

**FLAT 3, 21 JOHN STREET  
LONDON, WC1N 2BF**

**PLANNING STATEMENT**

JULY 2015

PREPARED AT THE OFFICES OF

**CHASE & PARTNERS LLP, HIGHLIGHT HOUSE, 57 MARGARET STREET, LONDON, W1W 8SJ**

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## **APPENDICES**

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## 1. INTRODUCTION

- 1.1. Flat 3, 21 John Street is the applicant's home situated on the third floor of the eight-storey Haines House (Use Class - C3). The application proposes the *'installation of a door in the rear elevation'* at flat 3, to allow for access from the living room and kitchen area onto the roof terrace.
- 1.2. This is considered in detail in the accompanying Design and Access Statement, produced by Pure Design Group, and in section 5 of this report.

## 2. SITE AND SURROUNDING AREA

- 2.1. Flat 3, 21 John Street is located in the London Borough of Camden, within the Bloomsbury Conservation Area and the Central London Area. The building (Haines House) is a Grade II Listed Building that was officially listed in 2010 (Listing Entry Number: 1393968) (**Appendix 1**). The site measures 0.02 hectares and is situated at the northern most end of the block that is bound by John Street (East), Roger Street (North), John Mews (West) and Duke of York Public House. John Street is located within close proximity to Russell Square Underground (0.5 miles), Chancery Lane (0.5 miles) and King Cross Station (0.8 miles) away. The site has a PTAL (Public Transport Accessibility Level) of 6a – ‘*excellent*’, which reflects the sites high accessibility to public transport.
- 2.2. John Street is recognised as having a mix of different uses, surrounded by a variety of buildings with residential and commercial uses. These include: flats, offices and a public house. Haines House is a steel-framed building with artificial stone at ground and first floor level and red brick for the remaining upper storeys.
- 2.3. The list entry refers to: ‘*No. 21 John Street, The Duke of York Public House on Roger Street, and no’s 1 – 4 Mytre Court on John Mews*’. The building has been designated a Grade II Listed Building, that was developed by Dennis Edmund Harrington in 1937. The history refers to:
- Architectural design from the 1930s;
  - Georgian Bloomsbury;
  - Sculptural embellishment;
  - Quality of materials such as brickwork and detailing;
  - Original fabric of the Duke of York Public House.

### 3. PLANNING HISTORY

3.1. A planning history search was undertaken by Chase & Partners on the Camden Council planning register. The following applications were found:

- Application 2009/2035/P – *‘Installation of 2 telecommunications antennae within a shrouded pole and 2 associated equipment cabinets at roof level and a face-mounted antenna on the side (West) elevation at seventh floor level of office building’.*
- Application 2012/0277/P – *‘Change of use of 2<sup>nd</sup> to 7<sup>th</sup> floors of 21 John Street from offices (Class B1) to 8 (1x1, 6x2 and 1x3 bed) self-contained residential units (Class C3), provision of bike and bin stores in rear courtyard, replacement of window with door on rear courtyard (south-west elevation) at ground floor level, green roof above second floor level, replacement of windows to 21 John Street, upper floors of 7 Roger Street and 1-4 Mytre Court, John’s Mews and associated works’.* Withdrawn.
- 2012/0309/L – *‘Internal and external alterations in association with the change of use of 2<sup>nd</sup> to 7<sup>th</sup> floors of 21 John Street from offices (Class B1) to 8 (1x1, 6x2 and 1x3 bed) self-contained residential units (Class C3), provision of bike and bin stores in rear courtyard, replacement of window with door on rear courtyard (south-west elevation) at ground floor level, green roof above second floor level, replacement of windows to 21 John Street, upper floors of 7 Roger Street and 1-4 Mytre Court, John’s Mews and associated works’.* Withdrawn.
- Application 2012/5486/P – *‘Change of use of 2<sup>nd</sup> to 7<sup>th</sup> floors of 21 John Street from offices (Class B1) to 8 (1x1, 6x2 and 1x3 bed) self-contained residential units (Class C3), provision of bike and bin stores in rear courtyard, replacement of window with door on rear courtyard (south-west elevation) at ground floor level, green roof above second floor level, replacement of windows to 21 John Street, upper floors of 7 Roger Street and 1-4 Mytre Court, John’s Mews and associated works’.* Granted following the Section 106 agreement completion.
- Application 2012/5504/L – *‘Internal and external alterations in association with the change of use of 2<sup>nd</sup> to 7<sup>th</sup> floors of 21 John Street from offices (Class B1) to 8 (1x1, 6x2 and 1x3 bed) self-contained residential units (Class C3), provision of bike and bin stores in rear courtyard, replacement of window with door on rear courtyard (South-west elevation) at ground*

*floor level, green roof above second floor level, replacement of windows to 21 John Street, upper floors of 7 Roger Street and 1-4 Mytre Court, John's Mews and associated works'. Granted*

- *Application 2014/2192/L – 'Details of cleaning method statement (condition 5) in relation to listed building consent (2012/5504/L) dated 14/01/2013 for the change of use of 2<sup>nd</sup> to 7<sup>th</sup> floors from offices to 8 self-contained residential units'. Granted.*
- *Application 2014/2644/P – 'Use of part of 3<sup>rd</sup> floor flat roof and part of roof level flat roof as terraces, and associated installation of door and gate for access, enclosure of terraces and landscaping (part retrospective)'. Granted*
- *Application 2014/2805/L – 'Alterations in connection with use of part of 3<sup>rd</sup> floor flat roof and part of roof level flat roof as terraces, and associated installation of door and gate for access, enclosure of terraces and landscaping (part retrospective)'. Granted*
- *Application 2014.5738/P – 'Removal of condition 3 (green roof) of planning permission 2012/5486/P dated 14/01/2013'. Granted*

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## 4. PLANNING POLICY

### ***National Planning Policy Framework (2012)***

4.1. The National Planning Policy Framework (NPPF) constitutes guidance to local planning authorities and decision-makers in both drawing up development plans and in determining applications.

