



Development Management Service  
 Planning and Development Division  
 Environment and Regeneration  
 Department  
 PO Box 333  
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 LONDON N1 1YA

## PLANNING COMMITTEE REPORT

|                           |                     |                        |
|---------------------------|---------------------|------------------------|
| <b>PLANNING COMMITTEE</b> |                     | <b>AGENDA ITEM NO:</b> |
| Date:                     | <b>22 July 2014</b> | NON-EXEMPT             |

|                          |   |
|--------------------------|---|
| Application number       | P2013/3297  |
| Application type         | Listed Building Consent   |
| Ward                     | Bunhill & Clerkenwell   |
| Listed building          | Grade II  |
| Conservation area        | Within 50 metres of St Luke's & Chiswell Street Conservation Areas.   |
| Development Plan Context | Grade II listed vaults lie beneath the site. The listed Whitbread Brewery lies immediately to the south of the subject site.  |
| Site Address             | Shire House Whitbread Centre [including Car Park & Service Yard], 11 Lamb's Passage, London EC1Y 8TE  |
| Proposal                 | The conversion and alterations to the existing grade II listed underground vaults to provide a mixed use development comprising of a part 4, part 8 storey building providing 38 residential units (19 affordable, 19 market rate) (Class C3), a 61 bedroom hotel (Class C1), office floor-space (Class B1a), restaurant (Class A3), retail (Class A1) and gym (Class D1), along with the creation of new public realm, associated landscaping and alterations to the existing access arrangements. (Full planning permission ref: P2013/3257 also submitted) |

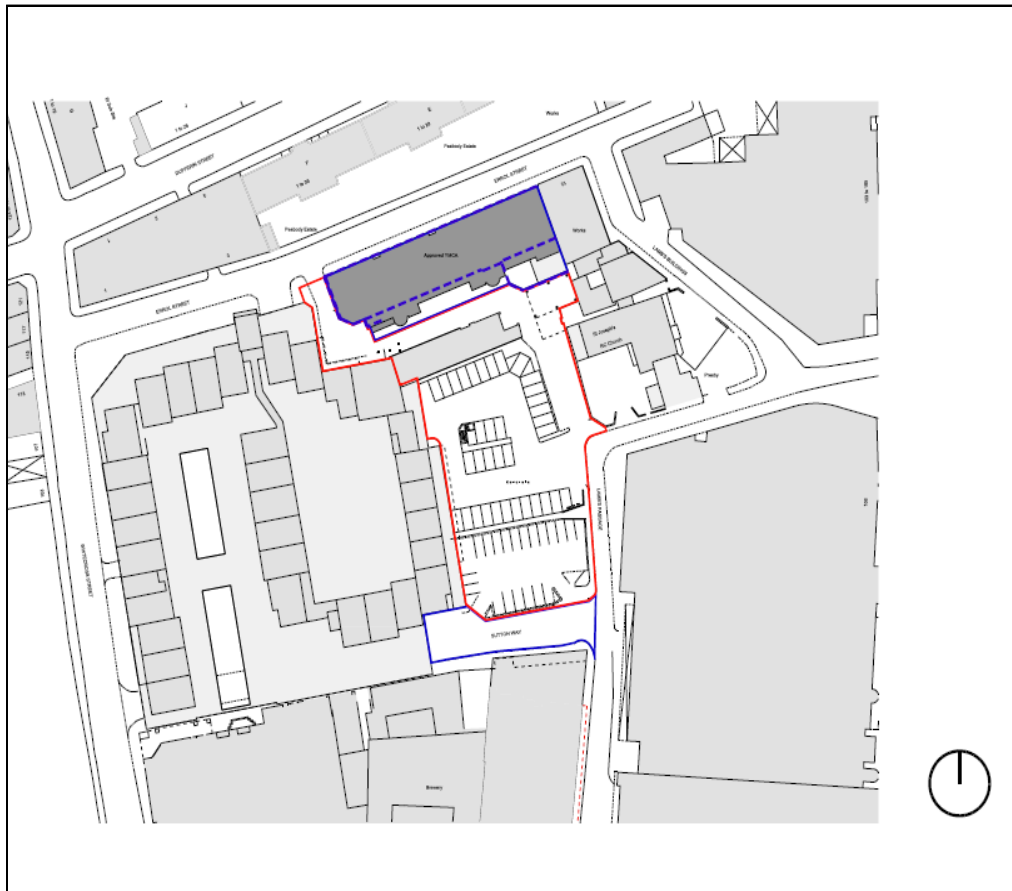
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|--------------|--|
| Case Officer | Paul Conboy  |
| Applicant    | London City Shopping Centre Ltd & Lamb's Passage Real Estate |
| Agent        | Barton Willmore - Mr Justin Kenworthy                        |

