

Date 22<sup>nd</sup> November 2017

### Planning Application Address & Number

39-49 Neal Street WC2H 9PJ: 2017/5659/P

CGCA = Covent Garden Community Association; 7DT = Seven Dials Trust; CAS = Conservation Area Statement.

### 1.1 The Proposal

Major alterations to each of the buildings, including the near total elimination of the party-walls between the properties, the total rebuilding of the front elevation of nos. 41-45, Neal Street, remodelling of the rear elevations of nos. 41-45 and 47-49 all associated with office (B1), the removal of the roofs of each of the properties, the removal of the existing top storey of nos. 47-49, the addition of 1-1/2 storey, with associated plant, on no. 39, and one storey on nos. 41-45 and nos. 47-49; alteration to shopfronts at Nos. 39, nos. 41-45 and 47-49 (A1) and reconfiguration of uses 47-49, and – possibly – the complete replacement of all the floors – in order to produce level and interlinked floors across all three properties. Whilst no cross sections are included we are informed by the architects (14.11.17) that: *'We have not submitted sections to date as each building structure is retained as existing (in terms of frame and floors) – with the addition of a top storey extension on each.'*

### COMMENTS

The CGCA and the 7DT object to these proposals which fail to preserve or enhance the character and appearance of the Seven Dials (Covent Garden) Conservation Area and which would have a harmful effect on its significance, contrary to Camden's planning policies, as well as national and London regional planning policies. We apologise for the late response but the lack of cross sections has caused delays.

### 2. The Area

The Seven Dials CA had 'outstanding status', one of only 38 such areas out of c. 6,000 conservation areas in England. Its layout is unique, it is the only quarter of London remaining from late Stuart England, it has an unusual number of early 19c shopfronts and many of the original houses remain – see

<http://www.sevendials.com/history> The 'Heritage Appraisal' states that: '3.01 The Neal Street area were (sic) originally developed in the 17<sup>th</sup> century with terrace houses on narrow frontages. Through the 18<sup>th</sup> and 19<sup>th</sup> century the area became more commercial and industrialised.'

In fact Neale's development was mixed residential and commercial from the outset, unlike any of the other nearby schemes in the early 18c – see **Research Paper** *The Seven Dials: 'freak of town-planning', or simply ahead of its time?* By William C. Baer, Department of Policy and Planning, University of Southern California, Los Angeles, CA, USA. **Publication** *Journal of Urbanism, International Research on Placemaking and Urban Sustainability*. Volume 3, Issue 1, 2010.

The expansion of the Covent Garden Market led to the creation of warehouses such as the three on this site and also created the unusual skyline where variations in height characterise the area.

### 3. The Buildings

#### 3.1

#### 41-45 Neal Street

The LBC Seven Dials Conservation Area Statement (1985) describes 41-45 Neal Street as an 'opportunity site' (SD1). The 7DT Renaissance Study (1991 and 1998) followed by describing 41-45 as 'An unsympathetic 1950's development... this block could be developed.' The applicant's 'Heritage Appraisal' states:

*'2.03 Nos.41-45 appear to date from the mid-20th century. The building is four storeys in height and faced in patched pale red brick laid in stretcher bond (see below). The façade is three windows wide, each window having stone or concrete reveals surrounding steel-framed casement windows. There is a modern ground floor shopfront.'*

*'3.03 This medium to small workshop/warehouse use continued through the post-war years as is evidenced by the 1950s rebuilding of a warehouse-style building at Nos. 41-45.'*

**N.B the red brick façade is in fact traditional English bond typical of the 1880's.**

Unfortunately it must appear that the heritage consultant did not visit the interiors of these buildings. All of these descriptions are inaccurate. In fact all three buildings all date from c. 1880's. 41-45 and 47-49 still retain their original late 19c cast iron columns from ground upwards, original floorboards and both roofs appear original. What has caused confused with 41-45 are the c.1950's windows which are, in fact, inserts into the original façade. The 7DT is currently have an exhaustive review of the 'Building by Building' section by Paul Velluet and the above came to light recently, though with a thorough inspection this is self-evident, as can be seen from the images below.

