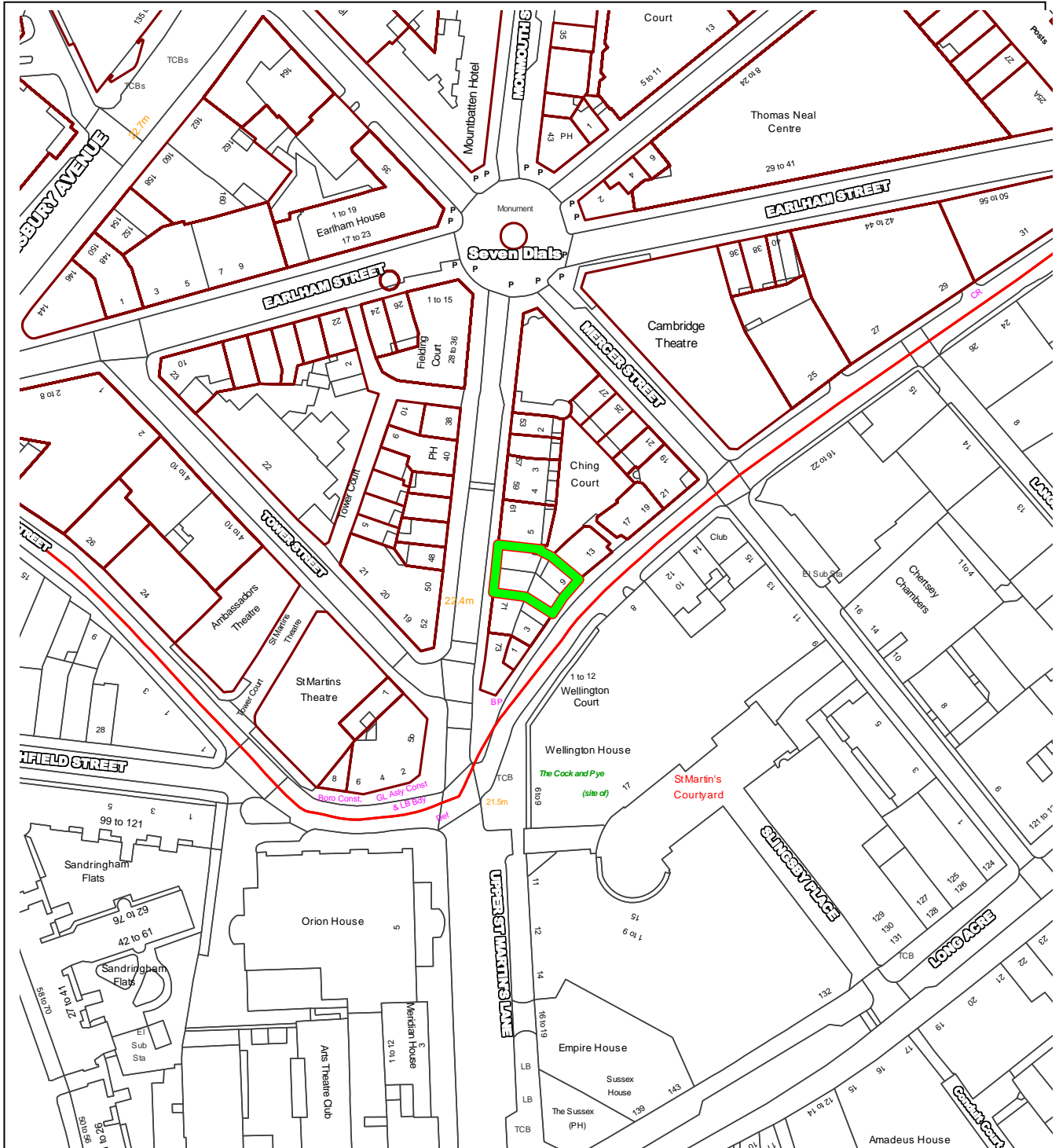


St. Martins House - 65-75 Monmouth Street

2015/2738/P & 2015/1991/L



Delegated Report		Analysis sheet	Expiry Date:	15/06/2015
(Members Briefing)			Consultation Expiry Date:	11/06/2015
Officer			Application Number(s)	
Gideon Whittingham			1) 2015/2738/P 2) 2015/1991/L	
Application Address			Drawing Numbers	
St. Martins House 65-75 Monmouth Street London WC2H 9DG			Refer to Draft Decision Notices.	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
1) Amendment (relating to the reconfiguration of roof form and associated plant, alteration of shopfront, access and fenestration) to planning permission ref 2014/4870/P granted on 12/05/2015 (for the change of use of building to provide office (Class B1), residential (Class C3) and retail uses (Class A1) and associated elevational and internal alterations)				
2) Reconfiguration of roof form and associated plant, alteration of shopfront, access and fenestration along with internal alterations of stair core, cycle and refuse provision and floor layout for commercial and residential elements.				
Recommendation(s):		1) Grant Non Material Amendments 2) Grant Listed Building Consent subject to Conditions		
Application Type:		1) Non Material Amendments 2) Listed Building Consent		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notices					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00
Summary of consultation responses:	<p>A site notice was erected on 20/05/2015 to 10/06/2015.</p> <p>A notice was placed in the local newspaper on 21/05/2015 to 11/06/2015.</p> <p>No objections have been received following the statutory consultation process.</p>					
CAAC/Local groups comments:	<p>The Ching Court Association raised objection of the First submission regarding the following:</p> <p><i>“1. All the previous basement storage for refuse from the shop, office and residential uses has been removed. With no consent required now to shift from A1 to A3, we are also potentially faced with no refuse storage for a restaurant use, too. Shaftesbury plc have been quite open with us that they would like to see a restaurant in the corner building ground floor, first floor and basement. You are no doubt familiar with all the problems that we have in relation to rubbish on the streets around Seven Dials. And while Shaftesbury themselves are quite strict with their tenants, we are</i></p> <p><i>2. The application itself states that it contains “significant improvements to fourth floor residential layout”, which doesn’t sound the same as ‘non-material’! These improvements include the creation of two open spaces at the top.