## **RECOMMENDATION**

The Committee is asked to resolve to GRANT listed building consent:

1. Subject to the conditions set out in Appendix 1; and
2. Subject to members resolving to grant planning permission for the related planning application ref P2013/3257/FUL.

## SITE PLAN (site outlined in red)



### 1.0 SUMMARY

- 1.1 The site includes the Grade II listed Whitbread Brewery vaults which are beneath the car park. The site is in close proximity and within the setting of the Grade II listed Whitbread Brewery buildings, in close proximity to St. Luke's and Chiswell Street Conservation areas and also within the Moorfields Archaeological Priority Area. The site is additionally within the setting of No.12 Errol Street which is a non-designated heritage asset.
- 1.2 The site is currently occupied by a surface level car park and a 20th century building of no architectural or historic significance – there is no objection to the demolition of this building or the redevelopment of the site in principal.
- 1.3 The basement cellars are proposed to be converted to a restaurant, forming part of the hotel and accessed from its southern end. The rest of the basement cellars would be used as ancillary space for the southern residential block.(gymnasium)
- 1.4 There would be some harm caused to the underground vaults as a result of their conversion into usable spaces, including a loss of historic fabric, and the subdivision and masking of historic fabric as a result of damp proofing. The 'Archaeological and Built Heritage Assessment' submitted with the application is very comprehensive and fully justifies the proposed interventions into the fabric,

which have been reduced as far as possible to avoid harming the character and interest of the spaces.

- 1.5 As well as the historic fabric and the internal spaces, there are other elements within the vaults which are considered to be of significance and should be retained wherever possible. These include the painted posters on the walls, which provide an indication of the variety of the beers being produced by the Whitbread Company, the surviving elements such as the tram and barrel tracks running within the floors of the vaulted areas and some of the machinery remnants all of which add to the historical and archaeological interest. Subject to conditions the proposals are supported and acceptable.

## **2.0 SITE AND SURROUNDINGS**

- 2.1 The application site and its surroundings are described in the report for the accompanying application for planning permission (ref: P2013/3257/FUL)

## **3.0 PROPOSAL (in Detail)**

- 3.1 The applicant seeks listed building consent for the conversion and alterations to the existing Grade II statutorily listed underground vaults at lower and upper basement level to enable these spaces to be used for restaurant uses, ancillary spaces, gym, plant and machinery spaces.

- 3.2 The following interventions are proposed:

- I. Demolition of walls and some jack arches in the north-east corner to provide a new staircase and lightwell into cellars to create a welcoming entrance to the restaurant: The fabric of this area has been altered historically and is less sensitive to change. The lightwell and stairs have been orientated in respect of the existing basement footprint. Internal finishes are proposed to demonstrate the transition between new and historic. Downstands and nibs will be retained to indicate where the walls would have been. Tiled jack arches will be preserved to the south of the staircase.
- II. Demolition of parts of walls to provide access from the east side to the west side of cellar. This will enable the full area of the basement to be used. This level of intervention has been kept to a minimum and the majority of the spaces are to be retained and enhanced through a new use.
- III. Insertion of foundations/piles through the existing structure to support the hotel above; Just as the foundations of the Shire House development have been inserted into the historic fabric so too will the proposed buildings foundations be located within the walls of the cellars. The ground floor layout and structural design for the buildings has been specifically redesigned to account for the layout of the basement so that the piles do not fall within the centre of the spaces but retain the character and proportions of the long vaults.
- IV. Insertion of partitions to split the restaurant demise from the private residential demise. The partitions are necessary for the development to be implemented but can be carried out in a sensitive manner to ensure the fabric of the structure is preserved. Any partitions will be removable and will not require demolition of any fabric.

