

<b>Address:</b>	<b>St.Giles Circus (WC2) site including:</b> <ul style="list-style-type: none"> <li>• 138-148 (even numbers only) Charing Cross Road</li> <li>• 4, 6, 7, 9, 10, 20-28 (all) Denmark Street</li> <li>• 1-6 (all) and 16-23 (all) Denmark Place</li> <li>• 52-59 (all) St.Giles High Street</li> <li>• 4 Flitcroft Street</li> <li>• 1 Book Mews</li> </ul>		<b>7</b>
<b>Application Number:</b>	2015/6939/P	<b>Officer: Jonathan McClue</b>	
<b>Ward:</b>	Holborn & Covent Garden		
<b>Date Received:</b>	09/12/2015		
<p><b>Proposal: Variation of Condition 2 (approved plans) of planning permission 2012/6858/P dated 31/03/15</b> (for redevelopment involving the erection of 3 buildings following the demolition of 1-6, 17-21 Denmark Place and York and Clifton Mansions with retained facades at 1-3 Denmark Place and York and Clifton Mansions to provide 2895sqm of basement Event Gallery space; 678sqm urban gallery; 884sqm flexible retail/restaurant; 2404sqm restaurant floorspace; 385sqm drinking establishment and 14 bedroom hotel between Denmark Place and Andrew Borde Street. Change of use of 4, 6, 7, 9, 10, 20-28 Denmark Street, 4 Flitcroft Street and 1 Book Mews to provide 4,308sqm office floor space; 2,959sqm private housing; 239sqm affordable housing and 2540sqm retail. New pedestrian route from Andrew Borde Street to Denmark Street); <b>changes are to repair and restore 22 Denmark Place and 26 Denmark Street; demolish and rebuild 23 Denmark Place as a single storey structure; temporary moving of 22 Denmark Place to facilitate development approved under 2012/6858/P; provision of venue space at lower ground and basement level within 22 Denmark Place and 26 Denmark Street to replace the 12 Bar Club and minor amendments to the elevations of the approved passageway through 21 Denmark Street.</b></p>			
<p><b>Background Papers, Supporting Documents and Drawing Numbers:</b>  Approved Plans: (1793 PL001-)01 Rev P2; 05 Rev P6; 11 Rev P7, (1793 PL005-)MZ Rev P6; LG Rev P6; B1 Rev P6; 00 Rev P6; 01 Rev P6; 02 Rev P6; 03 Rev P6; 04 Rev P6; 05 Rev P6; 06 Rev P6, (1793 PL011-)01 Rev P7; 03 Rev P7; 04 Rev P6, (1793 PL015-)02 Rev P6; 06 Rev P6; 07 Rev P6, (1793 PL016-)SP Rev P6; 01 Rev P6; 10 Rev P6; 11 Rev P6; 12 Rev P6, (1793PL018-)SP Rev P6; 00 Rev P7; 01 Rev P7; 02 Rev P6; 03 Rev P6; 04 Rev P7; 05 Rev P7; 06 Rev P6; 07 Rev P7; 08 Rev P6; 10 Rev P6; 11 Rev P6; 13 Rev P6; 20 Rev P6; 21 Rev P6; 22 Rev P6; 23 Rev P6, (1793PLEX018-)LP Rev P6; 00 Rev P6; 01 Rev P6; 02 Rev P6; 03 Rev P6; 04 Rev P6; 05 Rev P6; 06 Rev P6; 07 Rev P6; 10 Rev P6; 11 Rev P6; 12 Rev P6; 13 Rev P6; 15 Rev P6; 16 Rev P6; 17 Rev P6; 18 Rev P6, MMA 02 – Design Statement February 2016, Basement Impact Assessment (ref: 029REP006 Rev 03) dated 30th November 2015 and Planning Statement December 2015.</p>			
<b>RECOMMENDATION SUMMARY: Grant Conditional Planning Permission Subject to Section 106 Legal Agreement</b>			
<b>Related Application? Date of Application:</b>	09/12/2015		
<b>Application Number:</b>	2015/6937/L	<b>8</b>	
<p><b>Proposal: Repairs and restoration to 22 Denmark Place and 26 Denmark Street; demolition and rebuilding of 23 Denmark Place as a single storey structure; creation of basement space in association with planning application 2012/6858/P and temporary moving of 22 Denmark Place to facilitate development approved under 2012/6858/P.</b></p>			

**Background Papers, Supporting Documents and Drawing Numbers:** (1793 PL001-)01 Rev P2; 05 Rev P6; 11 Rev P7, (1793 PL005-)MZ Rev P6; LG Rev P6; B1 Rev P6; 00 Rev P6; 01 Rev P7; 02 Rev P6; 03 Rev P6; 04 Rev P6; 05 Rev P6; 06 Rev P6, (1793 PL011-)01 Rev P7; 03 Rev P7; 04 Rev P6, (1793 PL015-)02 Rev P6; 06 Rev P6; 07 Rev P6, (1793 PL016-)SP Rev P6; 01 Rev P6; 10 Rev P6; 11 Rev P6; 12 Rev P6, (1793PL018-)SP Rev P6; 00 Rev P7; 01 Rev P7; 02 Rev P6; 03 Rev P6; 04 Rev P7; 05 Rev P7; 06 Rev P6; 07 Rev P7; 08 Rev P6; 10 Rev P6; 11 Rev P6; 13 Rev P6; 14 Rev P6; 20 Rev P6; 21 Rev P6; 22 Rev P6; 23 Rev P6, (1793PLEX018-)OV Rev P6; SP Rev P6; LP Rev P6; 00 Rev P6; 01 Rev P6; 02 Rev P6; 03 Rev P6; 04 Rev P6; 05 Rev P6; 06 Rev P6; 07 Rev P6; 10 Rev P6; 11 Rev P6; 12 Rev P6; 13 Rev P6; 14 Rev 6; 15 Rev P6; 16 Rev P6; 17 Rev P6; 18 Rev P6, Design and Access Statement February 2016, Heritage Statement December 2015, Basement Impact Assessment (ref: 029REP006 Rev 03) dated 30th November 2015 and Cover Letter dated 08/12/2015.

**RECOMMENDATION SUMMARY: Grant Conditional Listed Building Consent**

<b>Applicant:</b>	<b>Agent:</b>
Consolidated Developments Ltd C/o Agent	Iceni Projects Flitcroft House 114-116 Charing Cross Road London W1S 2ES

**ANALYSIS INFORMATION**

Land Use Details:			
	Use Class	Use Description	Floorspace
Approved under 2012/6858/P	<i>A1 Shop</i>		2,540m <sup>2</sup>
	<i>A3 Restaurants and Cafes</i>		2,404m <sup>2</sup>
	<i>A1/A3 Shop or restaurant</i>		884m <sup>2</sup>
	<i>A4 Drinking Establishments</i>		385m <sup>2</sup>
	<i>B1a Business – Office</i>		4,308m <sup>2</sup>
	<i>C1 Hotel</i>		936m <sup>2</sup>
	<i>C3 Dwelling House</i>		3,198m <sup>2</sup>
	<i>Sui Generis urban gallery</i>		678m <sup>2</sup>
	<i>Sui Generis basement venue</i>		2,895m <sup>2</sup>
	<i>Plant</i>		2,020m <sup>2</sup>
Proposed changes	<i>A4 Drinking Establishments</i>		330m <sup>2</sup> (loss of 55m <sup>2</sup> )
	<i>Sui Generis basement music venue</i>		445m <sup>2</sup>
	<i>Plant</i>		1893m <sup>2</sup> (loss of 127m <sup>2</sup> )

**Residential Use Details:**

	Residential Type	No. of Bedrooms per Unit					Total
		Studio	1	2	3	4	
Approved under 2012/6858/P	<i>Flat/Maisonette</i>	1	9	11	2	0	23
Proposed (no changes)	<i>Flat/Maisonette</i>	1	9	11	2	0	23

## **OFFICERS' REPORT**

**Reason for Referral to Committee: This application is being reported to the Committee as it involves the demolition of a listed building within a conservation area [Clause 3(v)]**

### **1. SITE**

- 1.1 The wider site is located close to the junction of Oxford Street, New Oxford Street, Tottenham Court Road and Charing Cross Road within the Denmark Street Conservation Area. It contains a number of listed buildings including 59 St Giles High Street; 6, 7, 9, 10, 20, 26 and 27 Denmark Street and is adjacent to the grade I listed St Giles in the Fields Church. St Giles High Street and Charing Cross Road to the lie to the east and west and the wider site contains properties on the northern and southern sides of Denmark Street.
- 1.2 The main site is split into Zones 1 and 2 and Zone 3. Zones 1 and 2 include the area north of Denmark Street bounded by Charing Cross Road, Andrew Board Street and St Giles High Street and 20-28 Denmark Street (north). Zone 3 includes the area south of Denmark Street (Nos 4,6,7,9 and 10 Denmark Street and 1 Brook Street and 4 Flitcroft Street.)
- 1.3 The Minor Material Amendment and listed building consent relate to three adjoining buildings at 26 Denmark Street, 22 Denmark Place and 23 Denmark Place. The buildings are listed as grade II and lie within the Denmark Street Conservation Area. No. 26 is on Historic England's Heritage at Risk Register due to its poor condition.
- 1.4 26 Denmark Street is one of the original houses to survive from the construction of Denmark Street in the 1680s. To its rear lies 22 Denmark Place, otherwise known as the Smithy or the Forge, which is a single storey building with an irregular roof. It was used during the 19th century as a smithy supplying the coach making trade, which was based nearby on Long Acre. The building's alignment suggests that it postdates the 1680s development of Denmark Street. The overall form of the building, its brickwork, and the large timber roof beams resting on stone corbels, suggest a construction date in the 19th century. In between 26 Denmark Street and 22 Denmark Place is 23 Denmark Place is a three storey brick building that appears to have been built circa 1908. The plain elevations with large windows suggest the building was built for commercial or industrial. The ground and first floor interiors have been stripped of their historic fittings and the staircase appears to have been rebuilt. The building has a history of structural problems which may partly result from its design. All three of the buildings were most recently occupied by the '12 Bar Club' (a music venue).
- 1.5 The Minor Material Amendment application includes 21 Denmark Street to the southwest of the above buildings. No. 21 is not subject to a statutory listing. Approval for its demolition and rebuilding as an arcade between Denmark Street and Denmark Place has been granted under 2012/6858/P.

### **2. THE PROPOSAL**

#### **Original**

- 2.1 Planning permission (under a Section 73 application) and listed building consent is sought for the repair and restoration of 22 Denmark Place and 26 Denmark Street; the demolition and rebuilding of 23 Denmark Place as a single storey structure; the temporary moving of 22 Denmark Place to facilitate the subterranean development approved under

2012/6858/P; lower ground floor extensions and amendments to the approved basement under 2012/6858/P; the provision of additional music venue space at lower ground and basement levels and minor amendments to the elevations of the approved passageway through 21 Denmark Street.

- 2.2 The Section 73 application would vary condition 2 (approved drawings) of 2012/6858/P which involves the redevelopment of the St.Giles Circus site at 138-148 Charing Cross Road; 4, 6, 7, 9, 10, 20-28 Denmark Street; 1-6, 16-23 Denmark Place; 52-59 St.Giles High Street; 4 Flitcroft Street and 1 Book Mews. The listed building consent is considered as a standalone application for 26 Denmark Street and 22/23 Denmark Place. Previous works to 26 Denmark Street were approved under 2012/6870/L for replacement windows and the refurbishment and repair to existing roof, brickwork, windows and the shopfront.
- 2.3 The main purpose of these applications is to facilitate the construction of the basement venue space underneath 22/23 Denmark Place without causing damage to the listed buildings above. It is therefore proposed to support and lift no. 22 in order to protect it while the works take place. It would be underpinned to form a reinforced concrete slab (a raft foundation) which would be stabilised by a temporary steel frame and lifted by crane to a nearby location. This would allow the installation of the piles which are required to construct the approved scheme whilst protecting the structure of the building during construction. Once 22 Denmark Place is returned to its original location the reinforced concrete slab would form part of the new basement structure.
- 2.4 Additional music venue and bar space would be provided within the approved basement levels below 26 Denmark Street, 22 Denmark Place and 23 Denmark Place and within part of the proposed lower ground floor extension. The proposed lower ground floor extension would have a footprint of approximately 216sq.m and connect with the existing lower ground floor below 26 Denmark Street and the approved basement under 2012/6858/P.
- 2.5 23 Denmark Place, which is a grade II listed 3 storey structure, would be demolished and replaced with a single storey glass box which would connect 26 Denmark Street with 22 Denmark Place. The new link would provide a connection between the two buildings and access to the basement below as well as outdoor bar area. 26 Denmark Street and 22 Denmark Place would be repaired and restored as part of the development.
- 2.6 Minor amendments are also proposed to the external finishes of 21 Denmark Street which links Denmark Street and Denmark Place. The changes include the reduction of stone cladding and glazing along with the use of architectural steelwork to portal frames.

### **Revisions**

- 2.7 Revised plans were received on 23/02/2016 to make amendments to the north and east elevations of 22 Denmark Place. The proposed window on the eastern elevation was revised from double glazed with a metal frame to single glazed with a timber frame. The stainless steel doors on the north and east elevations were amended to be timber and the three windows on the northern elevation were revised to be timber boarded as per the approved drawings under 2012/6858/P. Overall, the use of single glazing and timber frames and boarding is considered to be more authentic to the building and would go back to what is most historically accurate. Due to the nature of the amendments relating to minor design details which reverted back to the previous approval, no further consultation was considered necessary.

## **3. RELEVANT HISTORY**

Wider application (St Giles) site

- 3.1 Planning permission was granted on 31 March 2015 under 2012/6858/P for redevelopment of the wider site including:
- erection of three buildings (5 and 7 storey buildings facing Centre Point Tower and a 4 storey building on Denmark Place)
  - demolition of 1-6, 17-21 Denmark Place and York and Clifton Mansions with retained facades at 1-3 Denmark Place and York and Clifton Mansions
  - 2895sqm of basement Event Gallery space (Sui Generis)
  - a 678sqm urban gallery with 1912sqm of internal LED screens (Sui Generis)
  - 884sqm of flexible retail and restaurant floorspace (Class A1/A3)
  - 2404sqm of restaurant floorspace (Class A3)
  - 385sqm of drinking establishment (Class A4)
  - 14 bedroom hotel (Class C1) between Denmark Place and Andrew Borde Street
  - change of use 4, 6, 7, 9, 10, 20-28 Denmark Street, 4 Flitcroft Street and 1 Book Mews to provide 4,308sqm of office floor space (Class B1a)
  - 2,959sqm of private residential floor space (Class C3)
  - 239sqm of affordable housing (Class C3)
  - 2540sqm of retail floor space (Class A1)
  - new pedestrian route from Andrew Borde Street to Denmark Street at ground floor level and associated partial demolition at 21 Denmark Street

With regards to 21 and 26 Denmark Street and 22-23 Denmark Place the approved scheme involved:

- creation of basement space underneath
  - change of use to upper floors of 26 Denmark Street to residential
  - associated internal and external alterations
  - partial demolition of 21 Denmark Street and associated works
- 3.2 In addition to the above approval, a number of associated applications were approved including Conservation Area Consent (ref: 2012/6860/C); Advertisement Consent (ref: 2012/6863/A); planning permission at 71 Endell Street for change of use from office to affordable housing (ref: 2012/6861/P) and various listed building consents ref: 2012/6872/L, 2012/6864/L, 2012/6865/L, 2012/6867/L, 2012/6868/L, 2012/6869/L, 2012/6870/L, 2012/6871/L.
- 3.3 A Minor Material Amendment has a resolution to grant subject to a section 106 legal agreement (agreed at Member's Briefing on 26 November 2015) under 2015/3900/P for changes to 4 Flitcroft Street, 1 Brook Mews and 4 Denmark Street. The approved amendments include alterations to design and materials and changes to approved layout of the development including the internal reconfiguration of Buildings A,B,C and D, alterations to internal layout and shopfronts in Denmark Street (north) and alterations to 4 Flitcroft Street including changes to roof pitch of approved rear extension.
- Crossrail / Tottenham Court Road station
- 3.4 Outline planning permission and heritage consents for works required for the construction, maintenance and operation of the Cross London Rail Link (CLRL - Crossrail) were granted under the Crossrail Act 2008.
- 3.5 Permission for the proposed works is subject to conditions imposed by Section 10 and the planning regime set out in Schedule 7 of the Act. These require plans and specifications for the operations, and works and construction arrangements to be approved by the relevant local authorities. Various applications have been approved including the following:

- 3.6 2012/1518/P - Submission under Schedule 7 of Crossrail Act 2008 for worksite restoration scheme at Tottenham Court Road Station (East) (CAM/2/4/1). Granted on 13/07/2012.

#### Centre Point

- 3.7 Planning permission and listed building consent were granted on 01 April 2014 under 2013/1957/P and 2013/1961/L for the redevelopment of the site, including:

- change of use of Centre Point Tower from office (Class B1) and restaurant/bar (Sui Generis) to residential (Class C3) to provide 82 self-contained flats
- change of use of Centre Point Link from office (Class B1) and bar (Class A4) to a flexible retail/restaurant/bar use (Class A1/A3/A4)
- change of use of Centre Point House at first and second floor levels from office (Class B1) to flexible retail/restaurant/bar use (Class A1, A3, A4)
- alterations and extensions to the existing building at ground floor level to provide flexible retail/restaurant/bar use (Class A1, A3, A4)
- alterations to the external elevations of Centre Point Tower, Centre Point Link and Centre Point House
- redevelopment of the Intrepid Fox public house to provide flexible retail/restaurant/bar (Class A1, A3, A4) with 13 affordable housing units in an eleven storey building (including basement).

## 4. CONSULTATIONS

### **Statutory Consultees**

#### City of Westminster on 29/01/2016:

- 4.1 No objection

#### Historic England on 06/01/2016:

- 4.2 Historic England issued formal pre-application advice on the proposal in August 2015. Overall, they supported the demolition of 23 Denmark Place and the temporary removal of 22 Denmark Place. Historic England considered the proposal would provide heritage benefits such as the restoration and better revealing of the significant rear elevation at 26 Denmark Street and a more appropriate setting for 22 Denmark Place through the creation of a sense of the open yard that originally existed. They raised no objections to the proposed engineering works to 22 Denmark Place and the basement development.

The correspondence on 06/01/2016 confirmed that Historic England has no objection to the proposed development and they gave authorisation to the Council to determine the listed building consent.

#### Transport for London and London Underground on 07/01/2016:

- 4.3 No objection.

#### Natural England on 24/12/2015:

- 4.4 Natural England elected to make no comment as the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes.

#### Thames Water on 17/12/2015:

- 4.5 Thames Water elected to make no comment.

#### Greater London Authority on 19/01/2016:

- 4.6 A member of the Mayor's Music Venues Taskforce wrote in support of the proposal to create two (the already approved and the proposed) new live music venues in the Denmark

Street area. The proposed addition of basement performance space would be a major step towards the creation of an important central London 'Music Zone'. The venue would complement the existing music retail activity on Denmark Street and during the daytime exhibitions, a café and signposting to other music activities could support the model.

Music Venue Trust:

- 4.7 The proposed new music venue space at the site of the former 12 Bar Club is an exciting proposal and is fully supported.

**Conservation Area Advisory Committee and Local Groups**

Denmark Street CAAC:

- 4.8 Consulted on 17/12/2015 and no response received.

Covent Garden CAAC:

- 4.9 Consulted on 17/12/2015 and no response received.

- 4.10 Covent Garden Community Association on 12/01/2016:

No objection.

**Adjoining Occupiers**

<i>Number of letters sent</i>	0
<i>Total number of responses received</i>	0
<i>Number in support</i>	0
<i>Number of objections</i>	0

- 4.11 Consultation letters were sent out to 929 residents on 17 December 2015. A press notice was in place between 22 December 2015 and 12 January 2016 site notices were erected on the 24<sup>th</sup> of December. No written responses were received.

**5. POLICIES**

- 5.1 Set out below are the LDF policies that the proposals have primarily been assessed against. However it should be noted that recommendations are based on assessment of the proposals against the development plan taken as a whole together with other material considerations.

**LDF Core Strategy and Development Policies**

CS1 – Distribution of growth

CS2 – Growth areas

CS5 – Managing the impact of growth and development

CS7 – Promoting Camden's centres and shops

CS8 – Promoting a successful and inclusive Camden economy

CS9 – Achieving a successful Central London

CS10 – Supporting community facilities and services

CS11 – Promoting sustainable and efficient travel

CS13 – Tackling climate change through promoting higher environmental standards

CS14 - Promoting high quality places and conserving our heritage

DP1 – Mixed use development

DP2 – Making full use of Camden's capacity for housing

DP10 – Helping and promoting small and independent shops

DP12 – Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses

- DP13 – Employment premises and sites
- DP15 – Community and leisure uses
- DP16 – The transport implications of development
- DP17 – Walking, cycling and public transport
- DP18 – Parking standards and limiting the availability of car parking
- DP19 – Managing the impact of parking
- DP20 – Movement of goods and materials
- DP21 – Development connecting to the highway network
- DP22 – Promoting sustainable design and construction
- DP23 – Water
- DP24 – Securing high quality design
- DP25 – Conserving Camden's heritage
- DP26 – Managing the impact of development on occupiers and neighbours
- DP27 – Basements and lightwells
- DP28 – Noise and vibration
- DP29 – Improving access

## 5.2 **Supplementary Planning Policies**

Camden Planning Guidance (CPG)

- CPG1 Design 2015
- CPG3 Sustainability 2015
- CPG4 Basements 2015
- CPG5 Town centres, retail and employment 2013
- CPG6 Amenity 2011
- CPG7 Transport 2011
- CPG8 Planning obligations 2015

Denmark St Conservation Area Appraisal and Management Strategy (March 2010)

## 5.3 **London Plan March 2015**

## 5.4 **National Planning Policy Framework 2012**

Paragraphs 14, 17, 18, 23-27, 29-41, 56-68 and 126-141.