</i></p> <p><i>3.The larger, fourth floor space is shown on (i) plan drawing number (00)_115 which attaches to the Planning application and (ii) elevation drawing number (00)_113 which attaches to the Listed Building application. However, we’d like some clarification about the terrace balcony door arrangement which appears on the elevation drawing but does not show on the plan drawing. Clearly, any loss of a door here would have a significant impact on amenity.</i></p> <p><i>The second, roof level space seems to be shown on the new elevation drawing number (00)_312 which attaches to the Listed Building application; it’s described as a ‘concealed terrace’ but as we can’t see it on the plan drawings we’d like clarification on that too.”</i></p> <p>Officer comment:</p> <p>1. The officer acknowledges the nature of alterations proposed, namely the loss of refuse storage would result in a material amendment of the planning permission granted. The submission was therefore amended accordingly to retain/include a refuse storage area for all uses.</p> <p>2. The associated changes to residential/commercial layouts would not result in a material amendment of the planning permission granted.</p>					

3. The proposal would omit an openable rooflight to the extant terrace. The obscurely glazed double doors enclosing this space are shown on plan and would be retained

Relating to the extant permission:

"We also note that our previous concerns relating to dirt and disturbance from building work have not yet been addressed. You may be planning this as part of the S106 agreement. However, whether it is included here as a planning condition or later in the S106 please include the following, as requested in our comments on the previous application:

- Limit hours of work on the site to 8am – 6pm Monday to Friday only.*
- The developers clean the top floor windows and parapet of the adjoining flat, possibly before scaffolding comes down for ease of access."*

Officer comment: The extant permission included an informative advising that demolition and construction works is subject to control under the Control of Pollution Act 1974 and must be undertaken between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. The nature of the site and works proposed did not require exclusion of work on Saturdays.

