

Brewdog, 142 Shaftesbury Avenue, London,
WC2H 8HJ

PLANNING AND HERITAGE STATEMENT

LPA Ref: PP-08456853

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Section 1 Introduction

- 1.1 This Planning Statement has been prepared by Firstplan in support of the associated application submitted on behalf of our client, Brewdog Retail Ltd, seeking the installation of a balcony at first floor level and external alterations at their premises at 142 Shaftesbury Avenue, WC2H 8HJ.
- 1.2 The applicant is a popular and established nationwide and international brewer, bar and restaurant operator, founded throughout the UK. They have been successfully trading from the site since 2018, providing a productive, economic use that has created employment, and complemented and enhanced the surrounding area's existing food and drink offer.
- 1.3 The proposals involve modest alterations to the approved appearance of the unit, providing a high-quality design, that reflects the character of the building and surrounding area. These will serve to enhance Camden's overall offer and contribute to the vitality and viability of the area.
- 1.4 This statement assesses the acceptability of the application proposals in planning terms and is set out as follows:
- Section 2 – discusses the relevant background information, comprising a site description and an introduction of the relevant planning history;
 - Section 3 – provides details of the application proposals;
 - Section 4 – sets out the relevant planning policy issues;
 - Section 5 – provides a heritage assessment;
 - Section 6 – provides an assessment of the key planning considerations against the relevant planning policies;
 - Section 7 – draws conclusions.

Section 2 Planning Background

a) Site and Surrounding Area

- 2.1 The unit occupies the basement, ground and first floors of a building located on the corner of Shaftesbury Avenue, Earlham Street and West Street. This is a historic, three-storey public house in the heart of the vibrant West End Retail and Leisure Area and has been occupied by Brewdog as a public house (Class A4) (with residential accommodation located overhead).
- 2.2 The building is characterised at ground floor level by a painted timber shopfront separated by granite pilasters, with the main entrance at the corner of the unit which forms the focal point of the building. The first and second floors are characterised by red brick and sash windows.
- 2.3 The building fronts onto Cambridge Circus, a busy junction at the intersection of Shaftesbury Avenue and Charing Cross Road. This area comprises a diverse mix of uses including retail, restaurants, offices, theatres, public house, offices and residential properties.
- 2.4 The site is within the Seven Dials (Covent Garden) Conservation Area. It is not listed and it is not noted as being a building of positive merit within the Conservation Area Appraisal. Prior to being occupied by Brewdog, the site was the 'Ape and Bird' from 2015 and historically before this was the 'Marqis of Graby' pub. This pub was characterised by its generous foliage above the ground floor, as shown in the image below.



Image 1. Photo of the Marquis of Graby

2.5 The site is designated within the Central Activities Zone (CAZ) and forms a protected secondary frontage.

b) Planning History at the Site

2.6 Relevant planning history for the subject site is listed below:

- **Application ref. 2013/3495/P** – Planning permission was granted in August 2013 for the installation of five air conditioning units at first floor level housed within acoustic enclosure and installation of new full-height extract duct to rear elevation.
- **Application ref. 13/0298/P** – Planning permission was granted in January 2013 for amendments to planning permission (ref. 2011/1704/P). Amendments relate to 36-38 West Street only.
- **Application ref. 2011/1704/P** – Planning permission was granted in February 2012 for the change of use from residential unit ancillary to public house to provide 3 x 2 bed and 4 x studio units at second and third floor levels of 142 Shaftesbury Avenue. This application also included development of neighbouring unit at 36-38 West Street.

- **Application ref. 2007/5716/P** – Planning permission was granted in March 2008 for the installation of four no. retractable canvas awnings on the Shaftesbury Avenue and Earlham Street elevations.
- **Application ref. 9602786** – Advertisement consent was withdrawn in September 1996 for two externally illuminated ‘amenity boards’.
- **Various applications relating to advertisements dating from 1981.**

Section 3 Application Proposals

- 3.1 The applicant is now seeking to upgrade and enhance the appearance of the building, adding interest to its façade in order to contribute to the vibrant and lively atmosphere in the area. This application seeks planning permission for enhancement and improvement works at 142 Shaftesbury Avenue, WC2H 8HJ. These are listed below by floor.

Ground Floor

- Removal of two shopfront windows and the associated stallrisers to be replaced with two double doors that include a design to match the existing window and panelling on the West Street elevation. Similarly, it is proposed to remove one shopfront window and stallriser on the Shaftesbury Avenue elevation.

