

MR/P08203  
2<sup>nd</sup> August 2021

London Borough of Camden  
Planning Department  
Town Hall  
Judd Street  
London  
WC1H 9JE

Dear Sirs

**21-23 SHORTS GARDENS, LONDON, WC2H 9DP**

**APPLICATION FOR PLANNING PERMISSION FOR THE ERECTION OF A MOCK MANSARD ROOF (CONTAINING 3 AIR SOURCE HEAT PUMPS AND 1 CONDENSOR UNIT) AND INSTALLATION OF KITCHEN EXTRACT DUCTWORK.**

**PLANNING PORTAL REF: PP-10079901**

We write on behalf of our client and the applicant, Shaftesbury Covent Garden Limited, to submit a full planning application for the relocation of existing roof services and ductwork, the erection of a mock mansard roof (containing plant) and the installation of new kitchen extract ductwork at 21-23 Shorts Gardens, London, WC2H 9DP.

This application has been submitted online via the Planning Portal and is accompanied by the following supporting documents:

- Planning Application Forms, *prepared by Rolfe Judd Planning*
- Site Location Plan, *prepared by Fresson & Tee Architecture*;
- Existing and Proposed Drawings, *prepared by Fresson & Tee Architecture*;
- Environmental Noise Assessment, *prepared by Quinn Ross Consultants*;
- Cooling Hierarchy Cover Letter, *prepared by Quinn Ross Consultants*; and
- Photographic Schedule, *prepared by Rolfe Judd Planning*.

It is confirmed that the requisite planning application fee of £462.00 has been paid electronically online via the Planning Portal.

**Site Location and Surrounding Area**

The application site (21-23 Shorts Gardens) comprises a four-storey terraced building (plus basement) on the northern side of Shorts Gardens, close to the junction of Neal Street and Shorts Garden. The property comprises of commercial (Class E) use on all floors, with the exception of the third (top) floor which consists of a residential flat (Class C3). Access to the upper floors is via a

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pedestrian passageway leading into Neal's Yard from Shorts Gardens. For clarity, the upper floors of the property are also referred to as 17 Neal's Yard.

The property is situated within the heart of the Seven Dials (Covent Garden) Conservation Area, the Central Activities Zone (CAZ), the Central London Area (CLA) and an Archaeological Priority Area.

The property is not statutorily listed, however the building is recognised within the Conservation Area Appraisal as being a 'building which makes a positive contribution'.

The surrounding area comprises a mixture of commercial and residential premises, with the popular wholefoods and dining destination of Neal's Yard located within close proximity and opposite the recent success of Seven Dials Market (formerly Thomas Neal's Centre).

### **Relevant Planning History**

Having reviewed the Council's online planning database, the following planning permissions deemed relevant to this application are noted below:

- 2009/2711/P – *Change of use and works of conversion of third floor from office (Class B1) to flexible uses, either as a self-contained residential unit (Class C3), therapy (Class D1) or office uses (Class B1), and associated alterations including creation of a roof terrace at third floor level for residential unit only* – Granted 1<sup>st</sup> October 2009
- PS9905208 – *The erection of an extension at first and second floors and to the roof, to provide additional B1 (office) floor space, together with the installation of a new entrance door at ground floor level* – Granted 15<sup>th</sup> May 2000
- PS9904752 – *Continued use of the 1st, 2nd and 3rd floor for offices (Class B1) purposes* – Granted 5<sup>th</sup> October 1999
- 8900551 – *Continued use of the ground floor and basement for retail and ancillary storage and the use of the upper floors for separate use within the Class B1 of the Town and Country Planning (Use Classes) Order 1987 and alterations to flank elevation* – Granted 5<sup>th</sup> April 1990
- 35238 – *Alterations to the rear elevation at roof level in connection with the use of the residential flat at third floor ancillary to the light industrial use of the building* – Granted 27<sup>th</sup> January 1983
- 32388/R1 – *The installation of a new shopfront on the Shorts Gardens elevation, together with new access doors and balcony at ground and first floor respectively to the Neal's Yard elevation* – Granted 23<sup>rd</sup> July 1981
- 32352 – *The erection of a glass conservatory at third floor level on the rear of the premises for the purposes of a staff room* – Granted 1<sup>st</sup> July 1981
- 32388/R1 – *The installation of a new shopfront on the Shorts Gardens elevation, together with new access doors and balcony at ground and first floor respectively to the Neal's Yard elevation* – Granted 23<sup>rd</sup> July 1981

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- 32352 – *The erection of a glass conservatory at third floor level on the rear of the premises for the purposes of a staff room* – Granted 1<sup>st</sup> July 1981

As has been demonstrated by the above planning history, the property has been subject to a number of alterations over the years with the creation of new floorspace and terrace areas at roof level.