- V. Lowering of the floor level to provide adequate headroom and relaying of some of the metal tracks. In order to use the vaulted spaces for the proposed restaurant it is necessary to dig out the existing floor levels.
- VI. Removal of infill bricks around piles to create views through the area. This will enhance the appearance of the spaces and provide a better understanding of the interaction between and scale of the vaulted areas, enhancing heritage significance.
- VII. Damp proofing to the lower half of the walls with the upper parts being left as exposed brick where possible. Damp proofing the lower part of the walls will enable the spaces to be usable without compromising the experience of being in a brick vault.
- VIII. Division of the 20th century concrete area on the western side of the cellars to provide kitchen and bathrooms.
- IX. Removal of a modern staircase to split the lower basement from the basement level. Removing this staircase will enable the entire basement vaulted area to be read as one historic entity with the sub-basement level an entirely separate space, as it would have been originally.
- X. Insertion of piles of the building above, the piles have been designed to sit as close to the existing walls or within them so as to maintain the spatial qualities of the vaults.
- XI. Insertion of new stair core and lift to west of double height jack arch cellars.
- XII. Use of the double height areas as a gym which will require minimum intervention.

## 4.0 RELEVANT HISTORY

### Planning Applications

- 4.1 The following previous planning applications relating to the application site are considered particularly relevant to the current pre-application proposal:
- **2013/ 3257/FUL** – *Associated planning application for the demolition of existing works building and re-development of the existing surface level car park, along with the conversion of existing Grade II listed underground vaults to provide a mixed use development comprising of a part 5, part 8 storey building providing 35 residential units (Class C3), a 101 bedroom hotel (Class C1), office floor-space (Class B1a), restaurant (Class A3), retail (Class A1) and gym (Class D1), along with the creation of new public realm, associated landscaping and alterations to the existing access arrangements.*
  - **P060839** – *Listed building consent application for the erection of a 4-storey office building (B1a) with basement to provide 1617sqm of B1 floorspace, including demolition of the basement area.* The application was withdrawn by the applicant.
  - **P060838** – *Listed building consent application for the erection of a 4-storey office building with basement to provide 1617sqm of B1 floorspace, including the demolition of the basement.* The application was appealed for non-determination. The Council's statement of case provided four reasons for refusal, namely the unacceptable loss of the grade II listed vaults, the design and impact on townscape,

the impact on residential amenity and the risk posed to the security of pedestrians and future occupiers. The appeal was withdrawn by the appellant.

- **P060460** – *Planning application for the erection of a 4-storey office building with basement to provide 1617sqm of B1 floorspace.* The application was withdrawn.
- **P060458** – *Planning application for the erection of a 4-storey office building (B1a) with basement, to provide 1617sqm of B1 floorspace.* The application was appealed for non-determination. The Council's statement of case provided four reasons for refusal, namely the unacceptable loss of the grade II listed vaults, the design and impact on townscape, the impact on residential amenity and the risk posed to the security of pedestrians and future occupiers. The appeal was withdrawn by the appellant.
- **1 Lamb's Passage** - planning permission (ref. P052334) was granted on 9th October 2006 for the redevelopment of 1 Lamb's Passage to provide a seven storey building accommodating 87 residential units and 564 sqm of office floorspace. This development has now been completed.
- **YMCA, Errol Street** – decision issued 7<sup>th</sup> May 2014, the Council granted planning permission (ref. 2012/0637/FUL) for the demolition of the existing YMCA building and the redevelopment of the site to provide a seven storey building with a new hostel facility with associated facilities and commercial uses.

