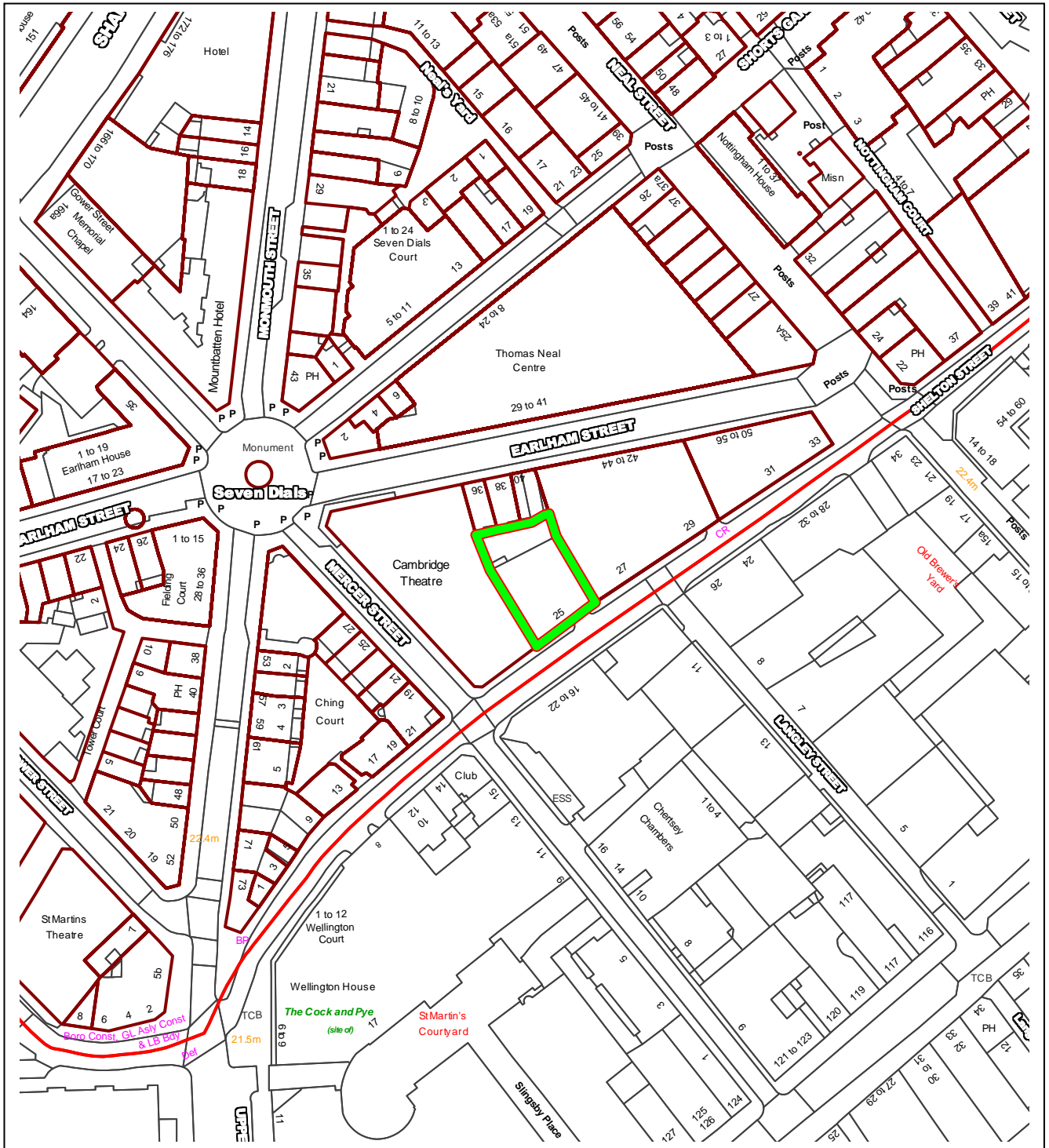


# 2018/0846/P- 25 Shelton Street



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## 1. Existing Front Elevation