First Floor

- Introduction of a traditional style, black metal balcony running along the first-floor perimeter facing West Street and Shaftesbury Avenue elevations. The balcony features a 1100mm high balustrade with an open grille floor deck with black metal. Planting will be incorporated to the balcony edge which will reflect the distinctive planting of the Marqis of Graby.
- Removal of one window to be replaced with a full height glazed door to serve as an access to the balcony on the West Street elevation

Section 4 Planning Policy Considerations

- 4.1 Applications are to be determined in accordance with local and national planning policy. The statutory local plan for the site comprises the Camden Local Plan (2017) and its associated SPD guidelines. The National Planning Policy Framework 2019 is also a material consideration.

a) National Planning Policy Framework (NPPF, 2019)

- 4.2 The NPPF provides the overarching planning and policy guidance for development across England. It defines the heart of the planning system as having a presumption in favour of sustainable development.

- 4.3 Paragraph 7 of the NPPF states that:

“The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.”

- 4.4 Paragraph 8 identifies the three overarching objectives of sustainability, the first of which requires planning to help building a strong, responsive and competitive economy that supports economic growth, innovation and improved productivity. At the heart of the framework there is a “*presumption in favour of sustainable development*”. Paragraphs 10 and 11 of the NPPF outline this and note that for decision taking sustainable development means approving development proposals that accord with an up to date development plan without delay.

- 4.5 In terms of decision taking, Paragraph 38 sets out that Local Planning Authorities should approach decision on proposed development in a positive and creative way. It states that decision-makers at every level should seek to approve applications for sustainable development where possible. Paragraph 47 requires that applications be determined in accordance with the development plan, unless material considerations indicate otherwise.

- 4.6 In terms of economic development, Paragraph 80 outlines that:

“Planning policies and decisions should help create the conditions in which business can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.”

4.7 Paragraph 85 of the NPPF states that:

“Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.”

4.8 Chapter 12 sets out that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

b) Local Planning Policy

i. Camden Local Plan (2017)

4.9 Policy C4 *Public Houses* discusses how the Council will seek to protect public houses which are of community, heritage or townscape value.

4.10 Policy A1 *Managing the Impact of Development* sets out that the Council will seek to protect the quality of life of occupiers and neighbours. We will grant permission for development unless this causes unacceptable harm to amenity. Factors to consider will include:

- Visual privacy, outlook
- Sunlight, daylight and overshadowing
- Artificial light levels
- Noise and vibration

4.11 Policy A4 *Noise and Vibration* outlines that the Council will ensure that noise and vibration is controlled and managed. Noise generating development is only permitted in circumstances where it can be in place without causing harm to amenity.

4.12 Policy D1 *Design* sets out that the Council will ensure high quality design in development. Development will be required to:

- Respect local context and character;
- Preserve or enhance the historic environment and heritage assets;
- Be sustainable in design and construction;
- Comprise details and materials that are of high quality and complement the local character;
- Integrate well with the surrounding streets and open spaces;
- Be inclusive and accessible for all.

4.13 Policy D2 *Heritage* states that the Council will preserve and where appropriate, enhance Camden’s rich and diverse heritage assets and their setting, including Conservation Areas.

4.14 Policy D3 *Shopfronts* discusses how the Council expects a high standard of design in new and altered shopfronts, canopies, blinds, security measures and other features. When determining proposals relating to shopfronts, the Council will consider:

“a. the design of the shopfront or feature, including its details and materials;

b. the existing character, architectural and historic merit and design of the building and its shopfront;

c. the relationship between the shopfront and the upper floors of the building and surrounding properties, including the relationship between the shopfront and any forecourt or lightwell;

d. the general characteristics of shopfronts in the area;

***e. community safety and the contribution made by shopfronts to natural surveillance;
and***

f. the degree of accessibility.”

4.15 Policy TC4 *Town Centre Uses* sets out how the Council will ensure that development of town centre uses does not cause harm to the character, function, vitality and viability of a centre, the local area or the amenity of neighbours.

ii. Seven Dials (Covent Garden) Conservation Area Appraisal

4.16 This Appraisal sets out the approach to the preservation and enhancement of the Seven Dials (Covent Garden) Conservation Area. The Area was first designated in 1971, and subsequently extended twice in 1991 and 1998.

4.17 Seven Dials (Covent Garden) Conservation Area was first designated in 1971, with the site lying within 'Seven Dials' which relates to sub-area 1 named after the layout of the area designed by Thomas Neale.

