

**60 - 70 Shorts Garden & 14-16
Betterton Street - Section 73
Planning Statement**

Shorts Gardens LLP

July 2019

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1.0 Introduction

Background

1.1 This Planning Statement has been prepared on behalf of Shorts Garden LLP to assist the London Borough of Camden (LBC) in its consideration of an application under Section 73 of the Town and Country Planning Act 1990 (as amended) for minor material amendments to planning permission ref. 2017/2204/P.

1.2 This document should be read alongside the Planning Statement and Heritage Impact Assessment, dated July 2017, submitted in support of the original planning application for development at the site.

1.3 By way of context, on the 07 November 2018, planning permission ref. 2017/2204/P was approved for the refurbishment, extension and alteration to 60-70 Shorts Gardens and 14-16 Betterton Street. Following the grant of planning permission, Shorts Garden LLP appointed Buckley Grey Yeoman (BGY) to deliver the detailed construction drawings for the development.

1.4 Planning permission ref. 2017/2204/P approved the following development:

1.5 *“The refurbishment, extension and alteration of 60-70 Short Gardens and 14-16 Betterton Street to provide a two storey roof extension to both properties and introduce new mezzanine areas and bring the vacant basement back into use within Shorts Gardens, in order to provide a mix of B1/A1/A3/A4/D1/D2/C3 uses, with associated refuse provision, cycle storage and plant and a substation on the ground floor of Shorts Gardens.”*

1.6 As a result of design development and additional survey work, a number of proposed amendments were developed by BGY and Shorts Garden LLP. These amendments centred around a goal of practical and timely delivery of a building of merit and quality.

1.7 This application seeks minor modifications to the internal layouts and external elevations of the 60-70 Shorts Garden and 14-16 Betterton Street. Overall, the principle of development remains as approved, including the mix of uses, floorspace provisions and the high-quality refurbishment and extensions to the buildings.

1.8 The design amendments sought are required to ensure the timely delivery of a high quality and implementable scheme. The amendments respond to the development of the MEP solution for the building, which identified an opportunity for improved energy efficiencies resulting in a reduced carbon footprint. The proposed amendments also result in further retention of existing built fabric, improvements to the basement and lower basement amenity, and improvements to the building facades.

1.9 Under Section 73 of the Town and Country Planning Act 1990, an application can be made to the local planning authority to make a change to any planning permission via varying or amending a planning condition. The proposed amendments are minor in nature and consistent with the original permission. The limited changes proposed would not result in a development which is materially different from that which has been approved and can therefore be considered via a Section 73 application.

The Application Submission

1.10 This application comprises the following documents:

- 1 Completed application form for removal/variation of a condition;
- 2 Site location plan and Site Plan;

- 3 Completed Community Infrastructure Levy – Additional Information Requirement form;
- 4 Approved drawings (on CD);
- 5 Revised application drawings;
- 6 Accommodation Schedule;
- 7 Design Report, prepared by BGY Architects;
- 8 An updated Daylight and Sunlight Assessment;
- 9 An updated Noise Impact Assessment;
- 10 An Energy Strategy Update Note;
- 11 Vue City Model of the approved and proposed development; and,
- 12 This Planning Statement (including Heritage Impact Assessment), prepared by Lichfields.

Structure

1.11 This Planning Statement comprises the following sections:

- Section 2.0 Sets out details of the site and surrounding area, relevant planning history and summarises pre-application discussions;
- Section 3.0 Details the planning policy context for the S73 application, focussing on those policy matters that have changed since the original application was submitted;
- Section 4.0 Details the nature of the proposed amendments;
- Section 5.0 Considers how the proposed amendments impact design and amenity of future and surrounding occupiers;
- Section 6.0 Considers how the proposed amendments impact on heritage assets and key views;
- Section 7.0 Considers other planning considerations; and,
- Section 8.0 Provides overall conclusions on the s73 application for minor material changes to the approved scheme.