## 6. **ASSESSMENT**

6.1 The principal considerations material to the determination of this application are summarised as follows:

- Design, Impact on the Conservation Area and Listed Building;
- Basement Impact;
- Land Use;
- Neighbouring Amenity;
- Transport;
- CIL;
- Other Matters

### **Design, Impact on the Conservation Area and Listed Building**

#### Statutory Duty and Assessment of Harm

6.2 In considering the proposals, special regard has been given to the desirability of preserving the listed buildings and their setting, and their features of special architectural or historic



interest, under s.16 and s. 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

- 6.3 Special attention has also been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the aforementioned statute as amended.
- 6.4 Paragraph 132 of the NPPF advises that great weight should be given to a designated heritage asset's conservation when considering the impact of a proposed development on its significance, in this case being the 3 individual listed buildings and the Denmark Street Conservation Area. The NPPF also cites in Paragraph 134 that *"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."*

#### Demolition and rebuilding of 23 Denmark Place

- 6.5 The Edwardian workshop at 23 Denmark Place sits between the 1680s house at 26 Denmark Street and the Victorian smithy at 22 Denmark Place. The building is a simple brick infill structure from 1908 with large window openings. It is considered to be architecturally modest, but has some significance for its role in illustrating the small scale industrial uses that characterised the area during the 19th and early 20th centuries. It also has group value with some of the other existing Edwardian rear industrial structures along Denmark Place. Whilst on balance it makes a modest positive contribution to the surrounding conservation area, it also harms the setting of the 1680s house at no. 26 by concealing part of its historic rear elevation. It has also physically damaged the older building through its crude tie in to the brickwork.
- 6.6 The building at 23 Denmark Place would need to be demolished to allow the works at 22 Denmark Place to occur. The justification put forward for its demolition is based on the poor condition of the building being more fragile than initially assessed, whereby it has been revealed that poor design, construction methods and later alterations such as widening apertures have compromised its structural integrity.
- 6.7 The demolition would result in a loss of historical interest within the conservation area and also to its built character illustrating historical development. Despite its condition and unsympathetic alterations, its demolition would result in harm. However, it is not considered to amount to 'substantial' harm to the significance of the heritage assets and therefore paragraph 134 of the NPPF applies. Paragraph 134 requires the Council to weigh the "less than substantial harm" that the demolition would cause against the public benefits that accrue from a proposal. This assessment must also take account of the requirements of paragraphs 131, 132 and 137 of the NPPF that emphasise, amongst other things, the desirability of sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness.
- 6.8 The loss of 23 Denmark Place is regrettable because of its historical interest and historic use in the conservation area. However, it is of less significance than the other two buildings and its demolition in conjunction with the finished scheme would better reveal the significance of the earliest building at 26 Denmark Street and of the smithy at 22 Denmark Place consistent with paragraph 137 of the NPPF. The rear elevation of 26 Denmark Street and the understanding of its plan form have been obstructed on ground and first floors, as well as large areas of the second storey by 23 Denmark Place. Removing the Edwardian building at no. 23 and replacing it with a single storey glazed infill at ground floor would

reinstate the comprehension of original built form, the rear elevation with its fenestration pattern as well as revealing the significance of the smithy at 22 Denmark Place. In this way, the proposal will restore hidden features and characteristics of the two most significant buildings, acting to mitigate the loss of the historical interest of 23 Denmark Place. Therefore from a historic environment perspective, the benefits to significance resulting from this scheme would mitigate the harm described above and can as required by the NPPF be justified.

- 6.9 Overall, the proposed single storey glazed link would restore a sense of openness to the rear yard and better reveal the significance of both 22 Denmark Place and 26 Denmark Street. It would be a modern and lightweight addition that would be appropriate within its context. The new structure would introduce architectural metalwork balustrade, referencing the metalworking past of the coach smith's building at no. 22 and matching the scale of its render skirting.

Temporary moving of 22 Denmark Place

- 6.10 22 Denmark Place is a utilitarian brick building that faces the rear alleyway. Although architecturally undistinguished, it has high historical value as a rare surviving Victorian forge illustrating the evolution of the site from residential use to small scale industrial uses (i.e. a coach smithy) during the 19th century. It is therefore of high significance.
- 6.11 Since the proposals under 2012/6858/P were consented, further assessment work has been carried out to show that no. 22 would be put at risk unless an alternative methodology for underpinning is found. The alternative methodology has formed the basis of the current proposals, which are to position a concrete slab underneath the structure, remove it while underpinning and Crossrail tunnel works are carried out, and then put it back in its original position. The building would be stabilised and unchanged during this process. It would be repositioned in its original location and supported by piled foundations over the new basement construction, protecting the historic building from future ground movements.
- 6.12 The building at no. 22 would not be able to withstand the works consented as part of the original permission. This site lies above the eastbound Crossrail tunnel and above the new Northern Line escalator box that serves Tottenham Court Road station. Crossrail piling has now been completed, however, there is an important interface between the application site and the tunnels below, requiring a construction methodology which 'pins down' the tunnels below so that there is no movement. The demolition of 23 Denmark Place and the temporary removal of 22 Denmark Place to protect it during construction make it possible to standardise the interface of the basement construction with the Eastbound Crossrail tunnel beneath the site and to mitigate the risk of differential movements on both the Crossrail tunnel and 22 Denmark Place. The revised construction sequence would enable safer construction methodology and reduce the period required for construction of the basement, thereby reducing the risk that basement construction continues in parallel with the operation of Crossrail.
- 6.13 Historic England raised no objections to the proposed engineering works to no. 22, which would be underpinned and relocated in one piece while the Crossrail underpinning works are carried out, and then returned to its original position. Based on the above, the temporary removal of no. 22 is considered to be the preferred methodology due to the risk of damage to the building during the work to the Crossrail tunnel and other basement extensions as part of the wider site. A condition would be attached to the listed building consent to ensure the protection of no. 22. It would require a method statement and

engineer's supporting documents for the works to temporarily lift, relocate and reinstate the building.

#### Repair and restoration of 22 Denmark Place and 26 Denmark Street

- 6.14 22 Denmark Place would be temporarily removed and stored off site to protect it during the construction of the basement development and Crossrail. In addition to it being reinstated in its existing place there are a number of proposals to repair and restore it. These include:
- the render skirting would be carefully removed and replaced
  - replacement clay pan tiles to match
  - brickwork would be cleaned, repaired and repointed where necessary
  - an aperture on the upper east elevation would benefit from a single glazed timber framed window
  - existing doors would be replaced with traditional tongue and groove timber doors
  - a shadow gap would be created with the new extension at 23 Denmark Place to better reveal the building
  - the apertures on the north elevation would be covered with tongue and groove timber boarding
- 6.15 Based on the above changes and subject to further consideration managed by planning conditions requiring further details, the proposal is considered to preserve the special interest of the listed building and enhance the appearance of the building.
- 6.16 The grade II listed building at 26 Denmark Street is on the Heritage at Risk Register and the proposed amendments, which are in keeping with the proposals under 2012/6858/P and 2012/6870/L, are welcomed. The internal fabric of the building would be retained whilst also being upgraded to meet modern fire rating and acoustic standards. The external works include the reinstatement of the sash windows on the façade; shopfront improvements; replacement of the central dormer with small dormers and reinstatement of windows and timber doors to the rear buildings. Due to the demolition of 23 Denmark Place and its rebuilding as a single storey glazed structure with a recessed gutter where it intersects with no. 26, the rear elevation of this historic building and the projecting closet wing would be revealed. Improvements to the rear elevation would be made including the washing and repair of brickwork and repairs to existing windows. Overall, the repair and restoration of no. 26 along with the rebuilding of no. 23 are considered to preserve the special interest of this listed building and significantly enhance its appearance.

#### Amendments to passageway through 21 Denmark Street

- 6.17 As part of the approved scheme a new arcade was created through the frontage of 21 Denmark Street by removing the ground floor shopfront and introducing a two storey arcade behind. This was to increase access and activity to Denmark Place and generally improve pedestrian movement through the area. The existing façade and shopfront, which have permission to be demolished, are unusual in appearance and of no architectural merit whatsoever, appearing to date from the latter half of the twentieth century. The proposed amendments to the approved arcade reduce the excessive size of the glazed screen, remove the stone cladding and introduce more brickwork. Overall, the amendments are considered to preserve and enhance the character and appearance of the Denmark Street Conservation Area.

#### Overall public benefits of the proposal

- 6.18 In accordance with paragraph 134 of the NPPF, it is considered that the proposal would lead to less than substantial harm through the demolition of 23 Denmark Place. This should be weighed against the public benefits of the proposal which are outlined below.

- 6.19 The proposed development would allow a consistent restraint along the length of the Crossrail tunnel using the same tension pile and adit beam technique. The combination of the two effectively forms a staple to hold the Crossrail tunnel down. This technique would simplify the construction sequence and reduce the risk of differential movement to the tunnel beneath compared with the approved scheme. The alternative scheme has been discussed with Crossrail who prefer the proposed scheme.
- 6.20 As stated above, the temporary removal of 22 Denmark Place from the construction site would result in it being better protected. The approved development requires substantial underpinning of no. 22 with the building in place to create a reduced platform where hand dug caissons will be dug directly beneath its walls. Although moving the building would be a large intervention, for a small building this would best protect it compared with the significant work required to keep the building in place and the risk of construction at such close proximity. Furthermore, the proposal here would work on a “top down” sequence of basement excavation rather than “bottom up”. This would allow the ground slab to be installed first prior to excavation below and would reduce ground movements and impact on existing buildings.
- 6.21 The proposed development would allow the deep excavation of the basement to be pulled away from the buildings at 26 and 27 Denmark Street, which would better protect them. The working area would be physically moved from the buildings and large piles and caissons would be removed from the scheme, thus reducing vibration and local movements associated with the necessary machinery and construction techniques. In addition, the deep underpinning to the rear of no. 26 would be removed and replaced with a standard piled retaining wall.
- 6.22 The scheme would allow for the creation of a viable and practical music venue and bar, securing the musical heritage of the site and retaining an iconic musical space. This includes the consented events gallery music venue as well as the proposed music venue below no. 22 which would complement the existing music shops on Denmark Street. The Music Venues Trust, The Music Publishing Association and the Greater London Authority (GLA) have provided advice on the scheme and the Music Venues Trust and GLA have written letters in support.
- 6.23 The removal of no. 23 and the temporary removal of no. 22 would provide a safer means of excavation and pile installation for the project. This would reduce the risk to the workforce on the site due to the removal of the need for hand dug caissons and deep underpinning.
- 6.24 As stated in the paragraphs above, there are heritage benefits to the built environment through the better reveal to the significance of no.s 22 and 26 which are very important heritage assets.

#### Conclusion

- 6.25 Whilst less than substantial harm is proposed in terms of the loss of the 1908 Edwardian building at 23 Denmark Place, this harm is considered to be outweighed by the public and heritage benefits that would result. Additionally, the remaining listed buildings at no. 26 and 22 would be sensitively restored and the scheme is considered to offer an enhancement to the Denmark Conservation Area.

#### **Basement Impact**

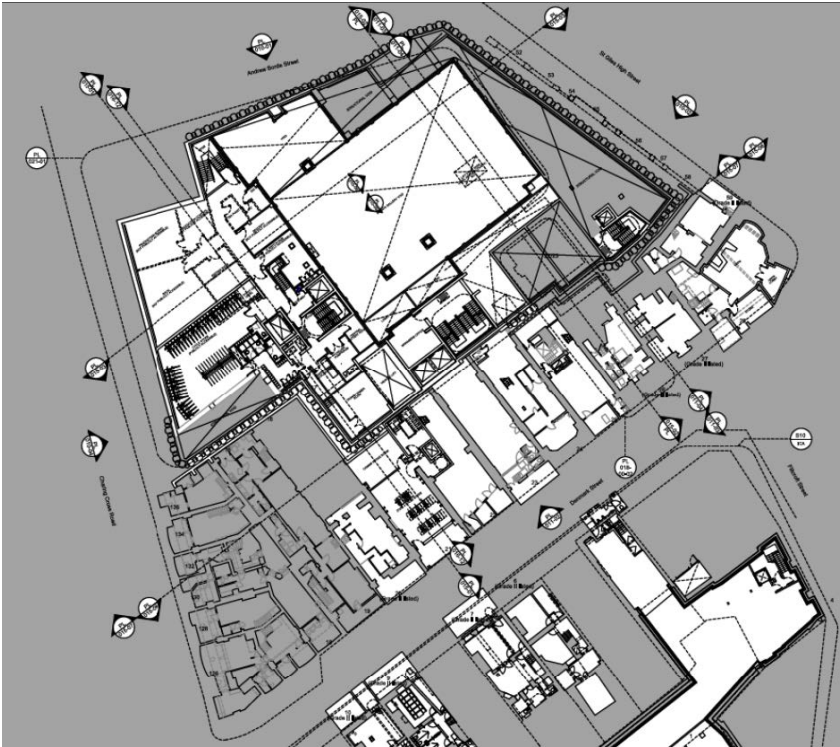
#### Construction sequence

- 6.26 To facilitate the construction of the basement development a construction sequence would be undertaken in order to safeguard the significant building at no. 22. Following the careful demolition of 23 Denmark Place, a concrete raft foundation would be installed under 22 Denmark Place using traditional underpinning techniques. No. 22 would then be moved by a large mobile crane and lifted onto a new temporary foundation approximately 27 metres away. This would allow for the installation of piles before being moved back to its original position. The raft foundation would then be incorporated into the final ground floor slab. This process would enable the remainder of the works to progress. A detailed methodology of the lift sequence has been submitted by a specialist contractor who would undertake the works, Abbey Pynford.
- 6.27 Abbey Pynford is a ground engineering solutions company with considerable expertise in the fields of foundations, underpinning and piling. The company was established in 1988 by Civil Engineers with over 25 years' experience in ground engineering and specialist underpinning. They have experience of a number of challenging projects involving the lifting or moving or historic buildings and structures. These include:
- **Belle Tout Lighthouse, Beachy Head:** In March 1999 they moved the 160 year old lighthouse because it was threatened with destruction by the rapidly eroding cliffs where it stood. The building weighs 850 tonnes and had to be moved 17 metres using sliding techniques. A new one storey building was constructed for the lighthouse to stand on. The project attracted worldwide media attention and was featured on the BBC's Tomorrow's World programme.
  - **Bridge House, Mersham (near Ashford in Kent):** This 16<sup>th</sup> century cottage had to be moved away from its original situation close to the railway in July 2000 because of the planned Channel Tunnel Rail Link (CTRL). The building now stands the same distance away from the CTRL as it did from the original railway. The decision was taken to preserve valuable archaeology by moving the structure intact. The extensive restoration that took place throughout the building's history led to extra challenges during the move. At the back of the building there was stonework with no mortar which had to be supported from underneath without damaging the structure during the move.
  - **Pescod Hall, Boston, Lincolnshire:** Pescod Hall was originally built around 1450. The grade II listed timber-frame building weighs nearly 100 tonnes and was jacked up, moved around 30 metres and rotated through 180 degrees on a trailer as part of the Pescod Square Development.
  - **Waterpoint, St Pancras Station, London:** The Waterpoint is the only remaining example of the eight that were originally built to serve the London railways. The St Pancras Waterpoint was designed by the same architect as the station Sir George Gilbert Scott and had to be moved to accommodate the CTRL line. The Waterpoint was originally located on a 5 metre high embankment. The location meant that the building had to be moved in sections, separated into different storeys. A 650 tonne crane was used to lift each separated storey onto a purpose designed trailer. The sections were then transported 700 metres to their new destination and re-placed in position by another crane to an accuracy of 10 millimetres. The building now stands near the canal basin.

Approved basement under 2012/6858/P

- 6.28 A basement has been approved under the majority of the wider site within Charing Cross Road, Andrew Borde Street, St Giles High Street and the northern part of Denmark Street. The approved basement is mostly 11m deep below ground with a section that is 15m deep.

It includes lower ground, basement mezzanine and basement levels which straddle the eastbound Crossrail running tunnel and the Northern Line escalator box that serves Tottenham Court Road Station. The extent of the approved lower ground level is shown in figure 1 below.



**Figure 1 (Left):** Approved lower ground floor under 2012/6858/P

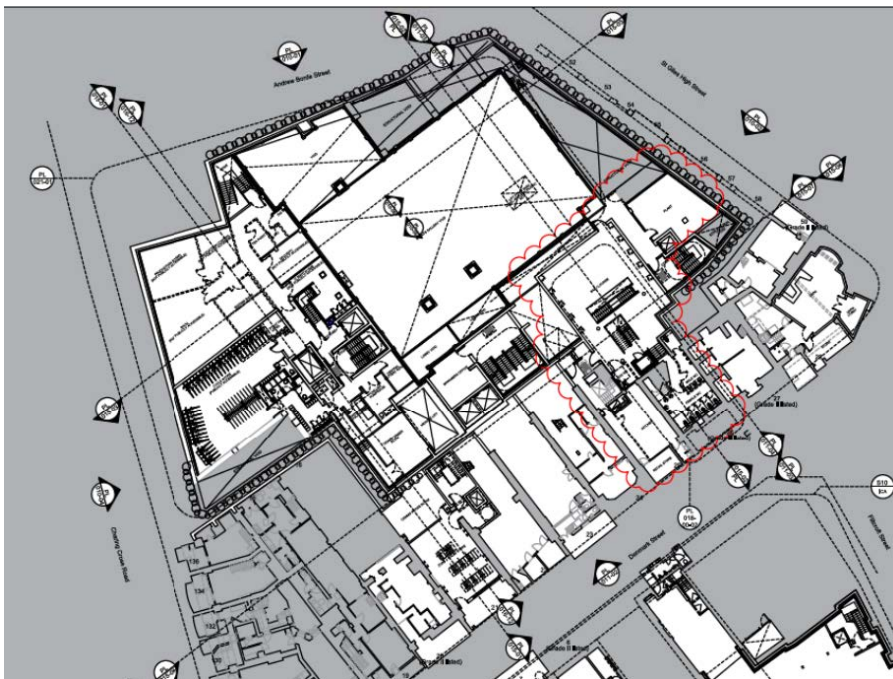
- 6.29 The approved basement was accompanied by a Basement Impact Assessment (BIA) which identified that the site is located over Lynch Hill which are classified as forming part of a 'Secondary A' aquifer, that the sub-basement extension will be below the ground water levels, that the site is within an area of previously worked ground, that there will be a differential depth of foundations relative to neighbouring properties and that the site is over a tube tunnel. A site investigation included two cable percussive boreholes, nine self-boring pressure meter tests and four piezometers. Groundwater was encountered in both boreholes at 5.6m in the Lynch Hill Gravel. The underside of the proposed basement slab will be in the London Clay.
- 6.30 The BIA concludes that Tottenham Court Road station and Centre Point basements, which are upstream of the development, are unlikely to be affected by any rise in water level. The presence of Tottenham Court Road station and Centre Point basements will also mean that the proposed basement is unlikely to have an impact to ground water flow on buildings to the south. The BIA and civil and structural engineering report outlines detailed works which are required because of the basement construction above and adjacent to the recently constructed Northern Line Escalator Box and above the proposed eastbound Crossrail tunnel. The basement development was approved subject to conditions and legal obligations, including:
- the submission of detailed information prior to commencement of the basement construction including further intrusive site investigation and details of a qualified engineer who would oversee the approved basement construction
  - once the site is returned to the applicant by London Underground following completion of the Tottenham Court Road Station upgrade works a further intrusive site

investigation will be required to confirm ground conditions over the remainder of the site and to enable detailed design of the retaining wall structures, pile sand basement slab

- an 'Approval in Principle' (AIP) to the Highways Management team to include structural details and calculations to demonstrate that the proposed development would not affect the stability of the adjacent public highway adjacent to the site and any mitigation measures
- detailed design and method statements for ground floor structures, foundations basements and any other structures below ground level
- a Construction Management Plan

#### Proposed basement

- 6.31 The existing buildings on Denmark Street all have a lower ground floor approximately 3m below street level. These lower ground floors will adjoin the approved basement below the new buildings at St Giles Circus. 23 Denmark Place does not currently have a lower ground floor. The proposed development would dismantle 23 Denmark Place to facilitate the temporary relocation of 22 Denmark Place during the main basement piling works. By temporarily relocating no. 22 the impact of the piling works on the building is reduced. The interface of the basement construction with the Eastbound Crossrail tunnel beneath the site is also standardised, mitigating the risk of differential movements on both the Crossrail Tunnel and no. 22. The revised construction sequence also enables a safer construction methodology and reduces the period required for construction of the basement, thereby reducing the risk that basement construction continues in parallel with operation of Crossrail. After the piling operations, no. 22 will be repositioned in its original location and will be supported by piled foundations over the new basement construction, protecting this historic building from future ground movements.
- 6.32 In addition to the above, the approved basement would be enlarged at lower ground level by creating new basement space under no. 23. The structural void under no. 22 would be reworked into bar/lounge space in connection with the bar/music venue below. Enabling works would also require the deepening of an existing basement at 28 Denmark Street by underpinning its surrounding walls. The extent of the new basement is shown within the highlighted area in figure 2 below.



**Figure 2 (Left):** Proposed lower ground floor. Additional basement area within the red cloud

- 6.33 A revised BIA has been submitted by Engenuiti Limited. It has updated the document approved under 2012/6858/P to incorporate the results of intrusive site investigation undertaken by Concept Consulting between October 2014 and March 2015 and to align with the additional works proposed as part of this Minor Material Amendment. The BIA outlines the key points for the method of safe excavation and construction of the basement and sets out how the neighbouring buildings will be protected as well as local environment and amenity.
- 6.34 Campbell Reith Consulting Engineers undertook an independent audit of the BIA in February 2016. The audit reviewed the BIA by Engenuiti for potential impact on land stability and local ground and surface water conditions arising from the basement development. Campbell Reith confirmed that the BIA has been carried out by a well-known firm of consultants who possess relevant qualifications and experience.
- 6.35 The audit accepted that there are no slope stability concerns and no hydrological concerns with respect to the development proposals. A Flood Risk Assessment has been reviewed and its conclusions are accepted. An impact assessment has been carried out to assess the likely impact of the basement construction on the neighbouring buildings/structures and services. The buildings along the southern side of the basement (on the northern side of Denmark Street and in Denmark Place) would be subject to varying degrees of damage. The vast majority would experience Negligible or Very Slight damage which is 0 and 1 on the Burland Scale, 5 walls would have Slight damage (2 on Burland Scale) and 22/23 Denmark Place would receive Moderate and Severe damage (3 and 4 on Burland Scale). 22/23 Denmark Place has already experienced movement and damage following the construction of the Crossrail tunnel. The proposed demolition and rebuilding of no. 23 and the temporary lifting of no. 22 along with the proposed alternative basement construction method would negate the predicted damage. The other buildings suffering damage would be less than Moderate on the Burland Scale. 20 to 28 Denmark Street, 16 Denmark Place and 59 St Giles High Street are included within the development and would be refurbished with any necessary repairs undertaken as part of the works.
- 6.36 While Campbell Reith were satisfied with the BIA and considered it a substantial submission, they have recommended that a Basement Construction Plan (BCP) be provided and approved prior to commencement on-site. The BCP would include the following:



- a refined ground movement analysis/building damage assessment with all the construction activities analysed including specific details so that actual movements can be compared with predicted values during the construction process in order to minimise potential damage
- detailed underpinning proposals for 28 Denmark Street and detailed proposals for the monitoring of ground movements on surrounding properties

6.37 Despite the additional information required as part of the BCP, it is acknowledged by Campbell Reith that the proposed methodology should prevent damage to surrounding structures exceeding acceptable limits, subject to appropriate detailed design and good control of workmanship. Subject to a BCP being secured via section 106 legal agreement, the development would accord with the objectives of Policy DP27 and CPG4.