In paragraph 2.03 of the *Heritage Statement*: 'Nos 41-45 appear to date from the mid-20th century. The building is four storeys in height and faced in patched pale red (sic) brick laid in stretcher bond (sic)'. This is incorrect. Viewing the rear elevation and the roof-slopes of the property, and looking closely at the brickwork of the front elevation, will reveal that the property is very probably contemporary with the late-19th century property immediately adjacent (nos. 47-49), and that the brickwork of the front elevation is laid in traditional English bond, and shows evidence of the original, arched window-heads having been removed when the pre-cast window-surrounds were installed. Paragraph 6.01, goes on to state that 'Nos. 41-45 is a *plain and undistinguished mid-20th century building that contributes little to the area's character*'. Regrettably, this tends to reflect the note provided in the current *Seven Dials Study* to which the applicants refer and to Camden's Conservation Area Statement. Anomalously, The *Conservation Statement*, refers to the 'renovation' (sic) and 're-use' (sic) of the buildings, whereas as currently presented, the proposals will involve substantial works of partial demolition and reconstruction of the properties. Anomalously, these words are absent from the submitted documentation.

Since 41-45 Neal Street is not a 1950s development, but rather a late-19th century building with c.1950 window inserts, the demolition of this façade is inappropriate. Further, the proposed contemporary shopfront for 41-45 Neal Street is not in keeping with the traditional shopfronts that characterise Neal Street, including shopfronts directly adjacent to the property. **Were windows similar to 47-49 inserted and any new brickwork laid in English Bond and tinted to match the original, this building would make a positive contribution to the CA by restoration to its c.1880 appearance (and matching 47-49).**



The left arrow indicate the c.1950's infill of the c.1880's brick arches on 41-45 Neal Street at 1<sup>st</sup> & 2<sup>nd</sup> floors.

The right arrow is the similar c.1880 brick arch on 47-49 Neal Street.

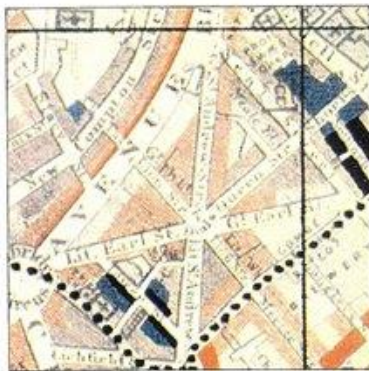
### 3.2 Dating the buildings

In 1871 the original terrace of 1690's houses were in place. By 1910 (bottom left map) the terrace has been replaced by the current configuration at 39-49 Neal Street. Name changes are below:-







1691 PLAN	C18-C19	TODAY
Castle Street	Castle Street	Shelton Street (1938-)
Church Street	Queen Street	Short's Gardens (1906-)
Earle Street	Earl Street Great & Little	Earlham Street (1938-)
<b>King Street</b>	<b>King Street</b>	<b>Neal Street (1877-)</b>
Little Monmouth St	White Lion Street Great & Little	Mercer Street (1938-)
Monmouth Street	Dudley Street (1845-1886)	Shaftesbury Avenue (1886-)
St Andrew's Street Great & Little	St Andrew's Street Great & Little	Monmouth Street (1938-)
King's Head Court	Neal's Yard	Neal's Yard
	West Street	West Street
	Coucumber Alley / Neal's Passage	Cucumber Alley in Thomas Neal Centre
	Lombard Street / Lumber Court	Tower Court (1938-)

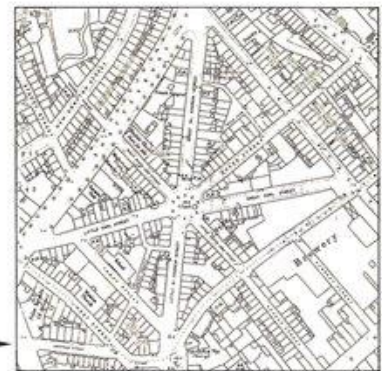
<http://www.sevendials.com/the-study/seven-dials-renaissance-study> page 9 below.

## SEVEN DIALS RENAISSANCE

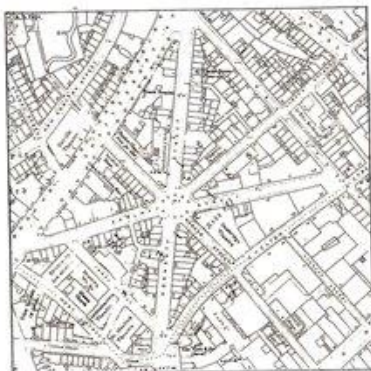


1889 Booth's Poverty Map (see key below). Note the stark variation between the black designation of Nottingham Court (thought by some commentators to be a base of prostitution) and the well-to-do fringe of Upper St. Martin's Lane and Shaftesbury Avenue.