## 5.0 CONSULTATION

- 5.1 Letters were sent to 964 occupants adjoining and nearby properties along Errol Street, Dufferin Street, Whitecross Street, Sutton Way, Chiswell Street and Lamb's Passage on the 18<sup>th</sup> of October 2013. A site notice and press advert was displayed on the 24<sup>th</sup> October 2013. The public consultation of the application therefore expired on the 14<sup>th</sup> of November 2013. Following revisions and reduction to the scheme a second round of consultation was carried out by the council which involved the reconsultation of all residents as before and new site and press notice displayed on the 25<sup>th</sup> February 2013 with the consultation period ending on the 20<sup>th</sup> March 2014. However it is the Council's practice to continue to consider representations made up until the date of a decision.
- 5.2 At the time of the writing of this report a total of 34 letters objection and one petition with 21 signatures have been received from the public with regard to the application. The issues raised have been summarised and detailed within the accompanying full planning application ref P2013/3257. In relation to listed building issues concerns were raised that the development will have adverse impact on the listed vaults. (See paragraphs 7.3 to 7.6).7.6)

### External Consultee

- 5.3 **English Heritage (Greater London Archaeology Advisory Service)** responded on the 5<sup>th</sup> February 2014 stating that the following condition should be attached to any grant of permission:

Condition: No works authorised by this consent shall take place until the applicant has implemented a programme of building recording and analysis by a person or

body approved by the Council as local planning authority. This programme shall be in accordance with a written scheme which has been submitted by the applicant and approved by the local planning authority advised by English Heritage. (Please see condition 28 as attached to planning application ref P2013/3257).

### **Internal Consultees**

- 5.4 The Design and Conservation Team Manager raised no objections to the proposed alterations and interventions to the listed vaults subject to detailed conditions being attached.

## **6.0 RELEVANT POLICIES**

- 6.1 Details of all relevant policies are attached in Appendix 2.

## **7.0 ASSESSMENT**

### **Principle of Development**

- 7.1 The redevelopment and alterations to the existing underground listed vaults would bring back into productive use these architecturally significant yet redundant features. The proposed use would ensure that the existing vaults are comprehensively renovated and maintained to create a use which would facilitate the enjoyment of these unique historical spaces of the site, providing an opportunity to bring these spaces back into commercial use and allowing public access to the sites.

### **Land Use**

- 7.2 The proposed uses of the existing vaults for restaurant, gym, office and related spaces are considered appropriate to its history and character. These uses will create the opportunity for patrons of the uses to visit and experience this historical space which is not the case at present.

### **Proposed works and potential harm to the below ground vaults**

- 7.3 The basement cellars would be converted to a restaurant, forming part of the hotel and accessed from its southern end. The rest of the basement cellars would be used as ancillary space for the southern residential block.
- 7.4 There would be less than substantial harm caused to the underground vaults as a result of their conversion into usable spaces, including loss of historic fabric, subdivision and masking of historic fabric as a result of damp proofing. The 'Archaeological and Built Heritage Assessment' submitted with the application is very comprehensive and fully justifies the proposed interventions into the fabric, which have been reduced as far as possible to avoid harming the character and interest of the spaces.
- 7.5 As well as the historic fabric and the internal spaces, there are other elements within the vaults which are considered to be of significance and should be retained wherever possible. These include the painted posters on the walls, which provide

an indication of the variety of the beers being produced by the Whitbread Company, the surviving elements such as the tram and barrel tracks running within the floors of the vaulted areas and some of the machinery remnants all of which add to the historical and archaeological interest.

- 7.6 Concerns raised by objectors regarding the potential to damage the integrity of the existing vaults have been considered fully. The evidence provided and the proposals generally are considered to refurbish and bring the vaults back into productive use which will ensure their long term viability and use into the future. Various conditions to ensure the protection of the historic fabric, overall character and significant remnants will be attached to the listed building consent. Therefore the proposal is considered to cause less than substantial harm to the fabric of the existing vaults with substantial public benefits being secured as a result of the proposal.

