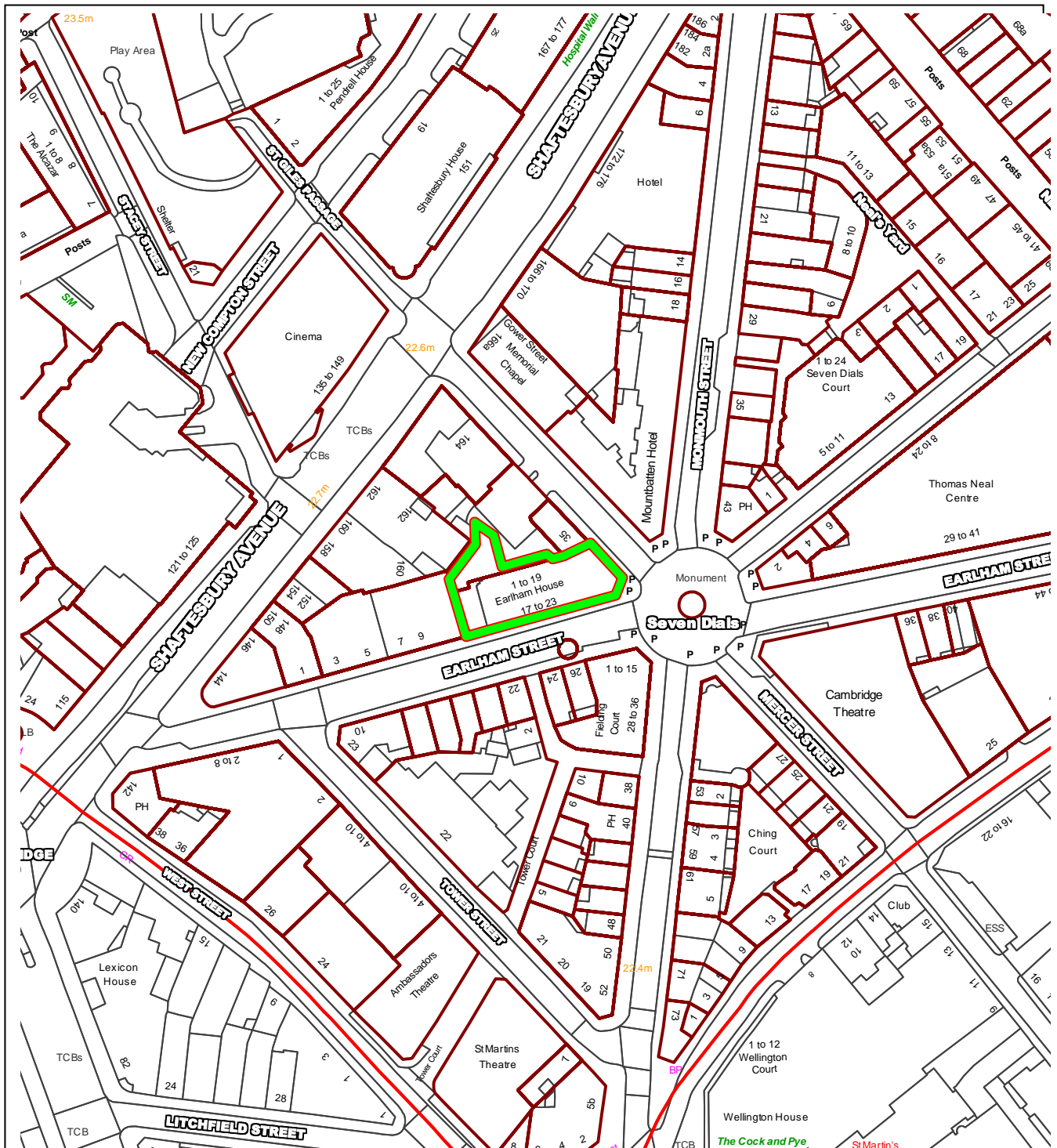


15-23 Earlham Street, WC2H 9LL ref:  
2016/6257/P



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## Site photos of 15-23 Earlham Street



1. Shopfront – showing corner of Mercer Street and Earlham Street (existing)



2. Shopfront – showing Earlham Street elevation (existing)

## Site photos of 15-23 Earlham Street



3. Computer generated image of shopfront (existing)



4. Computer generated image of shopfront (proposed)

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>09/01/2017</b>
<b>(Members Briefing)</b>		N/A / attached	<b>Consultation Expiry Date:</b>	<b>15/12/2016</b>
<b>Officer</b>			<b>Application Number(s)</b>	
Oluwaseyi Enirayetan			2016/6257/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
17-23 Earlham Street LONDON WC2H 9LL			Refer to Draft Decision Notice	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
Replacement shopfront on Earlham Street and Mercer Street elevations.				
<b>Recommendation(s):</b>		Grant Conditional Permission		
<b>Application Type:</b>		Full Planning Permission		