2.0 **Site Description**

The Application Site

- 2.1 The application site comprises 60-70 Shorts Gardens and 14-16 Betterton Street, within the Covent Garden area of Camden. The site is located on a rectangular block with frontages to both Shorts Garden and Betterton Street. To the east, the block is bounded by Drury Lane and to the west, by Endell Street.
- 2.2 No. 60-70 Shorts Gardens is a three storey property with a large basement, which dates from between 1910 and 1952. The property is of red brick with a steel and concrete frame and flat bitumen roof and mansard to the rear. The ground floor is of double height and incorporates brick arches, most of which are currently bricked up, with crittall windows above. A series of brick pilasters in between the arches give the building a defined vertical rhythm along its length. The façade of the building is set back by approximately 1.2 metres from the adjoining sections of the site. The property was previously used as a London Electricity Board operational building and it has been in B1 and studio use since the 1980s. Many of the internal spaces have been altered and modernised and there is little of architectural or historic interest internally remaining. The basement of Shorts Gardens is of double height (7.5 metres) and is 38 metres long by 11 metres wide. The basement has not been used for approximately 10 years. There is a courtyard to the rear of the property but this is owned by UKPN and does not form part of the application site.
- 2.3 The western element of the property comprises the four storey brick “Vent Building”, which vented the building when it was in use as a substation. Whilst this building dates from the 18th or early 19th Century it has been much altered and is in poor physical condition.
- 2.4 No. 14-16 Betterton Street is a four storey warehouse of brick and concrete construction with steel crittall type windows, which dates from around 1927. It has a flat roof and a protruding chimney breast to the west façade. The ground floor features a large double height opening. The interior of the property has been altered and modernised and there is little of architectural or historic interest internally.
- 2.5 Both properties are currently occupied by a range of office and studio uses with short terms leases. The existing gross external area of the Shorts Garden property is 2544 sqm and that of the Betterton Street property 1143 sqm.

The Surrounding Area

- 2.6 The application site is located within a mixed use area of Covent Garden, surrounded by a variety of existing commercial and residential uses. To the north east, on the opposite side of Shorts Gardens, there is a hotel while to the north-west is an existing residential block (Dudley Court). To the south there are a variety of uses including retail, commercial and bar/restaurants. Along Drury Lane there is a mix of commercial, restaurant, bar, entertainment and retail uses including the New London Theatre.
- 2.7 Shorts Gardens contains a mix of building types, including 1970s developments (the hotel and residential block) and Georgian and Victorian buildings. Betterton Street contains Georgian town houses and contemporary brick buildings, along with the 1950s electrical substation (UKPN) adjoining the site. Details of the historic development of the area are contained in Section 3 of the Heritage Impact Assessment.
- 2.8 The application site is located within the North London sub-region and the Central Activities Zone (CAZ) as defined by the London Plan (2016). It is identified within the Central London

Area (CLA) within the Camden Core Strategy (2010). The site is also located within the Seven Dials Conservation Area and the London Suburbs Archaeological Priority Area, as identified within the Camden Core Strategy. The Conservation Area Appraisal notes that:

“Shorts Gardens has predominantly 19th century commercial buildings. The original buildings on the south side were demolished for the Brewery stables in the 1880s and the north side has mostly warehouses, four and five storeys high. The triangle bounded by Short’s Gardens, Earlam Street and Neal Street was converted in 1992 to a shopping development known as Thomas Neal’s. Entrances to the shops are mostly located internally to maintain the appearance of the original warehouse ground floor windows. The whole block is listed Grade II.”

2.9 Specifically in relation to the application site the Conservation Area Appraisal states:

“Shorts Gardens/Betterton Street - The block between Betterton Street and Shorts Gardens is occupied by a former LEB sub-station. The Betterton Street brick facade has ventilation holes with glass brick surrounds. The site is an opportunity site.”

2.10 The application site does not contain any statutorily listed buildings. However there are listed buildings within the vicinity of the site, including 24 and 33 Betterton Street, 22 Endell Street, the Cross Keys Public House in Endell Street and 51 and 53 Shelton Street. Further details are set out in Section 4 of the Heritage Impact Assessment.

Relevant Planning History

2.11 Table 2.1 summaries the key planning history relating to the application site.

Table 2.1: Planning History

Application Ref.	Description	Status	Comments
8701046	Change of use from electricity sub-station/depot to design studio as shown on drawing number SK1	Granted 06/08/1987	
PSX0304151/P	Partial retention of works to elevations including the replacement of roller shutters with glazing and creation of new entrance to offices and the replacement of the existing external lighting with new architectural lighting to both Shorts Gardens and Drury Lane elevations.	Granted 23/06/2004	
2008/1401/P	Alterations, extension (including roof extensions) and refurbishment of existing commercial/office use (Class B1), change of use of ground floor of Shorts Gardens to create small units (Class A1/A2 and D1), and change of use of basement to either B1/D1 or D2 use.	Granted at appeal	Appeal lodged 13/11/2008 and allowed 10/06/2009 (APP/X5210/A/08/2089789) Condition 2 restricts the use of the basement area to: ‘Class B1 or Class D1, or as a swimming bath, skating rink, gymnasium or area for other indoor sports of recreations, not involving motorised vehicles or fire arm, and not for any other purposes within class D1 (assembly and leisure)’
2008/5895/P	Alterations, extension (including roof extensions)	Withdrawn (date	