- It is a material consideration in planning decisions and contains a strong presumption in favour of 'sustainable development' described as "the golden thread" that runs 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 planning permission unless
- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of this Framework taken as a whole; or
- Specific policies in this Framework indicate development should be restricted.

4.2. Paragraph 9 states:

- *"Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):*
- *replacing poor design with better design;*
- *improving the conditions in which people live, work, travel and take leisure; and*
- *Widening the choice of high quality homes."*

4.3. Guidance on the core principles in planning are set out at paragraph 17. This encourages planning to be creative and encourages high quality design. It recognises that account needs to be taken of the different roles and characters that an area has. It recognises that heritage assets should be conserved in a manner appropriate to their 'significance'.

4.4. Section 7 of the NPPF deals with design and recognises that good design is a key aspect of sustainable development and is indivisible from planning. At paragraph 58 a number of key values are set out that planning decisions should aim to ensure. These include, inter alia, the following:

- Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- Establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- Optimise the potential of the site to accommodate development;
- Respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- Are visually attractive as a result of good architecture and appropriate landscaping.

4.5. At paragraph 60 it is stated that planning decisions should not attempt to impose architectural styles or tastes. It goes on to state that planning should not seek to stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. Notwithstanding it recognises that it is 'proper' to promote and reinforce local distinctiveness.

4.6. Section 12 deals with '*Conserving and enhancing the historic environment*'. It reiterates the statement that heritage assets should be conserved in a fashion appropriate to their significance. At paragraph 126 the NPPF sets out four statements that need to be taken into account when assessing 'significance':

- 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, 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; and
- Opportunities to draw on the contribution made by the historic environment to the character of a place.



4.7. At paragraph 131 the NPPF sets out three further considerations that Local Planning Authorities should take into account when determining planning applications:

- 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 their economic vitality; and
- The desirability of new development making a positive contribution to local character and distinctiveness.

***London Plan (2011)***

4.8. Paragraph 3.31 'Housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment, taking account of strategic policies in this Plan to protect and enhance London's residential environment and attractiveness as a place to live'.

4.9. Paragraph 3.31 'Housing developments should enhance the quality of local places, taking into account physical context; local character; density; tenure and land use mix'.

***Bloomsbury Conservation Area Appraisal and Management Strategy (2011)***

4.10. Paragraph 5.159 states: '*The terraced townhouses east of John Street, some of which are grade II listed, reflect the styles of buildings in Gray's Inn*'.

4.11. Paragraph 5.174 states: '*The area has a clear street hierarchy structured on a grid layout. Bedford Row, Doughty Street and John Street are wide thoroughfares characterised by larger properties*'.

4.12. Paragraph 5.178 states: '*Although once primarily residential, the area now has a mixture of uses. The main and secondary thoroughfares (John Street, Doughty Street, Bedford Row, Rugby Street and Great James Street) are dominated by office uses but retain some residential uses*'.

4.13. Paragraph 5.179 states: '*The main streets include John Street which leads into Doughty Street and the stretch of Bedford Row running north to south*'.

- 4.14. Paragraph 5.182 states: *'The townhouses along John Street, Doughty Street and Guilford Street are of significance as they are almost complete Georgian streets, lined with terraces. John Street dates from the mid 18<sup>th</sup> century'.*
- 4.15. Additionally it states: *'Buildings on John Street are generally of four storeys with basements, some are stuccoed at ground floor and some have mansard roofs with dormer windows. A number of townhouses are of particular architectural significance and are thus listed grade II\*. The postwar buildings at No 1 and Nos 37-38 are of consistent scale and proportions and have classically influenced detailing. The later 19<sup>th</sup> century public house (No 11a) is more decorative and retains its traditional wooden ground-floor front. Whilst the office building at No 21a is significantly larger than its neighbours, rising to eight storeys. It has fine Art Deco influenced 1930s detailing, particularly around the main entrance and at roof level. It was listed grade II in September 2010 because it is "a stylish design characteristic of the 1930s, which responds in scale and materials to the streetscape of Georgian Bloomsbury, the quality of its sculptural embellishment and brickwork and its planning interest as an early mixed use development of commercial offices, flats and a public house which was particularly forward-looking for its time"'*.
- 4.16. Paragraph 5.187 states: *'The public house forms the corner feature at the western end of a larger contemporaneous office building, Haines House, which spans the entire northern end of the John Street/Roger Street/John's Mews block, and includes a turreted eight-storey tower rising above the John Street corner. The building continues immediately south of the public house on the John's Mews frontage as Mytre Court, a four-storey red-brick apartment block of a domestic scale. The Art Deco-inspired façade is enlivened by a central entrance with canted projecting bay windows above and streamlined projecting brick balconies either side. Together with the adjacent Duke of York public house and the office development at No 21 John Street, this building was listed grade II in September 2010. Much of the northern end of the mews on both sides of the street has been redeveloped in the 20<sup>th</sup> century, with buildings which generally respect the grain of the area but fail to complement the group of 19<sup>th</sup> century mews buildings in the southern stretch of the mews which are of historic interest. There is a strong sense of openness on the west side of the mews due to the presence of the low level, one-storey, red-brick St George the Martyr Primary School and playground, which dates from the late 20<sup>th</sup> century. There are views to the west of the rear elevations of the Farrell and Grimshaw designed blocks of flats in Millman Street'.*