The Ching Court Association raised objection of the **Second** submission regarding the following:

"Terrace:

The issues of privacy, particularly for the flat that is just adjoining, we hope will be eased by the obscured glass on the terrace door, and the constraints on hours of use on the outside space (not after 9pm, which matches the hours of use for Ching Court below and the other balconies there) that you kindly applied.

However, the long-term resident in that flat is still concerned about potential noise from parties etc. in both outside spaces. This is a constant issue now, unfortunately, for long-term residents in their dealings with the relatively short term residents who flow through the rental units in Covent Garden such as the ones in this application. We have no idea yet how the sound will carry from the second, new terrace space. If you are minded to grant consent for the second space, then, at the very least, can the same hours of use be applied to that, please?"

Officer comment: The extant permission included the following conditions which alleviates this concern:

1. The roof terrace facing the Ching Court elevation located at fourth floor level shall not be used between 2100 hours and 0730 hours.

2. The double doors facing the Ching Court elevation located at fourth floor level shall be obscurely glazed and so maintained

"Refuse storage:

We think that it still looks like an unsatisfactory compromise, as it's so difficult to access: down narrow stairs, through lots of doors and around a very tight corner. The concern is that the space will remain largely unused, and that bikes and rubbish will just get left on Shelton street instead. We know local behaviour pretty well, and this is what happens elsewhere when

storage is not convenient. So, we have made some suggested adaptations to the layout that we think will maximise the likelihood of the space being used for what is intended.”

Officer comment: Given the designation as a listed building and the constraints of the building/site, the provision of refuse and cycle storage is considered appropriate and policy compliant.

“Offices:

We had asked for a condition for Venetian blinds on the office windows which look across Ching Court, into residents’ windows. The offices used to have them, and it was an enormous help with privacy, even when they were twisted open during the day, because it baffled the view. However, they were taken down a few years ago during a refurbishment. Because office hours are not as ‘sociable’ as they once were, this led to quite a surprising loss of privacy for several family dwellings opposite. Are you able to add blinds as a condition now, by any chance?”

Officer comment: Given that the office element of the building, where retained is existing, a requirement for Venetian blinds is considered both excessive and unenforceable.

Site Description

The application site comprises a number of individual properties numbered 65-75 Monmouth Street and 1, 3, 5 Shelton Street, which collectively are known as St Martin's House.

St Martin's House is located on a prominent corner leading into Seven Dials, with a dual frontage along Monmouth Street and Shelton Street. The building comprises a mixture of retail (Class A1) uses at basement and ground floor levels with office (Class B1) accommodation on the first, second, third and fourth floor levels. Access to the upper floor offices is via the office reception area within 69 Monmouth Street or 5 Shelton Street.

St Martin's House is a Grade II Listed building located within the Seven Dials (Covent Garden) Conservation Area. The commercial element fronting Monmouth Street is designated as primary Central London Frontage.

St Martin's House is located within the Seven Dials Conservation Area and the Central London Activity Area. The building lies north east of the boundary with the Borough of Westminster.

Relevant History

2014/4870/P & 2014/5224/L - Change of use of part second, part third and fourth floors from office (Class B1) to 4 self-contained flats (3 x 1-bed, 1 x 2-bed) (Class C3); change of use of part basement, part ground and part first floors from retail (Class A1) and office (Class B1) use to retail (Class A1); change of use from office entrance (Class B1) at ground floor (No.69 Monmouth Street) to create new retail (Class A1) unit and frontage; external alterations to Shelton Street to create new residential and office entrance; and associated internal alterations to include repositioning of existing lift and stairs and refurbishment works and plant. Granted 12th and 14th May 2015.