	and refurbishment of existing commercial/office use (Class B1), change of use of ground floor of Shorts Gardens to create small units (Class A1/A2 and D2), and change of use of basement to either B1/D1 or D2 use. Change of use of basement to either Class B1/D1 or D2 use.	unknown)	
2012/2059/P	Amendment to planning permission 2008/1401/P allowed on appeal (APP/X5210/A/08/2089789) on 10/06/2009 (for alterations and extensions (including roof extensions) and refurbishment of existing commercial/office use (Class B1), change of use of ground floor of Shorts Gardens to create small units (Class A1/A2 and D1), and change of use of basement to either B1/D1 or D2 use) to add a condition to ensure development shall be carried out in accordance with the approved plans.	Granted 23/05/2012	Condition 2 restricts the use of the basement area to: 'Class B1 or Class D1, or as a swimming bath, skating rink, gymnasium or area for other indoor sports of recreations, not involving motorised vehicles or fire arm, and not for any other purposes within class D2 (assembly and leisure)'
2012/1533/P	Application to replace / extend the time limits for implementation of, planning permission ref: 2008/1401/P, granted on appeal 10/06/2009 for 'alterations and extensions (including roof extensions) and refurbishment of existing commercial/office use (Class B1), change of use of ground floor of Shorts Gardens to create small units (Class A1/A2 and D1), and change of use of basement to either B1/D1 or D2 use.'	Granted 25/02/2013 Implemented	Condition 1 requires development to have begun within three years of the decision date (24/02/2016). The conditions are currently being discharged from this decision. Condition 8 (2015/6009/P) – Pending Determination Condition 11 and 14 (2015/4851/P) – Granted 12/11/2015 Condition 7 (2015/4850/P) – Granted 13/01/2016 Condition 3 (2015/4849/P) – Granted 11/11/2015 Condition 6 (2014/4848/P) – Granted 11/11/2015
2017/2204/P	The refurbishment, extension and alteration of 60-70 Short Gardens and 14-16 Betterton Street to provide a two storey roof extension to both properties and introduce new mezzanine areas and bring the vacant basement back into use within Shorts Gardens, in order to provide a mix of B1/A1/A3/A4/D1/D2/C3 uses, with associated refuse provision, cycle storage and plant and a substation on the ground floor of Shorts Gardens.	Granted 07/11/2018	This application seeks to amend this permission.

Pre-application Discussions

- 2.12 The amendments were presented to LBC via the formal pre-application process during a meeting on the 09 January 2019, three pre-application documents were issued between December 2018 and March 2019. The documents introduced additional revisions to the scheme and were produced in part to address comments received from LBC during the pre-application meeting.
- 2.13 Pre-application feedback from LBC was sought on the following amendments:
- 1 Increasing the building line of the two Shorts Garden 'bookends' at 3rd and 4th floor level by 1m.
 - 2 Amendments to the internal floorplans of the Shorts Garden façade, including reconfiguration of the floorspace at the mezzanine levels, retention of existing elements of the building's cores and other minor internal amendments.
 - 3 An increase in plant screening at a roof level to facilitate the delivery of more centralised plant which will improve and simplify the building servicing and will deliver a more efficient and usable office floorplates.
 - 4 Demolition and front façade retention of the Betterton Street building and internal amendments including the introduction of a separate residential core, reconfiguration of floorspace and more efficient residential floorplates. This amendment was driven by detailed design and survey work which identified challenges to delivering the consented proposals.
 - 5 Like for like replacement of the Betterton Street side facades with amendments to the fenestration to deliver an improvement to the quality of built fabric for neighbouring properties and improved amenity for future occupiers.
 - 6 Straitening of the gables to the roof extension on the Betterton Street building, enabling better control of building detailing and future building maintenance.
- 2.14 On the 24 April 2019, formal written feedback was received from LBC on the amendments set out above. A summary of the feedback received is provided:
- 1 Further increase in the buildings' GIA's would be supported in principle.
 - 2 The internal layout amendments to the Betterton Street building, including the introduction of a separate core for the residential properties, would be supported in principle.
 - 3 The reduction of louvers on the Betterton Street elevation would offer some limited benefits in design terms.
 - 4 Officers accepted the proposed straightening of the roof gable to the Betterton Street building.
 - 5 The extension to the 'bookend' element of the development was not supported by Officers, who had concerns that the amendments would impact on key views and would reduce the visual separation between the curved extension element of the design. They advised that any application to amend this element of the design should be supported by a Vue City model.
 - 6 An updated Daylight and Sunlight assessment is required for the 'bookend' extensions.
 - 7 An updated Noise Impact Assessment should support the submission.
 - 8 Officers raised concerns that the amendments to the plant screen would breach the original design parameters.