### **National Planning Policy Framework**

- 7.7 The proposal is considered to be compliant with the NPPF's planning policies regarding conserving and enhancing the historic environment (section 12) and in particular paragraph 134.

## **8.0 SUMMARY AND CONCLUSION**

### **Summary**

- 8.1 The proposed conversion, alterations and refurbishment of the existing listed vaults beneath the application site are welcome in principle, with substantial public benefits to be gained. Subject to appropriate conditions there is clear architectural and public benefits which weigh positively in favour of granting listed building consent, and which help to outweigh the minimal harm that the proposed works would cause. The proposal would comply with policies 7.6, 7.8 and 7.9 of the London Plan (2011), policies CS7, CS8, CS9 of the Islington Core Strategy 2011, policy DM2.3 of the Development Management Policies (2013).
- 8.2 Conditions relating to specific aspects of the proposed works to the listed building are recommended.
- 8.3 Given the proposed development's level of compliance with planning policies (including those of the NPPF and the London Plan), as a result of the public benefits of opening up access and beneficial use of the vaults it is recommended that listed building consent be granted.

### **Conclusion**

- 8.4 It is recommended that listed building consent be granted subject to conditions as set out in Appendix 1 - RECOMMENDATIONS.



## APPENDIX 1 – RECOMMENDATIONS

### RECOMMENDATION A

That the Committee resolve to GRANT listed building consent subject to the Council's resolution to approve the accompanying application for planning permission (ref: P2013/3257/FUL).

### RECOMMENDATION B

That the grant of listed building consent be subject to conditions to secure the following:

#### List of Conditions:

|          |  |
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| <b>1</b> | <b>Commencement</b>  |
|          | <p>CONDITION: The works hereby permitted shall be begun not later than three years from the date of this consent.</p> <p>REASON: To comply with the provisions of Section 18(1)(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>   |
| <b>2</b> | <b>Approved plans list</b>   |
|          | <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved drawings and information:</p> <p>Design and Access Statement Rev D dated January 2014, Design and Access Statement Addendum 3D Visuals dated May 2014, Design and Access Statement Addendum dated May 2014, Daylight and Sunlight Report by Gordon Ingram and Associates dated January 2014, sunlight/daylight window locations drawings ref 4749-45/REV A, 4749-47/REV A, 4749-49/REV A &amp; 4749-56/REV A, Updated covering letter from GIA consultants dated 11<sup>TH</sup> April 2014, Planning and Regeneration Statement dated January 2014, Amended Air Quality Statement by WSP Environmental dated January 2014, Structural Strategy by Curtins Consulting dated January 2014, Transport Assessment and Travel Plan Template by SCP dated January 2014, Energy Statement by XCO2 Energy dated January 2014, Sustainability Statement by XCO2 Energy dated January 2014, Noise and Vibration Assessment by WSP Acoustics dated January 2014, Drainage Strategy Report by Curtins dated January 2014, Archaeological and built Heritage Assessment by Heritage Collective dated January 2014, Noise and Vibration Assessment by WSP Acoustics dated January 2014, Contaminated Land Desk Study Report by Go-Environmental Services Ltd dated August 2013, Covering letter from Geo-Environmental dated 8<sup>th</sup> January 2014, Public Realm Strategy by BMD dated May 2014 including drawing numbers BMD/197/DRG/002E- BMD/197/DRG/005E inclusive, Statement of Community Engagement by Hardhat dated January 2014, Letter from Barton Willmore Dated 2 June 2014</p> |