### **Land Use**

- 6.38 Denmark Street is known as “Tin Pan Alley” and is a highly important centre for the UK’s music industry. The specialist retailers located on the ground floor (and sometimes other floors) tend to focus on the sale and repair of music instruments. Other music industry activities including recording studios, artist management offices, instrumental repair workshops, music publishing houses and agents are located on upper floors. Music industry activities make a fundamental contribution to the special character of Denmark Street and support associated retail provision.
- 6.39 The approved development under 2012/6858/P resulted in a bar (A4) use within the lower ground floor and ground floor of 26 Denmark Place, the ground floor of 22 Denmark Place and the ground, first and second floors of 23 Denmark Place. This area was formerly occupied by the ‘12 Bar Club’ which was a popular live music venue opened in 1994.
- 6.40 The proposed development would result in the demolition of the 3 storey structure at 23 Denmark Place and the rebuilding of a single storey structure. This would result in a loss of approximately 55sq.m of floorspace (including 10sq.m at ground floor which would be re-provided as an external area, WCs on the first floor which would be re-provided in the basement and ancillary office and storage on the second floor). The bar (A4) use would be retained at ground floor level across 26 Denmark Street and 22/23 Denmark Place with access to the lower ground floor which provides WCs and bar/longue space in connection with the new music venue (sui generis) in the basement below. The basement extension would introduce approximately 147.7sq.m of floorspace which would result in an uplift of 92.7sq.m as part of the proposal. In comparison to the floor area of the approved scheme (21,062sq.m), the uplift in floorspace is considered to be de minimis.
- 6.41 The proposed sui generis music venue would provide 445sq.m of floorspace over the basement, basement mezzanine and lower ground floors. It would be accessed from 23 Denmark Place and would be separate from the approved basement venue space which provides 2,895sq.m of floorspace for community events, exhibitions, product launches, live music, awards ceremonies, conferences and fashion shows. The music venue space would replace the lost ‘12 Bar Club’ which formerly occupied 26 Denmark Street and 22/23 Denmark Place. This would be in accordance with the historic and sought after space to support the music industry on Denmark Street. In addition, it would provide replacement for the ‘London Astoria’ on 157 Charing Cross Road which was an iconic music establishment that closed in 2009 (and since demolished) to make way for the development of the Crossrail project.

- 6.42 On the above basis the proposed music venue space is considered to be acceptable and compatible with the historic and proposed uses as part of Denmark Street and the wider development.

### **Neighbouring Amenity**

- 6.43 26 Denmark Street and 22/23 Denmark Place have historically been a music and drinking venue and the use as a bar has been further consented under 2012/6858/P. The proposed outdoor area would be surrounded by an active parade and licensing hours for the area would be sufficient to ensure that a material increase in noise and general disturbance does not result. The site lies within the Seven Dials Special Policy Area in the Camden's Statement of Licensing Policy which has special licensing policies. Planning conditions as part of the approval restrict bar uses to operate between 08:00 to 23:30 Monday to Saturday and 11:00 until 22:30 on Sundays.
- 6.44 Regarding the additional subterranean music venue space, the existing section 106 legal agreement for the main development includes a Venue Management Plan which would require a submission of upcoming events to the Council's Licensing Department with specific event information; details of smoking areas and management of anti-social behaviour; a dispersal policy to ensure safe and quiet movement of people to minimise disturbance; a queue management strategy; proposals to integrate public safety and security measures within the local area including proposals in the event of emergency and overcrowding situations and proposals for CCTV systems. An Event Management Plan is also secured by section 106 which will include key event contacts; details of staffing and organisation matrix; a schedule for events; a risk assessment such as security, escape routes, first aid and fire safety and measures to ensure effective communication with surrounding residents and businesses. The basement venue would have to operate between 09:00 to 23:30 Monday to Thursdays, 08:00 to 00:00 on Fridays and Saturdays and 08:00 to 22:30 on Sundays and Bank Holidays in accordance with the approved planning conditions.
- 6.45 In overall terms it is considered that the provision of the additional basement venue space and outdoor area for the drinking establishment would be unlikely to cause either individual or cumulative harm to the area, given the range of conditions and section 106 measures secured.
- 6.46 The proposal would result in the significant reduction of built form above ground through the demolition of the 3 storey structure at 23 Denmark and its rebuilding as a single storey glazed link. This would improve the level of outlook and daylight/sunlight to surrounding residential properties in particular the rear elevation of 26 Denmark Place which would be residential on the upper floors as per 2012/6858/P.

### **Transport**

- 6.47 The site has a PTAL score of 6b, the highest achievable, which indicates that it has an excellent level of accessibility by public transport. The nearest station is Tottenham Court Road; with Holborn, Goodge Street, Oxford Circus, Covent Garden and Leicester Square all within walking distance. The accessibility of the site will be further increased following the introduction of Crossrail services at Tottenham Court Road in 2018. The nearest bus stops for the many bus routes in the area are located on Charing Cross Road, Tottenham Court Road, St Giles High Street, Oxford Street and New Oxford Street.
- 6.48 Due to the scale of the proposed music venue space, it is not considered that it would result in a material impact on transport and that any impact could be managed through the Venue Management Plan.

- 6.49 A number of section 106 agreements have been secured as part of the wider scheme such as a financial contribution to public realm improvements and highway works of £1,693,408; a financial contribution towards the Tottenham Court Road two-way scheme (also known as West End Project) of £2,000,000; a financial contribution of £185,000 towards TfL cycle docking stations in the area and a Construction Management Plan. These existing obligations would be upheld and amended as necessary for the proposed development.

#### **CIL**

- 6.50 The proposed development would be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL as the additional floorspace exceeds 100sq.m GIA or one unit of residential accommodation. The Mayoral CIL would be charged at £50 per sq.m and the Camden CIL at £25 per sq.m for the bar and music venue uses.
- 6.51 The liable amount of CIL will be determined on receipt of the CIL Additional Information Requirement Form. An informative would be attached to this consent advising the applicant of this charge if the application were to be approved.

#### **Other Matters**

- 6.52 The wider development has been approved in principle under 2012/6858/P which included a range of heads of terms, financial contributions and 54 planning conditions. The proposals are considered to constitute minor material amendments to the approved scheme.

### **7. CONCLUSION**

- 7.1 The proposed minor material amendments are considered to result in less than substantial harm to the Denmark Street Conservation Area and the grade II Edwardian building at 23 Denmark Place. This harm is considered to be outweighed by the public and heritage benefits that would result from the scheme including the better revealing of the more significant listed structures at 26 Denmark Street and 22 Denmark Place which would be sensitively restored. The additional music venue space would be of benefit to Denmark Street, known as "Tin Pan Alley", and a suitable replacement for similar lost facilities including the '12 Bar Club' and 'London Astoria' on 157 Charing Cross Road. The additional basement works would be to a substantial three level basement (mostly 11m deep up to 15m) approved under 2012/6858/P and would be secured under a Basement Construction Plan to ensure that the construction does not impact on the surrounding listed structures.
- 7.2 Planning Permission is recommended subject to a S106 Legal Agreement to secure a Deed of Variation to the original agreement under 2012/6858/P which would be varied to include an additional head of term requiring a Basement Construction Plan.

### **8. LEGAL COMMENTS**

- 8.1 Members are referred to the note from the Legal Division at the start of the Agenda.

Condition(s) and Reason(s) **2015/6939/P:**

- 1 Condition 2 of the planning permission dated 31 March 2015 reference number 2012/6858/P shall be replaced by the following condition:

#### REPLACEMENT CONDITION 2

The development hereby permitted shall be carried out in accordance with the following approved plans: (1793 PL001-)01 Rev P2; 02; 03; 04 Rev P3; 05 Rev P6; 010 Rev P3; 11 Rev P7; 012 Rev P3, S10/DSD/195, 1401\_PL100; 1793PLEX005-B1 P2; 1793PLEX005-00 P2; 1793PLEX005-01 P2; 1793PLEX005-02 P2; 1793PLEX005-03 P2; 1793PLEX005-04 P2; 1793PLEX005-05 P2; 1793PLEX005-05/Roof Plan P2; 1793PLEX005-16 P2; 1793PLEX005-10 P2; 1793PLEX005-11 P2; 1793PLEX005-12 P2; 1793PLEX005-13 P2; 1793PLEX005-14 P2; 1793PLEX005-15 P2; 1793PLEX010-01 P2; 1793PLEX010-02 P2; 1793PLEX010-03 P2; 1793PLEX010-04 P2; 1793PLEX011-01 P2; 1793PLEX011-02 P2; 1793PLEX011-03 P2; 1793PLEX011-04 P2; 1793PLEX015-01 P2; 1793PLEX015-02 P2; 1793PLEX015-03 P2; 1793PLEX015-04 P2; 1793PLEX015-05 P2; 1793PLEX015-06 P2; 1793PLEX015-07 P2; 1793PL005-B2 P3; 1793PL005-B1 P6; 1793PL005B1; MZ P6; 1793PL005-00 LG P6; 1793PL005-01 P6; 1793PL005-02 P6; 1793PL005-03 P6; 1793PL005-04 P6; 1793PL005-05 P6; 1793PL005-06 P6; 1793PL005-RF P2; 1793PL010-01 P3; 1793PL010-02 P3; 1793PL010-03 P3; 1793PL010-04 P3; 1793PL010-05 P3; 1793PL010-06 P3; 1793PL011-01 P7; 1793PL011-02 P3; 1793PL011-03 P7; 1793PL011-04 P6; 1793PL015-01 P6; 1793PL015-02 P6; 1793PL015-03 P3; 1793PL015-06 P6; 1793PL015-07 P3; 1793PLEX016-20 P2; 1793PLEX016-21 P2; 1793PLEX016-22 P2; 1793PLEX016-23 P2; 1793PLEX016-24 P2; 1793PLEX016-25 P2; 1793PLEX016-26 P2; 1793PLEX016-50 P2; 1793PLEX016-51 P2; 1793PLEX016-52 P2; 1793PLEX016-53 P2; 1793PLEX016-54 P2; 1793PLEX016-60 P2; 1793PLEX018-00 P6; 1793PLEX018-01 P6; 1793PLEX018-02 P6; 1793PLEX018-03 P6; 1793PLEX018-04 P6; 1793PLEX018-05 P6; 1793PLEX018-06 P6; 1793PLEX018-07 P6; 1793PLEX018-10 P6; 1793PLEX018-11 P6; 1793PLEX018-12 P6; 1793PLEX018-13 P6; 1793PLEX018-14 P6; 1793PLEX018-15 P6; 1793PLEX018-16 P6; 1793PLEX018-17 P6; 1793PLEX018-LP P6; 1793PLEX018-OV P6; 1793PLEX018-SP P6; 1793PL016-SP P6; 1793PL016-00 P3; 1793PL016-01 P6; 1793PL016-02 P6; 1793PL016-03 P3; 1793PL016-04 P3; 1793PL016-05 P3; 1793PL016-06 P3; 1793PL016-07 P3; 1793PL016-08 P3; 1793PL016-09 P3; 1793PL016-10 P6; 1793PL016-11 P6; 1793PL016-12 P6; 1793PL016-50 P3; 1793PL016-51 P3; 1793PL016-52 P3; 1793PL016-53 P3; 1793PL016-54; 1793PL016-55 P3; 1793PL016-56 P3; 1793PL016-60 P3; 1793PL018-00 P7; 1793PL018-01 P7; 1793PL018-02 P6; 1793PL018-03 P6; 1793PL018-04 P7; 1793PL018-05 P7; 1793PL018-6 P6; 1793PL018-07 P7; 1793PL018-08 P6; 1793PL018-10 P6; 1793PL018-11 P6; 1793PL018-12; 1793PL019-13 P6; 1793PL018-14 P6; 1793PL018-20 P6; 1793PL018-21 P6; 1793PL018-22 P6; 1793PL18-23 P6; 1793PL018-SP P6; 1793PL021-01 P3; 1793PL021-02 P3; 1793PL021-05 P3; 1793PL021-06 P3; 1793PL021-10 P3; 1793PL021-11 P3; 1793PL021-14 P3; 1793PL021-15 P3; 1793PL021-16 P3; 1793PL021-20 P3; 1793PL021-21 P3; 1793PL021-22 P3; 1793PL021-23 P3; 1793PL021-28 P3; 1793PL021-30 P3; 1793PL021-31 P3; 1401PL(00)100 P2; 1401PL(00)00 P2; 1401PL(00)01 P2; 1401PL(00)02 P2; 1401PL(00)03 P2; 1401PL(00)04 P2; 1401PL(00)05; 1401PL(00)06; 1401PL(00)07; 1401PL(00)08; 1401PL(00)30; 1401PL(00)31 P2; 1401PL(00)32; 1401PL(00)33 P2; 1401PL(00)34 P2; 1401PL(00)35; Buro Happold Transport Assessment Addendum 028676 rev 01, 11 September 2013; Buro Happold Transport Assessment 02876 03, December 2012; Turley Associates Planning Addendum CONL2000, 9 September 2013; Turley Associates Supplementary Planning Report and appendices, April 2013; Turley Associates Planning Statement December 2012; Engenuiti Listed Buildings Visual Structural Report 029-S-REP-003, 1st December 2012; Design and Access Statement rev A, September 2013; GL Hearn Affordable Housing Statement, 10 December 2012; Charcoal Blue Venue Management Plan rev A, October 2012; Engenuiti Basement Impact Assessment North of Denmark Street, 4th December 2012; Engenuiti Basement Impact Assessment 4 Flitcroft Street, 3rd December 2012;

Licensing Strategy for St Giles Circus Development, undated; Monmouth Dean Marketing Report, 19 December 2012; Letter from Outlet Sales and lettings dated 19th June 2013; Four, Statement of Community Involvement, December 2012; Buro Happold Energy Statement 02876 01, 24 October 2012; Buro Happold Sustainability Statement 02876 01, 14 December 2012; Buro Happold Environmental Statement Addendum 02876 rev 02, 11 September 2013; Buro Happold Environmental Statement Addendum Volume II: Appendices 02876 rev 00, 11 September 2013; Buro Happold Environmental Statement Addendum Volume III: Appendices 02876 rev 00, 11 September 2013; Buro Happold Environmental Statement: Non Technical Summary 02876 01, 14 December 2012; Buro Happold Environmental Statement Volume 1 Main Report 02876 01, 14/12/12; Buro Happold Environmental Statement Volume 11 appendices 02876 01, 14/12/12; Project Centre Flood Risk Assessment, September 2012; Engenuiti Civil and Structural Engineering Concepts Report 09-S-REP-002, 7th December 2012; Engenuiti London Underground - Correspondence Report 029-S-REP-005, 7th December 2012; Engenuiti Concetual Design Statement for Crossrail 029-S-REP-001, revision 01, December 2012; Engenuiti Retained Façade Structural Engineering report 029-S-REP-004, 4th December 2012; Outernet Gallery employment schedule; Turley Associates letter entitled "St Giles Circus - Addendum Submission", 17 September 2013; Two emails from Turley Associates dated 6 November 2012 entitled "Denmark Street A1/B1 Existing and Proposed GIA"; Existing Gross Internal Floor Area Schedule dated 1 November 2012; Proposed Gross Internal Floor Area Schedule rev D dated 13 June 2013; letter from GVA Schatunowski Brooks entitled "St Giles Development and Endell Street Satellite Development" ref KW10/LJ11 dated 18 October 2013; Daylight/Sunlight Amenity Analysis prepared by GVA Schatunowski Brooks dated 13 May 2013; 3d view of proposed development in relation to first residential floor of Centre Point BRE/26 dated 18/10/13; letter from GVA Schatunowski Brooks entitled "Endell Street in connection with St Giles Circus, London - daylight within the proposed development" dated 21 May 2013 and associated plans dated 13 May 2013 (BRE -003; -004; -005; -006; CAD 001; CAD 002); Clarifications on Wind Assessments in the vicinity of Centrepoint tower, 21st May 2013; Turley Associates Supplementary HMO note and associated plans, licence and evaluation of standard of accommodation, 16 May 2013; Engenuiti North of Denmark Street Basement Impact Assessment 30th November 2015 ; Engenuiti 4 Flitcroft Street; 1 Book Mews Basement Impact Assessment 19/06/2015; MMA 02 - Design Statement February 2016; Basement Impact Assessment (ref: 029REP006 Rev 03) dated 30th November 2015 and Planning Statement December 2015.

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

- 2 All non-Road mobile Machinery (any mobile machine, item of transportable industrial equipment, or vehicle – with or without bodywork) of net power between 37kW and 560kW used on the site for the entirety of the [demolition and/construction] phase of the development hereby approved shall be required to meet Stage IIIB of EU Directive 97/68/EC. The site shall be registered on the NRMM register for the [demolition and/construction] phase of the development.

Reason: To safeguard the amenities of the adjoining occupiers, the area generally and contribution of developments to the air quality of the borough in accordance with the requirements of policies CS5 (*Managing the impact of growth and development*) and CS16 (Improving Camden's health and wellbeing) of the London Borough of Camden Local Development Framework Core Strategy and policies DP32 (Air quality and Camden's Clear Zone) and DP22 (Promoting sustainable design and construction) of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings and conditions as attached to the previous planning permission. This includes condition 1 providing for a 3 year time period for implementation which for the avoidance of doubt commences with the date of the original decision (and not this variation).

- 2 You are advised that this proposal will be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL as the additional floorspace exceeds 100sqm GIA or one unit of residential accommodation.

Both CIL's will be collected by Camden after the scheme has started and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement and/or for late payment. We will issue a formal liability notice once the liable party has been established. CIL payments will also be subject to indexation in line with the construction costs index.

#### Condition(s) and Reason(s) **2015/6937/L**:

- 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 work and work of making good shall be carried out to match the original work as closely as possible in materials and detailed execution.

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.

- 4 No new plumbing, soil stacks, flues, vents, ductwork or rainwater goods and soil pipes shall be fixed on the internal or external faces or soffit of the building unless shown on the drawings hereby approved or as otherwise agreed by discharge of the relevant condition.

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.

- 5 No new grilles, security alarms, lighting, cameras, display screens or other appurtenances shall be fixed on the internal or external faces or soffit of the building unless shown on the drawings hereby approved or as otherwise agreed in writing by the Council.

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.

- 6 No aerials, plant, equipment or means of enclosure shall be erected other than as indicated on the approved drawings, unless otherwise agreed in writing by the Council.

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.

- 7 All new external rainwater goods and soil pipes on the visible elevations shall be of cast iron and painted black.

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.

- 8 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of the work is begun:

- a) New fireplaces;
- b) Proposed elevation at 1:10 and section at 1:2 proposed shop fascia sign;
- c) Details of new and renewed service runs demonstrating the relationship of pipework with the structure of the building;
- d) Proposed boundary treatment adjacent to the new glazed link building on Denmark Place; and,
- e) All junctions between new and old fabric showing the relationship between the two into and alongside one another shown on drawings at a minimum scale of 1:10.

The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

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.

- 9 A door and window schedule shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun and detailing proposed works for repair and new doors and windows. Plan, elevation and section drawings of all new external doors and windows shall be provided at a scale of 1:10 with typical moulding and architrave details shall be at a scale of 1:1. These details shall also include all new cills. The work shall be carried out in accordance with the approved details.

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.

- 10 A final method statement and engineer's support documents for the works to temporarily lift, relocate and reinstate the smithy building at 23 Denmark Place shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun. This statement shall include a step by step sequence for all works to relocate and reposition the building. The work shall be carried out in accordance with the approved method.

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.

- 11 A demolition method statement for 23 Denmark Place shall be submitted to and approved in writing by the Council as local planning authority, before the relevant work is begun. The method statement shall detail the manner of ensuring the structural stability of 26 Denmark Street and 22 Denmark Place during the entirety of the demolition works. The work shall be carried out in accordance with such approved method.

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.

- 12 Notwithstanding the approved drawings and support documents no works to remove render or paint on 26 Denmark Street and 22 Denmark Place is authorised by this consent without prior approval of details. Those details shall include a method statement and undertaking of trials and shall be submitted to and approved in writing by the Council as local planning authority before the work is begun. The work shall be carried out in accordance with such approved proposals.

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.

- 13 No cleaning of brickwork other than a gentle surface clean using a nebulous water spray is authorised by this consent without prior approval of details. Those details shall include the cleaning method and undertaking of trials that shall be submitted to and approved in writing by the Council as local planning authority, before the work is begun. The work shall be carried out in accordance with such approved trials.

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.



- 14 A schedule of works and a method statement to repair and replace bricks on 26 Denmark Street and 22 Denmark Place shall be submitted to and approved in writing by the Council as local planning authority before the work is begun. The work shall be carried out in accordance with such approved proposals.

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.

- 15 Detailed drawings, a sample of materials and manufacturer's specification as appropriate in respect of all facing materials shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun. The details shall also include all materials on and within the glass box including but not limited to all balustrading and the architectural steelwork frame. The work shall be carried out in accordance with the approved proposals.

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.

- 16 Notwithstanding the approved drawings and support documents no structural works to the roof or chimney on 26 Denmark Street is authorised by this consent without prior approval of details. Those details shall include evidence for requiring the works, drawings, a method statement and supporting documentation from a structural engineer that shall be submitted to and approved in writing by the Council as local planning authority before the work is begun. The work shall be carried out in accordance with such approved proposals.

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.

- 17 Notwithstanding the approved drawings and support documents, all existing roof tiles on 26 Denmark Place shall be retained unless it can be proven that they are beyond the useful life. Replacement tiles shall be submitted to and approved in writing by the Council as local planning authority before the work is begun. The work shall be carried out in accordance with such approved proposals.

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 You are advised that any works of alterations or upgrading not included on the approved drawings which are required to satisfy Building Regulations or Fire Certification may require a further application for listed building consent.