4.18 The Appraisal does not list the site as a listed building or building which makes a positive contribution to the Area.

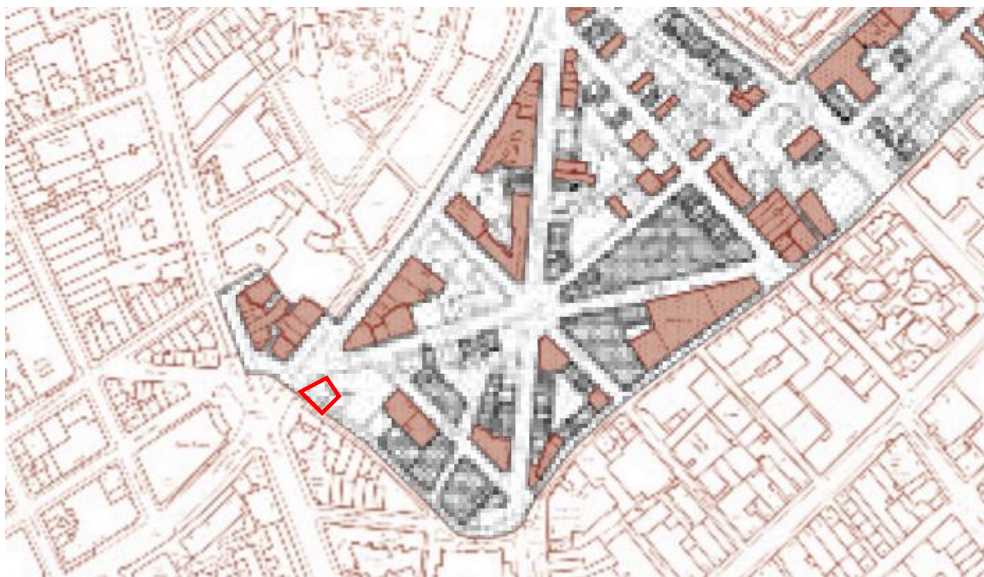


Figure 1. Mapping showing positive buildings in red and listed buildings in grey. The site is marked red.

4.19 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.

iii. **Camden Planning Guidance - Design (2019)**

- 4.20 The Camden Planning Guidance covers a range of topics (such as housing, sustainability, amenity and planning obligations) and so all of the sections should be read in conjunction, and within the context of Camden's Local Plan.
- 4.21 Camden is a diverse and dynamic borough with many attractive and historic neighbourhoods as well as both traditional and modern buildings of the highest quality. The purpose of this guidance is to promote design excellence and to outline the ways in which developments can achieve high quality design.
- 4.22 Guidance is also given to balconies and terraces which can provide valuable amenity space. However, they can also cause nuisance to neighbours. Potential problems include overlooking, overshadowing, noise, light spillage and security.
- 4.23 Balconies and terraces should complement the elevation upon which they are to be located. Consideration should therefore be given to the following:
- Detailed design to reduce the impact on the existing elevation;
 - Careful choice of materials and colour to match the existing elevation;
 - Possible use of setbacks to minimise overlooking – a roof terrace need not necessarily cover the entire available roof space;
 - Possible use of screening (frosted glass etc) to prevent overlooking of habitable rooms in residential properties or nearby gardens, without reducing daylight and sunlight or outlook.
- 4.24 Adequate safety and security measures are used to prevent accidents or crime.

iv. Camden Planning Guidance – Amenity (2018)

4.25 This Guidance provides information managing the impact of development on key amenity issues within the borough such as:

- Overlooking, privacy and outlook
- Daylight and sunlight
- Artificial light
- Construction management plans
- Noise and vibration

4.26 In specific reference to balconies and roof terraces, it is noted that they should be carefully sited and designed to reduce potential overlooking.

c) Planning Policy Summary

4.27 The unit lies within the Central Activities Zone of London. The promotion and healthy growth of the Borough is frequently pinpointed within various local and national planning policies. Design wise, new development should not cause problems of noise or disturbance to surrounding residents, and should preserve and enhance the character and appearance of surrounding areas. Policies seek to protect and support the long term viability of public houses.

4.28 As discussed within Section 6, it is considered that the proposals accord with the relevant planning policies at national and local level.

Section 5 Heritage Significance

- 5.1 Paragraph 189 of the NPPF requires applicants to describe the significance of any heritage assets affected, including any contribution made to their setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on the significance.
- 5.2 The application site falls within the Seven Dials (Covent Garden) Conservation Area. The application site itself is not listed and is not a locally listed building. It also does not fall within the immediate setting of any listed buildings. The designated heritage asset relevant to this planning application is therefore the Conservation Area as a whole.
- 5.3 The site lies within sub-area 1, 'Seven Dials' named after the distinct layout of the area which results in radiating plan of streets, formed around a small central polygonal circus at the centre surmounted by sundials. This is the 'legacy of an ambitious building plan devised by Thomas Neale, a speculator and Master of the Mint, at the end of the 17th century'. The plan is unique being the only layout to depart from a grid plan dating from 17th and 18th century developments.
- 5.4 The Seven Dials (Covent Garden) Conservation Area Appraisal was adopted in 2000 and has been carefully considered as part of the development of this application.

a) Heritage Policy Context

- 5.5 As set out in the National Planning Practice Guidance (NPPG), protecting and enhancing the historic environment is an important component of the National Planning Policy Framework's (NPPF) drive to achieve sustainable development.
- 5.6 Paragraph 192 of the NPPF sets out that in determining planning applications, local planning authorities should take account of:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

- the desirability of new development making a positive contribution to local character and distinctiveness.

5.7 Paragraph 200 of the NPPF states that local authorities should look for opportunities for new development in conservation areas to enhance or better reveal their significance and states that proposals that preserve those elements of the setting that make a positive contribution to the asset should be treated favourably.

5.8 Emphasis is placed on the protection of heritage assets within Camden Council's planning policy as set out in Section 4 above.

b) Character of the Conservation Area

5.9 It is stated that the special character of the Conservation Area is found in the range and mix of building types and uses and the street layout. The character is not dominated by one particular period or style of building but rather it is their combination that is of special interest.

5.10 The large triangular blocks that radiate from the Seven Dials column remain a distinctive feature of the area despite 200 years of urban development. Fronting these blocks seven distinctive corner buildings that terminate the radiating streets.

5.11 Shaftesbury Avenue and the north-east corner of Cambridge Circus were formed by the Metropolitan Board of Works in the 1880s by widening the existing street. Shaftesbury Avenue then became an important central London Avenue, with a distinctive scale of buildings and use of materials, dominated by red brick and the use of terracotta. The street and the plot widths are generally wider than the rest of the Conservation Area and the buildings are generally higher.

5.12 Shaftesbury Avenue's character makes it a natural boundary to the Conservation Area, with three distinct spaces along its length. Cambridge Circus, though marred by the road layout and traffic is the grandest in terms of layout and scale.

c) Impact of the Application Proposals

5.13 The impact of proposals on the character and appearance of the Seven Dials (Covent Garden) Conservation Area are considered in the next section.

Section 6 Planning Assessment

6.1 The main issues to be considered in respect of this application are:

- The principle of the development;
- Design considerations;
- Impact on the Conservation Area;
- Impact on neighbouring amenity.

a) Principle of the Development

6.2 The site lies within London's CAZ, a major business and employment centre and the main focus of Camden's economy. National and local policy encourages building a strong, responsive and competitive economy that supports economic growth, innovation and improved productivity.

6.3 The A4 use has already been established at the site for many years with the proposals representing further investment by the applicant into the property. The proposals will serve to significantly enhance the existing public house and surrounding area by further adding to its character and diversity and also supporting the economy. They will enhance and improve the offer of the public house to its customers, helping to support its continued success into the future.

6.4 The application to provide a balcony to the first floor of the property, together with a number of external alterations, is therefore acceptable in land use terms and would comply with Policy C4 in that they will protect the existing public house, and would not cause harm to the character, function, vitality and viability of the town centre in line with policy TC4.

b) Design Considerations

6.5 The NPPF emphasises that good design is a key aspect of sustainable development, which creates better places in which to live and work and helps make development acceptable to communities.

6.6 The proposals relate to the installation of a balcony and a number of minor alteration works to ground and first floor levels on the West Street and Shaftesbury Avenue elevations. Careful consideration has

been given to the design of these proposals to ensure that they integrate well with the existing building and surrounding properties.