### **Proposal**

This application seeks full planning permission for the relocation of existing roof services, the erection of a mock mansard roof (containing ASHPs), the raising of the existing parapet and the installation of new kitchen extract ductwork. The works can therefore be summarised as:

- The relocation of the existing lightwell access hatch at first floor and a new louvred vent terminal in the rear lightwell;
- The removal of the existing AC unit in the rear lightwell and the relocation of the existing rainwater downpipe to allow for the installation of new kitchen extract ductwork. The kitchen extract will have cleaning panels every 1.5-2m and will rise from the basement internally, through the ground floor ceiling into the rear lightwell and continue up to roof level;
- The existing parapet wall at the rear lightwell will be raised and constructed from new coping stone to match the existing (note no new internal floorspace will be created and the roofline will remain as existing). The raised parapet wall will be penetrated by the new kitchen extract duct manoeuvring onto the roof where it will terminate;
- The erection of a new open top, mock mansard roof stepped back from the front elevation. The mock mansard roof will be clad in natural slate and lead flashing to match others in the vicinity. The new roof structure will visually and acoustically screen items of plant and services including:
  - 3x Samsung AM05NXMDER Air Source Heat Pumps (ASHPs) with vibration supports;
  - 1x Tecumseh Silensys SILG4467Z Refrigeration ASHP with vibration supports;
  - 1x Nuair SQFA44 Kitchen Extract Fan including exhaust attenuator;
  - A relocated roof access hatch; and
  - A relocated roof water tank and pipework.

The proposal primarily seeks consent for the installation of new kitchen extract ductwork and a new mock mansard roof to acoustically and visually shield new ASHPs. The kitchen extract duct will rise from the basement, through the ground floor ceiling into the rear lightwell and will therefore not be visible from the street.

The parapet wall will be raised to the rear lightwell using brickwork to match the existing. The mock mansard roof will be open top and constructed of similar materials (natural slate with lead flashing) to match that seen in the rest of Seven Dials and the immediately adjacent buildings (19 Shorts Gardens and Thomas Neal's Centre). The construction and choice of materials will therefore integrate well with the existing built environment and preserve the character and appearance of the conservation area.

Please refer to the submitted drawings from Fresson & Tee Architecture for further details.

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### **Planning and Heritage Considerations**

The proposal is considered to be compliant with and supportive of those relevant planning policies contained within the Council's adopted Local Plan.

#### **Design & Heritage**

Paragraph 189 of the NPPF states when determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

The heritage significance of the building is recognised in its external appearance and contribution to the wider appearance and character of the surrounding conservation area. The Conservation Area Appraisal denotes the building as being a 'building which makes a positive contribution' – this being its external appearance along Shorts Gardens.

The conservation area appraisal (Seven Dials – 1998) also states that '...new development should be seen as an opportunity to enhance the Conservation Area and should respect the built form and historic context of the area, local views as well as existing features such as building lines, roof lines, elevational design, and where appropriate, architectural characteristics, detailing, profile, and materials of adjoining buildings'. Similarly, the appraisal adds that for 'the erection of all external ventilation ducts and air handling equipment ...the Council will be concerned about the siting of the equipment, particularly in visually sensitive locations and in the proximity of residential accommodation, to ensure that local amenity is protected.

Local Plan Policy D1 (Design) states the Council will seek to secure high quality design in development, and where possible, carefully integrate building services equipment. Having consideration of new plant, Camden's Design SPG adds that proposal should consider the visual impact of building services equipment including views into and from conservation areas – making use of screening where possible which is consistent with those materials on the building.

Local Plan Policy D2 (Heritage) states the Council will preserve and, where appropriate, enhance designated heritage assets and their settings, including conservation areas and listed buildings.

The new ductwork will be located internally and to the rear of the building within the lightwell (fully enclosed with no public vantage points). The duct (alongside the proposed plant works) will then terminate at roof level and be fully screened by a traditional mock mansard roof. The proposed plant at roof level will therefore not be visible from street level or other public vantage points and will not impact upon the setting or character of the Seven Dials Conservation Area.

The materials used for the parapet wall and the mock mansard roof will be identical to those that already exist in the immediate vicinity and will therefore sensitively integrate with the existing built form of the building and those nearby.

The enclosed photographic scheduled submitted with this application demonstrates the immediate built environment. The photographs also show those existing architectural features and characteristics – notably the slate covered mansard roofs at 19 Shorts Gardens and Thomas Neal's

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Centre (directly opposite the site).

As such, it is not considered the proposals would harmfully alter the appearance of the building and seek to preserve the existing character and appearance of the wider Seven Dials conservation area. The proposals would therefore be compliant with Local Plan Policy D1 (Design), D2 (Heritage) and the wider objectives and guidance pertained within the Conservation Area Appraisal and SPG.