9 The demolition and façade retention of the Betterton Street building was not supported. Officers considered the amendments to result in harm to the Severn Dials Conservation Area.

2.15 In response to the comments received from Officers, the scope of the proposed amendments to the development have been reduced, and the demolition and façade retention of the Betterton Street building is no longer proposed. Further details of the design development are set out with the Design Report.

2.16 A Vue City Model, updated Daylight and Sunlight Assessment and Noise Impact Assessment have also been provided to support this application, as requested by Officers.

2.17 The amendments proposed result in a modest increase in GIA across the buildings and as such updated Viability Assessment and Venue Management Plan is not considered necessary to support this application.

3.0 **Planning Policy Context**

- 3.1 Government Planning Practice Guidance (PPG) on Flexible Options for Planning Permissions issued in March 2014 provides clarity on those issues relevant to the consideration of s73 applications that seek to secure minor material amendments to approved schemes. Annex A to the PPG requires that any such applications should be assessed against the development plan and material considerations, under section 38(6) of the Planning and Compulsory Purchase Act 2004, and conditions attached to the existing permission. Authorities are advised to focus attention on national and development plan policies, and other material considerations which may have changed significantly since the original grant of permission.

Updated Policy

- 3.2 The original planning permission for Shorts Garden (ref. 2017/2204/P) was considered at planning committee in July 2017 and planning permission was granted in November 2018. Since this date, the NPPF has been updated and a new Local Plan for Camden has been adopted.

National Planning Policy Framework (2019)

- 3.3 The revised National Planning Policy Framework [the Framework] was published on 24 July 2018 by the Ministry of Housing, Communities and Local Government [MHCLG], and updated in February 2019. The overarching aim of the Framework is to proactively deliver sustainable development to support the Government's economic growth objectives.
- 3.4 The Framework [paragraphs 8 & 9] identifies three overarching dimensions to achieving sustainable development: economic, social and environmental. These dimensions are interdependent, and gains need to be pursued in mutually supportive ways.
- 3.5 Paragraph 11 states:

“Plans and decisions should apply a presumption in favour of sustainable development”

- 3.6 The policy further explains what this means for decision-taking:

“Approving development proposals that accord with an up-to-date development plan without delay”

Planning Practice Guidance

- 3.7 On 29 November 2016, the Government published the Planning Practice Guidance [PPG]. This was updated most recently on 13 September 2018.
- 3.8 The PPG includes sections relevant to the consideration of planning applications [Section 21b], the use of planning conditions [Section 21a], and planning obligations [Section 23b]. It also includes advice on specific topic areas including the natural environment [Section 8], design [Section 26], noise [Section 30], air quality [Section 32], contamination [Section 33] and open space [Section 37], and viability [Section 10] amongst other matters.
- 3.9 Those sections are not repeated here but are referred to as appropriate in the consideration of the proposed development.