- 4.17. Paragraph 5.188 states *'East of Doughty Street, the frontage is defined by the flank walls of the grade II listed No 62 Doughty Street and No 20 John Street. The townscape in Northington Street has more variety: although flank walls are also visible (including that of the grade II\* listed No 16 Great James Street, as well as No 25 John's Mews and No 29 John Street).'*

**Camden's Core Strategy (2010)**

- 4.18. Policy CS1 – Distribution of Growth states:

- *'The Council will focus Camden's growth in the most suitable locations, and manage it to make sure that we deliver its opportunities and benefits and achieve sustainable development, while continuing to preserve and enhance the features that make Camden such an attractive place to live, work and visit'.*
- Point d) – *'seeking development that makes full use of its site, taking into account quality of design, its surroundings, sustainability, amenity, heritage, transport accessibility and any other considerations relevant to the site'.*

- 4.19. Paragraph 1.21 states:

- *"If we are going to adapt successfully to Camden's growing population, we need to make the best use of the borough's limited land. The Council will promote the most efficient use of Camden's land and buildings while also seeking to improve the quality of our environment protect the amenity of occupiers and neighbours and meet its other planning objectives".*

- 4.20. Policy CS3 – Other Highly Accessible Areas states:

- *"The Council will ensure that development in these locations is of suitable scale and character for the area in which it is situated, contributes to other Council aspirations including providing appropriate community and environmental benefits, and takes into account amenity and community safety".*

4.21. Policy CS5 – Managing the Impact of Growth and Development

- *"The Council will manage the impact of growth and development in Camden. We will ensure that development meets the full range of objectives of the Core Strategy and other Local Development Framework documents, with particular consideration given to:*
- *a) providing uses that meet the needs of Camden's population*

Moreover

- *The Council will protect the amenity of Camden's residents and those working in and visiting the borough by:*
- *e) making sure that the impact of developments on their occupiers and neighbours is fully considered".*

4.22. Paragraph 5.8 reads:

- *"Protecting amenity is, therefore, a key part of successfully managing growth in Camden. We will expect development to avoid harmful effects on the amenity of existing and future occupiers and nearby properties or, where this is not possible, to take appropriate measures to minimise potential negative impacts".*

4.23. Policy CS9 – Achieving a Successful Central London

- *"The Council will support and promote the Central London area of Camden as a successful and vibrant part of the capital to live in, work in and visit. We will:*
- *a) recognise its unique role, character and challenges;*
- *c) contributes to London's economic, social and cultural role while meeting the needs of local residents and respecting their quality of life;*
- *d) support residential communities within Central London by protecting amenity and supporting community facilities;*

4.24. Paragraph 9.1 states:

- *"The southern part of Camden plays an important part in providing the vibrancy, diversity and identity that makes the borough such a popular place to visit and live in. It forms part of Central London whose unique*

*role, character and mix of uses provides much of the capital's distinctiveness".*

4.25. Policy CS14 – Promoting High Quality Places and Conserving Our Heritage

- *The Council will ensure that Camden's places and buildings are attractive, safe and easy to use by:*
- *a) requiring development of the highest standard of design that respects local context and character;*
- *b) preserving and enhancing 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;*

4.26. Paragraph 14.3 states:

- *"The design of the places and buildings that make up our local environment affects us all and our quality of life. High quality design is visually interesting and attractive but it is not just about what things look like. Good design makes places that put people first, are welcoming, feel safe and are enjoyable and easy to use for everyone, whether they are living in, working in or just passing through the borough".*

***Camden's Development Policies (2010)***

4.27. Policy DP24 – Securing High Quality Design

- *"The Council will require all developments, including alterations and extensions to existing buildings, to be of the highest standard of design and will expect developments to consider:*
- *a) character, setting, context and the form and scale of neighbouring buildings;*
- *b) the character and proportions of the existing building, where alterations and extensions are proposed".*

4.28. Paragraph 24.4 states:

- *"We will therefore apply policy DP24 to ensure that all developments throughout the borough, including alterations and extensions to existing buildings, are of the highest standard of design".*

4.29. Paragraph 24.5 states:

- *Design should respond creatively to its site and its context.*

4.30. Paragraph 24.16 states:

- *"Schemes should incorporate materials of an appropriately high quality. The durability and visual attractiveness of materials will be carefully considered along with their texture, colour and compatibility with existing materials. Alterations and extensions should be carried out in materials that match the original or neighbouring buildings, or, where appropriate, in materials that complement or enhance a building or area".*

4.31. Paragraph 24.23 states:

- *"Private outdoor amenity space can add significantly to resident's quality of life and applicants are therefore encouraged to explore all options for the provision of new private outdoor space. Gardens, balconies and roof terraces are greatly valued and can be especially important for families".*

4.32. Policy DP25 Conserving Camden's Heritage

- *Conservation areas - In order to maintain the character of Camden's conservation areas, the Council will:*
- *a) take account of conservation area statements, appraisals and management plans when assessing applications within conservation areas;*

4.33. Paragraph 25.2 states:

- *"We will seek to manage change in a way that retains the distinctive characters of our conservation areas and will expect new development to contribute positively to this".*

