

Application ref: 2022/1495/P  
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Westminster Council  
Pending Applications  
Development Planning  
City of Westminster  
PO Box 732  
Redhill, RH1 9FL

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Request for Observations to Adjoining Borough - Objection**

Address:

**28-32 Shelton Street  
London  
WC2H 9JE**

Proposal:

Westminster CC planning application 22/02/009/FULL: Mixed-use development at Old Brewer's Yard including: at 28-32 Shelton Street, the erection of two-storey roof extension and other external alterations (including shopfront alterations, new rear access to the Yard, and plant) in connection with the use of the building as a restaurant (Class E(b)); at 1 Mercer Walk, the installation of ancillary plant & servicing equipment, external alterations including opening up of blind windows on east elevation, installation of PV panels at main roof level, installation of green living wall on the western elevation, and the placement of external tables and chairs on Mercer Walk, all in connection with the use of the building as a microbrewery and visitor attraction with ancillary retail, bar and training space (Sui Generis); at 15A Neal Street (ground floor only), external alterations including installation of full-height glazed rear wall and installation of a new shopfront; at 5 Langley Street (basement, part-ground floor and part-roof only) alterations to north and west facade and installation of new plant, all in connection with the flexible mixed-use of the basement and part-ground floor as entertainment/events/community space with ancillary storage areas (Sui Generis); at the rear of 7 Langley Street, installation of plant at roof level and the use of the former bin store as a bar area servicing the Yard (Sui Generis); at Old Brewer's Yard, the erection of a new high-level glazed canopy structure and semi-permanent external seating, installation of new entrance gates fronting Shelton Street,

placement of planters and associated street furniture, for use of the Yard as a flexible entertainment/dining/events/ community outdoor space (Sui Generis). (Site includes Old Brewer's Yard, 28-32 Shelton Street, 15A Neal Street, 5 and 7 Langley Street, 1 and 3 Mercers Walk and 107-115 Long Acre).

Drawing Nos: Westminster CC Planning Application 22/02009/FULL

The Council, as a neighbouring planning authority, has considered your request for observations on the application referred to above and hereby raises objection for the following reason(s):

Reason(s) for Objection:

- 1 The site includes an external yard enclosed between buildings within Westminster CC. The yard is used for servicing the surrounding buildings and access is by way of an undercroft through 28-32 Shelton Street. The boundary with LB Camden runs along Shelton Street. 28 - 32 Shelton Street interfaces with LB Camden.

Land Use:

The application proposes the introduction of and extension to a number of commercial uses within the yard and surrounding buildings. The description of development references :

- the erection of a two- storey roof extension and installation of PV panels at main roof level at 28 - 32 Shelton Street in conjunction with the use of the building as a restaurant
- the placement of external tables and chairs on Mercer Walk, all in conjunction with the use of 1 Mercer Walk as a microbrewery with ancillary retail, bar and training space
- at 15A Neal Street alterations in conjunction with the continued use of the ground floor area as a retail unit
- at 5 Langley Street alterations and installation of new plant in conjunction with the flexible mixed-use of the basement and part-ground floor as entertainment/events/community space with ancillary storage areas
- at the rear of 7 Langley Street, installation of plant at roof level to support 28-32 Shelton Street, and the use of the former bin store as a bar area servicing the Yard
- at Old Brewers' Yard, the erection of a new high-level glazed canopy structure and semi-permanent external seating, installation of new entrance gates fronting Shelton Street for use of the Yard as a flexible entertainment/dining/events/ community outdoor space and associated works including servicing, cycle storage and refuse storage.

It is for Westminster CC to determine the acceptability in principle of the proposed uses in accordance with the provisions of the Development Plan. LB Camden has no objections in principle to the proposed uses as these are all broadly acceptable for London's Central Activities Zone and would all be located within the Borough of Westminster.

Amenity:

LB Camden has planning policies and guidance which seeks to safeguard the amenity of occupiers in Camden in terms of light, privacy, security, noise and disturbance and outlook.