LB Camden Local Plan (2017)

- 3.10 The Camden Local Plan was adopted in July 2017. The plan sets out the Council's planning policies from 2016-2031 and seeks to deliver the Council's vision for the borough through five

strategic objectives. The policies noted below are of particular relevance to the application site and the proposed scheme:

- 1 Policy G1 – Delivery and Location of Growth
- 2 Policy C3 – Cultural and Leisure Facilities
- 3 Policy E1 – Economic Development
- 4 Policy E2 – Employment Premises and Sites
- 5 Policy A4 – Noise and Vibration
- 6 Policy A5 – Basement and Lightwells
- 7 Policy D1 – Design
- 8 Policy D2 – Heritage
- 9 Policy CC1 – Climate Change Mitigation
- 10 Policy CC2 – Adapting to Climate Change
- 11 Policy CC5 – Waste
- 12 Policy T2 – Parking and Car Free Development

3.11 The following supplementary planning guidance is also relevant to the proposed amendments:

- 1 CPG Housing
- 2 CPG Amenity
- 3 CPG Design
- 4 CPG Developer Contributions
- 5 CPG Energy Efficiency and adaption
- 6 CPG 2 Housing

4.0 **Proposed Amendments**

4.1 While the detailed design and layout of 60 – 70 Shorts Garden and 14- 16 Betterton Street have been amended, the principle of the approved development is retained.

4.2 The proposed amendments are outlined in detail in the supporting documentation and summarised below:

- 1 Amendments to the internal floorplans of the Shorts Garden façade, including reconfiguration of the floorspace at the mezzanine levels, retention of existing elements of the building’s cores and other minor internal amendments.
- 2 Internal amendments to the Betterton Street building including a new dedicated residential core and entrance.
- 3 Increasing the building line of the two Shorts Garden ‘bookends’ at 3rd and 4th floor level by 1m.
- 4 An increase in plant screening at a roof level to facilitate the delivery of more centralised plant which will improve and simplify the building servicing and will deliver more efficient and usable office floorplates. Resultant increase in biodiverse roof area.
- 5 Straightening of the gables to the roof extension on the Betterton Street building, enabling better control of building detailing and future building maintenance.
- 6 The proposed amendments also pick up a number of minor discrepancies between the as built and approved drawings. These are set out in detail in the Design Report.

Internal Amendments

4.3 Minor amendments are proposed to the internal layouts of the Shorts Garden and Betterton Street Buildings.

4.4 The following amendments are proposed to the internal layouts:

- 1 Retention and extension of existing cores and stairwells to increase the retained level of existing built fabric and reduce site demolition.
- 2 The retention of the existing cores results in the removal of spiral staircase at basement level, a minor reduction in the mezzanine opening at upper basement level and a minor increase in the ground floor mezzanine level.
- 3 A new lightwell at ground floor level, which is proposed to introduce natural light into the basement levels to improve amenity for future users.
- 4 Reconfiguration of cycle parking for the commercial building which is to be relocated from the Betterton Street Building to the lower basement of the Shorts Garden building. The cycle provision remains as approved.
- 5 A minor increase in floorspace at 3rd and 4th floor level as a result of the proposed amendments to the ‘bookend’ extensions.
- 6 A new dedicated residential entrance and core for the Betterton Street homes, which has been informed through comments received from Secured by Design officers.
- 7 Relocation of the primary plant rooms into the Betterton Street building and the eastern end of the Shorts Garden building.
- 8 A minor increase in the Betterton Street retail unit through reconfiguration of cores.

- 4.5 The minor amendments proposed to the internal layouts of the buildings will result in a slight increase in both commercial and residential areas (measures as GIAs).

External Alterations

The ‘bookend’ extensions

- 4.6 A 1m increase in the bookend extensions is proposed at 3rd and 4th floor level. This amendment is driven by the retention of the existing stair cores and the desire to improve the quality and level of useable space in these areas. This modest increase in space will significantly improve the quality and saleability of these office floorspaces.

Plant Screen

- 4.7 Following grant of planning permission in November 2018, a detailed MEP strategy has been developed for the development which has identified an opportunity for improved energy efficiency and carbon reduction levels.
- 4.8 To accommodate the proposed MEP strategy a 2m extension to the plant screen is proposed. A localised height increase of 250mm to the central section of the screen is also proposed.

Betterton Street Louvres

- 4.9 The improved MEP strategy removes the requirement for the external louvres proposed to the Betterton Street building and as a result louvres are no longer proposed for the Betterton Street building.

Shorts Garden Fenestration

- 4.10 To facilitate the retention of the existing cores and stairwells, minor amendments to the Shorts Garden fenestration and proposed at ground floor level. The existing eastern entrance to the building will be retained as a fire escape route and updated, the proposed western entrance point is relocated one bay to the west to create a new reception space and rebalance the symmetry of the building with the fire escape point to the west.
- 4.11 A solid masonry border is also proposed to the double storey hit and miss brick fenestration and window on the western extent of the Shorts Garden elevation. This design amendment has been informed through details structural surveys which identified a requirement for a masonry pier at party wall position with the adjacent property.