4.34. Paragraph 25.3 states:

- *"Where alterations are proposed they should be undertaken in a material of a similar appearance to the existing".*

4.35. Paragraph 25.6 states:

- *"The Council has a general presumption in favour of retaining buildings that make a positive contribution to the character or appearance of a conservation area, whether they are listed or not so as to preserve the character and appearance of the conservation area".*

4.36. Paragraph 25.13 states:

- *"Consent is required for any alterations, including some repairs, which would affect the special interest of a listed building".*

4.37. Policy DP26 – Managing the Impact of Development on Occupiers and Neighbours

- *"The Council will protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity. The factors we will consider include:*
  - a) visual privacy and overlooking;*
  - h) an acceptable standard of accommodation in terms of internal arrangements, dwelling and room sizes and amenity space;*
  - k) outdoor space for private or communal amenity space, wherever practical.*

4.38. Paragraph 26.12 states:

- *"Outdoor amenity space provides an important resource for residents, which is particularly important in Camden given the borough's dense urban environment. In these locations, the provision of alternative outdoor amenity space, for example, balconies, roof gardens or communal space will be expected".*

## 5. PLANNING CONSIDERATIONS

- 5.1. This section considers the development proposals in the context of relevant planning policy and other material considerations applicable to this planning application.
- 5.2. Planning permission is sought for a new access from the living room and kitchen onto the third floor roof terrace. These works are required for a number of reasons, which in turn I address below.
- 5.3. The appeal site is a third floor, 2 bedroom flat. Currently the only existing access to the private amenity space is via the master bedroom which is an impractical arrangement for everyday use. The proposals are for a communal access via the living accommodation which will be more practical and beneficial to the occupiers. This would be fully compliant DDA and building regulation Part M.
- 5.4. The roof terrace and private amenity space was previously approved under planning application – Ref: 2014/2644/P – *'Use of part of 3<sup>rd</sup> floor flat roof and part of roof level flat roof as terraces, and associated installation of door and gate for access, enclosure of terraces and landscaping (part retrospective).'*
- 5.5. Although the living accommodation is dual aspect the level of daylight and sunlight that the living accommodation receives is restricted by surrounding development including a fire escape and roof top plant on the southern elevation. The introduction of the door in the western elevation would significantly improve the amount of natural light this room would receive and enhance the residential amenity. The officers report in respect of the roof terrace recognises that *"the provision of external amenity space will improve the quality of accommodation for future occupiers."* **(Appendix 2)**.
- 5.6. *In addition the officer considered that: "In terms of noise and disturbance, the terrace at third floor is of a size whereby harmful noise and disturbance to nearby occupiers would not be considered to occur."*
- 5.7. The proposed door will be of the same design and materials as the existing door and windows on the northern elevation, reflecting the art-deco style of Haines House. This will be supplied and installed by the same manufacturer Crittal. As such the proposed works reflect the existing style of the building and are sympathetic to it.



- 5.8. The introduction of the new doors fronting onto the terrace from the living area will be set back and will not protrude above the parapet level. The existing door from master bedroom to terrace is positioned 1 meter from the existing parapet wall, and measures 1 meter in length.
- 5.9. The new door will be positioned 3 meters from the existing parapet wall and will measure 1.4 meters in length. This indicates that both doors are similar in dimensions, reflects similar materials and style. Therefore the orientation of the doors will be at a sufficient distance to prevent any potential instances of overlooking or loss of privacy to occur. Consequently it would not impact on the special character of the Bloomsbury Conservation Area.
- 5.10. The proposal is in accordance with the building's 'Listing' and Bloomsbury Conservation Area Statement, which seeks to preserve and enhance the heritage assets. This is reinforced by Section 12, Paragraph 126 of the NPPF which states that heritage assets should be conserved "*in a manner appropriate to their significance*". The creation of a new door in this location would not undermine the special heritage character of the building or the area.

## **6. SUMMARY & CONCLUSIONS**

- 6.1. The proposal is to create a new door access at third floor level from the living accommodation onto the roof terrace.
- 6.2. The proposal will be sensitive to the buildings fabric and listing, while improving the everyday use for the applicant by enhancing the residential amenity.
- 6.3. The proposed materials will match the existing building and the door will match the symmetry in the rear elevation.
- 6.4. Taking the above account it is considered that the design has responded to policy requirements both nationally, strategic and locally. Planning permission should therefore be granted in this instance.

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**CHASE & PARTNERS**

Date: 30/07/2015

## **Appendix 1**



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## List entry

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### List entry Summary

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

**Name:** NO. 21 JOHN STREET, THE DUKE OF YORK PUBLIC HOUSE ON ROGER STREET, AND NOS. 1-4 MYTRE COURT ON JOHN MEWS

**List entry Number:** 1393968

#### Location

NO. 21 JOHN STREET, THE DUKE OF YORK PUBLIC HOUSE ON ROGER STREET, AND NOS. 1-4 MYTRE COURT ON JOHN MEWS, JOHN STREET

The building may lie within the boundary of more than one authority.

County	District	District Type	Parish
Greater London Authority	Camden	London Borough	

National Park: Not applicable to this List entry.

**Grade:** II

**Date first listed:** 17-Sep-2010

**Date of most recent amendment:** Not applicable to this List entry.

### Legacy System Information

The contents of this record have been generated from a legacy data system.

**Legacy System:** LBS

**UID:** 507898

### Asset Groupings

This list entry does not comprise part of an Asset Grouping. Asset Groupings are not part of the official record but are added later for information.

