

86a-88 Cleveland Street, London,
W1T 6NJ (2023/3079/P)



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Photos for 2023/3079/P – 86a-88 Cleveland Street, W1T 6NH

1. Aerial view of front elevation of Cleveland Street where unit is located at ground floor.



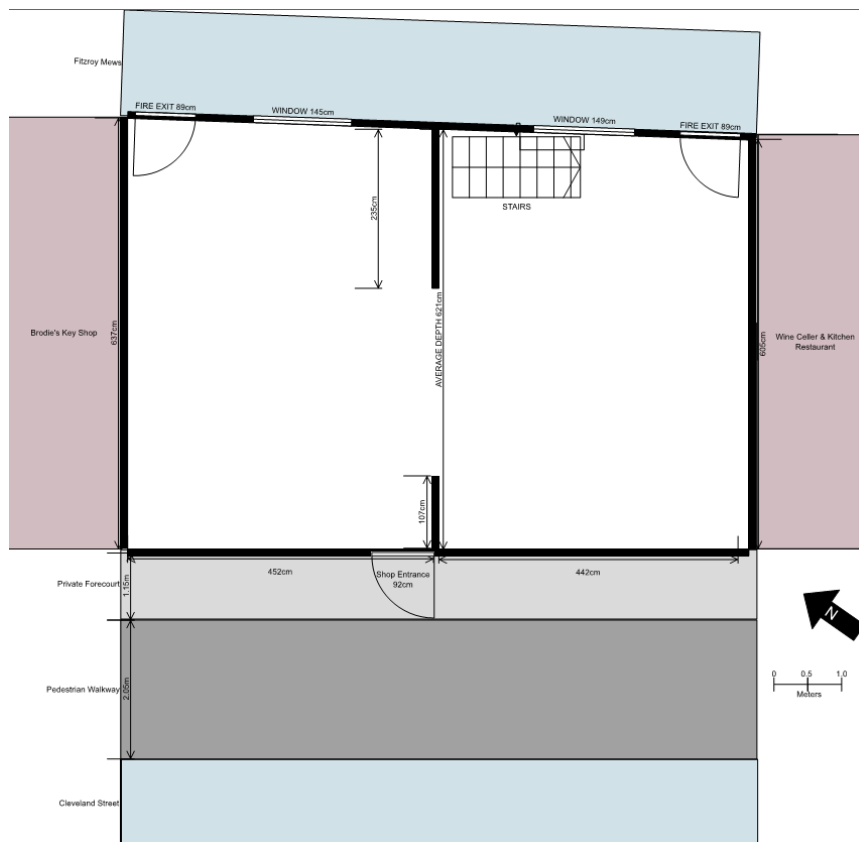
2. Existing view of front elevation of 86a-88 Cleveland Street showing vacant unit.



3. Front elevation of 86a-88 Cleveland Street whilst still launderette (dated November 2020)



4. Existing ground floor plan of site



5. Proposed ground floor plan of site



Delegated Report		Analysis sheet	Expiry Date:	13/12/2023
(Members' Briefing)		N/A / attached	Consultation Expiry Date:	19/11/2023
Officer			Application Number(s)	
Sam FitzPatrick			2023/3079/P	
Application Address			Drawing Numbers	
86a-88 Cleveland Street London W1T 6NJ			Please refer to decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Change of use from launderette (Sui Generis) to coffee shop (Class E).				
Recommendation(s):	Grant conditional planning permission			
Application Type:	Full planning permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	15	No. of objections	11
Summary of consultation responses:	<p>Site notices were displayed from 25/10/2023 to 18/11/2023. A press notice was published on 26/10/2023.</p> <p>Twelve responses were received from members of the public, three of which were letters of support, and eight of which were objections, including from a number of residents living in nearby streets that previously used the launderette prior to closing. The objections received can be summarised as follows:</p> <ul style="list-style-type: none"> • The launderette is an important community facility that should be protected; • There is a lack of nearby launderettes or similar facilities in the immediate area; • The loss of the launderette will result in a loss of jobs; • There are already a number of cafes in the surrounding area; • There would be a negative impact on the amenity of nearby residents due to the loss of the launderette; • The previous 1960s signage of the premises should be maintained. <p><u>Officer Response:</u></p> <ul style="list-style-type: none"> • <i>The impact on residential amenity and the loss of a community facility is detailed in section 4 of this report.</i> • <i>It should be noted that the launderette provider has not operated at the property since February 2022, and the unit has been vacant since. The impact on jobs is also detailed in section 3 of this report</i> • <i>The impact on town centres and retail viability is detailed in section 5 of this report.</i> • <i>The signage is not covered by this application, which relates to change of use only. Any proposal to remove or change signage would need to be dealt with by an application for advertisement consent. The applicant will be reminded of this in an informative</i> 			
Fitzrovia West Neighbourhood Forum	<p>An objection was received from the Fitzrovia West Neighbourhood Forum group, whose concerns can be summarised as follows:</p> <ul style="list-style-type: none"> • The launderette is a community resource that residents are dependent on; • There are a number of existing cafes in the area; • There is a lack of nearby launderettes in the immediate area. <p><u>Officer Response:</u></p> <ul style="list-style-type: none"> • <i>The impact on residential amenity and the loss of a community facility is detailed in section 4 of this report.</i> • <i>The impact on town centres and retail viability is detailed in section 5 of this report.</i> 			
Soho Society	<p>An objection was received from the Soho Society Planning Group, whose concerns can be summarised as follows:</p> <ul style="list-style-type: none"> • The launderette is an important facility that if lost would be detrimental to residential amenity and to the character of the area. <p><u>Officer Response:</u></p> <ul style="list-style-type: none"> • <i>The impact on residential amenity and the loss of a community facility is</i> 			