 Lowest class. Semi-criminal  
 Very Poor. Chronic want.  
 Poor. 18s. per week a family.  
 Mixed. Comfortable / poor.  
 Fairly comfortable.  
 Middle class. Well-to-do.



1894 (OS) shows details of the new Shaftesbury Avenue widening the former Dudley Street (compare with 1874 plan) and clearing Seven Dials slums.



1910 (OS) shows more street name changes (Tower Court and Mercer Street) and the disappearance of the urinal.



1990s Seven Dials today showing much of the original street plan, the restoration of the 1690s Sundial Pillar and traffic management features.

### 3.3 Internals

The images below indicate that 41-49 Neal Street are well preserved and typical c.1880 Covent Garden warehouses. Hitherto Seven Dials and Covent Garden have been characterised by economic regeneration through active conservation of the built heritage. NB the cast iron columns were encased and only now partially revealed. They are also encased in the shops at ground floor level at 41-45 and 47-49 Neal Street.. For some reason the applicant's Heritage Statement does not illustrate any of below which are 41-45 Neal Street.



1<sup>st</sup> floor cast iron columns typical in CG warehouses, for example in the Mercers' Estate.



1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> floor columns.



3<sup>rd</sup> floor and original floorboards.

### 3.4 Roofs



The roofs all appear original; however in the applicant's Heritage Statement the author has failed to investigate the roof timbers – see below re the CAS.

#### **4.1 Design & impact on the conservation area**

The CAS sets out the following criteria for **Design & Alterations to Buildings** (page 25) which we feel the scheme proposed does not meet **(in red)**:-

Where new development is thought to have harmed the character or appearance of the area it has usually been caused by one or more of the following reasons:

- a. The use of inappropriate facing materials**
- b. Excessive bulk, massing and height**
- c. Signs erected on upper floors
- d. Signage of inappropriate size, proportions and materials
- e. Loss of original features**
- f. Introduction of prominent air handling units/ducting
- g. Loss of significant views
- h. Development that does not respect the historic context.**

#### **4.2 New Development** (page 26 SD1 our emphasis **in red**):

SD1 Proposals should be guided by the UDP in terms of the appropriate uses. New development should be seen as an

opportunity to enhance the Conservation Area and should respect the built form and historic context of the area, local views as well as existing features such as **building lines, roof lines, elevational design, and where appropriate, architectural characteristics, detailing, profile, and materials of adjoining buildings**. No vacant sites remain in the area, neither are there any sites in the Schedule of Land Use Proposals in the UDP. There are several sites that are considered to be opportunity sites. NB 41-45 was considered to be an 'opportunity site' due to misinterpreting its c.1880 façade and lack of information on original internal features.

The proposed design of the roof extension at 39 Neal Street is out of character with the conservation area, adjacent buildings (including listed buildings) and the lower floors of the existing building and does not integrate into its surroundings (Local Plan Policy D1). As such, the proposals fail to preserve or enhance the historic nature and unique character of the Seven Dials (Covent Garden) Conservation Area (Local Plan Policies D1 & D2; also CPG1-2.6 and CPG1-2.9). Further, the proposed development does not respect local context, character, setting, form and scale (Local Plan Policy D1). This includes preserving and enhancing the historic environment and heritage assets (Policy D2) and ensuring details and materials are of high quality and complement the local character (Policy D1).

In the Design & Access Statement (p. 8), the applicant says the slanted roof above the second floor at 39 Neal Street is not in keeping with the original warehouse fabric. However, the proposed design would replace this with a roof extension that clashes with the rest of the building and which is considerably out of character with the area. Whilst the applicant's D&A Statement (p. 29) says "the proposed massing adds height and strength to the corner plot," the CGCA maintains that this massing and height is out of character of the historic nature and built environment of the conservation area.

Indeed, in the D&A Statement (p. 19), the applicant says, "*Any extension or additional height to this building should be sensitive to the surrounding area and architecture below.*" As proposed, the design fails to do so. Instead, it creates a dark, oppressive block that simply adds inappropriate height on a prominent corner in Seven Dials. See images below.