### List entry Description

#### Summary of Building

Legacy Record - This information may be included in the List Entry Details.

#### Reasons for Designation

Mytre House, the Duke of York Public House and Mytre Court, a development of 1937 by DE Harrington, should be listed

at Grade II for the following principal reasons: \* architectural: a stylish design characteristic of the 1930s, which responds in scale and materials to the existing streetscape of Georgian Bloomsbury \* sculptural embellishment: two engaged pylons with sculpted tops flanking the main entrance \* materials and detailing: good brickwork and careful detailing on the pub and flats \* intactness: an unusual degree of surviving original fabric in the Duke of York public house \* planning interest: a mixed use development combining commercial offices with a block of flats and a public house, and therefore particularly forward-looking for its time

## History

Legacy Record - This information may be included in the List Entry Details

## Details

798/0/10236 JOHN STREET 17-SEP-10 Holborn No. 21 John Street, the Duke of York public house on Roger Street, and Nos. 1-4 Mytre Court on John Mews

II Offices, flats and the Duke (of York) Public House, designed in 1937 by Denis Edmund Harrington and completed by 1938. Minor later alterations.

EXTERIOR: The complex is located at the northernmost end of the block bound by John Street, Roger Street and John Mews. On the corner of John Street and Roger Street is the eight-storey office block. This is a steel-framed building with artificial stone facing to the ground and first floor, red brick above, and metal casement windows. The third floor is accentuated by stone banding which forms a continuous sill and lintel to the windows which are separated by panels of fluted brickwork. The set-back top storey has banded rustication in the brickwork between the windows and an artificial stone cornice. The set-back is particularly deep on the John Street elevation and here the cornice forms a projecting canopy, inset with glass blocks. The offices are entered from John Street where the original glazed hardwood door is flanked by two tall, engaged pylons with sculpted tops. Each depicts a woman, in the stylised fashion of the 1930s and reminiscent of the work of Eric Gill.

In keeping with the scale of the back streets and mews, the building height drops to three storeys half way along Roger Street. The elevations are treated in the same way as the office block, with the ground and first floor in artificial stone and the third floor in brick. On the canted corner of the building between Roger Street and John Mews is the entrance to the Duke PH which occupies the ground floor, with a restaurant with separate entrance further along John Mews. The pub windows have marginal glazing bars and painted lettering giving the name of the brewery IND COOPE. The pub's double entrance doors are original as is the restaurant door with its surround of tiles laid end-on. Also facing John Mews is the four-storey block of flats. The frontage is symmetrical with curved brick balconies with concrete bases and coping either side of a canted bay window. The ground floor has banded brick rustication and a central door under a concrete canopy. The flat roof is bounded by iron railings.

INTERIOR: In the OFFICES, the entrance lobby has fluted pilasters, a slender decorative frieze and a coved cornice to the ceiling, which has stepped shallow mouldings. The main stair wraps around a central lift shaft and has terrazzo treads and skirting, now largely covered by carpet; the lift is modern. The arrangement of rooms on each floor varies, some are open plan, some have partitioned offices, but all the features and finishes are recent in date. The fire escape stairs and doors are original.

The PUBLIC HOUSE has a strong period character and it is very likely that most of its fabric is original. A basic floor plan of the pub interior was published as part of the architects' designs for the building and shows the two main rooms, labelled 'Saloon Bar' (now the restaurant) and 'Public Bar' (now the main bar), with a small 'Private Bar' partitioned off from the public bar in between the two. A door now closed off by the booths in the main bar indicates where this private bar was originally located. The bar counter in the basic plan curves sinuously in the main bar, and differs from the current arrangement. It is not unlikely that the inclusion of a bar counter in the plan was intended to give an indication of the room's function, however, rather than being a detailed design. Indeed, the fabric evidence in the public house suggests a different arrangement was created when the pub was fitted out, perhaps under the direction of the first landlord. The jazzy pink, white and black-patterned lino is in a design and condition that suggests it is original to the building. The lino follows the profile of the current bar counter in both rooms, suggesting it too is original. The joinery of the bar counter and bar front in both parts of the pub is also consistent with a 1930s date. Booths and panelling in the saloon bar are likely to be original too: they are in a design of the period (stained timber with darker raised bands) and form a coherent ensemble that appears purpose-fitted in this room. One partition has a fluted glass transom, another convincing period detail. The saloon bar also has an original fireplace, shown on the architects' plan, with a brick surround and timber mantelpiece. The booths in the public bar are known to be late-C20



## **Appendix 2**

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>16/07/2014</b>
		N/A / attached	<b>Consultation Expiry Date:</b>	<b>26/06/2014</b>
<b>Officer</b>		<b>Application Number(s)</b>		
Jonathan Markwell		a) 2014/2644/P b) 2014/2805/L		
<b>Application Address</b>		<b>Drawing Numbers</b>		
Haines House 21 John Street London WC1N 2BF		Please see decision notices		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
a) Use of part of 3rd floor flat roof and part of roof level flat roof as terraces, and associated installation of door and gate for access, enclosure of terraces and landscaping (part retrospective) b) Alterations in connection with use of part of 3rd floor flat roof and part of roof level flat roof as terraces, and associated installation of door and gate for access, enclosure of terraces and landscaping (part retrospective)				
<b>Recommendation(s):</b>	a) <b>Grant Planning Permission</b> b) <b>Grant Listed Building Consent</b>			
<b>Application Type:</b>	a) <b>Full Planning Permission</b> b) <b>Listed Building Consent</b>			



