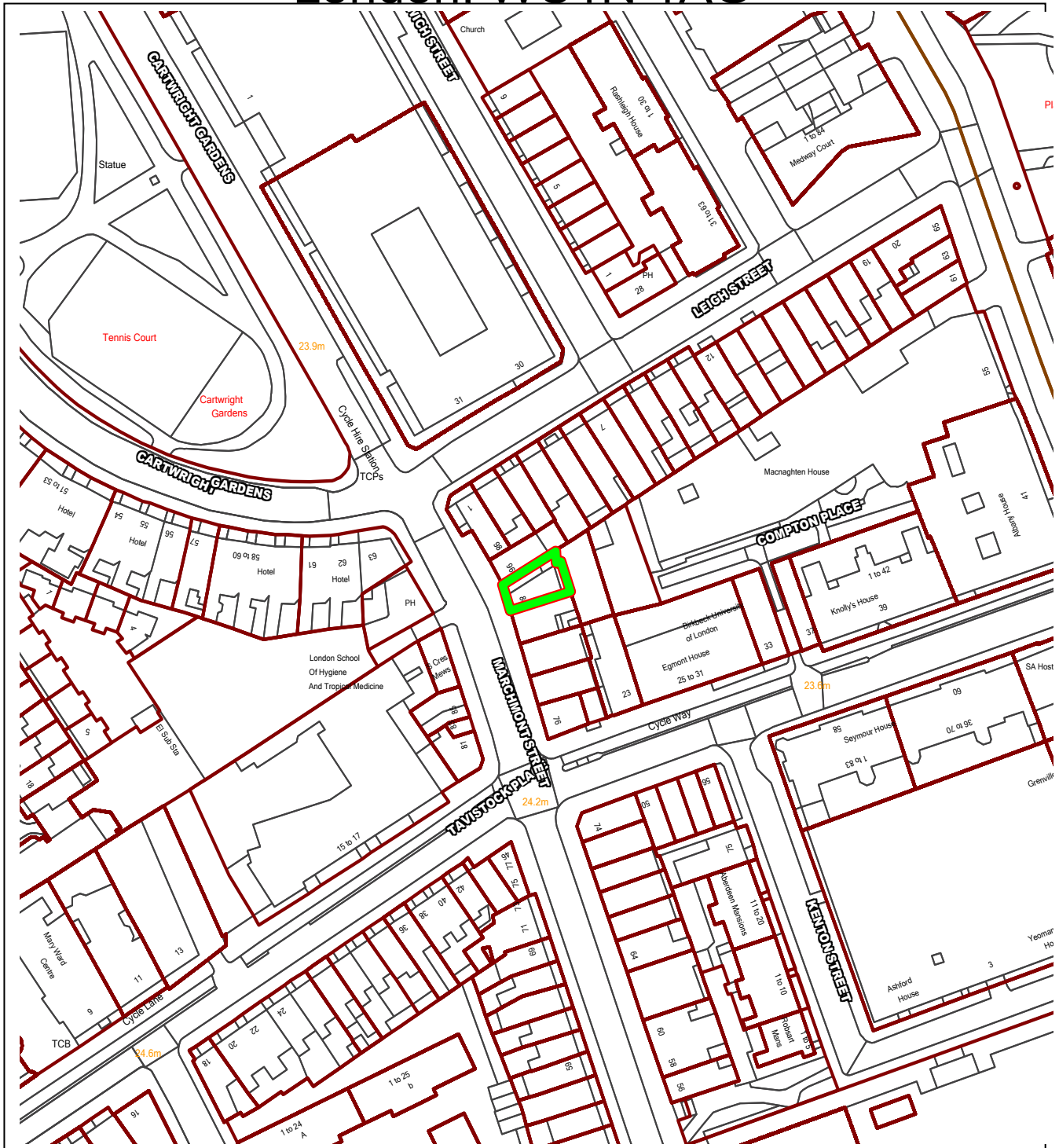


2022/4417/P – 84 Marchmont Street, London, WC1N 1AG



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.



