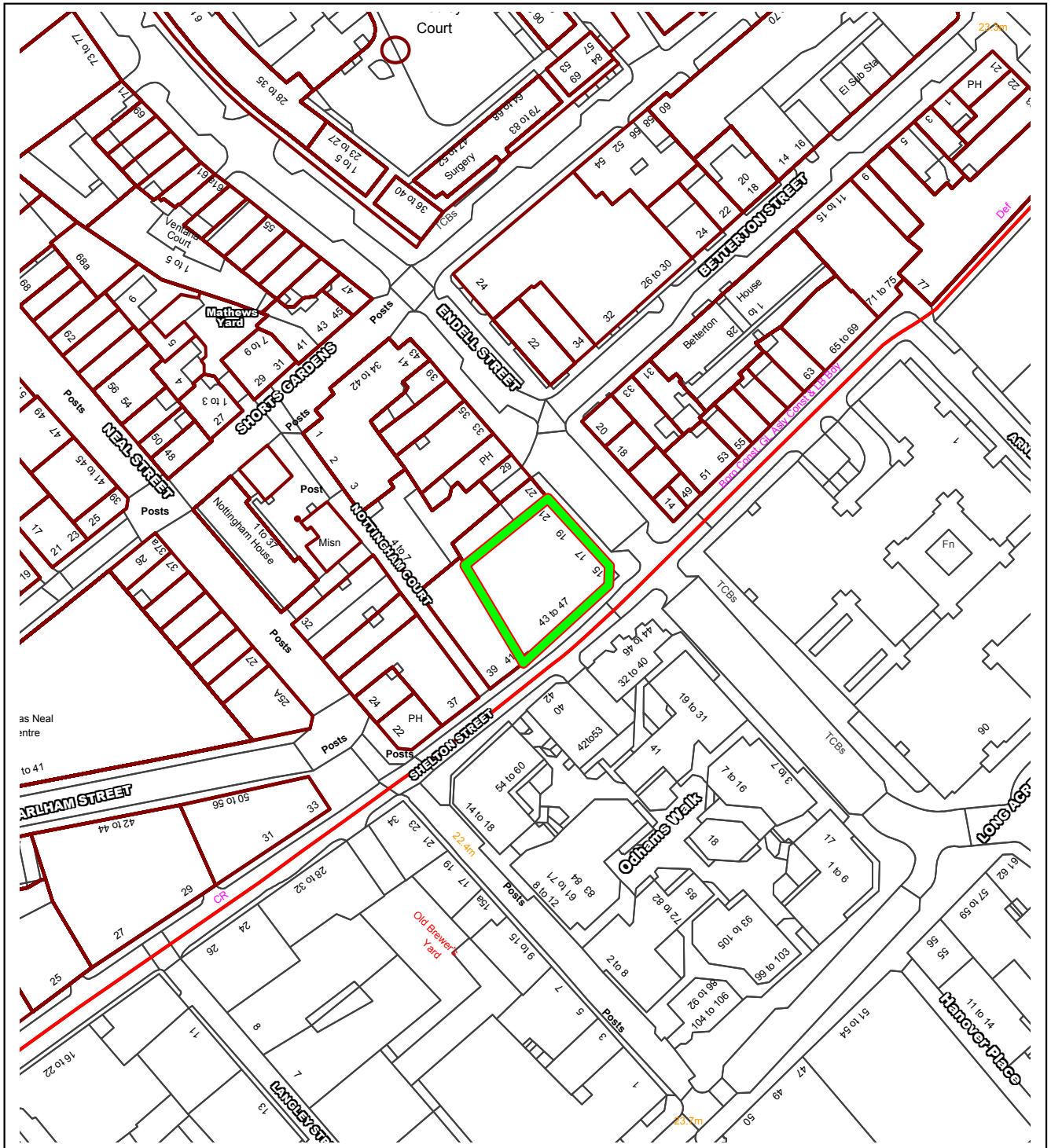


43-47 Shelton Street and 15-17 Endell Street 2017/6735/P



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1. Street elevation – corner of Shelton Street with Endell Street