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|          | <p>Drawingnumbers:SCP/13814/ATR44,SCP/13814/ATR45,SCP/13814/ATR46, SCP/13814/ATR47,SCP/13814/ATR48,Site location plan numbered Li56-183-02-01-001/REV A, Proposed site plan numbered Li56-183-02-02-001/REV C, Li56-183-02-03-001/REV G, Li56-183-02-03-002/REV G, Li56-183-02-03-003/REV I, Li56-183-02-03-004/REV F, Li56-183-02-03-005/REV F, Li56-183-02-03-006/REV F, Li56-183-02-03-007/REV E, Li56-183-02-03-008/REV G, Li56-183-02-03-009/REV E, Li56-183-02-03-010/REV E, Li56-183-02-03-011/REV E, Li56-183-02-03-012/REV A, Li56-183-02-04-001/REV C, Li 56-183-02-04-002/REV C, Li56-183-02-05-001/REV D, Li56-183-02-05-002/REV D, Li56-183-02-05-003/REV D, Li56-183-02-05-004/REV F, Li56-183-02-05-005/REV D, Li56-183-02-91-001, Li56-183-02-91-002, Li56-183-02-91-003, Li56-183-02-91-004, Li56-183-02-91-005, Li56-183-02-91-006,Li56-183-02-91-007,Li56-183-02-91-008,Li56-183-02-91-009, Li56-183-02-91-010 &amp; Li56-183-02-03-012/REV A.</p> <p>REASON: For the avoidance of doubt and in the interests of proper planning.</p> |
| <b>3</b> | <b>Details to match-Listed buildings</b>   |
|          | <p>CONDITION: All new external and internal works and finishes and works of making good to the retained fabric shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile. All such works and finishes shall be maintained as such thereafter.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>   |
| <b>4</b> | <b>Details of vaults excavation</b>  |
|          | <p>CONDITION: Notwithstanding the plans hereby approved, full details of the excavation proposed within the vaults in relation to increasing floor to ceiling heights shall be submitted to and approved in writing by the LPA prior to the commencement of any works on the vaults ( including piling and foundations of the approved buildings above).</p> <p>The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>   |
| <b>5</b> | <b>No removal of historic fabric</b>   |
|          | <p>CONDITION: Notwithstanding the plans hereby approved, no historic fabric including wall posters, historic machinery or tracks or any other historic artefact shall be removed or repaired prior to full details detailing their protection, recording, repair or relocation have been submitted and approved by the Council.</p> <p>The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter.</p>   |

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|          | <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>   |
| <b>6</b> | <p><b>Details of final fixtures and fittings</b></p> <p>CONDITION: Notwithstanding the plans hereby approved, full details and detailed drawings of the proposed treatment of all historic fabric, fixtures and fittings including damp proofing measures, within the vaults shall be submitted to the LPA, prior to the commencement of any works on the vaults ( including piling and foundations of the approved buildings above).</p> <p>These shall include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• Any staircases at below ground level</li> <li>• Light fittings (including cabling)</li> <li>• Ductwork (including trunking locations)</li> <li>• Flooring</li> </ul> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p> |
| <b>7</b> | <p><b>Details of kitchen ventilation/extraction</b></p> <p>CONDITION: Details of kitchen ventilation/extraction and intake and related plant for any A3 and gym uses within the listed vaults shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure that the resulting appearance and construction of the development is of a high standard and to ensure the significance of the listed building is not harmed.</p>   |

## **APPENDIX 2 – RELEVANT POLICIES**

This appendix lists all relevant development plan policies and guidance notes pertinent to the determination of this planning application.

### **1 National Guidance**

The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

### **2 Development Plan**

The Development Plan is comprised of the London Plan 2011, Islington's Core Strategy 2011, Islington's Development Management Policies 2013, the Finsbury Local Plan 2013 and Islington's Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

#### **A) The London Plan 2011 – Spatial Development Strategy for Greater London**

7 London's living places and spaces  
Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology  
Policy 7.9 Heritage-led regeneration

#### **B) Islington Core Strategy 2011**

Spatial Strategy  
Policy CS7 (Bunhill and Clerkenwell)  
Policy CS8 (Enhancing Islington's Character)

Strategic Policies  
Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)

#### **C) Islington's Development Management Policies June 2013**

Design and Heritage  
DM2.1 Design  
DM2.3 Heritage