Photo 1 (above): View of existing shopfront with roller shutter closed



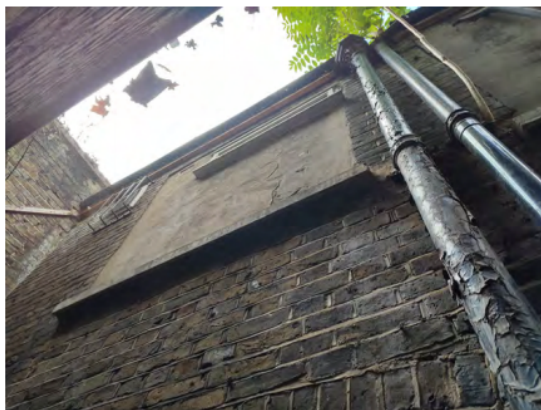
Photo 2 (above): Close-up view of existing shopfront with roller shutter open



Photo 3 (above): View of existing shopfronts 76-84 (even, right to left) on eastern side of Marchmont Street



Photo 4 (above): Bird's eye view of rear elevation of 84 Marchmont Street



Blocked up ground floor window 1 (from basement courtyard)



Blocked up ground floor window 2 (from basement courtyard)

Photo 5 (above): View of existing bricked up ground floor rear windows proposed to be reinstated

| | | | | | | | |
|---|--|--|--|----------------------------------|--|-------------------------------------|--|
| Delegated Report | | Analysis sheet | | Expiry Date: | | 06/12/2022 | |
| (Members Briefing) | | N/A / attached | | Consultation Expiry Date: | | 25/12/2022 | |
| Officer | | | | Application Number(s) | | | |
| Charlotte Meynell | | | | 2022/4417/P | | | |
| Application Address | | | | Drawing Numbers | | | |
| 84 Marchmont Street London WC1N 1AG | | | | See draft decision notice | | | |
| PO 3/4 | | Area Team Signature | | C&UD | | Authorised Officer Signature | |
| | | | | | | | |
| Proposal(s) | | | | | | | |
| Installation of replacement shopfront, new pavement lights and ground floor rear windows, and erection of rear glazed extension at basement level, to facilitate subdivision of existing retail unit into two to provide a retail unit at ground floor level and an office at basement level. | | | | | | | |
| Recommendation(s): | | Grant Conditional Planning Permission subject to a Section 106 Legal Agreement | | | | | |
| Application Type: | | Full Planning Permission | | | | | |

| | | | | |
|---|--|-----------|-------------------|-----------|
| Conditions or Reasons for Refusal: | Refer to Draft Decision Notice | | | |
| Informatives: | | | | |
| Consultations | | | | |
| Adjoining Occupiers: | No. of responses | 02 | No. of objections | 02 |
| Summary of consultation responses: | <p>A site notice was displayed on 25/11/2022 and expired on 19/12/2022. A press notice was advertised on 01/12/2022 and expired on 25/12/2022.</p> <p>The following objections were received:</p> <ol style="list-style-type: none"> 1. Proposed front lightwell would create noise, mess and obstruction and would narrow the pavement. 2. The creation of affordable residential space should be Camden's priority. 3. The proposed works would delay the return of the premises to retail use. 4. Noise, dust, disturbance and vulnerability to crime from building works. 5. Issues with Camden's planning website being down. 6. No warning letter received about existing refurbishment work to shop. <p><i>Officer response:</i></p> <ol style="list-style-type: none"> 1. <i>The scheme has been revised to remove the proposed front lightwell and replace with front pavement lights; please refer to section 4 of the report.</i> 2. <i>The proposal does not involve the creation of a residential unit nor is a financial contribution to affordable housing required as part of this application.</i> 3. <i>The proposed retail unit is considered to be an acceptable size to be viable; please refer to section 3 of the report.</i> 4. <i>Construction works are subject to control under the Control of Pollution Act 1974. An informative would be added to the decision to ensure that the applicant is aware of the times that building works can be undertaken.</i> 5. <i>The proposals and subsequent revisions have been available to view on Camden's website since 23/11/2022, the date the application was registered.</i> 6. <i>This is a civil matter. The Council does not consult on refurbishment works which do not require planning permission.</i> | | | |
| Bloomsbury Conservation Area Advisory Committee (CAAC) comments: | <p>In response to the proposal, the Bloomsbury CAAC objected on the following grounds:</p> <ul style="list-style-type: none"> • We object to the proposal to create a new front lightwell, enclosed by railings. This is intended to facilitate a retail unit and ground floor level and an office at basement level, but the alterations are not appropriate within the context of the host building. • The shop (previously Unwins) is located on the ground floor of a symmetrical four storey red brick block, built in the early 20th century. Residential accommodation is provided on the upper floors, and shop units on the ground floor, five in total, with the corner shop (Moreish) | | | |

having an aspect on to both Upper Marchmont Street and Tavistock Place.