## 2. Existing Courtyard



3. Courtyard, Existing Canopy and Upper Floors of No. 25 Shelton Street





4. Existing Canopy





<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>13/04/2018</b>
(Member's Briefing)		N/A	<b>Consultation Expiry Date:</b>	<b>22/03/2018</b>
<b>Officer</b>			<b>Application Numbers</b>	
Samir Benmbarek			2018/0846/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
25 Shelton Street London WC1H 9HW			See 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>				
Removal of existing canopy and erection of glass pitched roof and steel structure to infill rear courtyard and installation of ramp in association with the ground and basement unit (Use Sui-generis/A1)				
<b>Recommendation:</b>	Grant Conditional Planning Permission			
<b>Application Type:</b>	<b>Full Planning Permission</b>			

Conditions:	Refer to Draft Decision Notice					
Informatives:						
<b>Consultations</b>						
Adjoining Occupiers:	No. notified	--	No. of responses	07	No. of objections	07
Summary of consultation responses:	<p>Site notices were displayed in close proximity to the application site from 23/02/2018 (expiring on 16/03/2017).</p> <p>To date, 10 comments/objections have been received from the following addresses:</p> <ul style="list-style-type: none"> <li>• Flat 2, 25 Shelton Street</li> <li>• Flat 11, 25 Shelton Street</li> <li>• 40 H Earlham Street</li> <li>• Flat G, 40 Earlham Street</li> <li>• Flat E, 40 Earlham Street</li> <li>• Craven House, 40 Uxbridge Road</li> <li>• Address Unknown</li> </ul> <p>Their comments are summarised below:</p> <ol style="list-style-type: none"> <li>1. Roof needs to be designed in order to allow maintenance for the upper floors above;</li> <li>2. The roof needs to be above or below the level of the first floor flats to avoid compromising the existing flues to the gas boilers;</li> <li>3. Concerns of potential noise, light pollution and smells ;</li> <li>4. No notice has been provided by the applicant in regards to the application;</li> <li>5. Right of way through the courtyard diminished by reason of the development;</li> <li>6. Deliveries and waste to 25 Shelton Street should only be made at the Shelton Street entrance;</li> <li>7. Earlham Street gates should be locked at night to reduce concerns of burglaries;</li> <li>8. The apex/terminating height of the proposed roof is slightly higher than the bottom of the residential windows at first floor level;</li> </ol> <p>Officer's Response:</p> <ol style="list-style-type: none"> <li>1. <i>The proposal has been amended to incorporate features to allow maintenance to the upper floors. Please refer to paragraphs 1.2 and 2.3.</i></li> <li>2. <i>The proposal has been amended so that the terminating point of the roof is beneath the existing window sills at first floor level. Please refer to paragraph 1.2 and 2.3.</i></li> <li>3. <i>It is not considered that the proposal leads to adverse levels of light pollution, smells and noise. Please refer to section 3.0.</i></li> <li>4. <i>Certificate B has been signed on the application form with the details of the other interests of the land.</i></li> <li>5. <i>The erection of the roof is not considered to impede the right of way</i></li> <li>6. <i>It is anticipated that this would still occur once the development is complete;</i></li> <li>7. <i>It is anticipated that the gates would be locked at night for security</i></li> </ol>					

*purposes;*

- 8. The proposal has been amended so the terminating height of the roof is beneath the window sills at first floor level. Please refer to paragraphs 1.2 and 2.3.*



**Comments from local groups:**

The **Covent Garden Community Association** have objected to the scheme with their comments summarised as below:

1. Notice was not given to the freehold owner of part of the land (40 Earlham Street Property Ltd.);
2. The roof structure does not include features to allow access for maintenance;
3. The plans does not show features to prevent noise;
4. The proposal does not include features to prevent smells;
5. Concerns of light pollution;
6. The design of roof is considered too intrusive, which reaches the window sills.

Officer's Response:

1. *Aside from the Councils statutory consultation of the application (site notice/press notice/email alerts), notification is also a civil matter between the applicant and other parties involved with interest in the land. The site location plan indicates the courtyard would be developed entirely within the domain of No. 25 Shelton Street.*
2. *The proposal has been amended to incorporate features to allow maintenance to the upper floors. Please refer to paragraph 1.2 and 2.3 of this report.*
3. *Please refer to paragraph 3.1 of this report.*
4. *Please refer to paragraph 3.1 of this report.*
5. *Please refer to paragraph 3.1 of this report.*
6. *The proposal has been amended so the terminating height of the roof is beneath the window sills at first floor level. Please refer to paragraph 1.2 and 3.1 of this report.*

The **Really Useful Theatres Group** have objected to the scheme :

1. No notification was received from the Council on the application
2. Access to the residential buildings and the side wall of the adjoining theatre would be removed which would make maintenance works difficult;
3. The aspirations of the proposed development can be achieved in an alternative form

Officer's Response:

1. *Statutory consultation was undertaken by the Council accordingly which includes multiple site notices being displayed in proximity to the site and a press notice in the local paper. Direct consultation letters have ceased as of October 1<sup>st</sup> 2016.*
2. *The proposal has been amended so the terminating height of the roof is beneath the window sills at first floor level to allow for maintenance. Please refer to paragraphs 1.2 and 2.3 of this report.*
3. *Each application is determined on its own merits.*

The **Bloomsbury CAAC** have objected to the scheme:

1. Harmful to the character and appearance of the conservation area as courtyards were designed to be open spaces within dense areas of habitation.
2. Impact on services as no means for maintenance etc.
3. Lack of fresh air which will require air conditioning units which will in

turn negatively impact upon the conservation area.

Officer's Response

1. *Please refer to section 2.0 of this report.*
2. *Please refer to paragraphs 1.2 and 2.3 of this report.*
3. *Should an application for air conditioning be submitted this would be determined on its own merits including noise, amenity, siting and design.*

## Site Description

The application site comprises of a ground floor unit with a central courtyard at the rear within a six-storey building located on the northern side of Shelton Street. The building is located within the Seven Dials Conservation Area and is described as a building that is a positive contributor to the conservation area. It is not a listed building.

The courtyard is in ownership of the ground floor A1/sui generis unit and is in use as open space in relation to the unit. It is not in “commercial” use or operation but the erection of the roofing seeks to internalise the courtyard with the canopy in order to have extended commercial space.

The building is within Covent Garden with the borough boundary between the LB Camden and the City of Westminster adjoining the front of the site.

## Relevant History

(Ref:2017/3487/P) – Planning permission granted on 14 August 2017 for the use of basement and ground floor for an flexible use, as either retail (A1) or health and beauty spa (sui generis), or a combination of the two.

(Ref: 2017/6997/P)- Planning permission granted on 08 March 2018 for the replacement of existing shopfront and associated external works

## Relevant policies

### National Planning Policy Framework 2018

### The London Plan 2016

### Camden Local Plan 2017

A1 (Managing the impact of development)

D1 (Design)

D2 (Heritage)

### Camden Supplementary Planning Guidance

CGP1 (Design) (Updated March 2018)

CPG Amenity (March 2018)

### Seven Dials Conservation Area Statement 1998

## Assessment

### 1. Proposal

1.1 Planning permission is sought for the following, which are proposed:

- Removal of existing canopy
- Erection of glass pitched roof upon steel structure to infill the courtyard

1.2 Revisions were submitted during the process of the application in which the design of the proposed pitched roof was at a reduced height so that it is less obtrusive to the occupiers of the first floor windows of the building and with platforms and access for maintenance purposes.

1.3 The roofing seeks to internalise the courtyard with the canopy in order to have extended commercial space (either A1 (retail) or Sui generis (health and beauty spa)). The proposed additional floorspace covered by the roofing would be 96sqm.

1.4 The main issues for consideration are:

- Design; The impact of the proposal upon the character or appearance of the host building and the surrounding area
- Residential amenity; the impact the proposal may have upon the amenity of the occupiers of the neighbouring properties.

### 2. Design

2.1 The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained in policy D1 are relevant to the application; development should consider the character, setting, context and the form and scale of neighbouring buildings, and the quality of materials used. Policy D2 will preserve, and where appropriate, enhance Camden's diverse assets and their settings including conservation areas.

2.2 CPG1 (Design) recommends alterations to take into account the character and design of the host building and its surroundings. Materials and design should complement the existing building. The Seven Dials Conservation Area Statement advises that appropriate design for the conservation area can reflect both the historic and the modern context and both traditional and contemporary materials may be appropriate.

2.3 The proposed roof to infill the courtyard would be constructed of dark steel for the main structure and glass for the pitch roofing. The metal structure would be at a height of 2.3m from the ground level while the pitch of the roof would terminate at 3.5m in height from the ground level of the courtyard. Along the perimeter of the roof at first floor level, removable pathways are incorporated into the design to allow access above for maintenance purposes for the roof and for the residential units above (e.g. window cleaning).

2.4 The proposed roofing is considered to be appropriate in its design and is considered to not detract from the character and appearance of the host building, the courtyard or the surrounding Seven Dials Conservation Area. The proposed roofing would terminate at a low level beneath the windows and therefore is considered to be subordinate and secondary in relation to the host building and courtyard. The detailed design is also considered to be subordinate to the host building. Its materials would provide the roofing with a lightweight appearance, and would not compete with the materials of the host building. The proposal would not lead to any features of the host building or surrounding courtyard being obscured. Overall, the design of the proposed roofing and its structure provides some relation to the

previous industrial use of the building and the courtyard.

- 2.5 A ground floor level by the Earlam Street entrance, a ramp has been proposed for wheelchair access into the site. The proposed ramp is not considered to adversely impact upon the character or design of the host building, neighbouring building or the courtyard. The proposed ramp also raised no objection from the Council's access officer.
- 2.6 The proposal involves the widening and creation of rear door openings at ground floor level. These alterations are considered acceptable in light of an extant planning permission, which has been subsequently varied and part-implemented (2005/1394/P, 2006/2095/P and 2006/4876/P).

### **3. Residential Amenity**

- 3.1 Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. Policy A1 seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of neighbouring residents. This includes privacy, overlooking, outlook and implications on daylight and sunlight. CPG6 seeks for developments to be 'designed to protect the privacy of both new and existing dwellings to a reasonable degree' and that the Council 'aim to minimise the impact of the loss of daylight caused by a development on the amenity of existing occupiers'.
- 3.2 The proposed development is not considered to affect the amenity of adjoining residential occupiers in regards to sunlight, daylight, outlook, overlooking and sense of enclosure by reason of its location at ground floor level with the residential units being located at the upper floors of the application and neighbouring buildings. As the roof is mainly glass, the outlook from the upper floors windows would not be significantly impeded, as views into the courtyard would still be maintained through the glass. The use of the materials involved would also not result in sense of enclosure from underneath and as the adjoining residential occupiers are above the proposal, the same levels of sunlight and daylight would be maintained.
- 3.3 The courtyard is associated with the ground floor A1/sui generis unit but is not used commercially. The proposal would internalise the courtyard with the canopy in order to have extended commercial space of 96sqm. The roof would feature fixed shut panels (aside from the removable pathways for maintenance) and would not therefore increase noise disturbance. A condition shall endure residential amenity in mind of neighbours concerns.

### **4. Recommendation**

Grant conditional planning permission

### **DISCLAIMER**

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 06<sup>th</sup> August 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](http://www.camden.gov.uk) and search for 'Members Briefing'.***



Application ref: 2018/0846/P  
Contact: Samir Benmbarek  
Tel: 020 7974 2534  
Date: 2 August 2018

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE

Phone: 020 7974 4444

[camden.gov.uk](http://camden.gov.uk)

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)

[www.camden.gov.uk](http://www.camden.gov.uk)

Rolfe Judd Planning [P6716]  
Old Church Court  
Claylands Road  
Oval  
London  
SW8 1NZ

# DRAFT

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Full Planning Permission Granted

Address:  
**25 Shelton Street**  
**London**  
**WC2H 9HW**

# DECISION

Proposal:

Removal of existing canopy and erection of glass pitched roof and steel structure to infill rear courtyard and installation of ramp in association with the ground and basement unit (Use Sui-generis/A1)

Drawing Nos: 5699: A-100\_P3 (OS Extract); A-901\_P4; A-920\_P4; A-921\_P4; A-922\_P4; A-102\_P5; A-103\_P4; A-200\_P4; A-201\_P5; A-300\_P5; A-301\_P5; A-302\_P5; A-303\_P5;  
Design and Access Statement by Hyphen dated 09 February 2018.

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).

- 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 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:

5699: A-100\_P3 (OS Extract); A-901\_P4; A-920\_P4; A-921\_P4; A-922\_P4; A-102\_P5; A-103\_P4; A-200\_P4; A-201\_P5; A-300\_P5; A-301\_P5; A-302\_P5; A-303\_P5; Design and Access Statement by Hyphen dated 09 February 2018.

Reason:

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

- 4 No music shall be played or sound emanating on the premises in such a way as to be audible within any adjoining premises or on the adjoining highway.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, A1, and A4 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.
- 3 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at [www.camden.gov.uk/cil](http://www.camden.gov.uk/cil) for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.

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

David Joyce  
Director of Regeneration and Planning

**DRAFT**

**DECISION**