The CAS states in SD 25:

There are limited opportunities for roof extensions as alterations to the roof-scape could adversely affect the character of the Conservation Area. The following principles will apply:

- a. The retention or reinstatement of any architecturally interesting features and characteristic decorative elements such as parapets, cornices and chimney stacks and pots will be encouraged.
- c. All external works should be carried out in materials that match as closely as possible in colour, texture and type those of the original building or are common in the area.
- d. Where the property forms part of a proper terrace which remains largely, but not necessarily, completely unimpaired, an extension is likely to be unacceptable.

41-45 and 47-49 could be considered as a terrace of typical Covent Garden warehouses.



Proposed: which contradicts **a. b. e. and h.** above. The typical Seven Dials varied building and roof lines are replaced by a bland monotone symmetry and the new façade at 41-45 Neal Street compounds the misinterpretation of the c.1880 façade. Thus one error leads to another, which is now unnecessary given the correct interpretation of the façade of 41-45 Neal Street. The ‘charred timber’ roof extension at 39 Neal Street, which in architect speak ‘celebrates’ this corner junction, is unlikely to be ‘celebrated’ by anyone except the architects. It bears no relationship to anything anywhere in this key conservation area and represents both - **a. The use of inappropriate facing materials** and **b. Excessive bulk, massing and height.** (CAS page 25). All external works should be carried out in materials that match as closely as possible in colour, texture and type those of the original building or are common in the area (CAS SD 25).



Existing: above are taken from the forthcoming web edition of the 7D Study which has 350+ high resolution architectural images. These images illustrate the lively variations in building and roof lines which characterise this key conservation area which the CAS and other Camden policies seek to retain. Reinstatement of the original windows at 41-45 would meet CAS SD17: SD7 ‘In all cases, existing/original architectural features and detailing characteristic of the Conservation Area should be retained.... and where removed in the past replacement with suitable copies will be encouraged. Original, traditional materials should be retained wherever possible and repaired if necessary.’



41-45 Neal Street as was: this simulation demonstrates that if warehouse type windows, similar to the original ones, before the c.1950's inserts, this building would make a positive contribution to the Conservation Area. Now the façade has been established as original to the c.1880's warehouse it would be contrary to policy to demolish this façade.

CAS: SD7 In all cases, existing/original architectural features and detailing characteristic of the Conservation Area should be retained and kept in good repair, and only be replaced when there is no alternative, or to enhance the appearance of the building **through the restoration of missing features**. Original detailing such as door/window pediments and finials, timber shopfront facades, iron balustrades, timber framed sash windows, doors, where retained add to the visual interest of properties, **and where removed in the past replacement with suitable copies will be encouraged**. Original, traditional materials should be retained wherever possible and repaired if necessary. Our emphasis in red.

### 4.3 Materials

CAS: Where new development is thought to have harmed the character or appearance of the area it has usually been caused by one or more of the following reasons:

**a. The use of inappropriate facing materials** (CAS page 25). SD1 New development should be seen as an opportunity to enhance the Conservation Area and should respect the built form and historic context of the area as well as existing features such as....**architectural characteristics, detailing, profile, and materials of adjoining buildings**.

(CAS page 25). All external works should be carried out in materials that match as closely as possible in colour, texture and type those of the original building or are common in the area.



2. We propose a gold shingle finish to the setback upper storey extension of 47-49 Neal Street. This striking aesthetic will add visual interest from street level.



3. We propose a warm copper-tone facing material to the set back upper storey extension of 41-45 Neal Street and a complementary colour/hue/tone to the surrounding red brick, with enough differentiation to read as a separate volume to the main building.



4. Distinction between the gold shingle and copper elements at fourth floor level is emphasised via the introduction of glass insertions between the plots. The glazed insertion adds interest to the interior of the property and each building plot is read independently at street level.



5. The form of the extension at 39 Neal Street (informed by surrounding roof heights) is asymmetrical and adds additional interest to the varied roofscapes found in the area. We propose facing this element in a dark-stained or charred timber finish complementing the existing architecture below.

We cannot see how any of the above meet the criteria set out in the CAS or relate to this historic conservation area. The architects write... *'each building plot is read independently at street level... with enough differentiation to read as a separate volume to the main building.'*

Residents, businesses and the many visitors to this historic area do not '*read*' buildings and this wording is only understood by architects. They are far more likely to be astonished by the use of the '*charred timber finish*', fashionable though it may be at this moment in time.