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Decision Notice</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>0</b>	No. of responses	<b>0</b>	No. of objections	<b>0</b>
<b>Summary of consultation responses:</b>	<p>A site notice was displayed from 18/11/2016 to 09/12/2016</p> <p>Local press notice published on 24/11/2016</p> <p>No comments received as part of consultation process above.</p>					
<b>CAAC/Local groups* comments:</b> <small>*Please Specify</small>	<p><i>Covent Garden Community Association commented 02/12/2016 on the following grounds:</i></p> <ol style="list-style-type: none"> <li>1. No objection to replacement shopfront, but laments against the design, which does not fit the traditional character of the conservation area</li> <li>2. A condition to be included to turn off lights outside business hours to mitigate light spillage on local residents at night</li> <li>3. To allow no construction on weekends</li> </ol> <p><b>Officer Response:</b></p> <ol style="list-style-type: none"> <li>1. See design section – Paragraph 2.3 and 2.4</li> <li>2. This condition would be onerous as the existing uses of the premises do not have this restriction. Any light spillage increase resulting from the alterations to shopfront would not be likely to be significant and would be acceptable in this Central London location. See amenity section – Paragraph 4.2 – for further assessment.</li> <li>3. It would be unreasonable to not allow construction during the weekend, especially for a small development in a central location such as this. See amenity section – Paragraph 4.3 – for further assessment.</li> </ol>					

## Site Description

The application site occupies the ground floor and basement of a four storey mixed use block located on the corner of Earlham Street and Mercer Street fronting the Seven Dials junction in Covent Garden.

The building consists of retail shops (A1) at lower level with residential flats (C3) above. The retail units are separated into three separate units. The existing frontages extend along Earlham Street and wrap around onto Mercer Street. At ground floor level the existing shopfront consists of large glazing panels used for window displays and a glazed entrance on the corner of Earlham Street and Mercer Street. The shopfront surrounds have columns with grey cladding/glazed brick face. The upper floors of the building are faced in red brick.

The site is located within the Earlham Street sub-area of the Seven Dials Estate Conservation Area. The building is not listed and is not identified as a positive contributor to the special character of the Conservation Area.

## Relevant History

**2003/0375/P** (21-23 Earlham Street) - External alteration, including new opening within Mercer Street elevation of shop unit, 23 Earlham Street. **(Approved 25/06/2003)**

**2004/1278/P** (21-23 Earlham Street) - The installation of new shopfront to Earlham and Mercer street elevations and a security shutter. **(Refused 25/06/2004)**

**20041563/P** (15-17 Earlham Street) - Installation of new shopfront. **(Approved 18/06/2004)**

**2004/2642/P** (21-23 Earlham Street) - Installation of 3 no. air condenser units and acoustic housing to rear of building for existing retail unit. **(Approved 13/08/2004)**

**2004/4106/P** (21-23 Earlham Street) - Retention of new glazed shopfront, entrance ramp and translucent roller shutters to Earlham and Mercer Street elevations. **(Approved 04/02/2005)**

**2004/4108/P** (21-23 Earlham Street) - Retention of translucent roller shutter. **(Approved 04/02/2005)**

**2004/4110/P** (21-23 Earlham Street) - Retention of glazed shopfront. **(Approved 04/02/2005)**

**2012/3116/P** (21-23 Earlham Street) - External alterations to the ground floor shop frontage including the enlargement of windows along Earlham Street, enlargement of existing entrance, installation of new glazed doors, replacement of door shutters and replacement of existing glazed brick tiles with a rendered finish (Class A1). **(Refused 10/08/2012)**

**2012/5016/A** Advertisement consent was given for the display of 3 backlit illuminated (letters only) fascia signs and 2 non-illuminated projecting signs above existing shopfront at ground floor street level. **(Approved on 13/11/2012)**

**2012/5017/P** (21-23 Earlham Street) - Installation of replacement shopfronts and surface finishes on all ground floor elevations, and creation of new entrance at corner of existing retail unit (Class A1). **(Approved on 15/11/2012)**

**2012/5518/P** (21-23 Earlham Street) - Alterations to shop front including replacement of existing glazing and surface finishes (new brickwork). **(Approved 07/12/2012)**

**2012/6738/P** (19 Earlham Street) - Reconfiguration of doors and window of the shopfront (class A1). **(Approved 04/02/2013)**

## Relevant policies

**National Planning Policy Framework 2012 (chapters 7 and 12)**

**The London Plan (2016) (Policies 7.4, 7.6, 7.8)**

**LDF Core Strategy and Development Policies**

**Camden Core Strategy (2010 – 2025)**

CS5 (Managing the impact of growth and development)

CS14 (Promoting high quality places and conserving our heritage)

**Development Policies (2010 – 2025)**

DP24 (Securing high quality design)

DP25 (Conserving Camden's heritage)

DP26 (Managing the impact of development on occupiers and neighbours)

DP30 (Shopfronts)

**Camden Planning Guidance**

CPG1 (Design) – 2015; (Sections: 2 Design excellence, 3 Heritage, and 7 Shopfronts).