**Application No: 2015/6939/P**


**St.Giles Circus site including: site of 138-148 (even)  
Charing Cross Road 4 6 7 9 10 20-28 (inc) Denmark  
Street 1-6 (inc) 16-23 (inc) Denmark Place...**

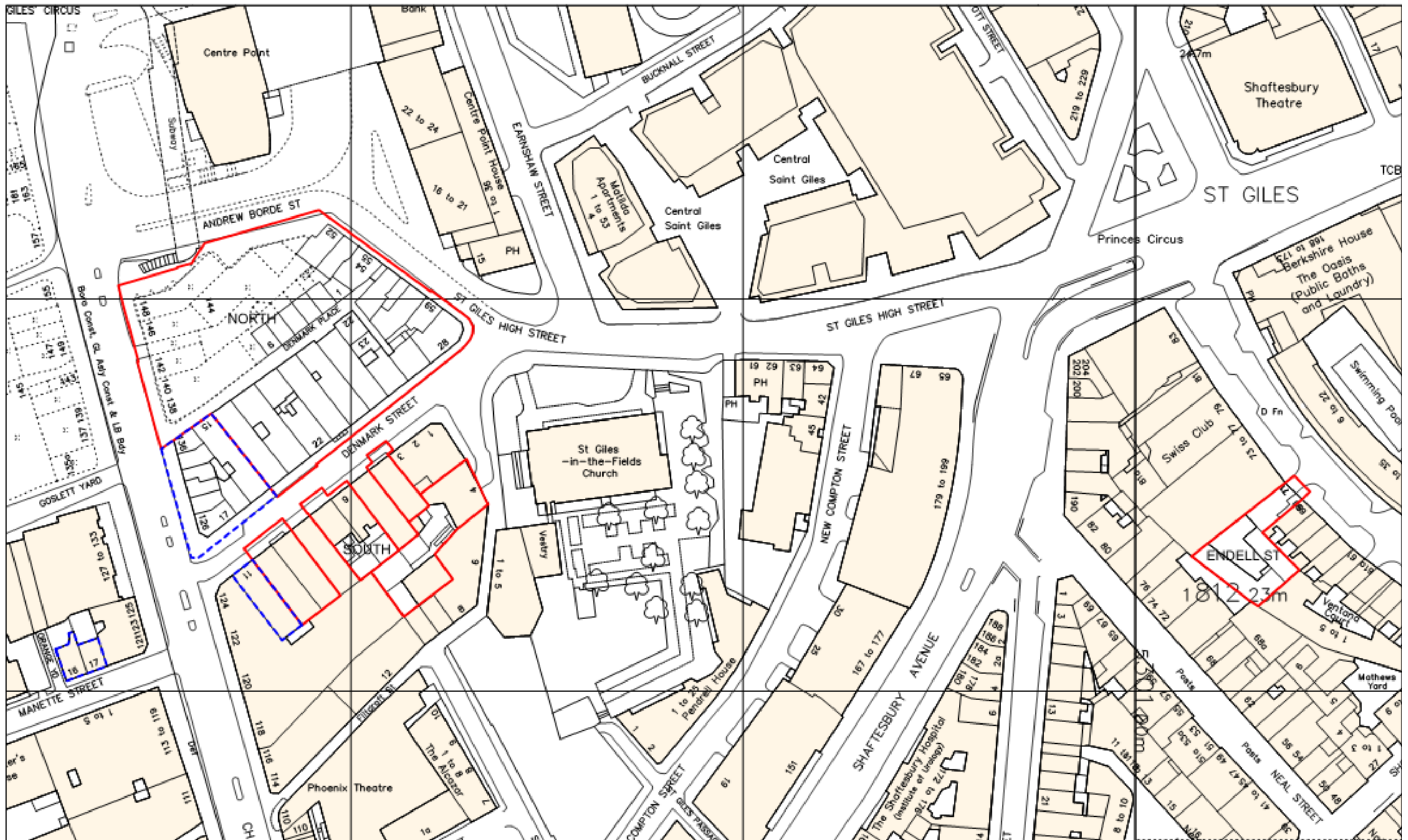
**Scale:  
1:1175  
Date:  
4-Mar-16**

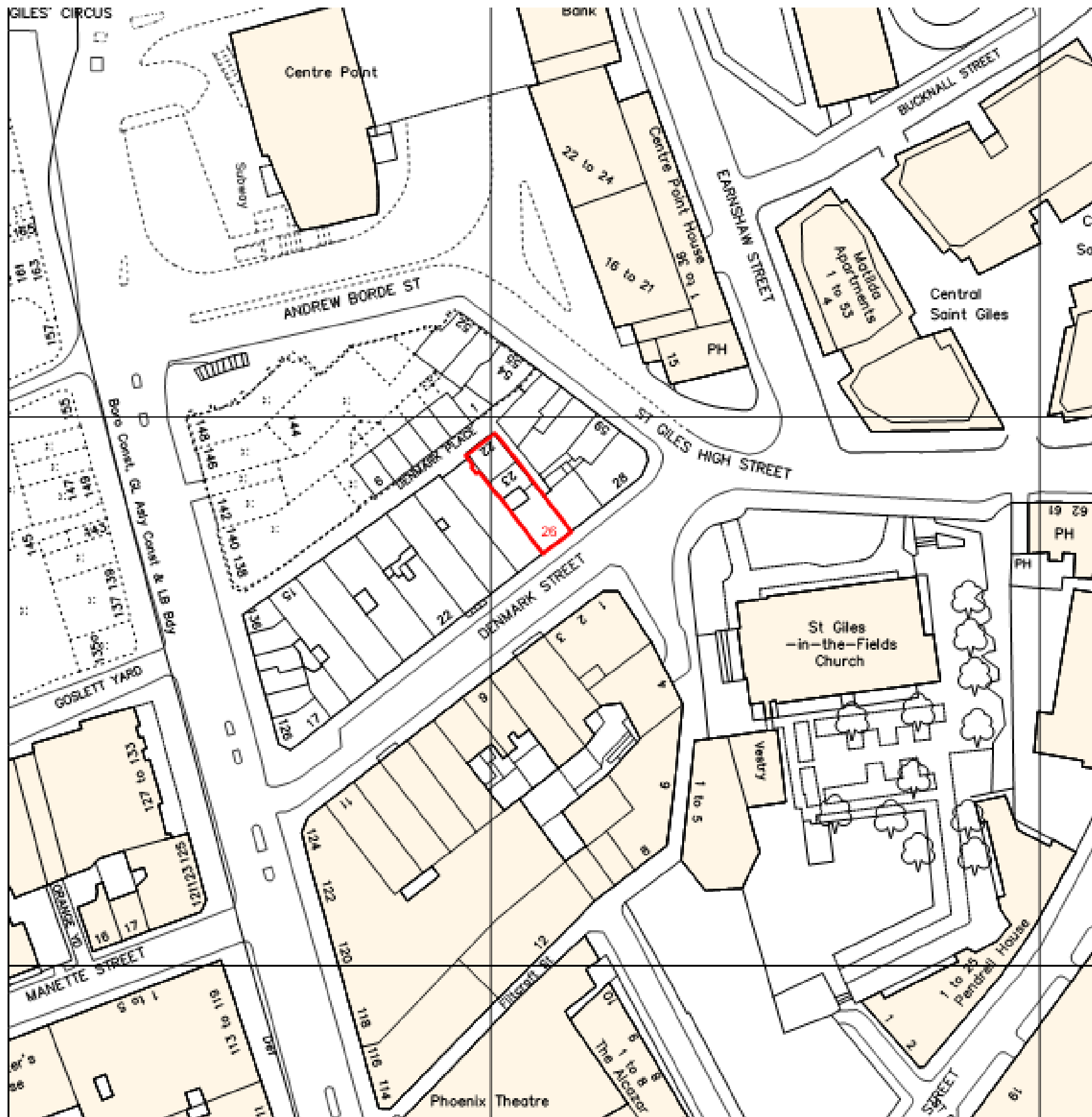


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	<p><b>Application No: 2015/6937/L</b></p> <p><b>22-23 Denmark Place and 26 Denmark Street</b></p> <p><b>London WC2H</b></p>	<p><b>Scale:</b> 1:1250</p> <p><b>Date:</b> 4-Mar-16</p>	<p><b>N</b></p> 
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Above: 22 and 23 Denmark Place to the rear of 26 Denmark Street



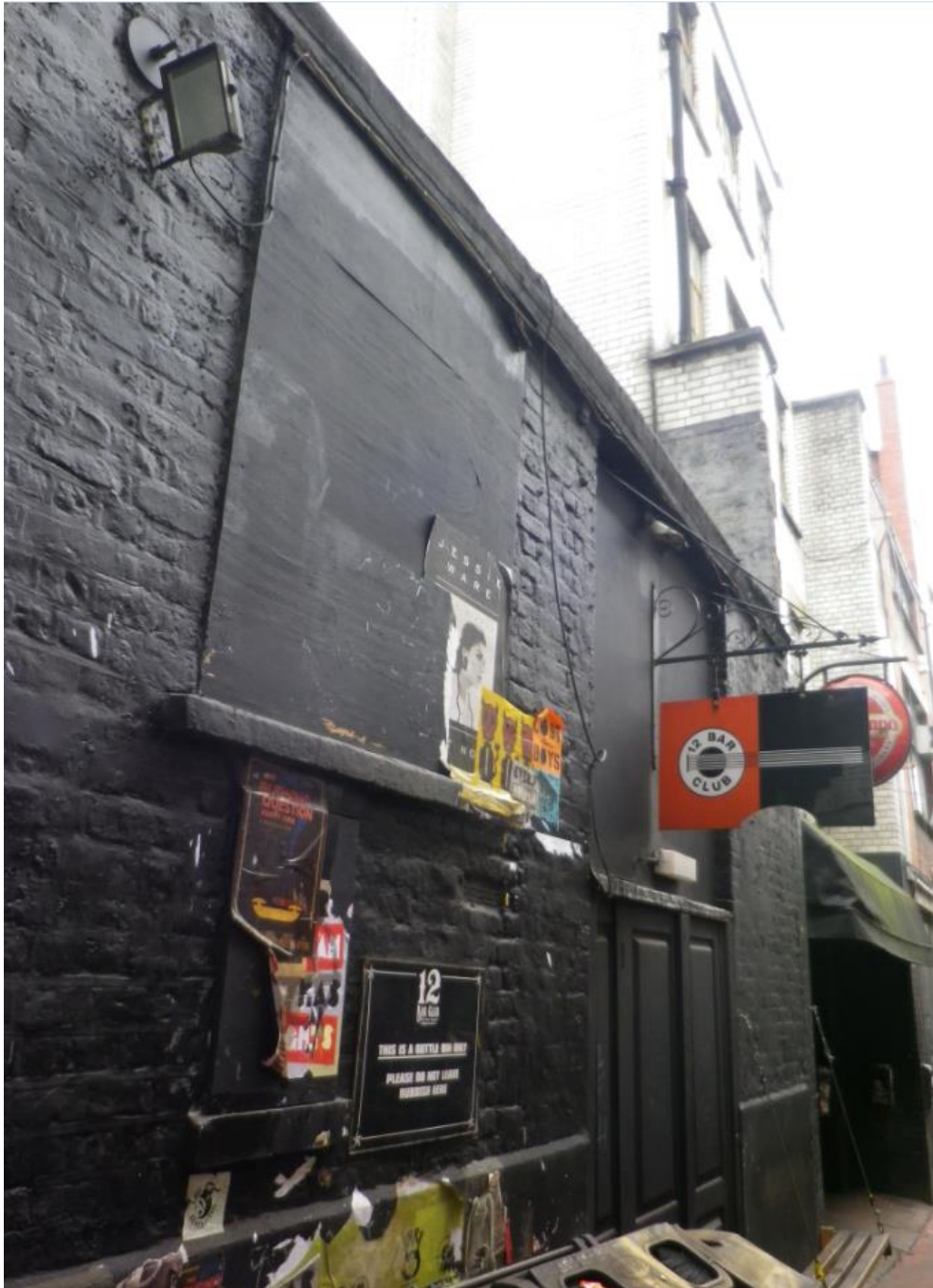
Above: Front elevation of 26 Denmark Street



Above: 23 Denmark Place side elevation



Above: 22 Denmark Place (The Smithy)



Above: Rear elevation of 22 Denmark Place (The Smithy)



Above: Roof of 22 Denmark Place (The Smithy)

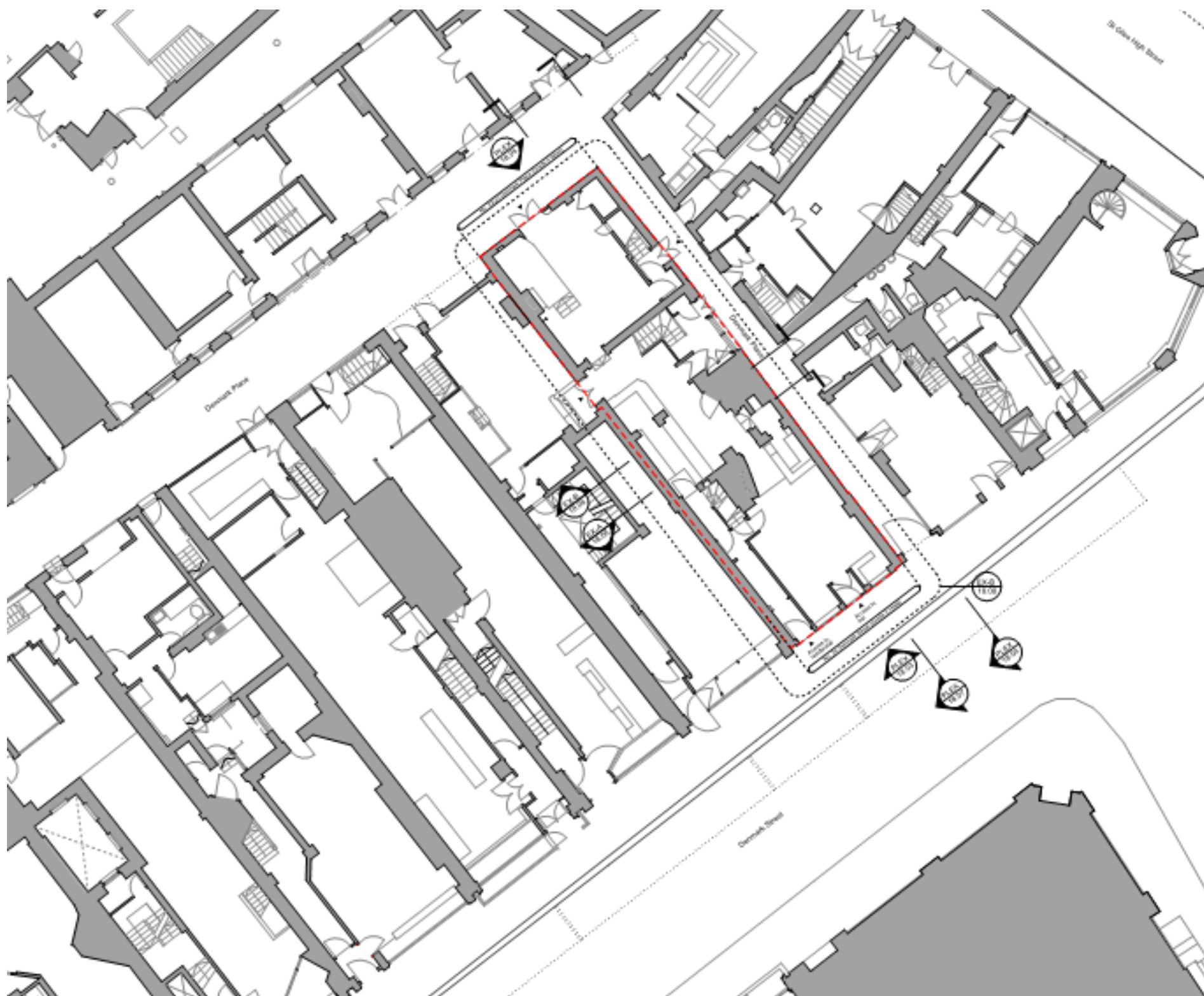


Above: 22 Denmark Place (The Smithy)

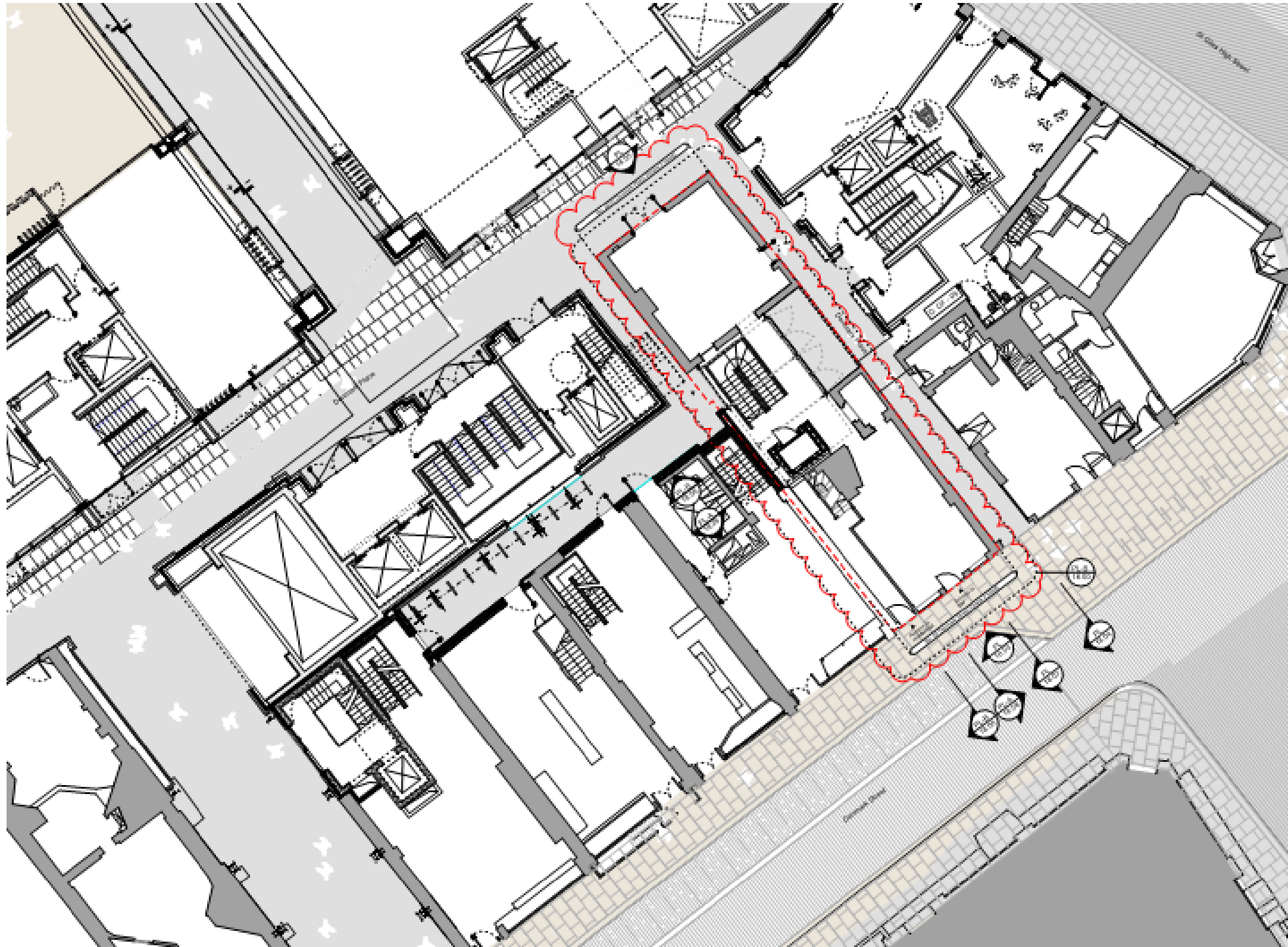


Above: Rear elevation of 23 Denmark Place





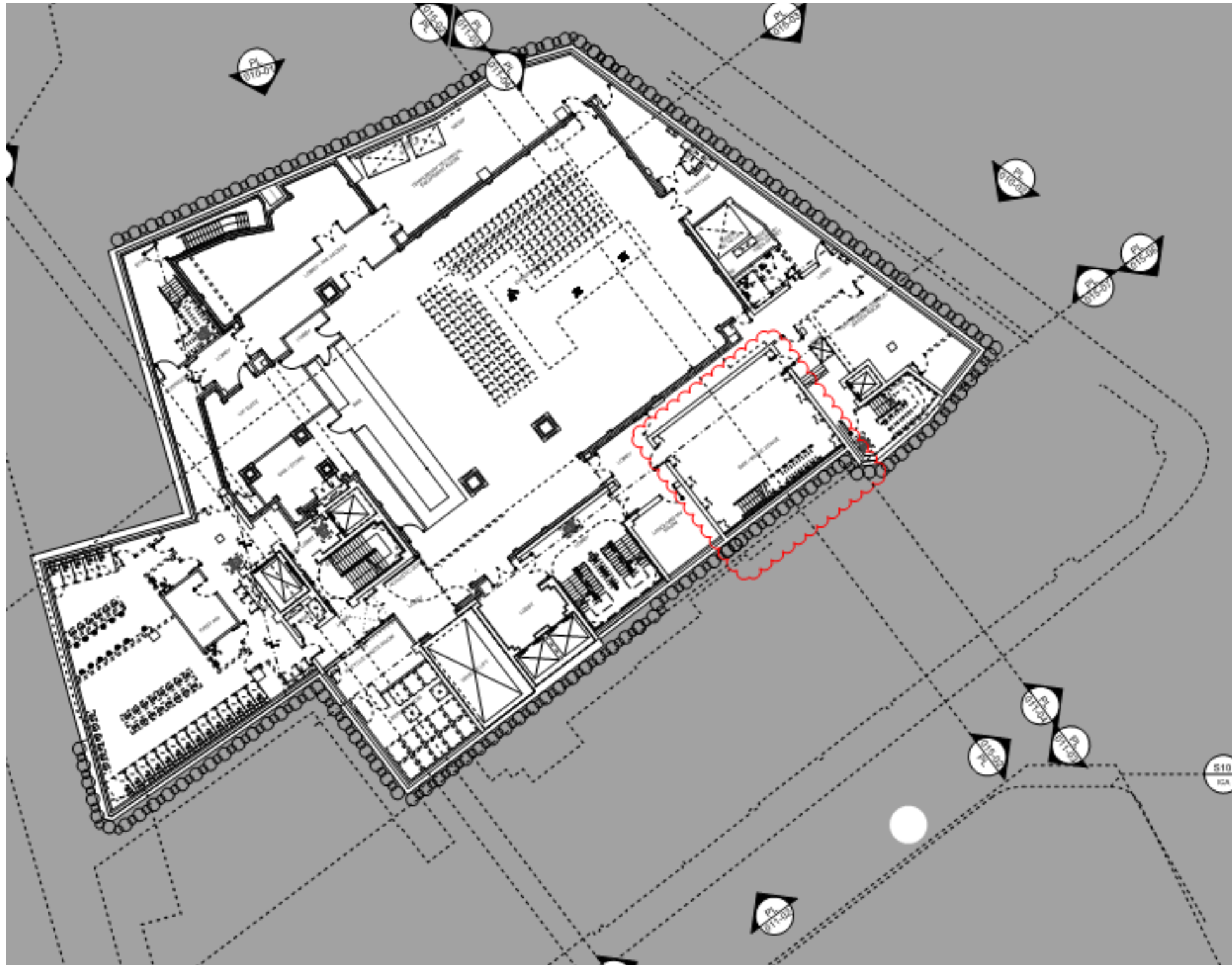
Above: Existing Site Plan



Above: Proposed Site Plan



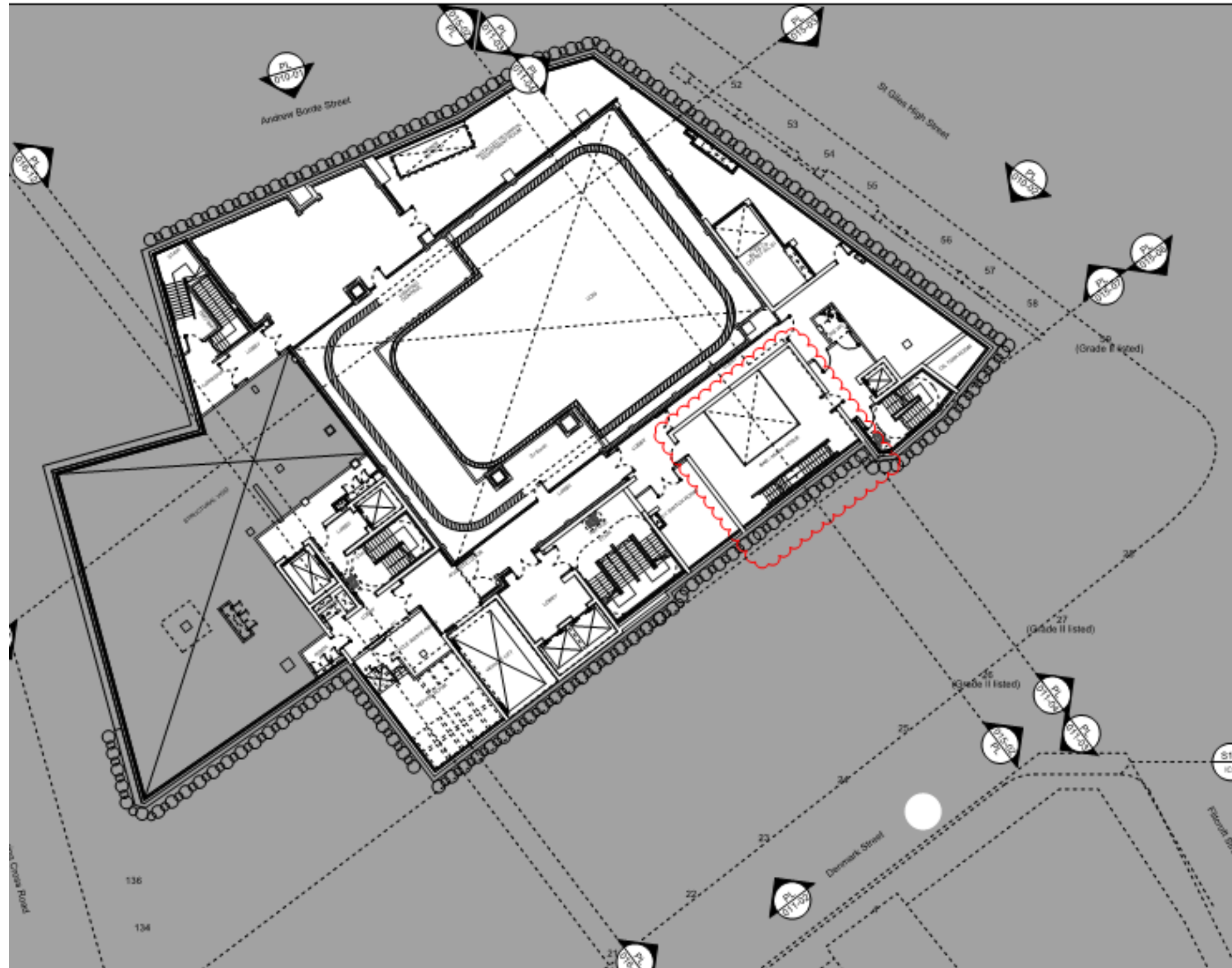
Above: Existing Consented (under 2015/6939/P) Basement Plan