8800358 & 8870147 - Redevelopment of 71-75 Monmouth Street and refurbishment of 1 Shelton Street to provide a building comprising retail accommodation at basement and ground floor levels offices at first second and third floor levels and a one bedroom flat at mansard fourth floor level. Granted on 3rd August 1989.

Relevant policies

Grant Non Material Amendments:

The proposed amendments are assessed for materiality – not on the basis of their planning merits. Planning policies therefore do not apply.

Grant Listed Building Consent subject to Conditions:

LDF Core Strategy and Development Policies

CS14 (Promoting high quality places and conserving our heritage)

CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity)

DP24 (Securing high quality design)

DP25 (Conserving Camden's heritage)

Highgate conservation area appraisal and management strategy (2007)

Camden Planning Guidance:

2014 - CPG1 Design

2013 - CPG2 Housing, CPG5 Town centres, retail and employment

2011 - CPG6 Amenity, CPG7 Transport

Assessment

1. Background:

1.1 Planning permission and listed building consent was granted on 12th and 14th May 2015 (2015/2738/P & 2015/1991/L) for:

Change of use of part second, part third and fourth floors from office to retail and residential use. Alterations also take place to the entrances, elevations and internal layout.

1.2 The application was revised to include provision for refuse storage and retain timber sash fenestration.

1.3 A non-material amendment and listed building application have been submitted to alter:

- The internal stair core
- Arrangement of refuse and cycling storage.
- Omission of openable rooflight at main roof level and associated roof alterations
- Internal layout of the commercial and residential elements
- Entrance elements to both elevations and
- Associated plant alterations

2. Assessment of Non Material Amendments:

2.1 Whilst there is no statutory definition of what constitutes a 'non-material' amendment, Section 96A, part 2 of the Town and Country Planning Act 1990 (as amended) states that, *"In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted."*

2.2 In the context of the size and scale of the permitted scheme, the extent and nature of alterations now proposed, the proposal would not have any material impact on the overall design idiom, neighbour amenities, traffic generation or conservation area character.

2.3 This is primarily owing to the nature of the overall approved scheme and the proximity of the neighbouring residential buildings, with the proposed changes being of a relatively minor scale and elements of concern (see objection letter from Ching Court) secured by way of condition in any case.

2.4 An informative is recommended which states that this permission relates only to the changes

highlighted on the plans. Furthermore it shall only be read in the context of the substantive planning permission and is bound by all the conditions and obligations attached to that permission.

3. Assessment of LBC:

3.1 The National Heritage List for England designates St. Martins House as:

“Row of 4 terraced houses with later shops. Probably early C18, altered mid C19, restored and altered 1978-85 by Terry Farrell as part of his Comyn Ching triangle refurbishment and restoration. Yellow stock brick, nos 69 & 71 being tuck pointed. 4 storeys and basements, no 69 with an attic & dormer. Shopfronts restored or renewed as part of Farrell scheme. Gauged brick segmental arches to recessed sash windows. Parapet. Rear elevations renewed as part of Farrell scheme.”

3.2 Whilst the description reads “restored and altered 1978-85 by Terry Farrell”, the building was actually significantly altered, in as much as rebuilt behind the retained facades (Ref: 8870147 & Ref: 8800358). As a result, the implemented scheme removed all floors and in some cases repositioned floor heights. In this regard the significance of the buildings solely lies in their external character and appearance setting as part of the wider terraces/streetscene.

3.3 The nature and extent of alterations proposed, which are relatively minor would preserve the external facades, thereby preserving the special interest of the listed buildings and character and appearance of the Seven Dials Conservation area.

3.4 This amendment continues to rationalise communal and access points for the many uses within, as well as returning a greater expanse of commercial core frontage (rather than entrance to upper floor commercial space for example). This would enliven the streetscene and enhance the traditional ground floor character and appearance of the listed buildings. This would benefit the site and is a welcomed under policies DP24 and DP25.

3.5 The Council’s Heritage and Conservation officer has assessed the submission and is satisfied the scheme would preserve and enhance the special interest of the grade II listed buildings as well as the character and appearance of the conservation area in compliance with policies CS14; DP24 and DP25.