## **5. Loss of daylight and sunlight, and overshadowing**

The CGCA is concerned that the applicant has not provided supporting documents that accurately and adequately illustrate the existing and proposed sections. Without these, the applicant has not demonstrated the potential impact of the proposed development on the day-lighting and amenity of adjacent flats in Neal's Yard, notably, 14/15, Neal's Yard. The proposed roof extensions would have a detrimental impact on the day-lighting currently enjoyed in these flats in Neal's Yard. For example, light at the back of 14/15 Neal's Yard will be drastically reduced, with one window blocked completely off from its existing sky view. Camden's Local Plan recognises that daylight and sunlight are essential for physical and mental health (para 3.139). Although the previously consented scheme included an extension, the design was not a solid block, but rather a structure covering only part of the roof. Thus, the impact on daylight, sunlight and overlooking was lessened.

Further, the additional height and massing at the rear of the buildings will result in overlooking and loss of privacy, notably for residents in Neal's Yard as well as for the public open space of Neal's Yard. In the Planning Statement (p. 12), the applicant dismisses the concerns about overlooking because the use remains B1 office space. However, planning policies do not specify that overlooking and loss of privacy can only occur after business hours.

The Council's planning policy is clear that permission will not be granted when development harms residential amenity, including sunlight, daylight and overshadowing (Local Plan Policy A1).

## **6. Noise and disturbance**

The proposals include installation of new plant located on the roof of 39 Neal Street. Some of the plant is proposed to operate 24 hours/day. Camden's planning policies observe that plant, including air-conditioning units, can disturb the amenity and quality of life of residents and workers through noise, as well as harm the visual appearance of an area, particularly a conservation area (see CS5.8; DP28, including DP28.1 & 28.3; DP22.18; and CPG5 6.7-6.9). This includes cumulative noise levels (CPG6 4.7).

In the 2015 permission granted by the Council, officers noted that Neal Street is narrow. And, there is limited space between the applicant's properties and Neal's Yard at the rear, given the dense nature of Covent Garden. Thus, noises are easily exacerbated. To protect the amenity of nearby residents (CS5) and to ensure that the units do not cause undue noise and disturbance, any permission granted must include conditions that:

- (1) limit the hours of use to business hours of the premises, to reduce the impact of noise and vibration on residential amenity during evening, late-night and weekend hours (DP28.3) (for precedent, see 2015/5316/P, condition 4; 2016/0131/P, condition 4; and 2016/2471/P, condition 5);
- (2) restrict the amount of noise (measured in decibels) emitted from the units to within Camden's thresholds (DP28; CPG5 6.9);
- (3) require the applicant to ensure that equipment is kept working efficiently and is not causing disturbance to nearby residents, as verified through annual maintenance checks performed on all equipment throughout the life of the development (DP28.3);

The CGCA also is concerned about the proposed terraces at third- and fourth-floor levels. In addition to the many residents in Neal's Yard, additional residents are in Neal Street and Shorts Gardens. Neal Street is largely a pedestrianised street, with ground-level retail. Thus, the area is quiet at night – terraces in use beyond business hours would cause nuisance and harm to the amenity of neighbours. This includes overlooking and loss of privacy, noise, light spillage and security, all of which are outlined as impacts from balconies and terraces in CPG1 5.23. (Also see CPG6 7.4 re: privacy.) Should the Council be minded to grant permission for the terraces, conditions should be included that limit the hours of use of the balcony or terrace to standard business hours (no earlier than 08:00 and no later than 21:00 Monday through Friday, and not at all on weekends and Bank Holidays). This condition is needed to protect residential amenity from noise and disturbance at anti-social hours.

## **7. Internal alterations**

Whilst the CGCA appreciates the need to upgrade the interior of the buildings to provide office space that is more reflective of contemporary demands, we object to the proposals to create an open plan office space across 39-49 Neal Street.

In particular, we are concerned about the loss of small office space. Such space supports small- and medium-sized businesses, which often are the types of innovative, creative and knowledge-based economy

jobs that London and the UK have made it a policy to attract. As proposed, the Without adequate space in Central London, these businesses cannot flourish or even exist in the Capital

Ultimately, the proposals would have significant negative impacts on Neal Street, including adjacent residents and tenants. As the recognised amenity society for Covent Garden, the CGCA represents the voices of local residents and, as such, our comments reflect the concerns of the community at large. Affected residents have voiced their objections and concerns directly to the CGCA.