<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notices</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>37</b>	No. of responses	<b>03</b>	No. of objections	<b>02</b>
			No. electronic	<b>03</b>		
<b>Summary of consultation responses:</b>	<p>A site notice was erected on 30/05/2014, expiring on 20/06/2014. A press notice was published on 05/06/2014, expiring on 26/06/2014.</p> <p>2 responses have been received from an occupier along Roger Street, objecting to the proposals. A summary of the issues raised are:</p> <ol style="list-style-type: none"> <li>1. Building is commercial in nature, not residential. Roofs are designed as commercial roofs, not balconies or terraces.</li> <li>2. Security risk as possible to get from one roof to another (e.g. Roger Street)</li> <li>3. Works have already taken place (decking / trellis) (photographs provided in separate submission)</li> <li>4. Concern that use of the terrace will invite future complaints about commercial extraction equipment serving the pub on Roger Street</li> </ol> <p>An objection has also been received from an occupier along Doughty Mews. A summary of the issues raised are:</p> <ol style="list-style-type: none"> <li>5. Did not receive notification about the application and no notification on Roger Street / Doughty Mews.</li> <li>6. Overlooking from the terrace to residential properties on Doughty Mews</li> </ol> <p>Officer response: 1. Planning permission was granted in 2013 for the use of a number of floors for residential purposes (see history below). 2. It is not considered that the security threat will be exacerbated by the proposal. 3. The officer site visit on 09/07/2014 confirmed that some of the works proposed have already taken place (see assessment below). 4. This is a hypothetical situation and therefore not valid in the consideration of this application, which must be considered on its own merits. 5. The consultation undertaken accords with the minimum requirements required for an application of this nature. 6. Please see amenity section below. Further details have been submitted during the course of the application to clarify the extent of the third floor terrace.</p>					
<b>CAAC/Local groups* comments:</b> *Please Specify	Bloomsbury CAAC comment that they have no comment on the proposals.					
<b>Site Description</b>						
The application site comprises Haines House (21 John Street), The Duke of York Public House (7 Roger Street) and flat nos. 1-4 Mytre Court (John's Mews). It is therefore located at the northernmost end of the block bound by John Street (to the east), Roger Street (to the north) and John's Mews (to the west).						

The application site buildings are grade II listed, under a single listing entry dating from 17/09/2010. The listing description denotes the application site to comprise offices, flats and the Duke (of York) Public House, designed in 1937 by Denis Edmund Harrington and completed by 1938.

The listing description continues by first detailing Haines House, the eight-storey and basement office block (the site visit on 09/07/2014 clarified that the upper floor conversion to residential granted in 2013 – see history below – has been implemented) situated on the corner of John Street and Roger Street. This is a steel-framed building with artificial stone facing to the ground and first floor, red brick above, and metal casement windows. The third floor is accentuated by stone banding which forms a continuous sill and lintel to the windows which are separated by panels of fluted brickwork. The set-back top storey has banded rustication in the brickwork between the windows and an artificial stone cornice. The set-back is particularly deep on the John Street elevation and here the cornice forms a projecting canopy, inset with glass blocks. The offices are entered from John Street where the original glazed hardwood door is flanked by two tall, engaged pylons with sculpted tops. Each depicts a woman, in the stylised fashion of the 1930s and reminiscent of the work of Eric Gill. In keeping with the scale of the back streets and mews, the building height drops to three storeys half way along Roger Street. The elevations are treated in the same way as the office block, with the ground and first floor in artificial stone and the third floor in brick. Internally the listing description acknowledges that the office floorplates include features and fixtures that are recent in date. It is however also noted that the entrance lobby has fluted pilasters, a slender decorative frieze and a coved cornice to the ceiling, which has stepped shallow mouldings and that the fire escape stairs and doors are original.

The Duke of York Public House is located on the canted corner of the building between Roger Street and John Mews. The building at this point is three storeys and basement, with a flat associated with the pub located on the upper floors. The pub windows have marginal glazing bars and painted lettering giving the name of the brewery IND COOPE. The pub's double entrance doors are original as is the restaurant door (on John's Mews) with its surround of tiles laid end-on. The interior of the public house has a strong period character and it is very likely that most of its fabric is original.

Also facing John's Mews is the four-storey block of flats (known as Flats 1-4 Mytre Court). The frontage is symmetrical with curved brick balconies with concrete bases and coping either side of a canted bay window. The ground floor has banded brick rustication and a central door under a concrete canopy. The flat roof is bounded by iron railings.

As outlined above, the application site was listed in 2010. The listing description outlines that this was owing to the following principal reasons:

- architectural: a stylish design characteristic of the 1930s, which responds in scale and materials to the existing streetscape of Georgian
- Bloomsbury sculptural embellishment: two engaged pylons with sculpted tops flanking the main entrance
- materials and detailing: good brickwork and careful detailing on the pub and flats
- intactness: an unusual degree of surviving original fabric in the Duke of York public house
- planning interest: a mixed use development combining commercial offices with a block of flats and a public house, and therefore particularly forward-looking for its time

The application site is also located within Bloomsbury Conservation Area, the Central London Area, a Clear Zone Region and the Blackheath Point to St Paul's Cathedral viewing corridor. The site also has a Public Transport Accessibility Level of 6a (excellent) and is located within a Controlled Parking Zone.