Recommendation:

1) Grant Non Material Amendments

2) Grant Listed Building Consent subject to Conditions

Decision route to be decided by nominated members on Monday 6th August 2015. For further information please click [here](#)

Mr. Rupert Litherland
Rolfe Judd Planning
Old Church Court
Claylands Road
Oval
London
SW8 1NZ

Application Ref: **2015/2738/P**
Please ask for: **Gideon Whittingham**
Telephone: 020 7974 **5180**

26 January 2012

Dear Sir/Madam

DRAFT
DECISION

Town and Country Planning Act 1990 (as amended)

Grant of Non Material Amendments to planning permission

Address:

St. Martins House
65-75 Monmouth Street
London
WC2H 9DG

DECISION

Proposal: Amendment (relating to the reconfiguration of roof form and associated plant, alteration of shopfront, access and fenestration) to planning permission ref 2014/4870/P granted on 12/05/2015 (for the change of use of building to provide office (Class B1), residential (Class C3) and retail uses (Class A1) and associated elevational and internal alterations)

Drawing Nos: Consented/Superseded:

20321-P01 Rev A, 20321-P02 Rev C, 20321-P03 Rev A, 20321-P04 Rev A, 20321-P05 Rev A, 20321-P06 Rev A, 20321-P10 Rev A, 20321-P07, 20321-P08 Rev B, 20321-P09, 20321-P11 Rev B, 20321-P12 Rev E, 20321-P13.

Proposed:

00_110 Rev P02; 00_111 Rev P01; 00_112 Rev P01; 00_113 Rev P01; 00_114 Rev P01; 00_115 Rev P01; 00_116 Rev P01; 00_210 Rev P01; 00_211 Rev P02; 00_310 Rev P01; 00_311 Rev P01; and 00_312 Rev P01, Letter dated 14th May 2015, prepared by Jan Donovan of Rolfe Judd, Letter dated 30th March 2015, prepared by Franks and Lewin.



The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 For the purposes of this decision, condition no.3 of planning permission 2014/4870/P shall be replaced with the following condition:

REPLACEMENT CONDITION 3

The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan P4812/RJP/P01, 20321-01, 20321-02, 20321-03, 2032104, 20321-05, 20321-06, 20321-07, 20321-10 Rev A, 20321-08, 20321-09, 20321-11, 20321-12 Rev B, Environmental Health Survey & Plant Noise Assessment Report 2010/PNA1/Rev2, Planning Statement (Ref: P5457), dated July 2014, Lifetime Homes Assessment (Rev C) - F&T 20321 - July 2014, 00_110 Rev P02; 00_111 Rev P01; 00_112 Rev P01; 00_113 Rev P01; 00_114 Rev P01; 00_115 Rev P01; 00_116 Rev P01; 00_210 Rev P01; 00_211 Rev P02; 00_310 Rev P01; 00_311 Rev P01; and 00_312 Rev P01, Letter dated 14th May 2015, prepared by Jan Donovan of Rolfe Judd, Letter dated 30th March 2015, prepared by Franks and Lewin.

Reason: For the avoidance of doubt and in the interest of proper planning.

The Council has considered your application and confirms that the proposals are acceptable as non-material amendments to the planning permission set out above.

Informative(s):

- 1 Reasons for granting permission.

Following further structural stability investigations the proposal amends the internal layout of the commercial and residential elements of the building including the stair and lift core (albeit retention as per existing in part), external access, cycle and refuse facilities at basement floor level and shop, office and residential arrangements at upper floor level. The external manifestations relate to the entrance elements serving each use and associated plant alterations at upper and roof level as a result of the internal reconfiguration.

The proposal in respect of residential and commercial provision remains policy compliant with the previous approval granted on 18/10/2010 under reference number 2010/4555/P.