Above: Proposed Basement Plan (Bar/Music Venue created in lieu of plant room)



Above: Existing Consented (under 2015/6939/P) Mezzanine Basement Plan



Above: Proposed Basement Mezzanine Plan (Bar/Music Venue created in lieu of plant room)



Above: Existing Consented (under 2015/6939/P) Lower Ground Floor Plan

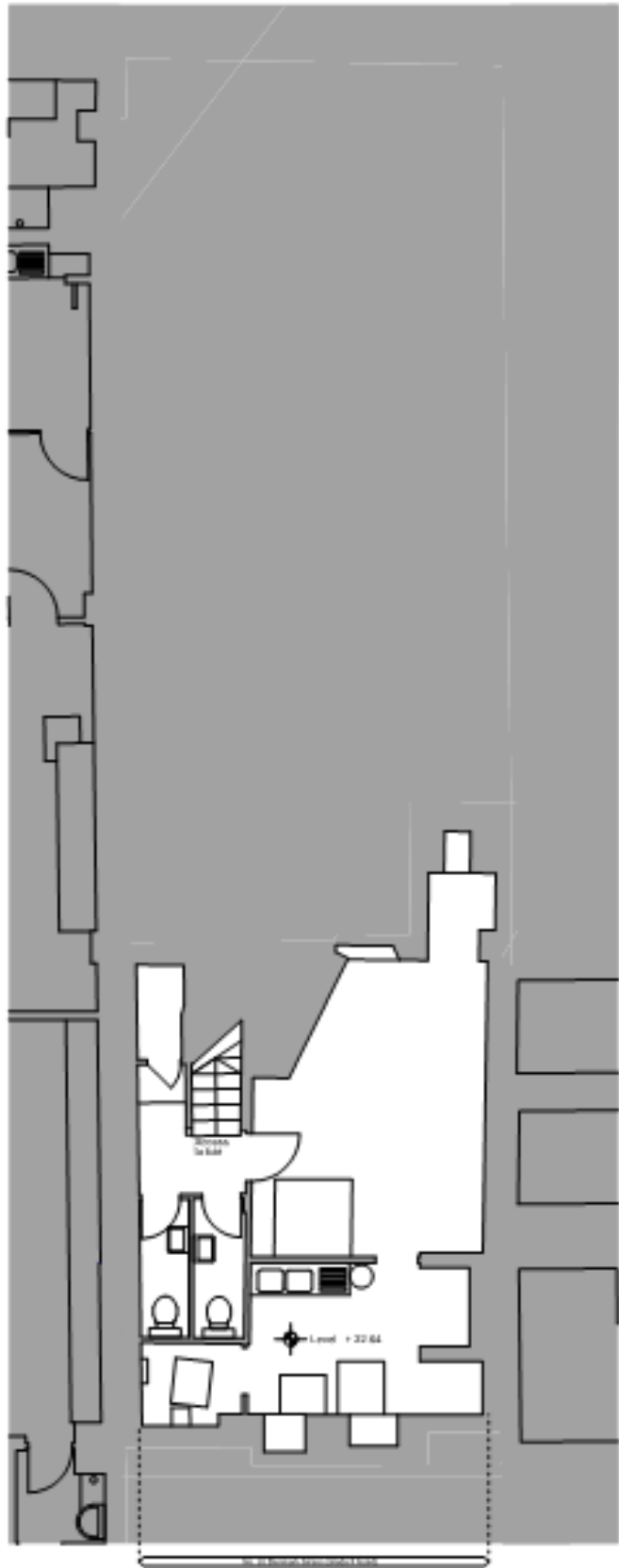


Above: Proposed Lower Ground Floor Plan (new basement under no. 23, structural voids under 22 and 25 reworked)

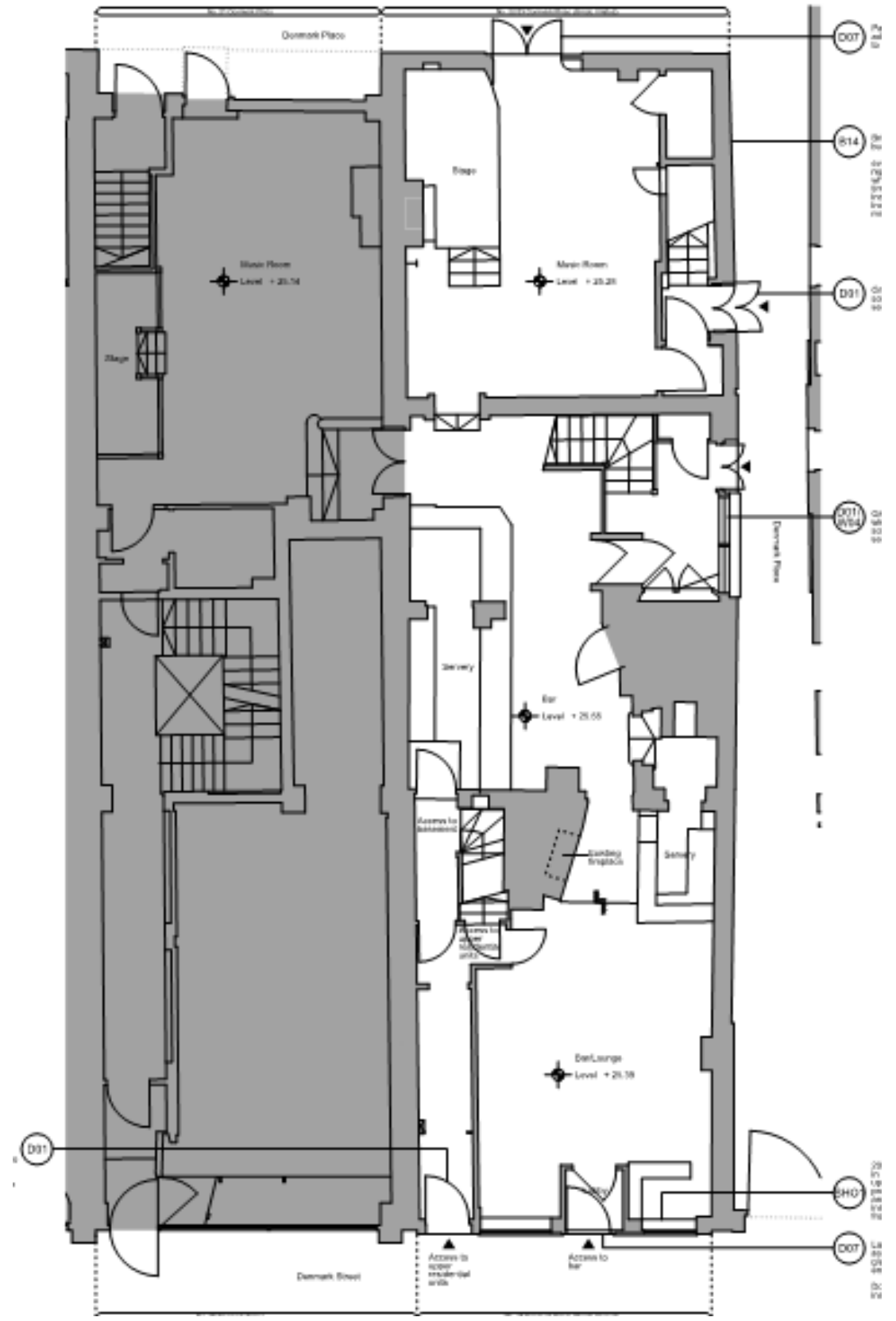




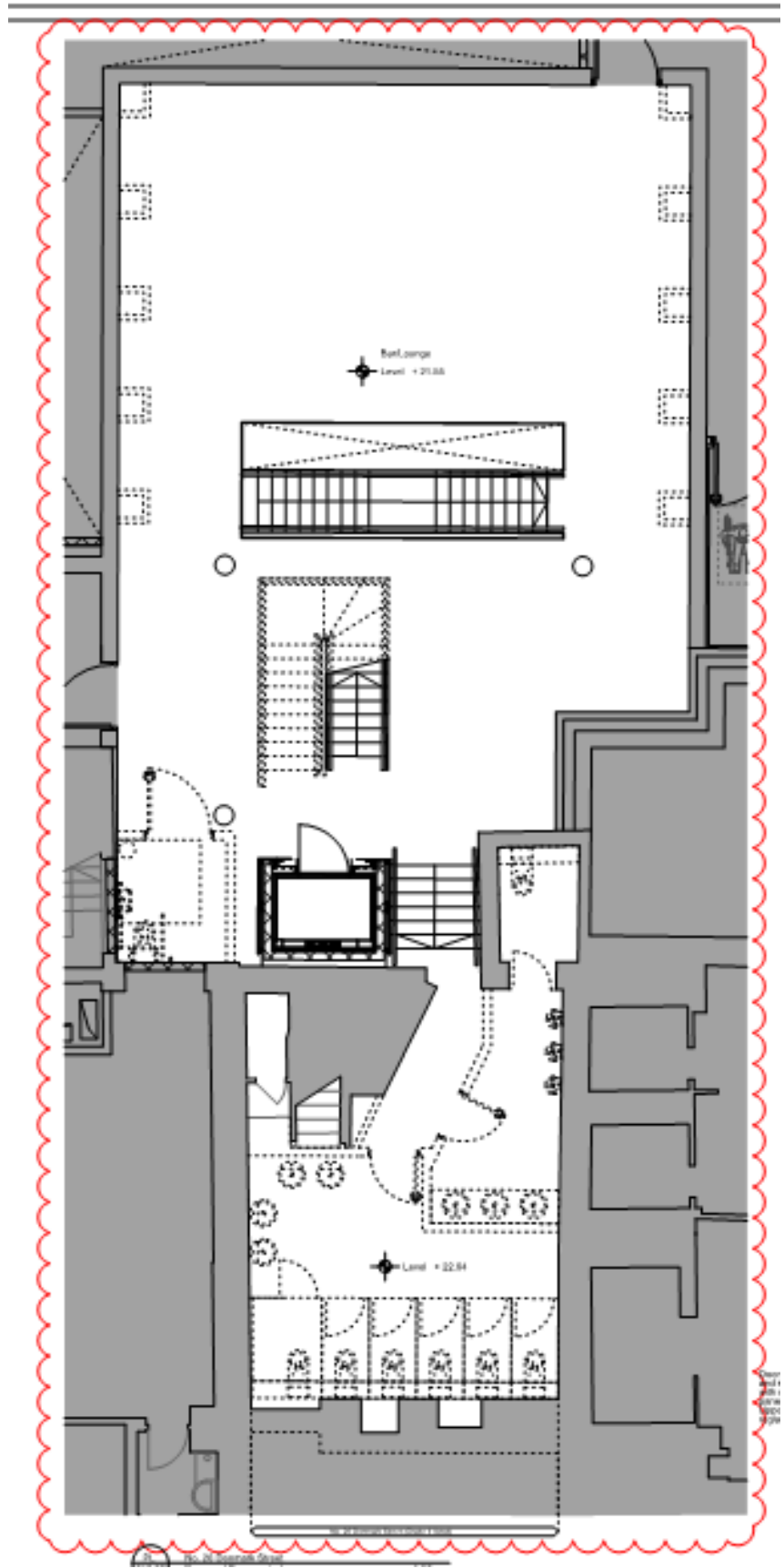
Above: Proposed Lower Ground Floor Plan (new basement under no. 23, structural voids under 22 and 25 reworked)