#### Amenity

Local Plan Policy A1 (Managing the Impact of Development) states the Council will seek to protect the quality of life of occupiers and neighbours. The Council will seek to ensure the amenity of communities, occupiers and neighbours is protected from (inter alia) noise and vibration levels.

Local Plan Policy A4 (Noise and Vibration) of Camden's Local Plan (2017) notes that the Council will seek to ensure that noise and vibration is controlled and managed. Permission will not be granted for proposals that will generate unacceptable levels of noise and vibration.

An Environmental Noise Assessment has been undertaken by Quin Ross Consultants. The report concludes that the building fabric is sufficient for the ASHPs and refrigeration unit not to require any additional noise control to mitigate noise. It is recommended that the exhaust duct and the extract fan for the kitchen extract should have an attenuator installed to meet the maximum permissible Rating level, as is shown on the submitted drawings.

It is considered therefore the proposed duct work and plant are in accordance with Local Plan Policy A1 and A4. Please see the submitted report from Quinn Ross for the complete assessment and specification of the proposed duct work and plant.

#### Climate Change

The proposed units being installed (3x Samsung AM05NXMDER and 1x Tecumseh Silensys SILG4467Z) are recognised as Air Source Heat Pumps (ASHPs) which are regarded as a sustainable and renewable energy source.

The Council's Energy and Efficiency SPG (2021) states that there are a variety of renewable energy technologies that can be installed to supplement a development's energy needs and assist in the reduction of carbon dioxide emissions from on-site renewable energy technologies. The SPG states that developers should look to prioritise the installation of renewable energy technologies with no polluting emissions. These can be air, ground, or water heat pumps.

Policy CC1 (Climate Change Mitigation) states the Council will require all developments to minimise the effects of climate change and encourage all developments to meet the highest feasible environmental standards. Additionally, Policy CC2 (Adapting to Climate Change) only permits the installation of new units if it has been demonstrated that there is a clear need for it after all the preferred methods have been incorporated in line with the cooling hierarchy. Having regards to Policy CC2, it is noted that:

- *"Minimise internal heat generation through energy efficient design";*

All works will be undertaken to the highest standards and 'best practice' procedures to

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ensure the highest environmental and energy efficient rating (and improvement upon the existing fabric / energy consumption where possible).

- *“Reduce the amount of heat entering a building in summer through orientation, shading, albedo, fenestration, insulation and green roofs and walls”;*

The building is located within a conservation area. Therefore, limited opportunity exists for new external alterations to the fabric of the building (such as external insulation or new windows). The new plant (ASHP) will provide future tenants with both cooling and heating (eg. requiring no need for central heating which would require gas).

- *“Manage the heat within the building through exposed internal thermal mass and high ceilings”;*

The building is existing and therefore does not allow alterations to ceiling voids or heights.

- *“Passive ventilation”;*

As noted by the supporting statement, natural ventilation will not be sufficient to cool the unit due to the depth of the space and only single sided natural ventilation being available.

- *“Mechanical ventilation”;*

Allowance for mechanical ventilation has been made by Quinn Ross to allow periods of free cooling when external temperatures allow. However, the volume of air will offer limited benefit in peak summer conditions without active cooling.

- *“Active cooling”*

The unit is proposed for a restaurant use which will contain a high heat gain from the kitchen. Based on the above, Quinn Ross have deemed there is a requirement for active cooling to meet peak summer conditions.

This application is accompanied by a Cooling Hierarchy Cover Letter which has been produced by Quinn Ross Consultants, which explains that due to the proposed use with high heat gains, the depth of the space and single sided natural ventilation, a clear requirement for active cooling exists to meet peak summer conditions. This can best be achieved through the use of ASHP.

It is considered therefore the proposals are necessary and fully in accordance with Policy CC1 and CC2.

### **Summary**

This application seeks full planning permission for the installation of a new kitchen extract duct, raising of the existing parapet wall, the erection of a mock mansard roof containing additional plant and associated duct works including the relocation of existing access hatches and pipework.

The proposed works are in association with the internal fit out of the basement and ground floors for a new restaurant use (Class E) which requires both a suitable kitchen extract and comfort cooling.

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The proposals will not be publicly viewable and therefore will not have a detrimental impact on the existing character or appearance of the conservation area.

An Environmental Noise Assessment prepared by Quinn Ross demonstrates that subject to the proposed mitigation measures, the proposed ducting and plant can achieve acceptable environmental noise criteria with consideration to the Council's requirements and therefore present no amenity impacts on nearby properties.

We trust that the application along with the submitted information is sufficient for the Council to validate the application and we look forward to a swift and positive outcome. Should you require any further information or would like to arrange a site visit, please do not hesitate to contact the undersigned.

Yours faithfully

*Mark Rattue*

For and on behalf of  
Rolfe Judd Planning Limited