The internal alterations proposed, by virtue of their extent, condition and quality ensures no harm to the special architectural and historic interest of the listed building and would preserve the character and appearance of the surrounding

conservation area.

Due to the nature and extent of alterations proposed, the proposal would be of no greater detriment to the amenity levels enjoyed by the adjacent residential occupiers than the existing or extant arrangement.

The full impact of the scheme has already been assessed by virtue of the previous approval granted on 12/05/2015 under reference number 2014/4870/P. In the context of the approved scheme, it is considered that the amendments would not have any further impact.

- 2 You are advised that this permission relates only to the changes highlighted on the revised plans referred to above and shall only be read in the context of the substantive permission granted on 12/05/2015 under reference number 2014/4870/P, and is bound to all other conditions and obligations attached to that permission.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Yours faithfully

Director of Culture & Environment

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Rolfe Judd Planning [P5870]
Old Church Court
Claylands Road
London
SW8 1NZ

Application Ref: **2015/1991/L**
Please ask for: **Gideon Whittingham**
Telephone: 020 7974 5180

23 June 2015

DRAFT

Dear Sir/Madam

DECISION

Planning (Listed Building and Conservation Areas) Act 1990

Listed Building Consent Granted

Address:
65-75 Monmouth Street
Monmouth Street
London
WC2H 9DG

DECISION

Proposal:

Reconfiguration of roof form and associated plant, alteration of shopfront, access and fenestration along with internal alterations of stair core, cycle and refuse provision and floor layout for commercial and residential elements.

Drawing Nos: Site Location Plan P4812/RJP/P01, 20321-01, 20321-02, 20321-03, 2032104, 20321-05, 20321-06, 20321-07, 20321-10 Rev A, 20321-08, 20321-09, 20321-11, 20321-12 Rev B, Environmental Health Survey & Plant Noise Assessment Report 2010/PNA1/Rev2, Planning Statement (Ref: P5457), dated July 2014, Lifetime Homes Assessment (Rev C) - F&T 20321 - July 2014, 00_110 Rev P02; 00_111 Rev P01; 00_112 Rev P01; 00_113 Rev P01; 00_114 Rev P01; 00_115 Rev P01; 00_116 Rev P01; 00_210 Rev P01; 00_211 Rev P02; 00_310 Rev P01; 00_311 Rev P01; and 00_312 Rev P01, Letter dated 14th May 2015, prepared by Jan Donovan of Rolfe Judd, Letter dated 30th March 2015, prepared by Franks and Lewin

The Council has considered your application and decided to grant subject to the following condition(s):



Conditions And Reasons:

- 1 The works hereby permitted shall be begun not later than the end of three years from the date of this consent.

Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The works hereby approved are only those specifically indicated on the drawing(s) referred to above.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Reasons for granting listed building consent.

The proposal essentially seeks amendment to listed building consent ref: 2014/5224/L which itself sought internal and external alterations associated with the change of use of building to provide office (Class B1), residential (Class C3) and retail uses (Class A1).

Following further structural stability investigations the proposal amends the internal layout of the commercial and residential elements of the building including the stair and lift core (albeit retention as per existing in part), external access, cycle and refuse facilities at basement floor level and shop, office and residential arrangements at upper floor level. The external manifestations relate to the entrance elements serving each use and associated plant alterations at upper and roof level as a result of the internal reconfiguration.

The alterations proposed, by virtue of their extent, condition and quality ensures no harm to the special architectural and historic interest of the listed building and would preserve the character and appearance of the surrounding conservation area.

The planning history of the site has been taken into account when coming to this decision. No objections were received prior to making this decision.

Special regard has been attached to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses, under s.16 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

- 2 You are advised that this permission relates only to the changes highlighted on the revised plans referred to above and shall only be read in the context of the substantive permission granted on 14/05/2015 under reference number 2014/5224/L, and is bound to all other conditions and obligations attached to that permission.
- 3 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 4 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Culture & Environment