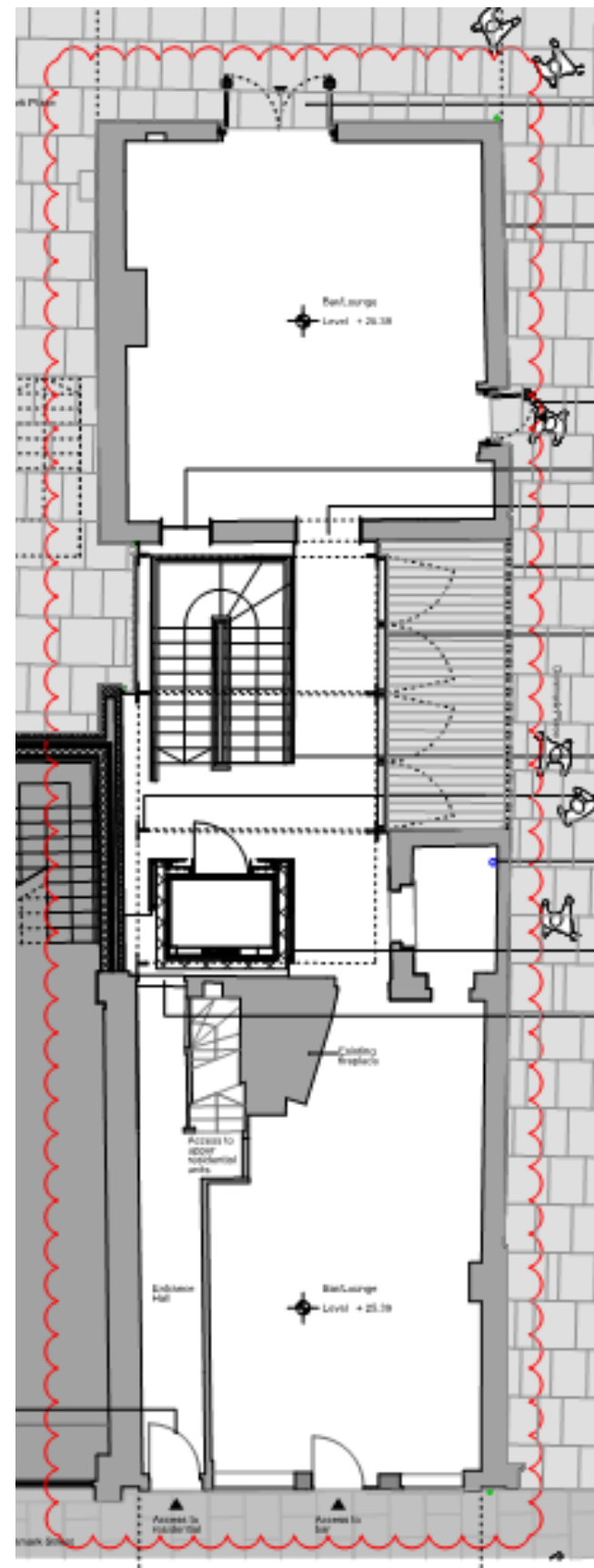
Above: Existing Lower Ground Floor



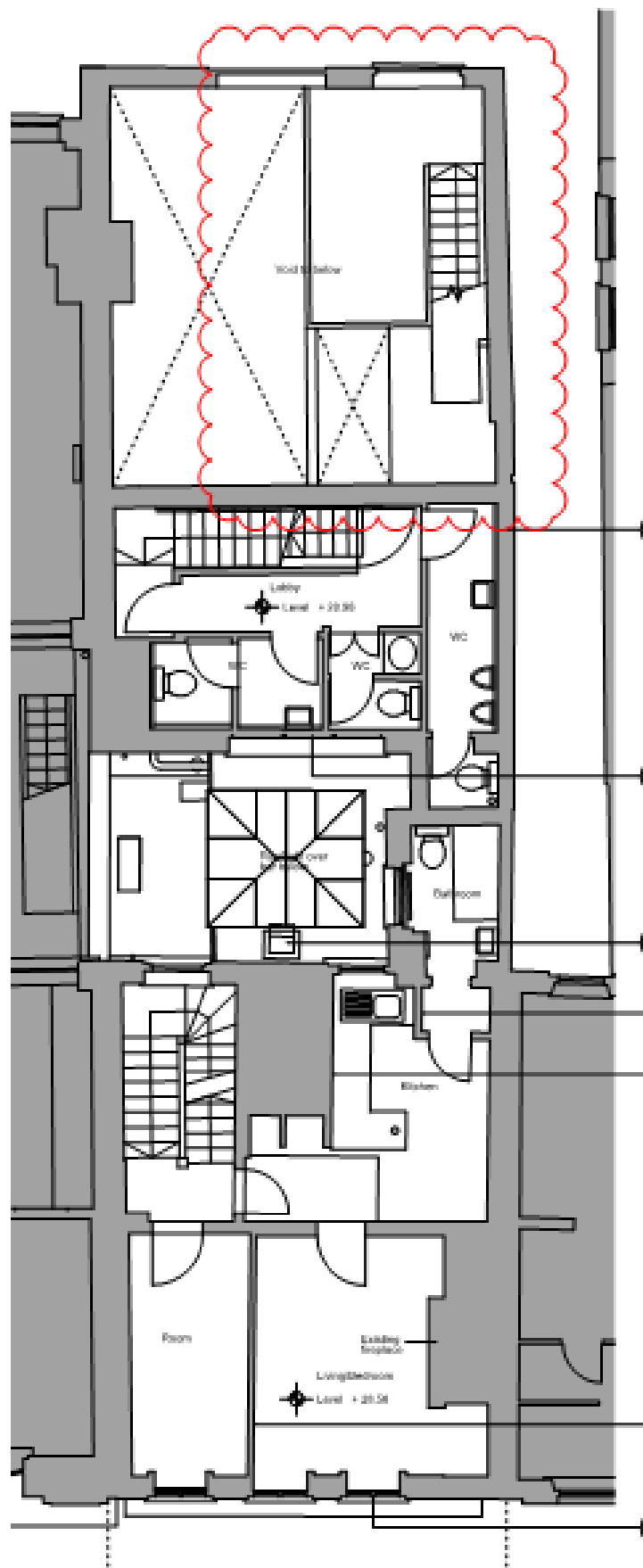
Above: Existing Ground Floor



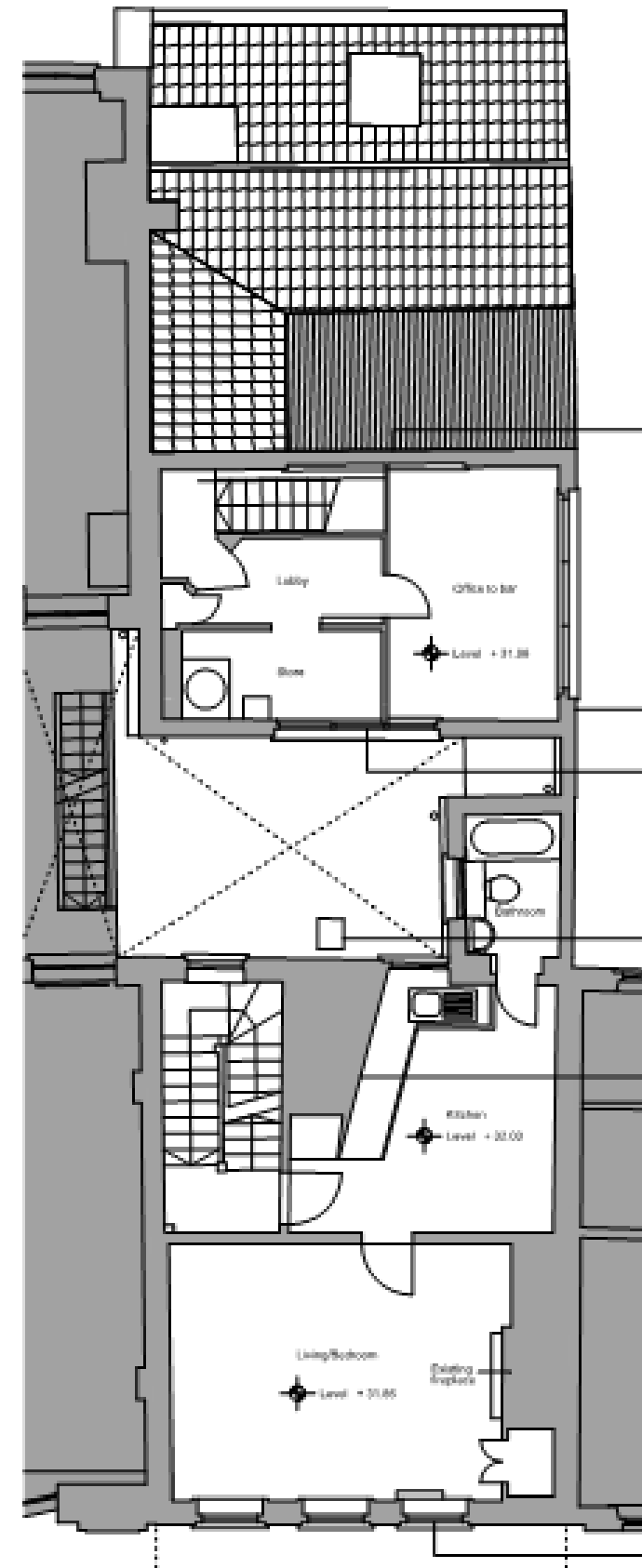
Above: Proposed Lower  
Ground Floor



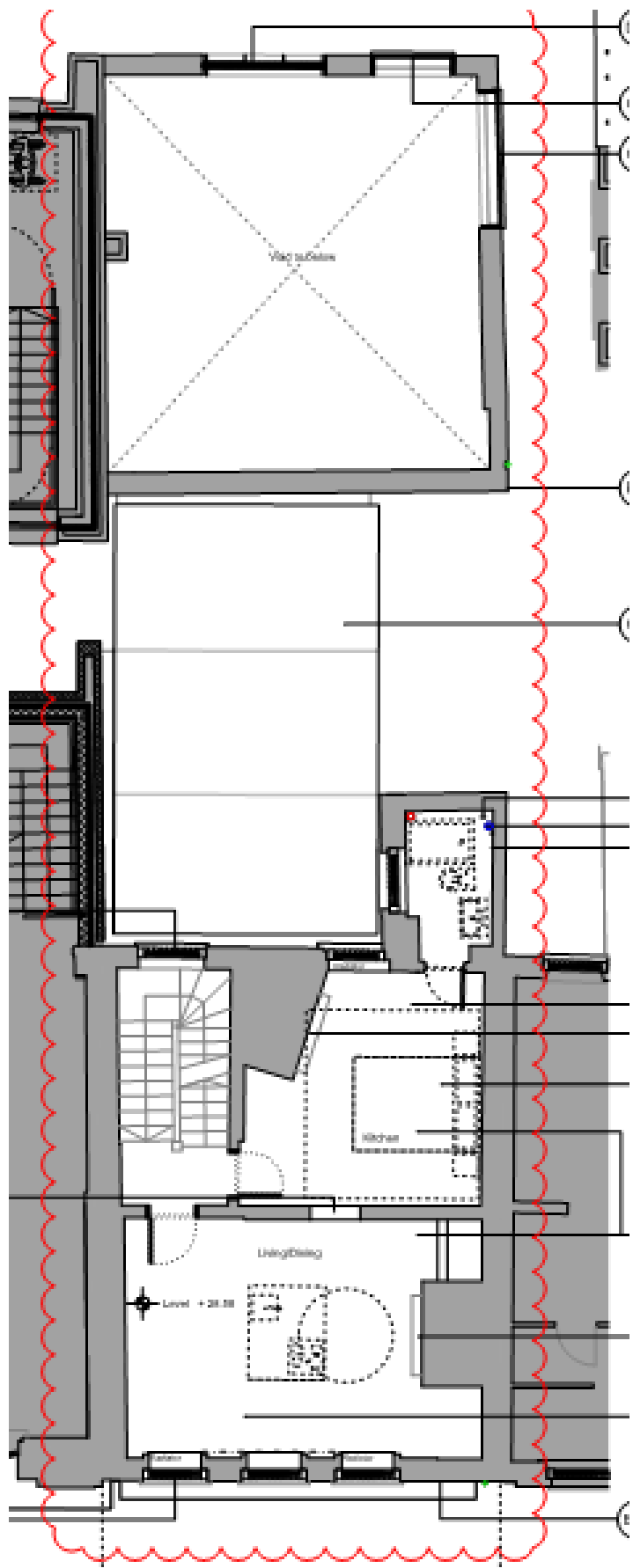
Above: Proposed Ground Floor



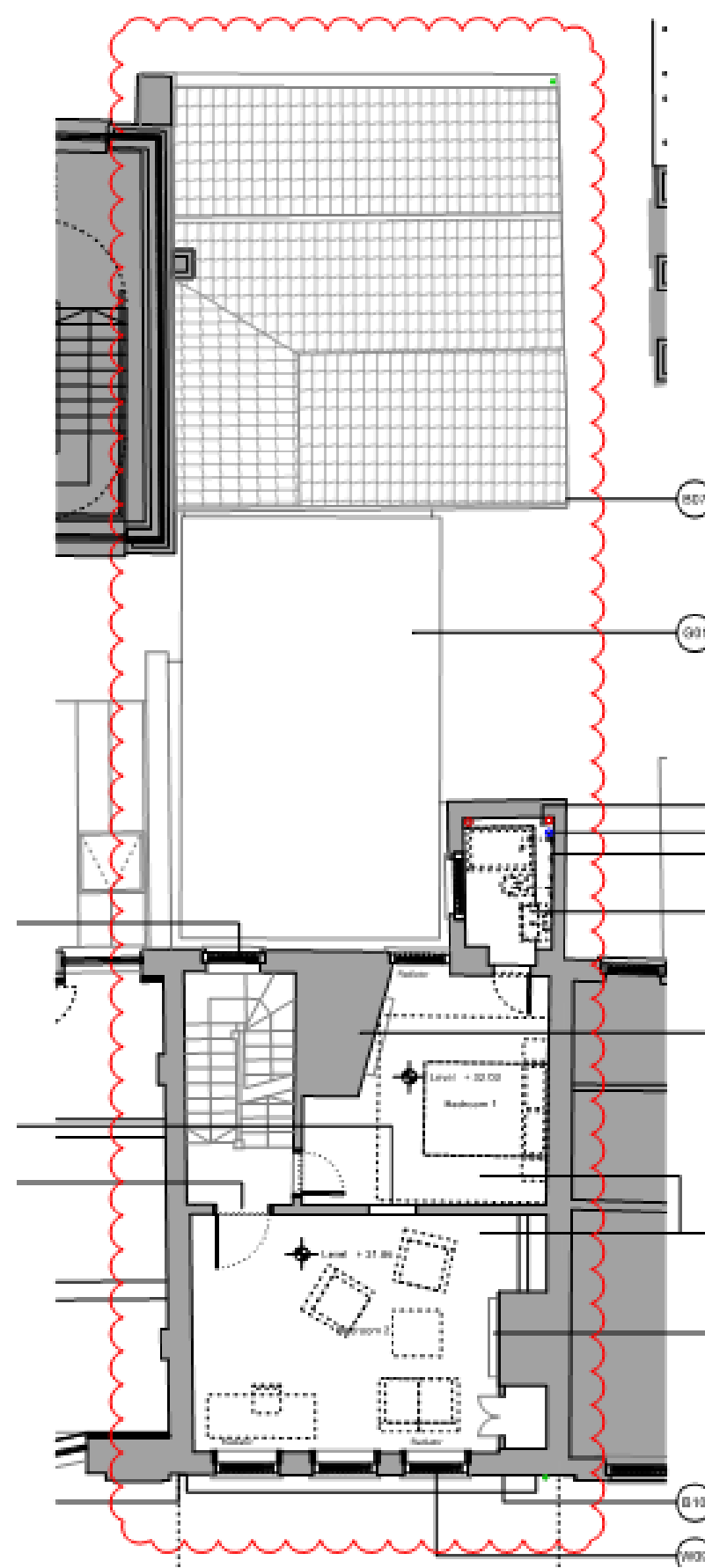
Above: Existing First Floor Plan



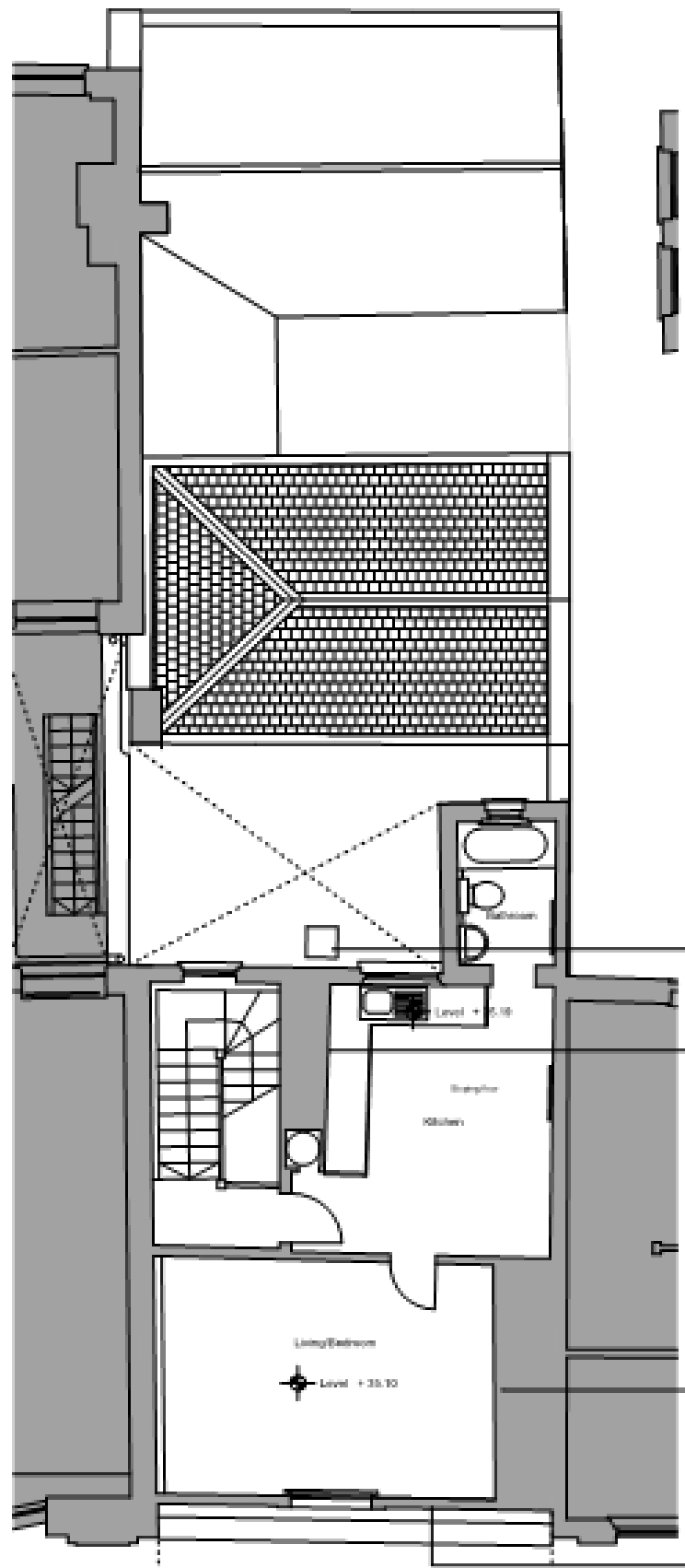
Above: Existing Second Floor Plan



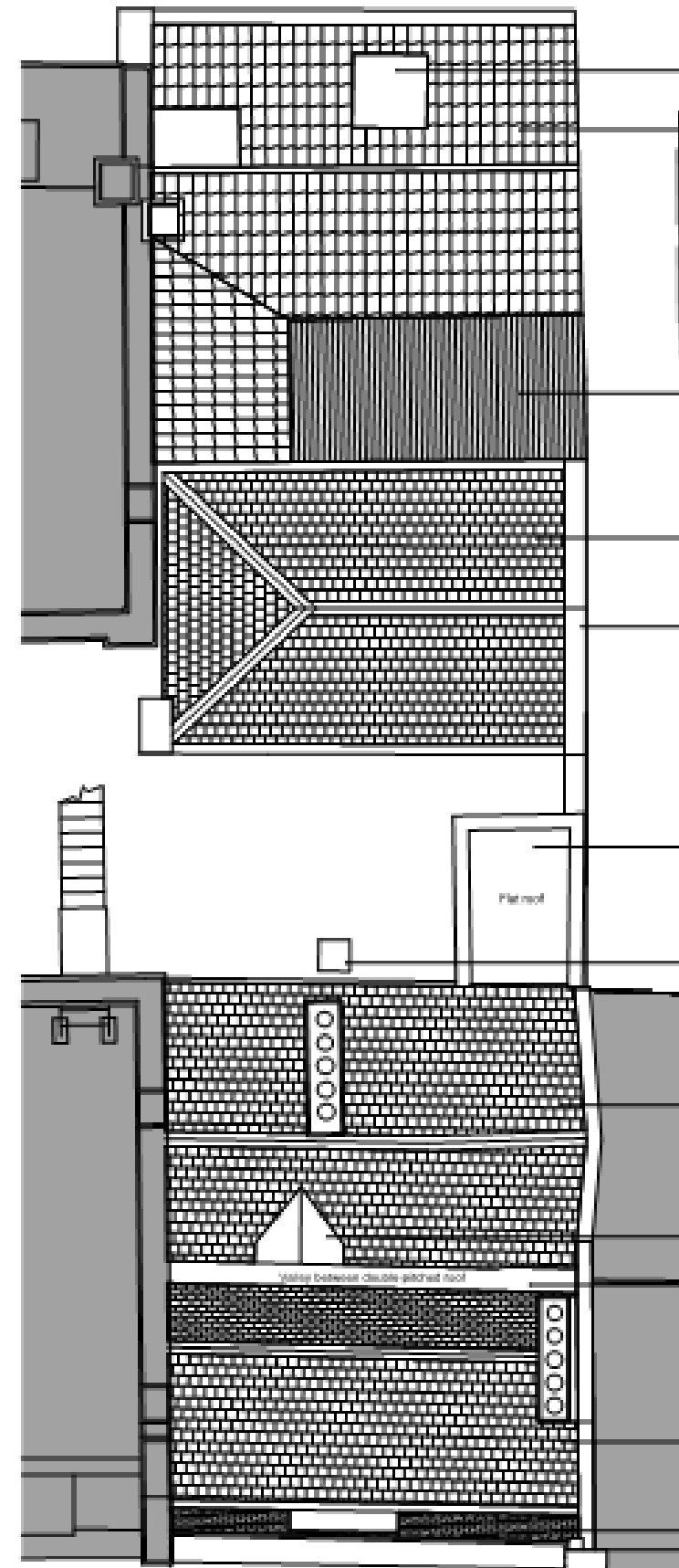
Above: Proposed First Floor Plan



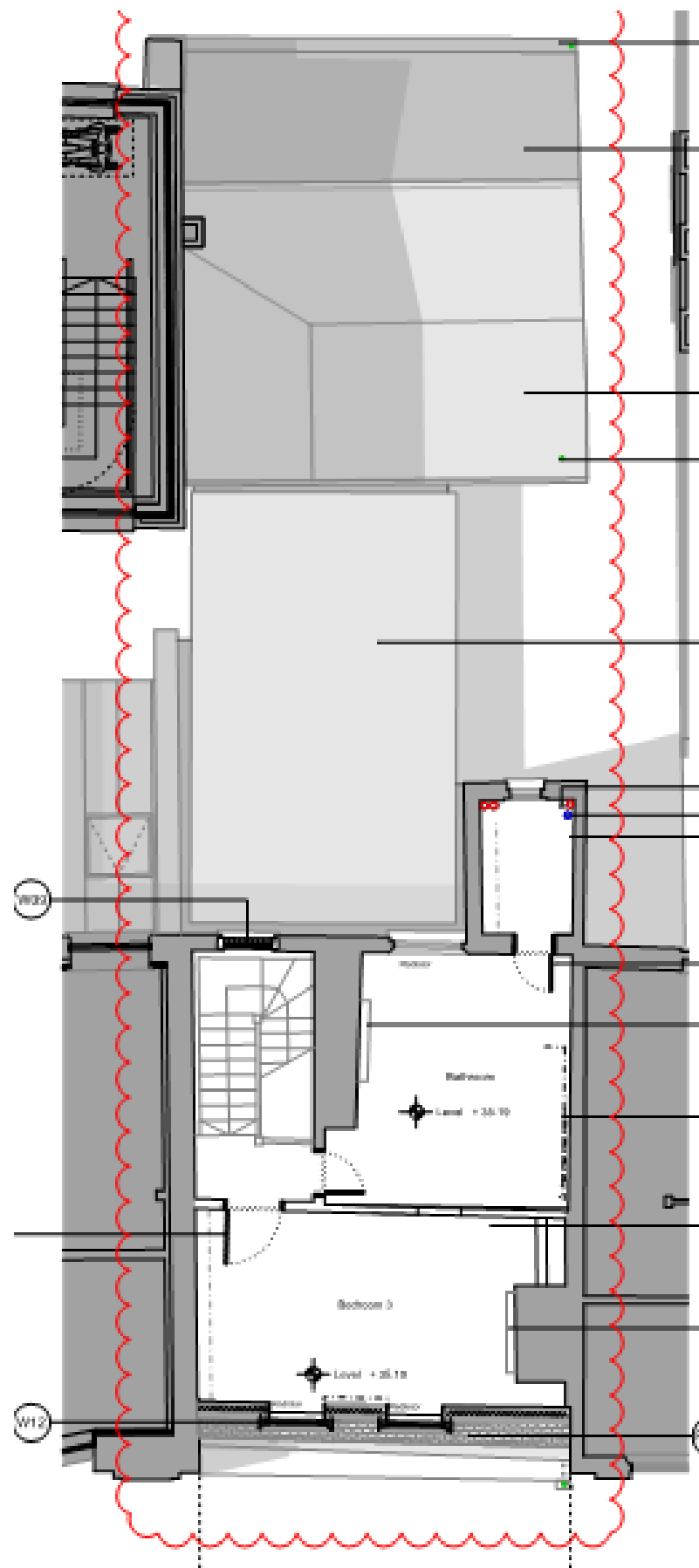