Betterton Street Gable

- 4.12 The proposed roof gable to the Betterton Street extension will be straightened. This will significantly improve the buildability of the scheme.

Planning Assessment

- 4.13 The principle of the development has been established through the original planning permission, and the proposed development maintains the same quantum, use and design principles as the approved scheme.
- 4.14 Having regard to the potential impacts of the proposal, and based on a thorough review of the development plan and other policy considerations, we conclude that the following key issues need to be considered in determining this Section 73 application:
- 1 Design Quality and Amenity; and

2 Heritage and Visual Impact.

- 4.15 These issues are addressing in the following Sections of the Planning Statement. Section 5.0 considers the design quality and amenity standards of the proposed amendments, Section 6.0 considers the proposed amendments from a Heritage and Townscape perspective and Section 7.0 considers other planning considerations.

5.0 **Assessment of the Minor Material Changes**

Principle of development

- 5.1 The principle of the development of the site has been established through the approved scheme. There are no material amendments proposed to the quantum of development on the site and the design intentions of the scheme remain as approved.

Design and Amenity

Design

- 5.2 The proposed amendments include a number of minor changes to the Shorts Gardens and Betterton Street facades. These amendments have been developed with careful consideration of the design principles of the approved development and the character of the surrounding area.
- 5.3 The proposed amendments to the Shorts Garden façade will result in an extremely minor change to the 'bookend' extension elements at third and fourth floor level. The proposed amendments bring forward the building line of the bookend extensions by 1m, resulting in a minor change to the two roof terraces. The design of the rooftop extensions remain as approved.
- 5.4 Minor amendments to the Shorts Garden fenestration are proposed, including the retention and upgrading/refurbishment of an existing entrance and the relocation of the approved entrance to the most westerly arch. Consistent with the approved proposals, the entrances will be primarily glazed, and the proposed amendments are considered to have no material impacts on the design principles established under the original permission.
- 5.5 The introduction of the new emergency access point to one of the arches will result in a slight reduction in activity along the frontage. This is countered by the new two storey lightwell proposed along part of the Shorts Garden frontage, which will create a more visually interesting frontage and layout, allowing passers-by glimpses into the basement space below.
- 5.6 Informed by more detailed structural surveys, a solid masonry border has been introduced around the hit and miss brickwork and glazed element of the vent shaft building. The introduction of the masonry border reinforces the base and top emphasis and improves the vertical rhythm of the building.
- 5.7 To ensure the acoustic integrity of the Betterton Street roof extension is retained, a non-material amendment to the Betterton Street gable wall is sort. With exception to the straightening of the gable, the design of the roof extension remains as consented. The asymmetry, which was proposed to add interest at street level, is retained and the original design intentions remain. The visuals submitted to support this application demonstrate that the amendments will be indistinguishable at street level
- 5.8 The retention and extension of the building cores and the improved MEP strategy result in a number of improvements to the design of the Betterton Street building. The relocation of the building cores away from the southern elevation of Shorts Garden removes the requirement for an additional window opening and significantly reduces the size of the new glazed elements across the courtyard elevations, reducing overlooking. The new MEP strategy removes the requirement for louvres on the east and south elevations.
- 5.9 In summary, a number of minor, external amendments are sought to the Shorts Garden and Betterton Street buildings as a result of detailed survey work and strategy development. The proposed amendments have been developed through a careful and considered design review, which centred around a goal of practical delivery of a building of merit and quality. The high

quality design intentions of the original proposals are retained and the proposed amendments are fully in accordance with Local Plan Policy D1 (Design).

Amenity

Future Occupiers

- 5.10 The proposed amendments involve the reconfiguration of the commercial floorplates to 60-70 Shorts Garden and minor changes to the commercial element of the Betterton Street building. A new separate residential entrance from Betterton Street is also proposed.
- 5.11 The reconfiguration of the commercial floorplates will have limited impact on the amenity of future occupiers. The floorplates remain as high-quality office and flexible use spaces. The minor extension to the 'bookend' extension element of the scheme will increase the provision and quality of useable office space at 3rd and 4th floor level, improving the offer to future occupiers.
- 5.12 The introduction of a new two storey lightwell from street level into the basement will also improve the amenity of future occupiers, with natural light now reaching the basement levels below. While no material amendments are sought to the layout of the residential units, a separate residential access is proposed. This will bring benefits to the residential properties from an access and safety perspective, in accordance with Local Plan Policy D1 (Design).