2. Shelton Street elevation



3. Shop floor looking towards street



4. Within courtyard



5. Looking towards courtyard from existing shop floor



6. Rear courtyard



7. Rear courtyard – wider view

Delegated Report		Analysis sheet		Expiry Date:	07/02/2018
(Members Briefing)		N/A / attached		Consultation Expiry Date:	31/01/2018
Officer			Application Number(s)		
Fiona Davies			2017/6735/P		
Application Address			Drawing Numbers		
43-47 Shelton Street and 15-17 Endell Street London WC2H 9HJ			Please refer to decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Infilling of the existing rear courtyard and installation of a fixed roof-light.					
Recommendation(s):		Grant Conditional Planning Permission			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00
			No. Electronic	00		
Summary of consultation responses:	<p>3 site notices were displayed on Nottingham Court, Shelton Street, and Earlham Street between 15/12/2017 and 05/01/2018 and the application was advertised in the local press between 21/12/2017 and 11/01/2018.</p> <p>No objections have been received from members of the public as a result of public consultation.</p>					
Local groups comments: Covent Garden Community Association	<p>A comment has been received from the Covent Garden Community Association (CGCA) stating the following:</p> <p><i>“The applicant does not refer to local residents who live adjacent to the site. Conditions should be included that limit the hours of use, noise and light spillage from the enlarged space”</i></p> <p>Officer Comments:</p> <p>The application site is already a retail unit (A1) at ground floor level, beneath residential above. There is no proposed change of use as part of this application. The mix of current uses at the site has already been assessed under historic applications 31793(R1) and 2009/3423/P. Furthermore retail use is not usually associated with anti-social hours of operation, thus, it is not considered necessary to restrict the operational hours of the retail unit.</p>					

Site Description

The application site is situated on the corner junction with Shelton Street and Endell Street. The host building comprises a four storey 1970/80's block. The property consists of a single large retail unit on the ground floor accessed from the corner with Shelton Street and Endell Street, with residential units on the upper floors. The application solely relates to the existing ground floor retail unit. The property is not statutorily listed but lies within the Seven Dials (Covent Garden) Conservation Area.

Furthermore, the application site lies within an area designated for specialist retail and fashion of the Seven Dials and Central Activity Zone. Covent Garden is considered to be a retail destination of national and international significance.

Relevant History

2009/3423/P – Change of use and works of conversion of first, second and third floors from ancillary retail space (Class A1) to provide flexible residential (Class C3) or office (Class B1) use, comprising 2x2 bed and 1x1 bed self-contained flats or 3 floors of office accommodation; associated alterations including new front entrance at ground floor level (residential and office uses) and installation of first floor rear balcony, new rear bi-folding doors at first, second and third floor level (residential units only) – Granted Subject to S106 Agreement on 14/01/2010.

31793(R1) - Provide 9 residential units and 3 retail units and 555 sq meters of office accommodation at the above mentioned site – Granted Conditional Planning Permission on 15/01/1982.

Relevant policies

National Planning Policy Framework 2012

London Plan 2016

Camden Local Plan 2017

Policy A1 Managing the impact of development

Policy D1 Design

Policy D2 Heritage

Camden Planning Guidance:

CPG1 (Design) 2015

CPG5 (Town Centres, Retail and Employment) 2013

CPG6 (Amenity) 2011

Seven Dials (Covent Garden) Conservation Area Statement Adopted 1998

Assessment

1.0 Proposal

1.1 The proposal is for the infilling of the existing rear courtyard and installation of a fixed roof-light. Planning permission is sought for the following works:

- Single-storey rear extension to infill courtyard which would measure approximately 4m wide, 8m in depth and 3.2m in height.
- The installation of a fixed roof-light measuring 8.8sqm. This will be obscured glazing.
- The proposed roof will be made from a single ply membrane build up with metal maintenance hatch to match the anthracite grey metal frame of the proposed fixed roof-light.

2.0 Assessment

2.1 The main planning considerations are:

- Loss of outside amenity space
- Design and impact on conservation area
- Neighbouring Amenity

3.0 Loss of outside amenity space and loss of small tree

3.1 The proposal seeks to infill the existing small courtyard to the rear of the ground floor unit by constructing a single storey extension at the western corner of the site measuring 4m at its widest point and 8m in depth. The proposed ground floor level extension will measure 3.2m in height to the top of the flat roof, and will create an additional 29sqm of floorspace for the retail unit. It will be set at least 2.1m beneath existing windows to the residential units above which face into the courtyard at first floor level. Similarly it will be set beneath the existing balcony to one of the residential flats at first floor level by 1m.

3.2 It is considered that the small courtyard which forms part of the retail unit premises is underused space, which is not utilised by members of the public or staff. Furthermore, excessive use of this space is likely to cause noise disturbance to the residential units above.