The proposed development would turn a narrow, yet open and light thoroughfare, into a dark and unremarkable alley. Existing residents, notably those in Neal's Yard, would have significant impact to their amenity, including to their access to daylight and sunlight and loss of privacy. The proposals do not respect the character of the Seven Dials Conservation Area and, as such, fail to enhance or protect the conservation area. Given this, the proposals are inappropriate and should be refused.

## **8. Consultations**

All the consultations have been on the erroneous assumption that 41-45 Neal Street is a c.1950's re-build, and that the façade is c.1950's which is not the case.

## **9. Summary**

The scheme is out of keeping with this historic area since:

1. It removes the doors to the upper parts, which are part of the historic street pattern;
2. It is a form of 'façadism' since it amalgamates perfectly sound 19c warehouses by demolishing party walls;
3. It demolishes a sound 19c façade at 41-45 Neal Street;
4. It alters the varied historic roof lines;
5. It uses materials which bear no relationship to the area but are bases upon current 'architectural fashion';
6. Its approval would set an unfortunate precedent for this historic area contrary to numerous policies and contrary to the Conservation Area Statement.

**Comments submitted by the Covent Garden Community Association and the Seven Dials Trust.**

**The revised wording in the new web edition of the Seven Dials Renaissance Study is:**

**25. NEAL STREET – South-western side (Short's Gardens to Monmouth Street)**

**Nos 39 to 69 (odd)**

**No. 39, Neal Street**

A late-19<sup>th</sup> century warehouse building, marking the corner of Neal Street and Short's Gardens. Single-bay frontage of three storeys and an original 'attic' to Neal Street, three-bay return to Short's Gardens of four storeys, with single-bay splay corner of three storeys between the two. The elevations above the partly traditionally-detailed shopfronts at ground floor level, red brick with paired, painted timber, subdivided sash-windows set below shallow brick arches (recessed at first floor level) except for the middle bay on the Short's Gardens frontage which comprises three levels of glazed, warehouse doors. Projecting 'Windsor' lantern on bracket on the Short's Gardens elevation at first floor level. Entrance to the upper floors located at the LH end of the Short's Gardens frontage. The shopfronts appropriately in bright white.

An unlisted building of particular townscape value, contributing to the character, appearance and significance of the Seven Dials Conservation Area.

There is clearly scope to re-paint the shopfronts in an appropriate colour.

Symbol: 9

**Nos. 41-45, Neal Street**

A late-19<sup>th</sup> century warehouse building, three bays in width and four storeys in height. Original, red brick elevation above an extensively glazed, modern shop-front finished in white, comprising a bright red plastic fascia with white plastic applied lettering and projecting, internally illuminated, on the LH side and a recessed modern entrance to the upper floors on the RH side, presently screened from view by a roller shutter. The original, segmental arches of the window-openings at each of the upper levels have been removed and replaced with reconstituted-stone window-surrounds which appear to date from the 1950s. Modern, painted steel windows to the upper floors.

The altered window-openings on the upper floor levels and modern frontages at street level clearly detract from the appearance of this unlisted building from the street. However the substantial survival of the remainder of the original warehouse building contributes to the character and significance of the Seven Dials Conservation Area.

There is clearly scope to reinstate the original window-openings and windows in the front elevation following the design and detailing of those in the near contemporary building immediately adjacent (no. 47-49, Neal Street), and to introduce well-designed frontages and signs for the shop-unit and office entrance at street level.

Symbol: 9

**Nos. 47-49, Neal Street**

A handsome, late-19<sup>th</sup> century warehouse building, three bays in width and three storeys in height. Original, red brick elevation survives at first and second floor levels below a recessed 'attic' storey, with original, segmental-arched window-openings and paired, painted timber, subdivided sash-windows to LF and RH bays and single, painted timber, subdivided sash windows at the centre. Traditionally detailed shopfront of three bays survives with pilasters and dentil-cornice all painted matt black, spoilt by an over-deep plastic fascia over the central bay.

An unlisted building of particular townscape value contributing to the character, appearance and

significance of the Seven Dials Conservation Area.

There is clearly scope to remove the new, over-deep plastic fascia above the entrance and to improve the signing of the shop-unit.

Symbol: 9