- The proposal at no 84 is for a lightwell and railings and specifically refers to the “adjoining railings” of No. 96 Marchmont Street. But this is NOT the context of number 84, as 96 references the Georgian properties within the local area and 84 is part of a specific mansion block, considered a positive contributor to the conservation area (76-92). This purpose-built block does not have cast iron front boundary railings on the ground floor. The addition of this feature is therefore inappropriate in context.
- The pavement is reasonably wide at this north end of east Marchmont Street, and the addition of a lightwell into this location will also impede the free flow of pedestrians - especially the students who walk in large numbers towards UCL from the Garden Halls, Cartwright Gardens. This is also a popular route for tourists accessing the cafes, restaurants, pubs and shops situated along Marchmont Street, an attractive and well-supported neighbourhood shopping hub.
- There are many shopfronts of merit identified in the Bloomsbury Conservation Area Appraisal document, but in this stretch of Marchmont Street only no 72 has been mentioned.
- We consider there is a lost opportunity to make something better of the shop front itself, within its heritage context, in preference to altering the streetscape by opening up the pavement for the purpose of creating a lightwell to facilitate an office at basement level.

(Officer response: the proposed front lightwell and railings have been removed from the proposals and replaced with paving lights. The proposed shopfront has been redesigned to include a stallriser and change the proposed materials from metal to timber).

Site Description

The site comprises a four-storey plus roof extension and basement mid-terrace building, with a retail unit at ground floor and basement levels and residential flats to the upper floors. The property is located in the Bloomsbury Conservation Area.

The site is also situated in a Local Plan Centre and the Central London Area.

Relevant History

2021/5729/A - Display of 1x non illuminated projecting sign. **Granted 24/04/2022**

2011/5559/P - Replacement of existing front shop to retail unit (Class A1). **Granted and Warning of Enforcement Action 10/01/2012**

Relevant policies

National Planning Policy Framework (2021)

London Plan (2021)

Camden Local Plan (2017)

A1 Managing the impact of development

D1 Design

D2 Heritage

TC2 Camden’s centres and other shopping areas

T1 Prioritising walking, cycling and public transport

T2 Parking and car-free development

Camden Planning Guidance

CPG Amenity (2021)

CPG Design (2021)

CPG Developer contributions (2019)

CPG Town centres and retail (2021)

CPG Transport (2021)

Bloomsbury Conservation Area Appraisal and Management Strategy (2011)

Assessment

1. Proposal

1.1 Planning permission is sought for the following:

- Replacement timber shopfront;
- Installation of new concrete pavement lights measuring 1.5m deep and 3.4m wide to existing basement beneath front forecourt;
- Insertion of 2 new timber framed sash rear windows at ground floor level;
- Erection of rear glazed infill extension at basement level to enclose courtyard and replace existing rear extensions;
- Subdivision of existing retail unit (Class E) into two to provide a retail unit at ground floor level and an office at basement level (both Class E uses).

Revisions

1.2 The following revisions were made throughout the course of this application:

- Proposed front lightwell and railings removed from scheme and replaced with concrete pavement lights;
- Design of shopfront amended to change materials from metal to timber, introduce stallriser and fan light above the entrance door.

2. Assessment

2.1 The main material planning issues for consideration are:

- Land use
- Design and heritage
- Neighbour amenity
- Transport
- Contaminated Land

3. Land use

3.1 Policy TC2 of the Camden Local Plan seeks to protect primary frontages in its centres as locations with a high proportion of shops, in order to maintain the retail function of the centres. The Council will seek to retain convenience shopping for local residents in Camden's Neighbourhood Centres and will ensure that development in them does not harm the function, character or success of that centre.

3.2 The application site is located within a Neighbourhood Centre and recognised as an area that provides for the day-to-day needs of people living or working nearby. Within these areas, the Council will seek to retain convenience shopping for local residents and will ensure that development in them does not harm the function, character or success of that centre.