- 6.7 The new frontage along West Street and Shaftesbury Avenue will create three new entrances into the property, replacing three existing large windows. On the first floor a sash window will be removed and replaced with a glazed door at first floor level to serve as an access to the balcony. These external works shall be carried out using materials that resemble, as close as possible, those of the existing building to ensure that works blend with the older parts of the building. The use of like for like materials and design in the alterations has been deemed the most appropriate response to ensure that the overall design quality and composition of the existing building in relation to the alterations is maintained.
- 6.8 In terms of the balcony, this will provide a harmonious contrast to the existing building with the use of metal, to provide a simple contemporary addition to the first floor. The addition of planting will further contribute to a positive appearance. The balcony will project 1.2m from the building elevation and be served with a balustrade 1.1m in height. Dimensions have been chosen to correspond with the building such that the balcony does not appear over dominant and is therefore acceptable in terms of height, scale and massing also.
- 6.9 The shopfront has followed Camden's design guide and is considered an enhancement to the street scene. The design is therefore considered in accordance with local policies D1 and D3.

c) Impact on the Conservation Area

- 6.10 As described in section 5 the property is not listed or locally listed and not within the immediate setting of any listed buildings. It is however, within the Seven Dials Conservation Area. As highlighted within its appraisal, the area has a long history of development which is demonstrated in the variety of styles which are juxtaposed within it. In particular, the last twenty years has seen the development of a successful combination of refurbishment and modern design, reflecting the dynamic changing character of the area, located in a unique historic context.
- 6.11 The alterations have taken into account the character of the property, maintaining the same scale as window features that will be lost, retaining decorative features and using materials that reflect those in place. In this way the proposed alterations will preserve the appearance of the building.

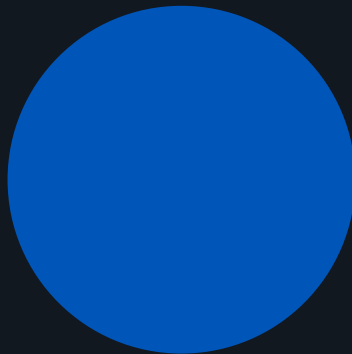
- 6.12 The proposed balcony will wrap around the first floor of the building on the West Street and Shaftesbury Avenue elevations. The design has been kept simple and tasteful so to not detract from the architectural qualities of the host building and scale controlled to ensure that the building proportions are maintained in the correct hierarchy. Metal has been chosen to reflect traditional iron railings that are found throughout the Borough and referenced in the Conservation Area appraisal. The balcony will therefore add visual interest to the building, that will be further enhanced using planting around the edge, while not detracting from the host buildings historic integrity.
- 6.13 The proposed alterations and balcony are therefore considered proportionate to this non-listed building and will evidently not cause harm to the character, appearance or significance of the conservation area. They are therefore considered in accordance with Policy D2 and the objectives of the Seven Dials (Covent Garden) Conservation Area Appraisal.

d) Impact on neighbouring amenity.

- 6.14 The property relates to an established public house on a busy traffic junction within London's CAZ with residential uses overhead. The local plan aims to make Camden a more attractive and popular destination through the creation of a vibrant culture scene.
- 6.15 The surrounding area is characterised by commercial uses and associated levels of activity and movement. The formation of a balcony at the site will provide an opportunity for external space in the City, while planting will also provide for a visually greener environment. The balcony will be accessible to customers during hours of trading of the public house however the applicant is happy to discuss the implementation of appropriate conditions to ensure that there is no adverse impact on residential amenity.
- 6.16 Proposed alterations are considered entirely minor in nature and will have negligible impact on residential amenity.
- 6.17 In the light of the above, it is clear that the proposals will not have any detrimental impact on the wider surrounding area or its amenity in accordance with policies A1 and A4 and the Camden Planning Guidance on Amenity and should therefore be considered as acceptable.

Section 7 Conclusion

- 6.1 This Planning and Heritage Statement has been prepared in support of a planning application relating to 142 Shaftesbury Avenue, WC2H 8HJ which is occupied as a “Brewdog” bar.
- 6.2 The statement has demonstrated the following:
- The site has been successfully operated by the applicant as a public house since 2018. They have developed a strong reputation for their well-run and managed establishments in London and throughout the UK;
 - The principle of the proposals is acceptable and aligns with relevant policy guidance and objectives;
 - It has been demonstrated that the design of the application proposals will not adversely affect the host building or surrounding Conservation Area;
 - Seven Dials is a primary focus for pedestrian activity in the CAZ with other public houses and commercial uses located here. No problems of noise or disturbance will arise in relation to the proposals;
 - The proposals will therefore enable this popular, reputable bar operator to continue their successful operation of the site, enhancing the vitality and vibrancy of the area, improving and adding activity to the CAZ, and boosting the area’s daytime and evening economy in accordance with Council objectives.
- 6.3 In the light of the above, the proposed development is considered to comply with both national and local planning policy objectives and legislation, and therefore should be considered acceptable.



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