

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	18/03/2020
		N/A	<b>Consultation Expiry Date:</b>	29/03/2020
<b>Officer</b>			<b>Application Number(s)</b>	
Alyce Jeffery			2020/0305/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
Pix Pintxos 63 Neal Street London WC2H 9PJ			NS04; NS05.	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
		Ross Todd		
<b>Proposal(s)</b>				
Alterations to shopfront fenestration.				
<b>Recommendation(s):</b>		Refuse planning permission and warning of enforcement action to be taken		
<b>Application Type:</b>		Full Planning Permission		

<b>Conditions or Reasons for Refusal:</b>	Refer to Draft Decision Notice			
<b>Informatives:</b>				
<b>Consultations</b>				
<b>Adjoining Occupiers:</b>	No. of responses	<b>02</b>	No. of objections	<b>02</b>
<b>Summary of consultation responses:</b>	<p>A press notice was published on 05/03/2020, which expired 29/03/2020. A site notice was displayed on 4/03/2020, which expired on 28/03/2020.</p> <p>An objection was received from the owner/occupier at 63 Neal Street, who objected on the following grounds;</p> <ul style="list-style-type: none"> <li>• The current shopfront is problematic both for the elimination of a significant portion of the glazing, throwing the glazed area out of proportion, and for the tables and chairs attached to the shopfront which contributed to the late night noise problem the venue causes nearby residents. I support the removal of these features. I object to the following elements of the proposal however. <p>(1) The replacement of the three panels on the stall riser with a single panel. This removes a feature of the former shopfront that added visual interest and fit in with the nature of the conservation area. The three panel design of the stall riser from the original shopfront should be restored.</p> <p>(2) The arrangement of the glazing bars on the main window area. The new glazing bars chop up the window in a way that seems out of proportion - addition of the central horizontal glazing bar with a vertical glazing bar that only divides the top third of the window looks a bit off. I suspect this design was chosen as it is the cheapest way to alter the unapproved current shopfront rather than on the basis of design merits. It would be better if either there were no central glazing bars (as with the original shopfront) or if each of the vertical and horizontal glazing bars divided the window into four panes of equal size which would better reflect and maintain the balance seen in the top story windows of the building.</p> </li> </ul> <p><i>Officer Response: Design is discussed in the report below</i></p>			
<b>CAAC/Local groups comments:</b>  The Covent Garden (Seven Dials) Advisory Committee  Covent Garden Community Association (CGCA)	<p>The <b>Covent Garden (Seven Dials) Conservation Area Advisory Committee (CAAC)</b> was consulted on the proposal but did not provide any response.</p> <p><b>Covent Garden Community Association (CGCA)</b> objects to the proposal on the following grounds;</p> <ul style="list-style-type: none"> <li>• We ask that the Council, a) Enforce against the applicant's unconsented changes; b) Require the applicant either to return the window to its previous state (as seen on the applicant's drawing labelled 'Pre-existing front elevation') or to install a shopfront of a design more in keeping with the rest of the building.</li> </ul> <p><i>Officer Response: Design is discussed in the report below.</i></p>			

- Current owner has not been a good neighbour to the many residents of Neal Street. We wrote to them as long ago as 2010 and met with them to ask them to modify their behaviour as a result of local complaints, sadly to little effect. Problems have continued on and off ever since.

*Officer Response: This is not a material planning consideration in the determination of this application. Concerns regarding noise should be directed towards the Council's Environmental Health team at:*

*<https://www.camden.gov.uk/noise#dfmo>*

- These works were particularly out of keeping, including attaching shelf tables and seating to the shopfront, and blocking off the bottom half of the wide shopfront window. The operators installed a tiled panel instead of half the glazing in a style entirely unrelated to the 19th century building and sash windows above. The plan under this current application suggests replacing the unconsented solid horizontal panel with glass, but this would still look out of keeping. A single large shopfront window, or a window split into vertical panels using slender glazing bars, would be appropriate. Likewise a panelled stall riser.

*Officer response: The applicant is not proposing to retain the seating, please see design section for a full assessment.*

## Site Description

The application site contains a four storey (plus basement) terraced property located along the southern side of Neal Street. The upper floors are occupied as commercial units, and the ground floor is occupied as a restaurant. This application relates to the restaurant shopfront at ground floor level.

The property is not listed, however it lies close to a number of Grade II listed buildings at nos. 55, 61, 64, 78a, 78b and 80 Neal Street. The site is located within the Seven Dials Covent Garden Conservation Area and is acknowledged as a building which make a positive contribution to the conservation area within the Seven Dials Covent Garden Conservation Area Statement. In addition, the Seven Dials Covent Garden Conservation Area Statement has also identified the shopfront of no. 63 Neal Street, as a shopfront which contributes to the character of the area and is of townscape merit.

The original terraced houses on Neal Street date from the late 18th century to the early 19th century. During the 19<sup>th</sup> century, shops were introduced at ground floor level and warehouses built. Many 19th century timber shopfronts can still be found along the street and typically these shopfronts display classical proportions with pilasters supporting entablature and a projecting cornice.

## Relevant History

**2007/5838/P** - Use as restaurant at basement and ground floor levels (Class A3) – **Granted** 11/01/2008.

There is extensive site history to the upper floors of no. 63 Neal Street and historic applications to the ground floor, however they are not directly applicable to this application.

## Relevant policies

**National Planning Policy Framework 2019**

**London Plan 2016**

**Intend to Publish London Plan 2019**

**Camden Local Plan 2017**

A1 – Managing the impact of development

D1 – Design

D2 – Heritage

D3 – Shopfronts

**Camden Planning Guidance**

Amenity CPG (March 2018)

Design CPG (March 2019)

**Seven Dials Covent Garden Conservation Area Statement (1998)**

## Assessment

### 1. Background

1.1 This application has been submitted following enforcement action (EN19/0866) relating to unauthorised works to the shopfront of Pix Pintxos restaurant. The applicant proposes to retain some of the works carried out to the shopfront.

### 2. Proposal

2.1 Planning permission is sought for alterations to the shop front including;

- Remove the unauthorised tiled panel above the stall riser;
- Install a transom and mullion to create two vertical panels and two horizontal panels in place of the existing single glass panel window;
- Replace the original three panel stall riser with a single timber panel.

### 3. Assessment

3.1 The main planning considerations in relation to this application are:

- Design and conservation
- Amenity of neighbouring occupiers

### 4. Design and Conservation

4.1 Policy D1 (Design) of the Camden Local Plan 2017 states that '*Good design takes account of its surroundings and preserves what is distinctive and valued about the local area. Careful consideration of the characteristics of a site, features of local distinctiveness and the wider context is needed in order to achieve high quality development which integrates into its surroundings. The Council will seek to secure high quality design in development and will require that development respects local context and character, preserves or enhances the historic environment and heritage assets.*'

4.2 Policy D2 (Heritage) of the Camden Local Plan 2017 states that '*The Council places great importance on preserving the historic environment. Conservation areas are designated heritage assets. The Council will require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area and will seek to manage change in a way that retains the distinctive characters of our conservation areas and will expect new development to contribute positively to this.*'

4.3 Policy D3 (Shopfronts) of the Camden Local Plan 2017 states that the Council will expect a high standard of design in new and altered shopfronts. In addition, the supplementary CPG Design 2019 provides guidance on the design of shopfronts and advises that insensitive shopfront design can cause harm to the appearance and character of buildings and shopping areas.

4.4 The Seven Dials Covent Garden Conservation Area Statement 1998 states that '*in all cases, existing/original architectural features and detailing characteristic of the conservation area should be retained and kept in good repair, and only be replaced when there is no alternative, or to enhance the appearance of the building through the restoration of missing features. Original detailing such as door/window pediments and finials, timber shopfront facades, iron balustrades, timber framed sash windows, doors, where retained add to the visual interest of properties.*'

4.5 In addition, it advises that '*any shopfront of historic interest or architectural quality should be retained and if necessary repaired and the loss of those shopfronts identified under Shopfronts of Merit and any other historic/original shopfront will be strongly resisted.*'

4.6 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“the Listed Buildings Act”) is relevant, which requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area when considering applications relating to land or buildings within that area. The effect of this section of the Listed Buildings Act is that there is a statutory presumption in favour of the preservation of the character and appearance of conservation areas. Considerable importance and weight should be attached to their preservation. A proposal which would cause harm should only be permitted where there are strong countervailing planning considerations which are sufficiently powerful to outweigh the presumption.

4.7 The shopfronts along Neal Street present a defined uniform character by retaining traditional features, in particular no. 63 is noted as a shopfront of merit in the Seven Dials Covent Garden Conservation Area Statement, and therefore will be protected against unsympathetic alterations. The applicant proposes to replace the existing three panel stall riser with a single panel which would result in the loss of a historic feature of the traditional shopfront.

4.8 In addition, the installation of a transom and mullion to create two vertical panels and two horizontal panels in place of the existing single glass panel window would significantly alter the character and appearance of the existing shopfront. Subdivision of the existing single glass window is not considered to be a sympathetic alteration as it would disrupt the existing proportions and compromise the architectural quality, contrary to the above guidance.

4.9 The proposed development would not respect local context and character, nor would it preserve or enhance the historic environment and heritage assets, and therefore cannot be supported. The proposal is considered to be contrary to policies D1, D2 and D3 of the Camden Local Plan and refusal is warranted on this basis.

4.10 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 2013.

## **5. Amenity of neighbouring occupiers**

5.1 Given the nature of the proposal, officers do not consider there would be an impact upon the amenity of the neighbouring occupiers with regards to loss of daylight, sunlight, privacy, outlook or result in noise or vibration.

## **6. Conclusion**

6.1 The proposed shopfront, by virtue of the loss of historic features, would result in an unsympathetic and incongruous frontage that would be detrimental to the host building, the streetscape and the surrounding conservation area, contrary to policies D1 (Design), D2 (Heritage), D3 (Shopfronts) of the London Borough of Camden Local Plan 2017.

## **7. Recommendation**

7.1 Refuse planning permission and warning of enforcement action to be taken.