3.3 The proposal would retain a retail unit of a reduced size at ground floor level, with the loss of retail floorspace being the conversion of the basement ancillary storage area to separate self-contained office floorspace. Importantly, the front section would be retained as retail and appears to be of an appropriate size for a viable retail unit. It should be noted that the complete loss of the retail unit would be subject to further planning permission and could be resisted at that point as it is contrary to current planning policy.

3.4 The proposed office at basement level is considered to be of an appropriate size and would receive adequate light from the proposed front pavement lights and rear glazed roof extension. Overall the proposals are considered acceptable in land use terms.

4. Design and heritage

4.1 The revised scheme incorporates concrete obscure glazed pavement lights within the front forecourt of the retail unit, to facilitate light into the front of the proposed basement level office. The pavement lights would be flush with the ground and would be located in front of the shopfront only and would replace an existing metal basement access hatch (see the proposed floor plans and front elevation in figures 1 and 2 below). There are existing pavement lights, including concrete types, within the front forecourts of all neighbouring properties of the terrace of Nos. 76-84 Marchmont Street. The installation of pavement lights in this location is therefore considered to be acceptable in terms of design and impact on the streetscene.

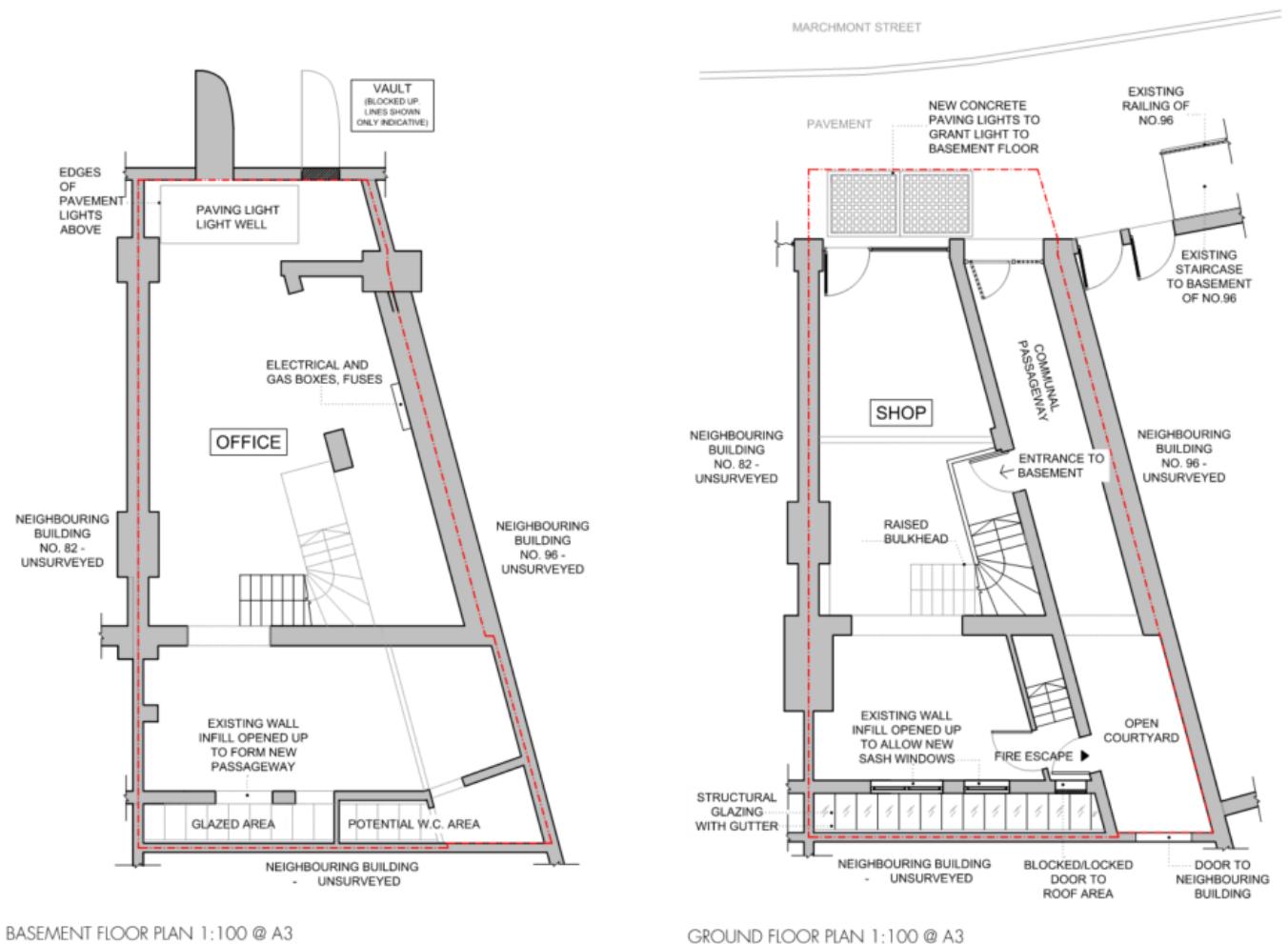


Figure 1 (above): Proposed Basement and Ground Floor Plans

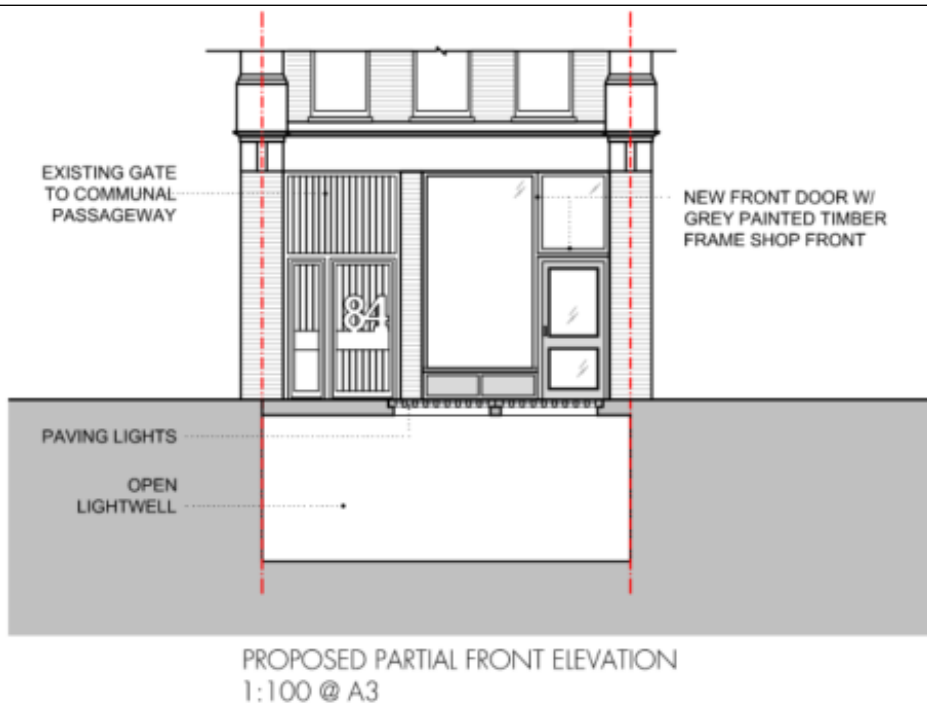


Figure 2 (above): Proposed Front Elevation

- 4.2 The existing shopfront would be replaced with a grey-painted timber shopfront with an entrance door the same height as the existing front entrance gate leading to the residential properties above. The existing fascia signage would be replaced with glazing. This is considered acceptable as new signage can be displayed on the existing fascia above, as per the existing situation at the neighbouring property No. 82 Marchmont Street. The existing metal roller shutter would be removed, which is welcomed. Overall, the proposed alterations to the shopfront are considered to be appropriate in the context of the existing neighbouring shopfronts and would preserve the character and appearance of the Bloomsbury Conservation Area.
- 4.3 To the rear, two new ground floor rear windows would reinstate previously bricked up windows in the same location. The new windows would be double glazed and grey-painted timber sash windows to match the existing windows above, which is considered appropriate. The existing rear basement courtyard would also be infilled with a glazed roof and a previously bricked up opening knocked through to increase natural light into the proposed basement office. The existing courtyard has a footprint of only 2.8sqm and most of the neighbouring properties within this terrace are entirely built up at basement level. The proposed infilling of the rear courtyard is therefore considered acceptable and in keeping with the neighbouring pattern of development.
- 4.4 Special regard has been attached to the desirability of preserving or enhancing 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. Neighbour amenity