Surrounding Properties

- 5.13 The minor increase in the extent of the 'bookend' extension elements would result in a slight reduction in the separation distance from the residential properties at Dudley Court opposite. The separation distance between the 'bookend' extensions and Dudley Court will be over 16m which is considered to be an acceptable outlook from these units. An updated Daylight and Sunlight assessment has been prepared to assess the impact of the reduced separation on daylight and sunlight enjoyment. The assessment concludes that the proposed amendment will not cause any additional perceptible changes in daylight and sunlight to the occupants of the residential properties surrounding the site.
- 5.14 A noise impact assessment has also been prepared to support the application, the assessment demonstrates that the amendments to the roof level plant will not result in the atmospheric noise level exceeding the criteria required by LBC.
- 5.15 In summary, in accordance with Local Plan Policy A1 (Managing the Impact of Development) the proposed amendments will have no impact on the amenity of surrounding properties when considered against the consented scheme. The introduction of natural light into the basement spaces at 60-70 Shorts Garden and the new separate residential entrance will bring improvements to the amenity of future occupiers.

6.0 Heritage and Visual Impact

Heritage Assets

- 6.1 The original planning permission application was accompanied by a Heritage Impact Assessment and this should be referred to when considering this Section 73 application.
- 6.2 60-70 Shorts Garden and 14-16 Betterton Street are non-designated heritage asset within the Seven Dials Conservation Area. 60-72 Shorts Garden is identified as a positive contributor to the Conservation Area within the Conservation Area Appraisal. 14-16 Betterton Street is not identified as a positive contributor to the conservation area within the Conservation Area Appraisal.
- 6.3 The buildings have been heavily altered since their construction and there is no historic interest internally as all historic features have been removed. The buildings internals do not contribute to the significance of the Seven Dials Conservation Area and the buildings are both of low significance due to the extensive, unsympathetic alterations which have taken place since their construction. Much of the significance of 60-72 Shorts Gardens lies in its rhythmic façade and the symmetry of its upper storeys.
- 6.4 As the internals of both buildings have no historic interest the proposed internal amendments will have no impact on the significance of the Seven Dials Conservation Area and the non-designated heritage. The conclusions reached in the original Heritage Impact Assessment remain valid.
- 6.5 The minor external amendments to the buildings will have very limited impacts on the setting of the Seven Dials Conservation Area or the non-designated heritage assets. The removal of the louvres on the Betterton Street building will bring benefits to close-range views from Betterton Street and the views from private properties. The introduction of a new entrance and the relocation of the proposed entrance to the Shorts Garden facades will improve the symmetry of the building, which is identified as contributing to the significance of the non-designated heritage assets.
- 6.6 The proposed amendments will not impact on the significance of the Seven Dials Conservation Area, which will be preserved. Overall, the proposed amendments to the buildings are minor in nature, and the proposed amendments will have no greater impact than the approved scheme on the significance of the non-designated heritage assets, which will be enhanced.
- 6.7 The proposed amendments therefore comply with Local Plan Policies D2 (Heritage) and D1 (Design) and the Camden CPG Design.

Key Views

- 6.8 The impact of the proposed minor amendments on key views to the site have also been considered within the Design Report. A summary of the impacts is set out below.
- 6.9 A minor increase of 1m to the Shorts Garden 'bookend' extension building line is proposed. The depth of this amendment has been carefully developed through the detailed design process to ensure that the design intentions of the original proposals are maintained. The depth of the proposed amendments were reduced following the pre-application meeting on the 09 January 2019 to ensure that, when viewed from street level, the visual distinction between the curved extensions and the bookends is retained. The curved extension is still read as an individual design element and the set back ensures that the roof level extensions do not appear overly dominant or 'top heavy'.