In terms of light and outlook there is concern on grounds of overshadowing and overbearing effects on the buildings in LB Camden on the opposite side of Shelton Street to the site (e.g. 31 - 33 Shelton Street). These buildings are situated less than 10m from the site and the proposal to erect a two storey extension on 28 - 30 Shelton Street, which would become a 7 storey building, would result in a loss of light and outlook for the occupiers.

In terms of noise and disturbance it is noted that numerous potentially noisy and disturbing uses are proposed. These would take place and have repercussions late at night and early in the morning on week days and weekends. It is noted that many of the uses will take place outside, including a new external terrace on 28 - 30 Shelton Street, entertainment uses in the Old Brewery Yard. On top of this there will inevitably be noise associated with the food and drink, entertainment, community and leisure uses within the buildings and the 'break-out' of noisy activities onto the neighbouring streets, particularly from the ground floor uses. There will be noise emissions from all floors. The Planning Statement references the leisure, cultural and community entertainment/hospitality based activities which will take place with live performances and live screenings, background and live music being indicated both within the buildings and in the Old Brewery Yard.

There will be increased risks to the security of people and property due to the increased user numbers and the intensification and creation of uses which will attract more visitors to the area and increase the likelihood of undesirable activity.

- 2 Mechanical plant will be installed at all levels and the Planning Statement also mentions an Odour Statement in respect of the proposed micro-brewery.

Servicing and deliveries will inevitably increase to the site and buildings, with vehicular access proposed to and from the development onto Shelton Street and increased pollution, congestion, noise and disturbance for surrounding occupiers, including LB Camden residents.

LB Camden consider that the proposed sources and levels of noise and odours should be considered by the Westminster Environmental Health Team prior to planning permission being granted. Additionally, planning conditions, including on hours of operation, and relevant Management Plans should be included and secured respectively as part of any planning permission to mitigate against noise and odour impacts at the neighbouring noise sensitive premises.

An Operational Management Plan should be secured and implemented in the interests of safeguarding against unacceptable noise and disturbance and ensuring security and safety for neighbouring residents.

LB Camden also request that a Construction Management Plan is secured and implemented as part of any planning permission.

Transport:

The proposal to make the area car-free is welcomed.

Services & Deliveries:

The submitted Delivery & Servicing Plan indicates that total servicing demand is not expected to exceed current levels and may in fact reduce. In these circumstances Camden has no objections on servicing or delivery grounds. However, to prevent undue congestion and loss of highway safety during periods of high footfall the servicing and delivery hours should be restricted by condition or in the Operational Management Plan to be secured by a s106 agreement.

Managing and mitigating the impacts of construction:

LB Camden Transport has no objections to the indicative arrangements indicated in the Transport Statement but requests that that a Construction Traffic Management Plan (CTMP) is secured by a s106 planning obligation.

Highway works contribution:

The carriageway adjacent to the site is likely to sustain significant damage from the proposed construction works. The borough boundary runs along the centre of Shelton Street and maintenance is carried out by both Camden and Westminster via an agreement under Section 8 of the Highways Act 1980. Under this arrangement the two Highway Authorities maintain the whole width of the carriageway on different sections of the road; Camden maintains the carriageway east of Langley Street and Westminster maintains the carriageway west of Langley Street. The carriageway adjacent to the site entrance on Shelton Street is the responsibility of Camden and it would need to undertake remedial works to repair any damage following completion of the proposed development. A highways contribution to LB Camden should be secured as a section 106 planning obligation for repairs to the carriageway post construction. An estimate can be requested if required. (Please note that these can take around four weeks to process.)

### 3 Conservation & Design:

The proposals include a variety of alterations to buildings on Shelton Street and further south within the Borough of Westminster. The proposals include a two story roof extension to 28-32 Shelton Street, it is this element of the proposals that will have the largest impact on the nearby heritage assets within the Borough of Camden.

The site lies opposite a number of grade II listed buildings and the Seven Dials Conservation Area.