- 5.1 Camden Local Plan policy A1 seeks to ensure that development does not cause adverse amenity impacts upon neighbours in terms of sunlight, daylight, privacy, outlook, noise and vibration.
- 5.2 The proposed alterations to the shopfront and rear of the building would not give rise to any adverse impact on the amenity of neighbouring occupiers in terms of loss of daylight, sunlight, outlook or privacy. The infilling of the existing basement courtyard is acceptable in terms of the impact on future occupiers of the unit, as there is no requirement for the proposed Class E office space to provide outdoor amenity space.

6. Transport

- 6.1 Local Plan policy T2 states the Council will limit the availability of both off-street and on-street parking and require all new developments in the borough to be car-free. This is to prevent the future occupants from adding to existing on-street parking pressures, traffic congestion and air pollution whilst encouraging the use of more sustainable modes of transport such as walking, cycling and public transport. To comply with this policy, both the existing retail unit and the proposed office unit would be secured as on-street Business parking permit (car) free via a s106 legal agreement.
- 6.2 In line with Policy T1 of the Local Plan, secure and covered cycle parking is required to be provided for the proposed basement office unit. No cycle parking has been shown on the proposed plans. As such, a contribution of £255 towards the provision of an on-street Sheffield or M-shaped cycle parking stand within the vicinity of the site would be secured by a s106 legal agreement.
- 6.3 The Council's Transport Planner has confirmed that deliveries to the retail unit and office would take place from the kerbside of Marchmont Street as at present. There are single yellow lines outside the site from which vehicles can load and unload, which is acceptable.
- 6.4 The Council's Transport Planner has confirmed that given the scale of the works, it is not necessary to secure a Construction Management Plan or a highways contribution for the proposals.

7. Contaminated Land

- 7.1 The Council's Environmental Health (Contaminated Land) Officer has reviewed the proposals and noted that historical industrial uses identified within the vicinity of the site include an Oil and Colour Manufacturers and an unspecified works. The Environmental Health Officer has confirmed that given the proposed commercial use of the basement and that no areas of soft landscaping are proposed, the risk to the end users is considered to be low from potential contamination; however, a condition is recommended to secure the submission and approval of an appropriate remediation plan if evidence of potential contamination is encountered during construction works.
- 8. Recommendation:** Grant conditional planning permission subject to a Section 106 Legal Agreement securing car free development and a contribution to local cycle parking

DISCLAIMER

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 6th March 2023, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Application ref: 2022/4417/P
Contact: Charlotte Meynell
Tel: 020 7974 2598
Date: 1 March 2023

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

Tasou Associates Limited
4 Amwell Street
London
EC1R 1UQ
United Kingdom

Dear Sir/Madam

DRAFT
FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION
Town and Country Planning Act 1990 (as amended)

DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Address:
84 Marchmont Street
London
WC1N 1AG

Proposal: Installation of replacement shopfront, new pavement lights and ground floor rear windows, and erection of rear glazed extension at basement level, to facilitate subdivision of existing retail unit into two to provide a retail unit at ground floor level and an office at basement level.

Drawing Nos: EX.00; EX.01; EX.02; EX.03; PR.01 Rev B; PR.02 Rev B; PR.03 Rev B;
Design and Access Statement December 2022 Rev. A.

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: EX.00; EX.01; EX.02; EX.03; PR.01 Rev B; PR.02 Rev B; PR.03 Rev B; Design and Access Statement December 2022 Rev. A.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 If during construction/demolition works, evidence of potential contamination is encountered, works shall cease and the site fully assessed to enable an appropriate remediation plan to be developed. Works shall not recommence until an appropriate remediation scheme has been submitted to, and approved in writing by, the local planning authority and the remediation has been completed. Upon completion of the building works, this condition shall not be discharged until a closure report has been submitted to, and approved in writing by, the local planning authority.

Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial/storage use of the site in accordance with policies G1, D1, A1, and DM1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 2 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.

- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 4 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ.
- 5 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-planning-decision>.

Yours faithfully

Supporting Communities Directorate