CPG6 (Amenity) – 2011 (Sections: 5 Artificial light, 9 Access for all )

**Seven Dials Estate Conservation Area Appraisal and management strategy adopted 1998. (SD17, SD18)**

## Assessment

### 1. Proposal:

- Install replacement shopfront on three retail units facing Earlham Street and Mercer Street.

### 2. Assessment

#### Design/ Impact on the Conservation Area

- 1.1 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas Act) 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.
- 1.2 CPG1 Design section 7.1 *'Well designed shopfront increase the attractiveness of a building and the local area and can have an impact on commercial success by increasing the attraction of shops and shopping centres to customers. This is particularly important in town centres and the character and appearance of where conservation area and listed buildings'*
- 1.3 The proposed works comprise alterations to the shopfront facing both Earlham Street and Mercer Street elevations. They would comply with CPG1 Design section 7.12 with the proposed shopfront on both elevations largely glazed, the windows equally subdivided by mullions (bronze anodised aluminium posts/frame) and would have metal stall risers. The existing shopfront relates to a post-war building and has been modified in a piecemeal fashion. The proposed alterations would create a coherent, high quality and modern shopfront.
- 1.4 The Seven Dials Estate Conservation Area Appraisal and Management (1998) states that *'shopfronts that are considered to be out of character with the building or the area generally should be replaced with new shopfronts that are appropriate to the building and enhance the appearance of the Conservation Area'*. As stated above the building is a modern addition to this part of the conservation area and does not positively contribute (including the shopfront) to the character of the conservation area. Officers consider that the proposal would result in an improved modern design that would enhance the character and appearance of the host building and the

conservation area.

## **2. Access for all**

- 2.1 CPG1 Design states that all shopfronts should be designed to provide access into the premises for all. Further stating that in the case of existing buildings, particularly where a new shop front is proposed, the following guidance should be followed:
- Shops that have a change in level from pavement to shop floor surface can usually incorporate ramped access into or within the shop. Exceptions preventing a ramped area to be created may include the presence of structural beams or floor slabs.
  - Entrance doors should be accessible to all with a door width of 775mm for existing buildings and 1000mm in new buildings.
- 2.2 The application includes a supporting document which states that due to the internal structural slab level, level access cannot be achieved for the first two units (15-17 and 19 Earlham Street). However, the existing unit at 21-23 Earlham Street does have a level access, and the door to the proposed unit will incorporate level access in the same location. Furthermore, the width of the proposed entrance doors would be 1m in line with guidance. Due to the situation being better than existing and the constraints of the site it is considered to be acceptable on balance in this instance.

## **3. Amenity**

- 3.1 Policy DP26 notes that the Council will protect the living standards of occupiers and neighbours by only granting permission for development that does not cause harm to their amenity. The factors to consider amongst others include: artificial light levels; noise and vibration levels; fumes and dust.
- 3.2 The Covent Garden Community Association (CGCA) has concerns relating to light spillage into local residents properties at night and suggested a condition should be included that would require the applicant to turn off the light outside of business hours. Considering the existing shopfront is largely glazed without such condition already in place and that the existing use would not be changed, adding such condition would be onerous. Furthermore, it is noted considered that the proposed additional glazing would lead to a materially greater level of light spillage.
- 3.3 CGCA requested that no construction works should take place on weekends (Saturday and Sunday). Construction works are subject to the Control of the Pollution Act 1974 which states that building works that can be heard outside the boundary of the site can only occur between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. Officers consider that it would be onerous to preclude working on Saturday mornings as this is their statutory right governed by separate legislation.

## **4. Recommendation**

- 4.1 Grant Conditional Permission

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Wednesday 28<sup>th</sup> December 2016, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.***



Mr R Litherland  
Rolfe Judd Planning [P6461]  
Old Church Court  
Claylands Road  
Oval  
London  
SW8 1NZ

Application Ref: **2016/6257/P**  
Please ask for: **Oluwaseyi Enirayetan**  
Telephone: 020 7974 **3229**

14 December 2016

# DRAFT

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Full Planning Permission Granted

Address:  
**15-23 Earlham Street**  
**LONDON**  
**WC2H 9LL**

# DECISION

Proposal: Replacement shopfront on Earlham Street and Mercer Street elevations.

Drawing Nos: Site location plan (1607.EX.00); 1607.EX. (01RevA, 02RevA); 1607.PL. (01RevB, 02RevC); Design & Access Statement (ref: 1607.DAS.04.2) November 2016; Cover letter dated 14 November 2016.

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

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

Executive Director Supporting Communities



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

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans; Site location plan (1607.EX.00); 1607.EX. (01RevA, 02RevA); 1607.PL. (01RevB, 02RevC); Design & Access Statement (ref: 1607.DAS.04.2) November 2016; Cover letter dated 14 November 2016.

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

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

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

You can find advice about your rights of appeal at:

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

Yours faithfully

Executive Director Supporting Communities

Executive Director Supporting Communities