Above: Proposed Second Floor Plan



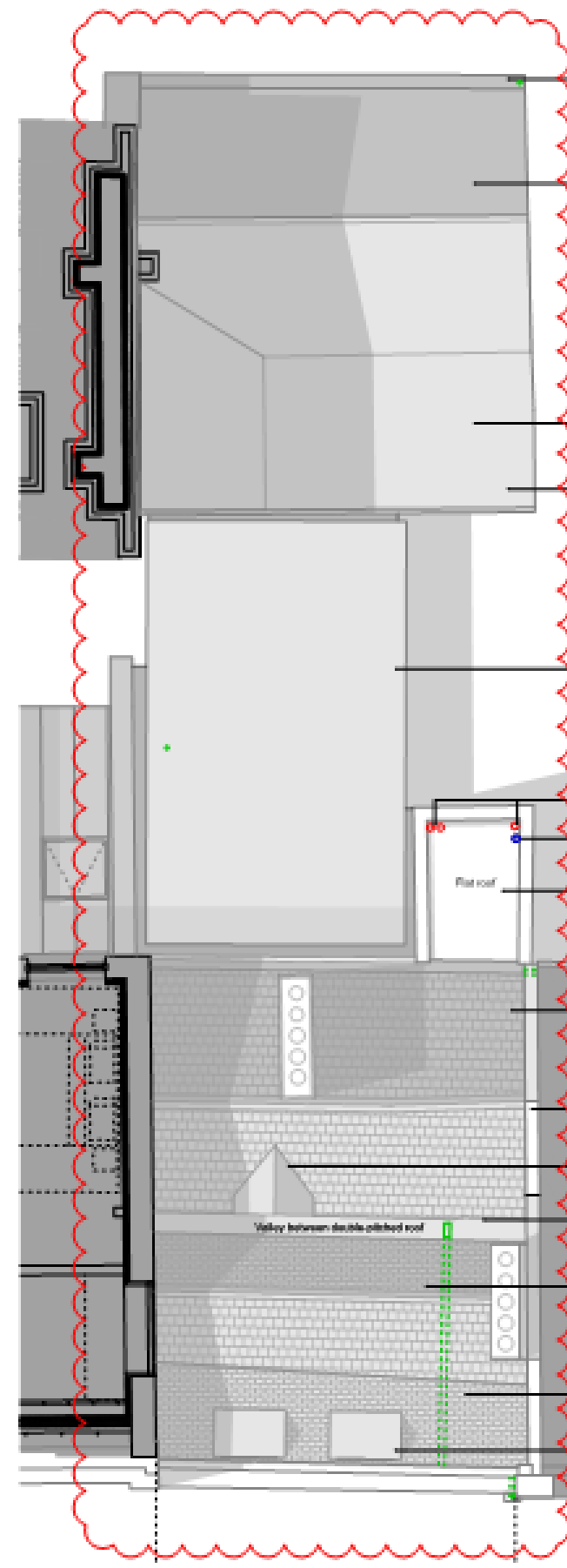
Above: Existing Third Floor Plan



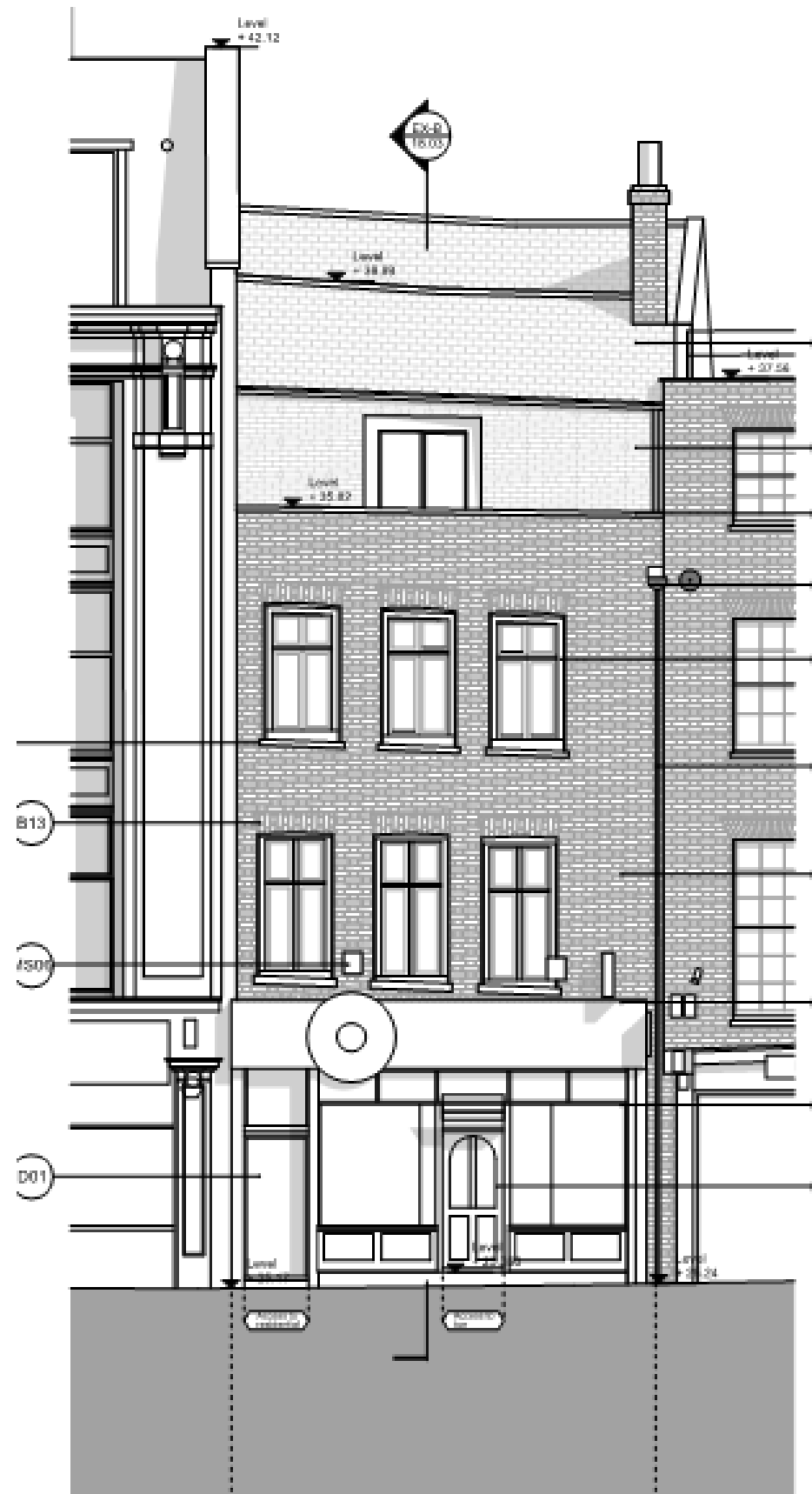
Above: Existing Roof Floor Plan



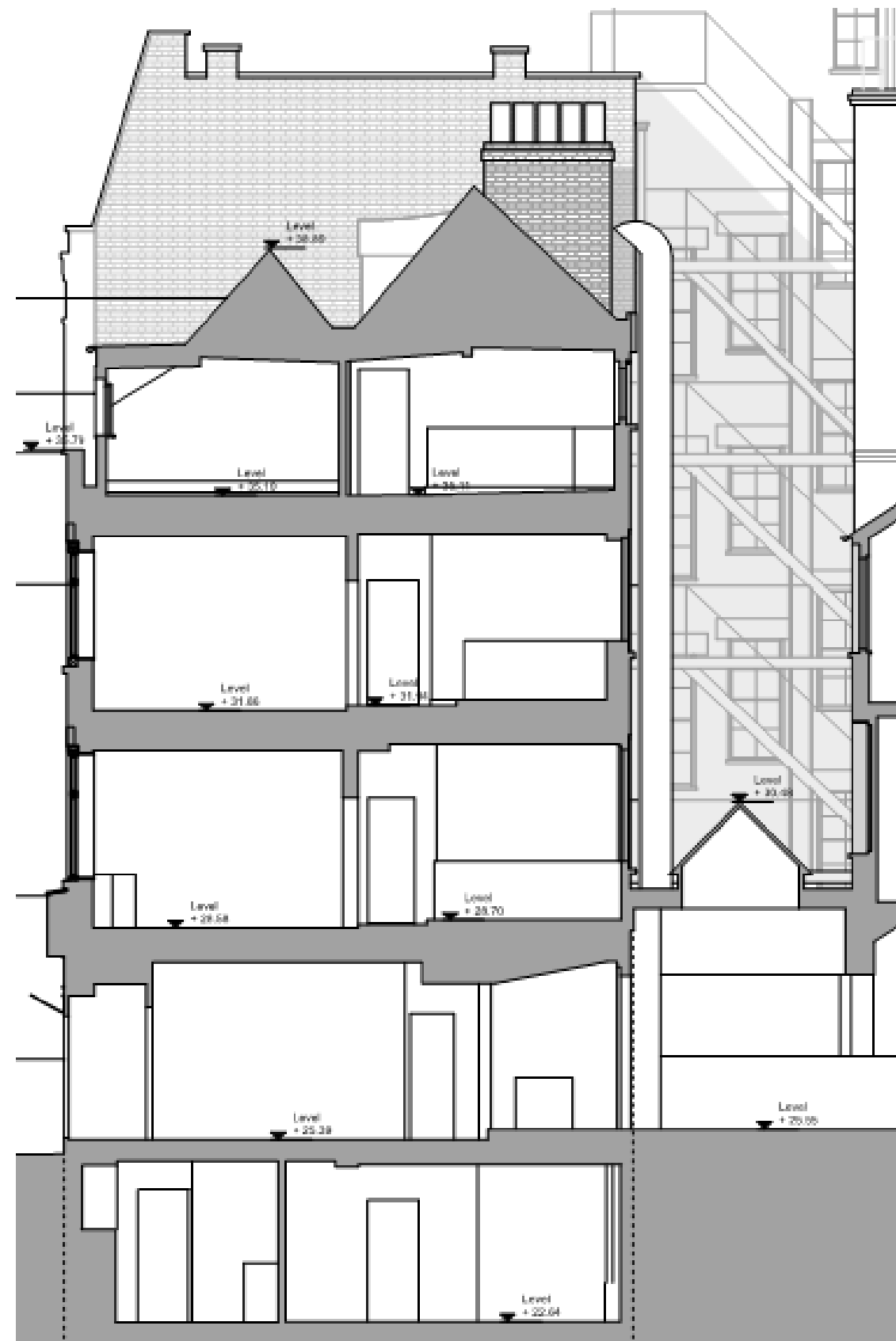
Above: Proposed Third Floor Plan



Above: Proposed Roof Floor Plan



Above: Existing Frontage

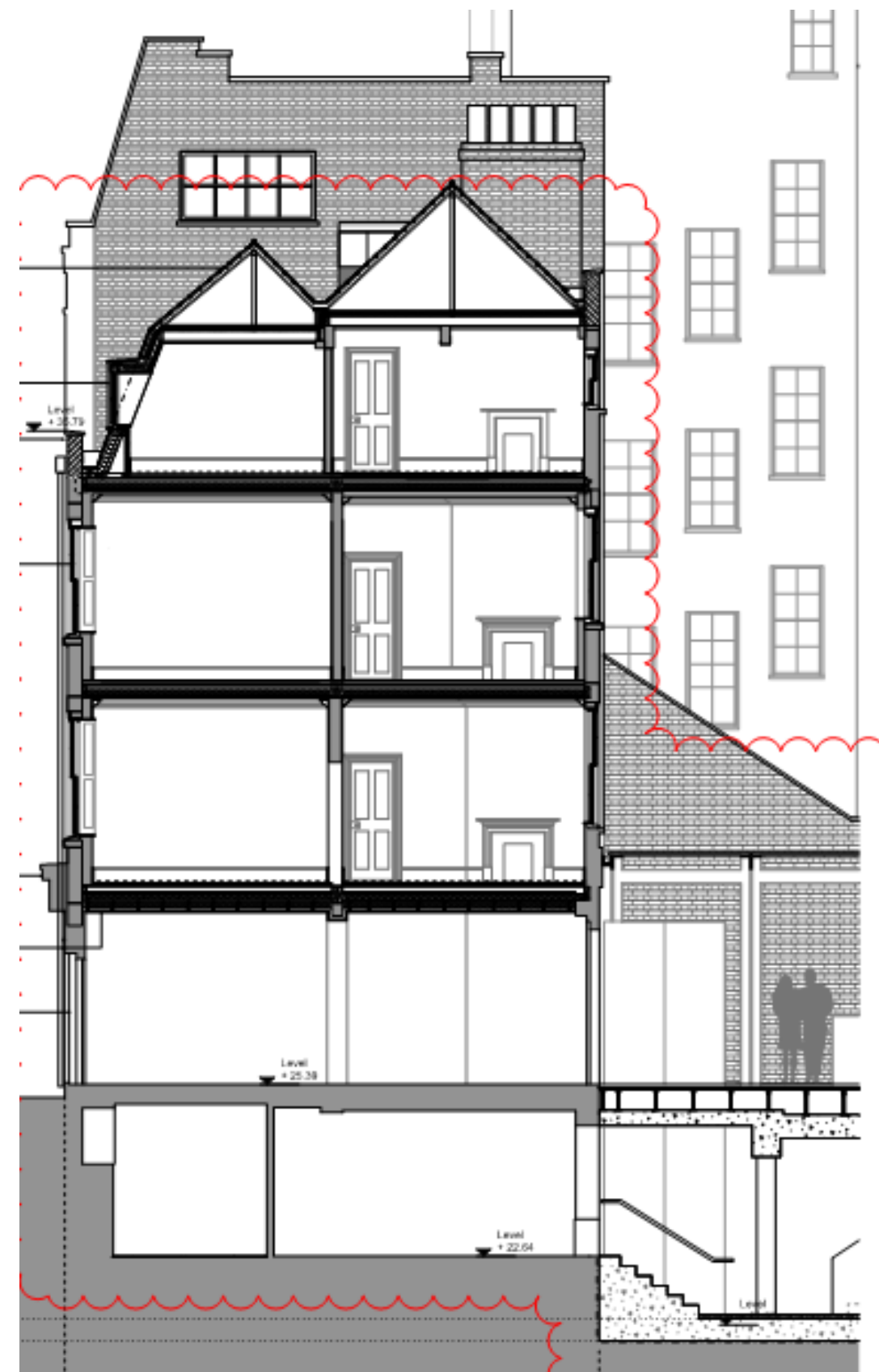


Above: Existing Section Through Frontage





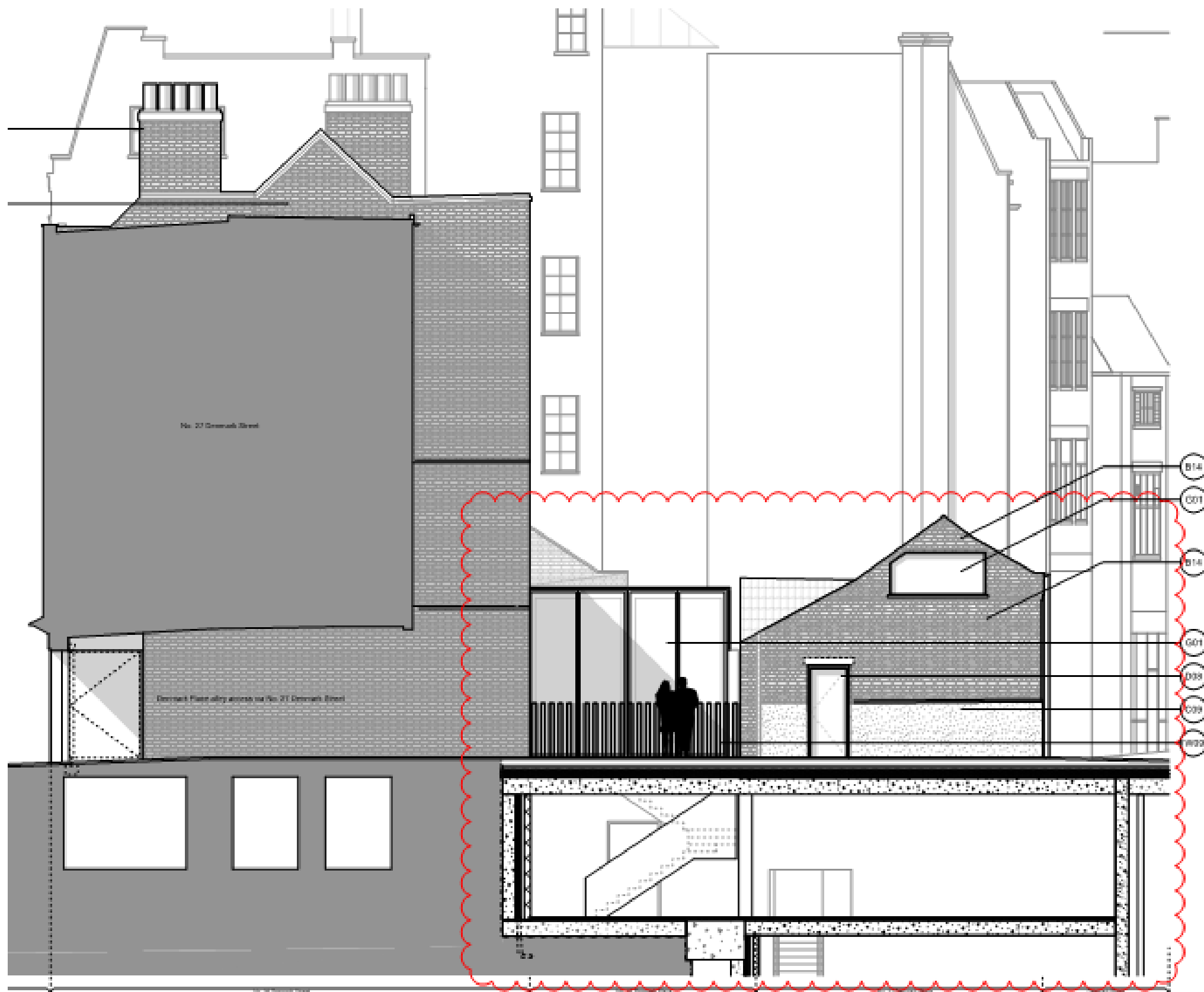
Above: Proposed Frontage



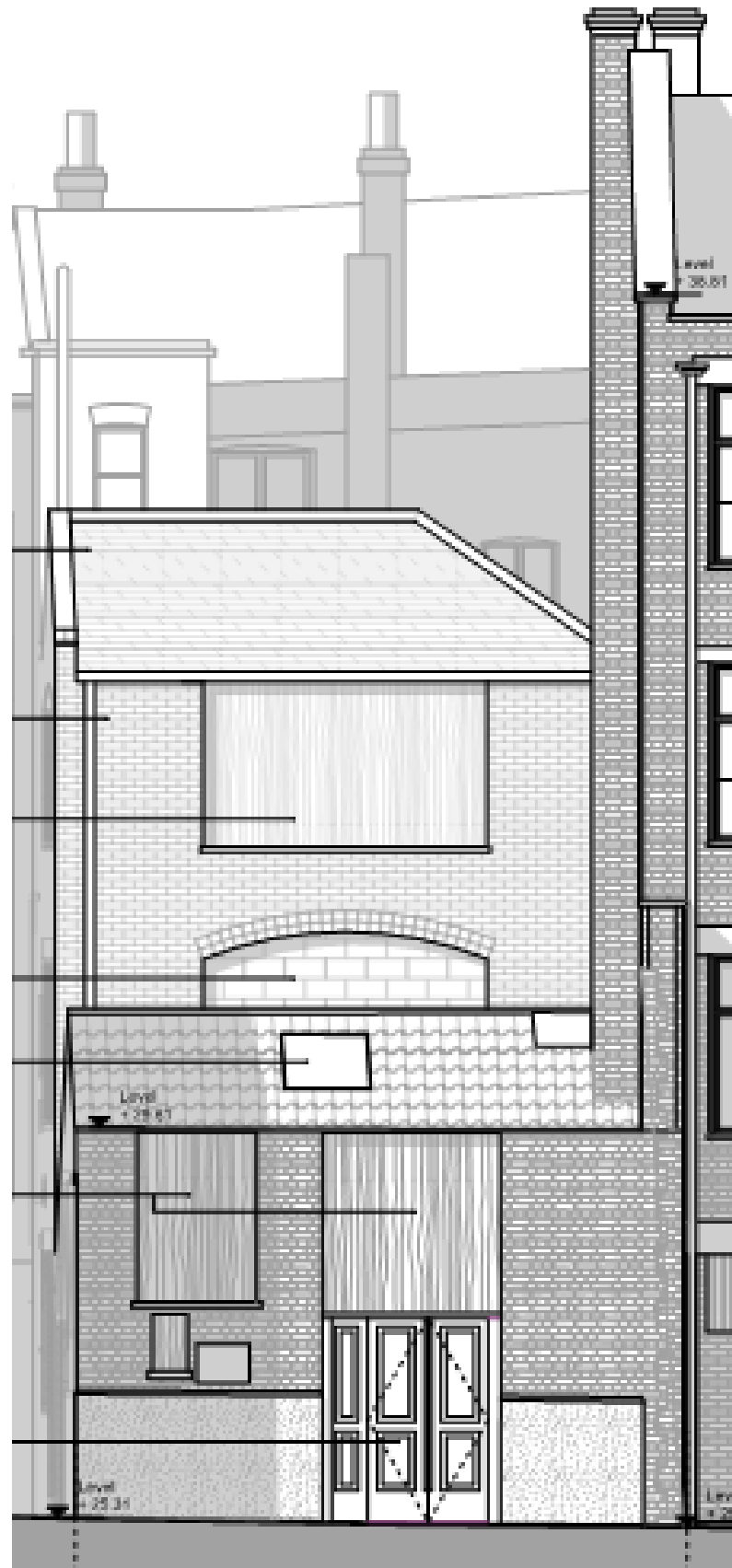
Above: Proposed Section Through Frontage