27-33 Shelton Street (The Seven Dials Warehouse) immediately opposite the site on the other side of Shelton Street is a Grade II Listed Building (SEVEN DIALS WAREHOUSE, Non Civil Parish - 1061403 | Historic England)

## Seven Dials Conservation Area

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. Most buildings appear to spring from the footway without physical front boundaries or basement areas. In this tightly contained streetscape, changes of road width, building form and land-use give dramatic character variation, narrow alleys and hidden yards provide unforeseen interest and the few open spaces provide relief and a chance to pause and take stock of one's surroundings. Apart from Seven Dials there are no formal open spaces but some significant informal spaces occur in the form of yards and street junctions.

Shelton Street is dominated by the former Woodyard Brewery buildings which line both sides of this narrow street. Evidence of the high level linking iron bridges remain on some of the buildings. The historic remains of ironwork form part of the distinctive industrial character of this part of the Conservation Area. At the junction with Neal Street and Earlham Street is the Seven Dials Warehouse, which has iron hoists and hoist doors remaining. The building was converted to a mix of uses following a GLC permission in 1974.

## Legislation & Policy

S. 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013 states :  
'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'

S. 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013 states :  
'In the exercise, with respect to any buildings or other land in a conservation area, of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'

## NPPF

Para: 195: Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

## The London Plan

## Policy HC1 Heritage conservation and growth

C: Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed.

- 4 Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.

### Impact of the roof extension of the heritage assets

The roof extension is two storeys high and incorporates a brick parapet and a glazed element with a horizontal emphasis created by a metal frame and glazing bars.

The existing building is five storeys high, lining up with the height of the parapet of the building to the west, and sitting one storey higher than its neighbour to the east. The building is a similar height to the buildings on the other side of the street that lie within the Borough of Camden, are grade II listed and situated within the Seven Dials Conservation Area. Although divided by a borough boundary, there is a strong relationship between the buildings that line the street, being constructed during the middle of the 19th century as a collection of brewery buildings. Heights, scales and construction materials have a commonality and there is a shared architectural language that contribute to the significance of the heritage assets. The list description for 27-33 Shelton Street quoted above states that the building 'possesses strong group value with already listed brewery buildings to the south, over the boundary in the City of Westminster.'

The proposed extension is an incongruous addition altering the scale of the street, creating awkward relationships with immediate neighbours, and compromising the respectful and symbiotic relationship that exists between the listed buildings in both boroughs, and buildings within the Seven Dials Conservation Area. As identified above, the height and scale of the buildings as a group is important, adding to significance and historical and architectural value. The increase in height would weaken the relationship between the collection of buildings harming their significance. The height increase would also be visually discordant affecting the quality and aestheticism of the streetscape, causing additional harm to the setting of the listed buildings and views into and out of the Seven Dials conservation area.

The design of the extension does not mitigate the harm caused but exacerbates it. The large amount of glazing and the horizontal proportions created by the glazing bars do not respect the established character of the street and the wider conservation area, and demonstrate a lack of understanding of the architecture and history of the site.

The verified views shown in the Heritage and Townscape Assessment demonstrate the harm caused by the extension, particularly in view 4.

In conclusion, the proposed roof extension to 28-32 Shelton Street due to the height and massing and the unsympathetic design, would cause less than substantial harm to the setting of the Seven Dials Warehouse at 27-33 Shelton Street and the Seven Dials conservation area.

Conclusion:

LB Camden has the following concerns in relation to the impact on LB Camden and its occupiers:

- Loss of outlook for occupiers (particularly to 31 - 33 Shelton Street)
- Loss of light to 31 - 33 Shelton Street
- Noise and disturbance from proposed uses and associated activities
- Noise and disturbance during construction
- Risks to security of people and property- Harm to setting of neighbouring Listed Buildings and character and appearance of Conservation Area
- Control of hours of use of Old Brewers' Yard by vehicles, as stated in the Transport Statement, by the Operations Management Plan (OMP) / Delivery and Servicing Plan (DSP).
- A Construction Traffic Management Plan.
- A commitment to remedy any construction damage to Shelton Street, with a highways contribution to LB Camden secured by way of a S.106 agreement

Yours faithfully



Daniel Pope  
Chief Planning Officer