoming.