

4D PLANNINGTM

Chartered Town Planners & Architectural Technicians

APPEAL UNDER SECTION 78 OF THE TOWN & COUNTRY PLANNING ACT 1990

Retrospective and proposed changes to the shop front.

Appeal by: Mr. Thornhill.

Property Address: 63 Neal Street, London, WC2H 9PJ.

Planning Authority Ref. No: 2020/0305/P.

August 2020

1.0 INTRODUCTION

1.1 This appeal statement is submitted on behalf of Mr. John Thornhill, in respect of the refusal of planning permission by Camden Borough Council for development comprising retrospective and proposed changes to a shop front. The site address is 63 Neal Street, London, WC2H 9PJ. The appellant has retained the services of **4D Planning** to make this appeal. Please address all correspondence to 4D Planning at the contact details set out on the appeal form.

1.2 The application was received by the Council in January 2020 but was not determined until the 24th April 2020. Planning permission was refused for one reason only:

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".

It is noted that no objections were received from neighbouring businesses.

2.0 APPLICATION PROPERTY AND SURROUNDING AREA

2.1 The existing property is a four storey mid terrace property located to the south side of Neal Street. Upper floor levels are in commercial use whilst the ground floor is in use as a tapas bar.

2.2 Surrounding properties to No. 63 are of differing scale and form.

2.3 The site is located within a predominantly commercial character area. There is a wide variety of land uses nearby. There is a wide variety of building scale, style, and architectural detailing in the surrounding area.



Figure 1 – Application property.

3.0 PROPOSED DEVELOPMENT

3.1 The proposed works (retrospective) consist of the subdivision of a single large glazing panel into three glazing panel sections (there would remain two ‘fan lights’ above these glazing sections) and alterations to the stall riser consisting of making it into a single horizontal panel as opposed to three panels previously.

3.2 A lower down section of the shop ‘window’ is presently covered over with solid material with seating attached to the shopfront. It is proposed to remove the solid material and the seating and have glazing instead.

4.0 PLANNING HISTORY

4.1 A planning search of Camden’s online planning database reveals recent planning history on the site relating to the placing of tables and chairs on the footpath.

5.0 PLANNING POLICY

NATIONAL PLANNING POLICY FRAMEWORK (2018)

5.1 Para. 127 of the recently updated NPPF seeks to ensure a high quality of design in new developments. Point c) in particular seeks to ensure developments that:

“are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.”

The proposed development is modest, typical of commercial properties and entirely compatible with the surrounding area where there are many types of similar works.

London Plan

5.2 The London Plan (2016) makes several references to Covent Garden and the importance it plays in the night time economy and social aspect for Londoners and visitors.

The proposed development would not be contrary to any London Plan policies, and would be consistent with the ‘spirit’ of the Plan to provide protect and provide for the needs of Covent Garden businesses.

Camden Plan (2017)

5.3 As can be seen in Figure 5 below, the site is within the Central London area, in a conservation area, and a designated secondary shopping frontage.

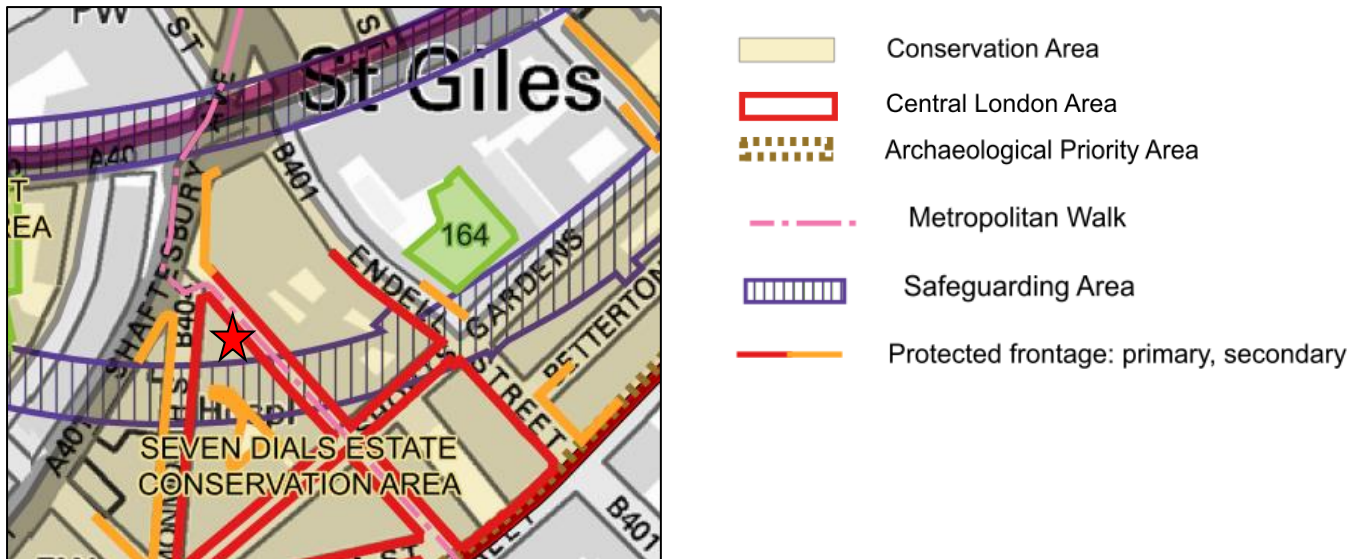


Figure 4 – Extract from Camden Policies Map. Approx. Site is Indicated by Red Star.

5.4 Policy D1 of the Local Plan deals with design and states:

“The Council will seek to secure high quality design in development. The Council will require that development:

- a. respects local context and character;*
- b. preserves or enhances the historic environment and heritage assets in accordance with Policy D2 Heritage;*
- c. is sustainable in design and construction, incorporating best practice in resource management and climate change mitigation and adaptation;*
- d. is of sustainable and durable construction and adaptable to different activities and land uses;*
- e. comprises details and materials that are of high quality and complement the local character;*
- f. integrates well with the surrounding streets and open spaces, improving movement through the site and wider area with direct, accessible and easily recognisable routes and contributes positively to the street frontage;*
- g. is inclusive and accessible for all;*
- h. promotes health;*
- i. is secure and designed to minimise crime and antisocial behaviour;*
- j. responds to natural features and preserves gardens and other open space;*
- k. incorporates high quality landscape design (including public art, where appropriate) and maximises opportunities for greening for example through planting of trees and other soft landscaping,*
- l. incorporates outdoor amenity space;*
- m. preserves strategic and local views;*
- n. for housing, provides a high standard of accommodation; and*
- o. carefully integrates building services equipment.*

The Council will resist development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.”

The proposed developments are modest subtle additions that do not fundamentally alter the scale and proportions of the overall shopfront.

5.5 Policy D2 deals with heritage issues and states:

“In order to maintain the character of Camden’s conservation areas, the Council will take account of conservation area statements, appraisals and management strategies when assessing applications within conservation areas.

The Council will:

...

e. require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area;

f. resist the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a conservation area;

g. resist development outside of a conservation area that causes harm to the character or appearance of that conservation area; and

h. preserve trees and garden spaces which contribute to the character and appearance of a conservation area or which provide a setting for Camden’s architectural heritage”.

The proposed works would not have any adverse impact on the character of the Conservation Area (see para. 5.7 below). Many neighbouring properties in the conservation area have had various shopfront works approved over the years.

5.6 Policy D3 deals with shopfronts. It states:

“The Council will expect a high standard of design in new and altered shopfronts, canopies, blinds, security measures and other features. When determining proposals for shopfront development 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.

The Council will resist the removal of shop windows without a suitable replacement and will ensure that where shop, service, food, drink and entertainment uses are lost, a shop window and visual display is maintained. Where an original shopfront of architectural or historic value survives, in whole or in substantial part, there will be a presumption in favour of its retention. Where a new shopfront forms part of a group where original shop fronts survive, its design should complement their quality and character.”

The proposed shopfront alterations are not considered contrary to this policy. None of the alterations proposed alter the dimensions or openings of the existing overall shopfront notwithstanding that it is likely not original. Effectively what is being proposed is a ‘freshening up’ of the existing shopfront.

Seven Dials (Covent Garden) Conservation Area Appraisal

5.7 The Conservation Area Appraisal refers to “*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*”. No. 22 is not a listed building, although it is identified as a building which makes a positive contribution to the area, and as having a shopfront of merit. Works of the nature of this application (i.e. essentially upgrade works) are not identified as threats to the conservation area. Policy / Guideline SD2 of the Appraisal states:

“The Conservation Area has a long history of development which is demonstrated in the variety of styles which are juxtaposed within it. 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. Appropriate design for the Conservation Area can reflect both the historic and the modern context and both traditional and contemporary materials may be appropriate”.

It is considered the works in question are reflective of this policy / guidance.

6.0 GROUNDS OF APPEAL & CONSIDERATION OF PLANNING ISSUES

6.1 It is considered the content of this appeal statement above addresses and debunks the Planning Authority concerns. However, and in the interests of comprehensiveness, it is considered appropriate to respond specifically to the reason for refusal, and the view of the Planning Officer (as set out in the delegated office report) which supports the refusal..

6.2 The Planners Report states that “*The shopfronts along Neal Street present a defined uniform character by retaining traditional features*”. This statement is considered inaccurate as it can’t be but noticed that there is an eclectic mix of shopfronts along Neal Street – both old and new. There is

no over-riding style nor consistency in appearance/form and indeed it is considered that it is this variety which contributes to the character of the street.

6.3 The Planner’s Report further notes that *“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”*. It is not believed that the former shopfront was ‘historic’ – rather it is believed to have been a later-day replica of a traditional shopfront.

6.4 The Planner’s Report further states:

“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”

It is considered that it is a gross exaggeration to claim that subdivision of the existing single glass window would disrupt the exiting proportions and compromise the architectural quality. It is submitted that the subdivision of the glass window affords greater articulation and visual interest than the previous window. Indeed there are many shopfronts nearby with window articulation akin to that at No. 63 - a selection of these are shown in Figures 1-5 below.



39 Neal Street



1 Monmouth Street



80 Neal Street



52 Neal Street



35 Neal Street

Figures 1-5: Variety of shopfronts on Neal Street with articulation akin to that proposed at No. 63.

6.4 Stallrisers are not a consistent feature along Neal Street, and the proposed shopfront would be one of many shopfronts without one. However, should the Planning Inspectorate consider it appropriate to incorporate stallriser features, the applicant is happy to accept a condition to submit and agree details with the Planning Authority relating to add on features to give the effect of a stallriser, and to later add these features within a specified timeframe.

7.0 CONCLUSION

7.1 The proposed development is considered to be in compliance with Camden Local Plan and associated design / conservation guidance.

7.2 The works are modest additions/alterations to the existing shopfront. It is not considered there would be any adverse visual impacts or adverse impacts to the residential amenities of neighbouring properties.

7.3 It is respectfully requested that the Planning Inspectorate grant permission for the proposed development. It is strongly considered that the single refusal reason does not stand up to scrutiny.