The application site is surrounded by a variety of buildings and types of uses. To the north beyond Roger Street are the buildings located on the south-west side of Doughty Street. This terrace of 19 buildings (No's 1-19 consecutive) is Grade II listed and predominantly in residential use. No. 1 opposite the application site comprises a number of self-contained flats and office uses within the outrigger fronting onto Roger Street. To the east is the junction of Roger Street with Doughty Street (to the north-east) and John Street (to the east and south-east). The east side of John Street contains a terrace of 11 Grade II listed terrace houses, which comprise a mix of residential and commercial uses. To the south is the unlisted 21a John Street, a basement and five storey office building known as Bedford House which also fronts onto John's Mews. To the west of the site is St George The Martyr CE Primary School. To the north-west is the under-construction (nearing completion based on site visit on 09/07/2014) 1a Doughty Mews (three storey single dwellinghouse).

### **Relevant History**

2012/0277/P - Change of use of 2nd to 7th floors of 21 John Street from offices (Class B1) to 8 (1x1, 6x2 and 1x3 bed) self-contained residential units (Class C3), provision of bike and bin stores in rear courtyard, replacement of window with door on rear courtyard (south-west elevation) at ground floor level, green roof above second floor level, replacement of windows to 21 John Street, upper floors of 7 Roger Street and 1-4 Mytre Court, John's Mews and associated works. Appeal under non-determination made by the applicant on 18/09/2012. Appeal subsequently withdrawn.

2012/0309/L - Internal and external alterations in association with the change of use of 2nd to 7th floors of 21 John Street from offices (Class B1) to 8 (1x1, 6x2 and 1x3 bed) self-contained residential units (Class C3), provision of bike and bin stores in rear courtyard, replacement of window with door on rear courtyard (south-west elevation) at ground floor level, green roof above second floor level, replacement of windows to 21 John Street, upper floors of 7 Roger Street and 1-4 Mytre Court, John's Mews and associated works. Appeal under non-determination made by the applicant on 18/09/2012. Appeal subsequently withdrawn.

2012/5486/P - Change of use of 2nd to 7th floors of 21 John Street from offices (Class B1) to 8 (1x1, 6x2 and 1x3 bed) self-contained residential units (Class C3), provision of bike and bin stores in rear courtyard, replacement of window with door on rear courtyard (south-west elevation) at ground floor level, green roof above second floor level, replacement of windows to 21 John Street, upper floors of 7 Roger Street and 1-4 Mytre Court, John's Mews and associated works. Granted following completion of s106 legal agreement 14/01/2013.

2012/5504/L - Internal and external alterations in association with the change of use of 2nd to 7th floors of 21 John Street from offices (Class B1) to 8 (1x1, 6x2 and 1x3 bed) self-contained residential units (Class C3), provision of bike and bin stores in rear courtyard, replacement of window with door on rear courtyard (south-west elevation) at ground floor level, green roof above second floor level, replacement of windows to 21 John Street, upper floors of 7 Roger Street and 1-4 Mytre Court, John's Mews and associated works. Granted 14/01/2013.

2014/2192/L - Details of cleaning method statement (condition 5) in relation to listed building consent (2012/5504/L) dated 14/01/2013 for the change of use of 2nd to 7th floors from offices to 8 self-contained residential units. Granted 06/05/2014.

### **Relevant policies**

#### **LDF Core Strategy and Development Policies**

CS1 Distribution of growth

CS3 Other highly accessible areas

CS5 Managing the impact of growth and development

CS9 Achieving a successful Central London

CS14 Promoting high quality places and conserving our heritage

CS15 Protecting and improving our parks and open spaces & encouraging biodiversity  
DP22 Promoting sustainable design and construction  
DP24 Securing high quality design  
DP25 Conserving Camden's heritage  
DP26 Managing the impact of development on occupiers and neighbours

Camden Planning Guidance 2011/2013

Bloomsbury Conservation Area Appraisal and Management Strategy (Adopted 18/04/2011)

London Plan 2011

National Planning Policy Framework (Adopted 27/03/2012)

## **Assessment**

### **Introduction**

Planning permission and listed building consent is sought for:

- Use of part of 3rd floor flat roof as a terrace, with associated installation of door to provide access to the terrace from the 3<sup>rd</sup> floor flat, and enclosure to the terrace. Associated landscaping is also shown to be proposed above the parapet. The area not proposed for use as a terrace comprises lightweight recycled blue rubber chipping
- Use of part of the roof level flat roof area as a terrace, with associated installation of gate from external staircase serving the 7<sup>th</sup> floor flat. Also proposed is associated landscaping above the parapet and surrounding the area of terrace proposed.

During the officer site visit on 09/07/14 it was ascertained that the majority of the works proposed (the proposed external door at third floor level and gate leading up to the roof level terrace, decking for both terraces, various free standing elements of landscaping and uprights within the decking) had already been implemented. As such, this application is part retrospective. The elements not implemented, as proposed, related to the trough planting affixed to the parapets, the blue rubber landscape chipping in the areas not proposed for the terrace and the enclosure of the terraces themselves.

Moreover, the decking at third floor level did not align with the footprint shown on the proposed plan. As such, following the site visit, revised / additional information was sought and received in respect of:

- Revised plans showing the revised location of the proposed terrace at 3<sup>rd</sup> floor level.
- Elevation plans the boundary treatment surrounding the 3<sup>rd</sup> floor terrace (clear glazed balustrade 1.3m in height)
- Details of the proposed uprights serving the proposed terrace areas were shown.

### **Assessment**

#### Design

It is considered that the new door at third floor level and external gate leading to the roof level terrace have been design to be in keeping with the age and style of the building. Both are provided in order to access the terraces proposed. It was seen on site that such elements have already been implemented. In terms of the door at third floor level it was noted that the pointing had not been completed particularly sensitively in comparison with the existing pointing at this part of the listed building. Therefore an informative is recommended to be added to the listed building consent to advise the applicant to alter this to align with more closely with the existing pointing, to preserve the character and appearance of the listed building at this point.

In addition, the terraces themselves are set in from the public vantage points to prevent them being

unduly conspicuous. The proposed enclosure of the terrace area at third floor level, comprising simple glazing and balustrade, will not significantly protrude above the parapet level and will therefore not be noticeably visible from street level. As such, the proposed works in overall terms are considered to preserve the character and appearance of the listed building and the wider character and appearance of this part of the conservation area. The standard conditions are sought to be incorporated on the listed building consent.

### Amenity

It is recognised that condition 7 of planning permission 2012/5486/P at the site states:

Only the area specifically shown on the plans hereby approved as an external terrace shall be used for such purposes; and no other flat roofed areas shall be used as a roof terrace, and any access out onto these areas shall be for maintenance purposes only.

This condition was added owing to the relatively open nature of the flat roof spaces, meaning it was considered necessary at the time to denote a condition specifying these areas of flat roof would not be permitted to be used as roof terraces and any access to these areas would be for maintenance purposes only. This was order to prevent any possible detrimental impacts of overlooking and/or noise and disturbance of the neighbouring / nearby premises.

In this proposal, the extent of the roof terrace proposed at third floor level (with the exception of the narrow access walkway) is set back over 2m or more from the edge of the building line. On the elevation facing Roger Street the distance is 2.1m. On the corner of the building facing towards Roger Street / Doughty Mews the distance is 3.9m. On the John's Mews elevation the distance is 2.3m. These setbacks mean that the distance from the terrace to the rear elevation of No. 1 Doughty Street, which includes windows in residential use, is 12.5m. However, the orientation of the windows on the rear elevation of this building are such that they face the proposed terrace at an acute angle, downplaying the harmful impacts of overlooking at this point. Hence, although the distance involved is below the standard 18m separation distance, the orientation of the windows means that this shortfall is not considered to give rise to such a harmful loss of amenity to warrant refusal of the application on this basis. In terms of the impact on the near to completion No. 1a Doughty Mews, the 3.9m setback at the corner junction of the proposed terrace means that the distance of the terrace to this property is 18m. This is considered to be a sufficient distance to mean that no harmful instances of overlooking or loss of privacy would occur. The applicant has denoted on the proposed plans that the set back areas (i.e. those not proposed to be used as a terrace, as enclosed by 1.3m high balustrades) will not be used as a terrace and any access will be for maintenance purposes only. This will be secured via condition to ensure it occurs in practice.

The exception is the walkway from the proposed door access to the main terrace space, which is adjacent to the Roger Street building line. As such, the distance to directly facing windows on the side elevation of 1 Doughty Street (elevation facing Roger Street) is 10m. However, in this space the limited depth of the terrace (1.7m) means that it is unlikely that future occupiers would use such a space for sitting out, meaning that instances of overlooking at this point are anticipated to be limited.

In terms of the roof level roof terrace, the height of the building in comparison with others in the locality means that no harmful instances of overlooking are expected from this terrace area.

With the above in mind, the proposed terrace is not considered to result in overlooking or loss of privacy of a nature which warrants the refusal of the application on this basis.

In terms of outlook, day/sunlight and overshadowing, the proposed works are not anticipated to have any impact on any neighbouring or nearby occupiers. In terms of light pollution, it was seen during the

officer site visit that small uplights have been installed within the decking. Given the limited size of such lights, these are not envisaged to cause noise disturbance to nearby occupiers.

In terms of noise and disturbance, the terrace at third floor is of a size whereby harmful noise and disturbance to nearby occupiers would not be considered to occur. The roof level location of the other terrace proposed downplays potential for noise and disturbance at this point.

With regard to the future amenity of the third and seventh floor flats which will have access to the proposed terraces, the provision of external amenity space will improve the quality of accommodation for future occupiers.

### Sustainability

In terms of the landscaping proposed, the majority of that shown is within freestanding structures, which in themselves do not require planning permission. The containers affixed to the inside of the parapet are modest in nature and no further details are considered to be required in relation to this element of the proposals.

It is recognised that condition 3 of planning permission 2012/5486/P at the site states:

Prior to the first occupation of any of the new residential units a plan showing details of the green roof including species, planting density, substrate and a section at scale 1:20 showing that adequate depth is available in terms of the construction and long term viability of the green roof, and a programme for a scheme of maintenance shall be submitted to and approved in writing by the local planning authority. The green roof shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme of maintenance.

The green roof was shown in the position shown to now be proposed as a roof terrace. The applicant has submitted supporting evidence which suggests that construction of a green roof would potentially compromise the roof structure of the listed building at this point. As such, it is suggested that a green roof is not feasible at this point. The applicant also confirms that the non-provision of a green roof has no adverse impact on the sustainability credentials of the building. In such instances, an assessment of the various competing demands of the provision of green roofs versus the provision of outdoor amenity space must be made. In this instance, owing to the context demonstrated by the applicant, it is considered that the benefits of providing outdoor amenity space outweigh the negative consequences of the non-provision of a green roof. On this basis, an informative is recommended to be added to the decision notice advising the applicant to submit a removal of condition application in relation to condition 3 of planning permission 2012/5486/P. This is in order to regularise the position now in operation at the site.

### **Recommendation**

Grant Planning Permission  
Grant Listed Building Consent