- 6.10 The visuals submitted to support this application demonstrate that the proposed amendments do not increase visual impact of the roof extension from short or long views. The visual separation between the curved extension and the bookends is maintained in long views from the North East and the bookends do not breach the roofline of the curved extension. When viewed from the South West, the bookend elements remain set back from the front ridge line of the adjacent mansard roof form.
- 6.11 A modest increase in the roof level plant screen is also proposed. The amendments include an increase of circa 2m to the western lateral extent of the plant screen. The plant screen will also be raised centrally by 25cm to a localised area of no more than 6m in length. The amendments to the plant screen will facilitate the introduction of more centralised plant which will improve and simplify the building servicing, delivering more efficient and usable office floorplates. Consistent with the approved schemes, the plant screen is sensitively located away from the parapet lines.
- 6.12 The plant screen at roof level was designed to not be perceptible from street level in all but a select number of long views or from the tops of the surrounding buildings. The proposed amendments will not breach these design parameters. As shown on the visual material provided, the amendments to the plant screen will have no impact on the visibility of the screen from street level. While the screen will be slightly greater in length when viewed from the surrounding buildings (the upper floors of the Travelodge opposite), the principle and design of the screen remains consistent with the approved and will have no greater impact on any short or long views to site. Notwithstanding that the proposed amendments to the plant scheme will have no impact on townscape and key views, the changes will facilitate the delivery of an improved MEP strategy which has numerous benefits for energy efficiencies and carbon reduction.
- 6.13 In summary, the amendments are minor in nature and will preserve the design intention of the original proposals. They will also allow for a more flexible and adaptable office space, a benefit to future occupiers. The extension of the 'bookend' elements of the development and the amendments to the plant screen are necessary to deliver the retention of the existing cores. The visuals provided demonstrate that the amendments will have no material impact on long or short views to the site.

7.0 **Other Considerations**

Energy and Sustainability

- 7.1 In accordance with Local Plan Policy CC1 (Climate Change Mitigation) the proposed amendments will improve the energy efficiency and sustainability of the development.
- 7.2 The Energy and Sustainability note prepared by Cundall notes that the proposed amendments will make a positive impact in reducing both operational and embodied carbon emissions for the development.
- 7.3 The retention of additional built fabric also brings benefits from a sustainability perspective, in line with Local Plan Policy CC1 (Climate Change Mitigation). As a result of the amendments to the plant screen, there will be an increase in bio-diverse roof area in the development, which is supported under Local Plan Policy CC2 (Adapting to Climate Change).

Waste and Refuse

- 7.4 As set out within the Design Report, the location of refuse stores has been amended. The level of provision of the waste storage remains as approved. Full details of waste storage and removal will be agreed via the submission of details under Condition 16 prior to the commencement of development.

Cycle Parking

- 7.5 As set out within the Design Report, the location of cycle storage has been amended. The proposed amendments will not result in any material change to the consented floorspace levels and there is therefore no change to the agreed cycle provision within the scheme, which remains as:
- 1 8 long stay spaces (residential)
 - 2 1 flexible space (residential)
 - 3 28 long stay spaces (commercial)
 - 4 2 flexible spaces (commercial).
- 7.6 Consistent with the approved scheme, the shortfall of short stay spaces will be provided offsite and a financial obligation has been secured to deliver these.
- 7.7 Details of the cycle parking spaces will be agreed via the submission of details under Condition 15 prior to the commencement of development.

Venue Management

- 7.8 The proposed amendments will result in a non-material increase in the flexible floor space at basement and basement mezzanine level. The proposed amendments will have no impact on the intended management of the venue space, which is set out in the Draft Venue Management Plan submitted to support the original planning permission application. A final Venue Management Plan is required to be submitted under the S106 agreement.
- 7.9 Consistent with the approved proposals, a generous internal lobby space is proposed which will allow for visitors to the venue arriving at the site to enter the building directly, removing the need to manage rates of entry externally.

8.0 **Conclusion**

- 8.1 Full planning permission for the refurbishment and extension of 60-70 Shorts Garden and 14-16 Betterton Street was approved in November 2018 (ref. 2017/2204/P), which established the principle for the development on the site. This Section 73 application seeks to make minor amendments to the scheme as a result of design development, structural surveys and more detailed consideration of the MEP strategy. The proposed changes were discussed with Officers at a meeting on the 09 January 2019. These amendments are required to facilitate and expediate delivery of the development and its substantial local benefits.
- 8.2 The approved development will bring significant planning and regeneration benefits to the local area, and the minor amendments are considered to be appropriate and in keeping with the principles of the approved development. The amendments will also deliver a number of minor benefits to the amenity and design of the approved scheme.
- 8.3 For these reasons we conclude that with the minor amendments in place, the development complies with the objectives and requirements of development plan policies.

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