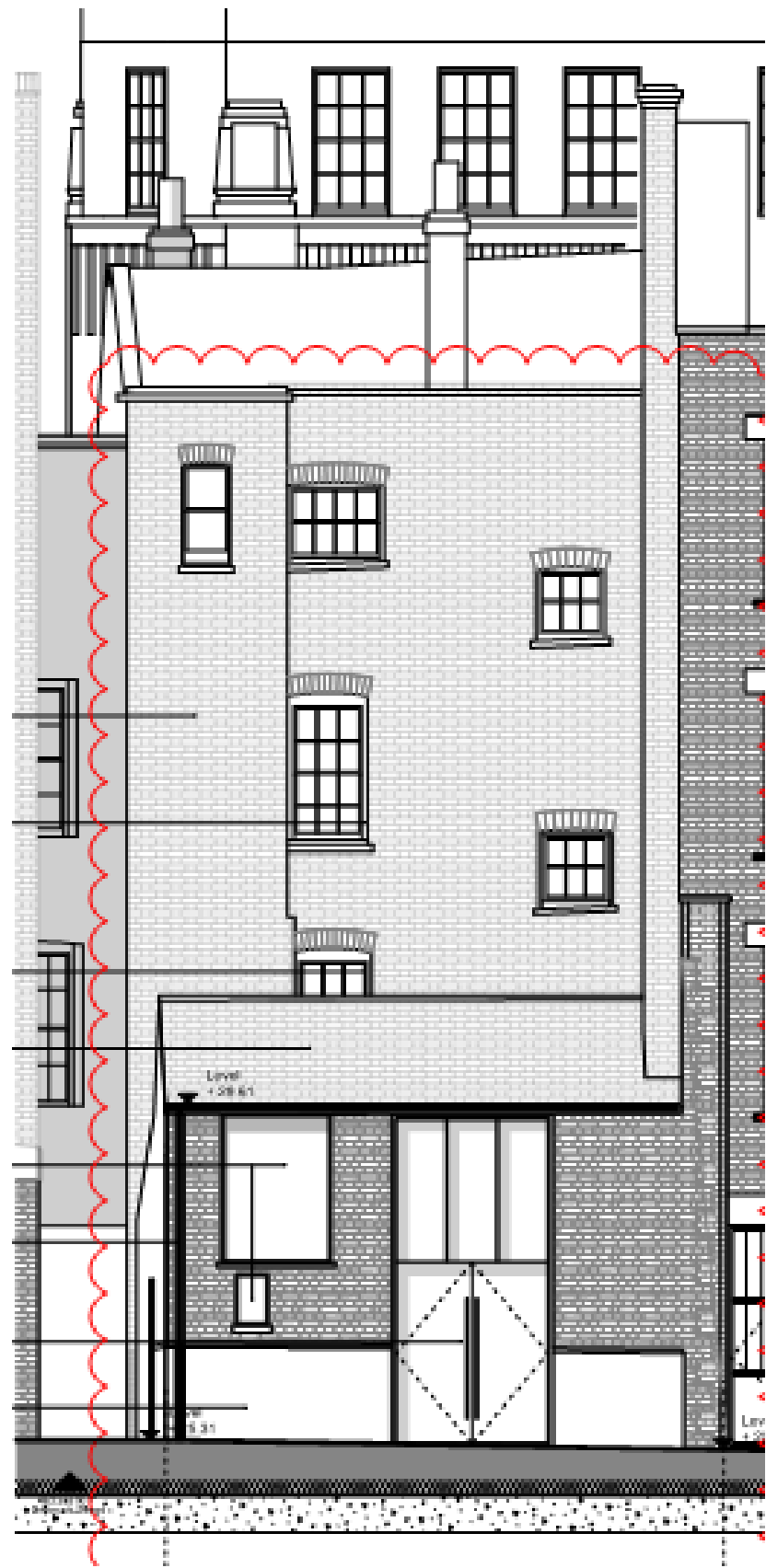
Above: Existing East Elevation



Above: Proposed East Elevation



Above: Existing Rear Elevation



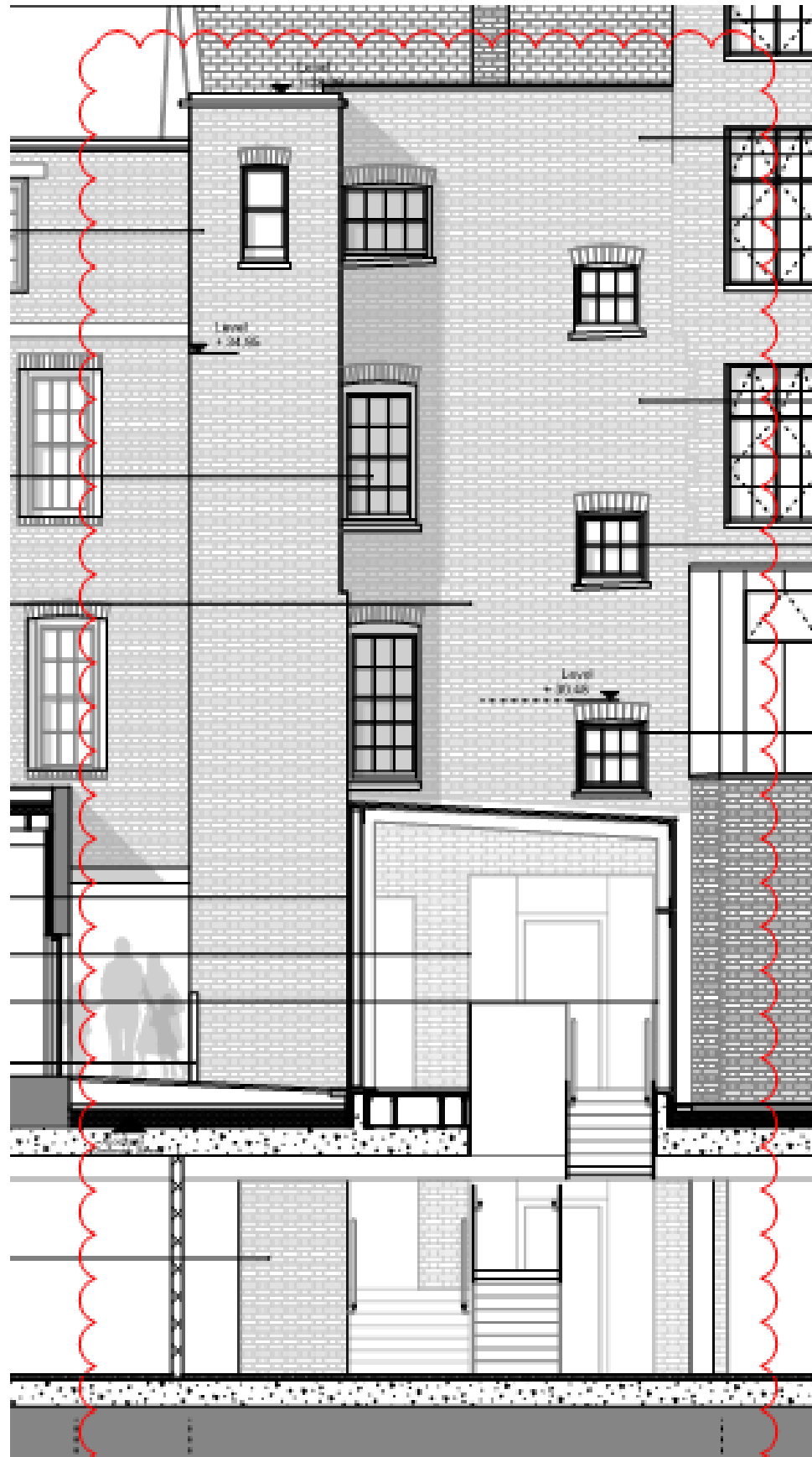
Above: Proposed Rear Elevation



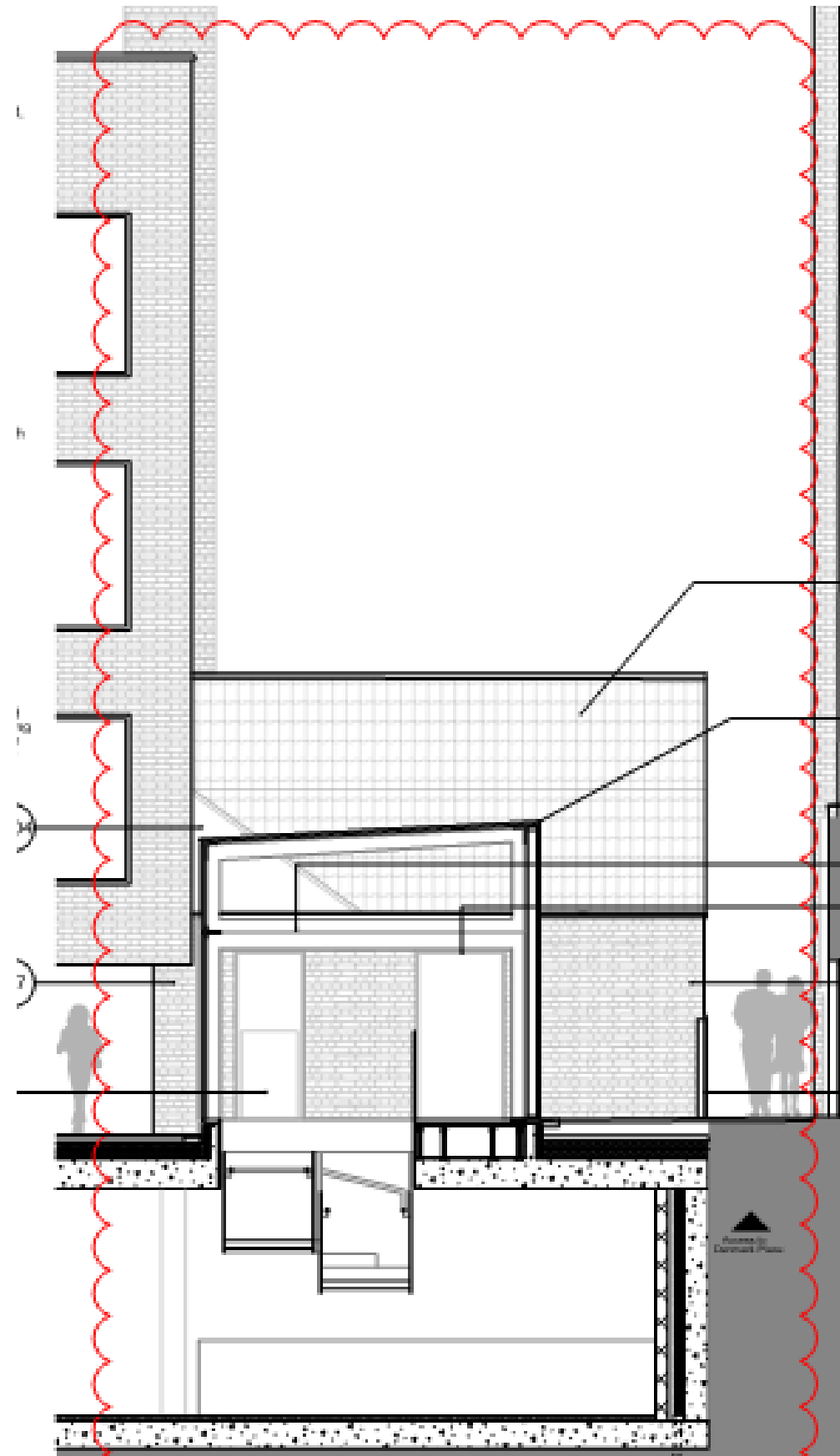
Above: Existing Rear Yard (North) Elevation



Above: Existing Rear Yard (South) Elevation



Above: Proposed Rear Yard (North) Elevation

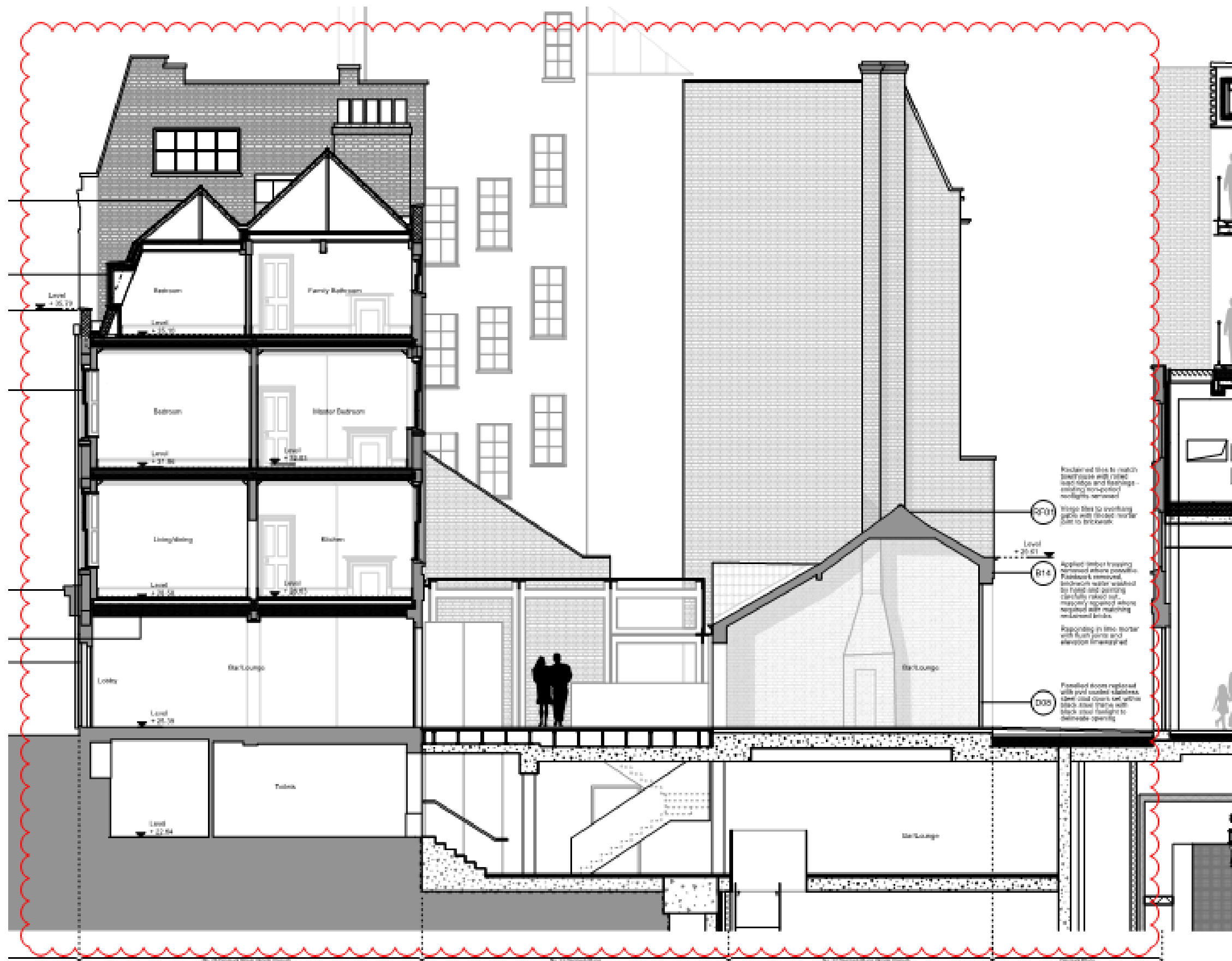


Above: Proposed Rear Yard (South) Elevation

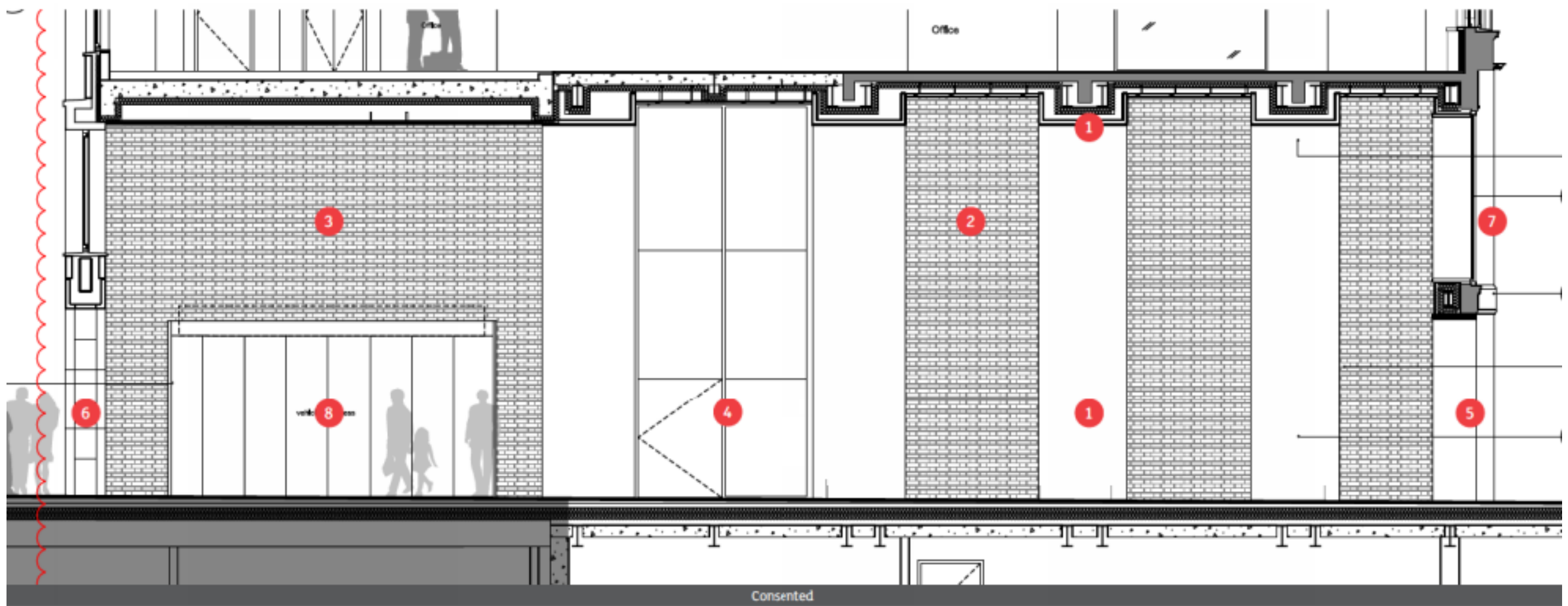


Above: Existing Long Section

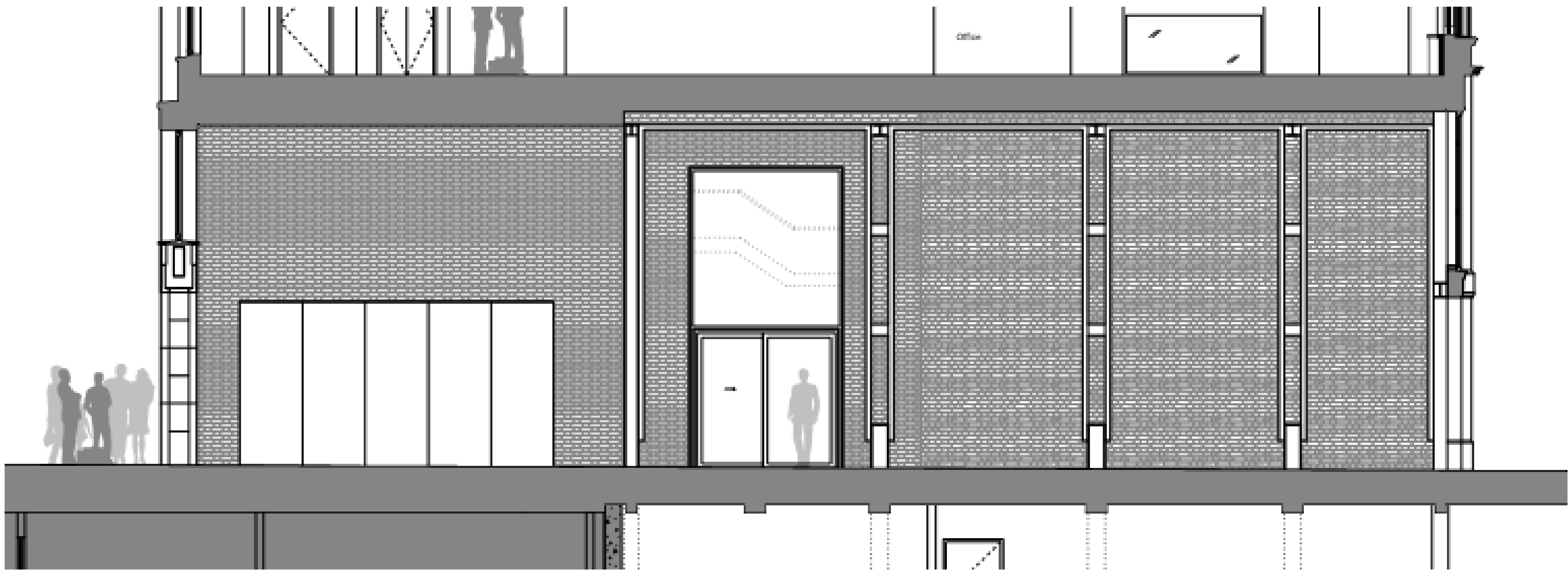




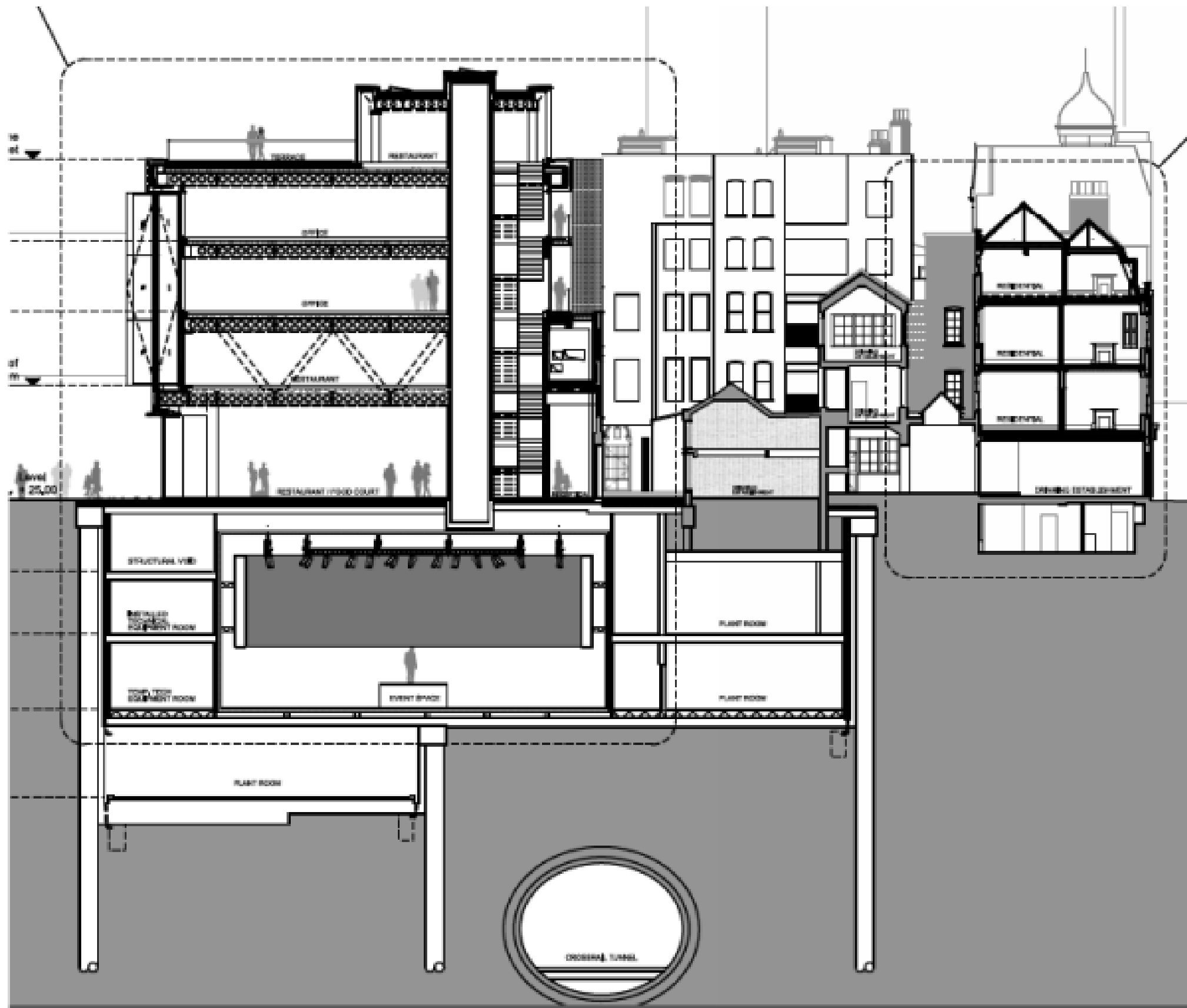
Above: Proposed Long Section



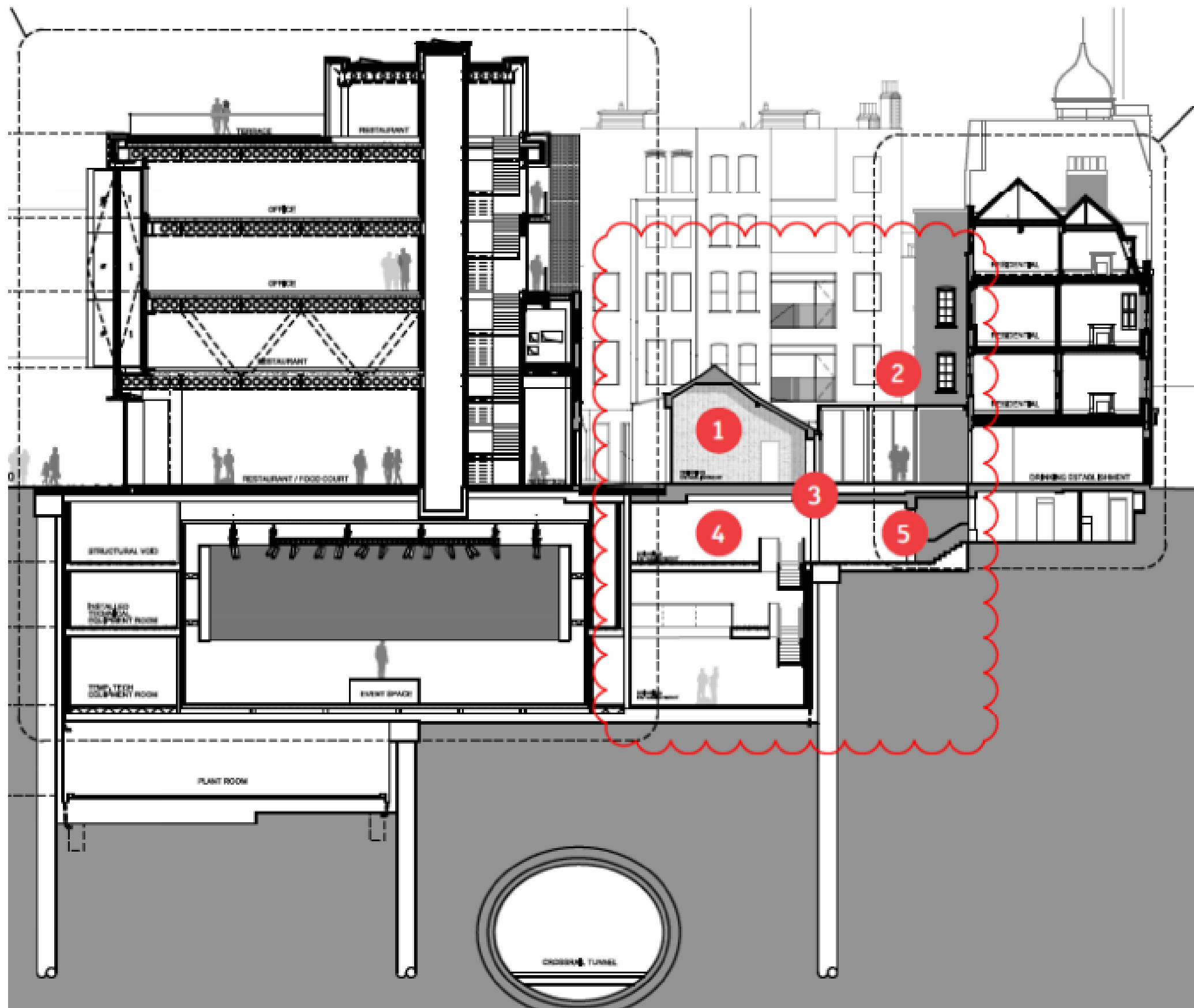
Above: Consented Section of 21 Denmark Street Arcade



Above: Proposed Section of 21 Denmark Street Arcade



Above: Consented Long Section



Above: Proposed Long Section