3.3 The existing small courtyard already forms part of this ground floor unit and the proposal seeks to enclose it at ground floor level by constructing a flat roof above. The Camden Local Plan does not require outdoor amenity space in connection with retail use and therefore the Council would not object to its loss.

3.4 The existing courtyard is already hemmed in on all sides with its only outlook into the existing retail floor space. It is only accessible from within the retail unit at 43-47 Shelton Street and not open to members of the public and is not in residential use. Thus current use of the space is quite limited due to the restricted access possible only from within the retail unit. In terms of quality and quantity, it is a small space measuring approximately 29sqm and is paved over with no green space. Given the limitations of the courtyard it has a limited function and therefore limited use, with no wider community value or designation. Thus it is considered that its loss will cause limited harm and no detrimental harm to public amenity.

3.5 Furthermore, the Council's Tree Officer has advised that the existing small tree in the courtyard is under the size threshold of 75mm in diameter at 1.5m in height and therefore not afforded legal protection in a conservation area. Thus, no tree report is required. In addition, the tree is of minimal if not zero visibility from the public realm. The tree is not considered to provide a high level of visual amenity to the public or to significantly contribute to the character of this part of the conservation area. As such, the Council's Tree Officer has concluded that the proposed tree removal in association with the works is considered acceptable.

4.0 Design and impact on conservation area

4.1 The proposed extension would be a very modest addition to the host building that would have limited impact on its character and appearance. There are very limited private views of the site from the rear windows of surrounding buildings, and due to its location at ground floor level, surrounded by a number of taller buildings, it is not considered that the proposal would cause any harm to the character and appearance of the conservation area.

4.2 The proposal also seeks to install a fixed roof-light measuring 8.8sqm on the roof extension. This will allow the retail unit to utilise the courtyard as internal floor space and increase the size of the retail unit. Although the rooflight would be fairly large, it would only project from the roof by approximately 200mm and is not considered to cause harm to the character of the host building.

4.3 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.

5.0 Neighbouring Amenity

5.1 There are residential flats immediately above the retail unit at ground floor. Some windows and a balcony overlook the existing courtyard; however, these are situated at first floor level and above and therefore would remain unaffected by the proposal. No windows or views would be obstructed or obscured as a result of the proposal. It is not considered that visibility or light spillage into the flats above will be significantly increased as a result of the proposal, because a number of large windows open onto the courtyard at present. The introduction of an extra roof-light is not considered to greatly increase any existing lightspill nor alter the existing conditions at the site. A condition requiring that the roof light proposed is obscurely glazed and fixed shut would be secured if planning permission is granted.

5.2 Comments have been raised by the Covent Garden Community Association (CGCA) regarding restricting the hours of operation of the retail unit; however, apart from incorporating the enclosed external courtyard into the internal retail floor area to create an additional 29sqm floor space, no changes are proposed to the existing operations or use of the retail unit. Thus, it is not considered necessary to restrict the operational hours of the retail unit.

5.3 It is not considered that the proposal would result in noise nuisance issues. Nevertheless, with regard to concerns raised by the CGCA, the Council has an Environmental Health Team in place to deal with any noise issues as they arise across the borough. However, as stated above, it is not considered that this proposal to enclose the existing courtyard space would introduce any noise disturbance issues for residential occupiers of the upper floors. Overall, there are no concerns with regard to residential amenity as a result of the proposed enclosure of the existing courtyard.

6.0 Recommendation

6.1 Granted conditional planning permission

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 5th February 2018, 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 and search for 'Members Briefing'.

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

Application Ref: **2017/6735/P**
Please ask for: **Fiona Davies**
Telephone: 020 7974 **4034**

31 January 2018

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**43-47 Shelton Street
and 15-17 Endell Street
London
WC2H 9HJ**

DECISION

Proposal: Infilling of the existing rear courtyard and installation of a fixed roof-light.

Drawing Nos: Design and access statement, Nov, 2017, 000, 001, 021, 031, 032, 101, 102, 301, 302.

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 policies D1 and D2 of the London Borough of Camden Local Plan 2017.

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

Design and access statement, Nov, 2017, 000, 001, 021, 031, 032, 101, 102, 301, 302.

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

- 4 The rooflight hereby permitted shall be obscure glazed and fixed shut and shall be permanently maintained as such thereafter.

To safeguard the residential amenity of occupiers of nearby properties in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that 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, Judd St, Kings Cross, London NW1 2QS (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 Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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

Director of Regeneration and Planning

DRAFT

DECISION