	<i>detailed in section 4 of this report.</i>
Fitzrovia Neighbourhood Association	<p>An objection was received from the Fitzrovia Neighbourhood Association, whose concerns can be summarised as follows:</p> <ul style="list-style-type: none"> The launderette is important to nearby residents due to the lack of nearby alternative laundry facilities. <p><u>Officer Response:</u></p> <ul style="list-style-type: none"> <i>The impact on residential amenity and the loss of a community facility is detailed in section 4 of this report.</i>
Charlotte Street Association	<p>An objection was received from the Charlotte Street Association, whose concerns can be summarised as follows:</p> <ul style="list-style-type: none"> The launderette is an important community facility that should be protected; There is a lack of nearby alternative laundry facilities; There are a number of existing coffee shops in the surrounding area; The launderette had previously sustained a customer base prior to closure in 2022; The marketed value of the premises is too high for launderette use and the advertisements are inconsistent; No evidence is provided regarding the advertisement of the unit for launderette use or the potential uptake by the launderette market. <p><u>Officer Response:</u></p> <ul style="list-style-type: none"> <i>The impact on residential amenity and the loss of a community facility is detailed in section 4 of this report.</i> <i>The impact on town centres and retail viability is detailed in section 5 of this report.</i> <i>Evidence has been submitted regarding the marketing of the unit and this is detailed in section 3 of this report.</i>

Site Description

The application relates to a unit located at ground and basement level that was previously in use as a launderette until February 2022, since which time the unit has been vacant. The unit is located within a five-storey mansion block that occupies a corner plot on the eastern side of Cleveland Street, at the junction with Grafton Way. The site itself is located within the Fitzroy Square Conservation Area though is not listed and is not noted as a positive contributor to the conservation area. It is located within the general area of a number of listed buildings, including the Grade II* listed terrace forming Fitzroy Square West, the Grade II BT tower, and the Grade II 78-80 Grafton Way.

Relevant History

Application Site

2007/5636/P – Retention of an ATM on the ground floor front elevation of the retail unit. **Permission granted 19/12/2007.**

2007/5623/A – Continued display of a static illuminated sign located above ATM. **Advertisement consent granted 19/12/2007.**

Other sites relating to loss of launderette – 47 England's Lane

2022/4711/P - Proposed change of use from launderette ('Sui Generis') commercial use (Class E). **Permission granted subject to a Section 106 legal agreement 26/07/2023.**

2022/0626/P – Change of use of ground floor and basement unit from 'Sui Generis' use (launderette) to Class

E. Permission refused 19/04/2022 and dismissed at appeal 30/01/2023 (ref no APP/X5210/W/22/3302422).

Reasons for refusal:

- 1) The proposed change of use, by reason of the loss of a launderette which provides a specific and essential service and social function, would be detrimental to the character, function, vitality and viability of the neighbourhood centre, contrary to policies TC2 and TC4 of the Camden Local Plan. In the absence of a signed legal agreement securing a car-free development, the proposal would be contrary to policies T2 and CC1 of the Camden Local Plan.
- 2) In the absence of a signed legal agreement to secure a contribution to the provision of cycle parking spaces in the vicinity, the proposal would be contrary to policies T1 and CC1 of the Camden Local Plan.

Although the appeal was dismissed it must be noted that the Planning Inspector deemed the loss of the launderette to be acceptable given the vacancy of the unit and the supporting marketing evidence. This is explored further in para 3.11 below.

Relevant policies

National Planning Policy Framework (2023)

The London Plan (2021)

Camden Local Plan (2017)

- **C2** Community facilities
- **E1** Economic development
- **E2** Employment sites and premises
- **A1** Managing the impact of development
- **TC1** Quantity and location of retail development
- **TC2** Camden's centres and other shopping areas
- **TC4** Town centre uses

Camden Planning Guidance

- CPG Amenity (Jan 2021)
- CPG Community uses, leisure, and pubs (Jan 2021)
- CPG Employment sites and business premises (Jan 2021)
- CPG Town centres and retail (Jan 2021)

Fitzroy Square Conservation Area Appraisal and Management Strategy (2010)

Assessment

1. The Proposal

- 1.1. Planning permission is sought for the change of use of the basement and ground floor levels from a launderette (Sui Generis) to a café (Class E). The premises were previously lawfully used as a launderette until February 2022 when the existing tenant declined to renew their lease due to the business no longer being profitable. Since this time, the property has remained vacant.
- 1.2. The works would not involve any external alterations to the property, with all works being undertaken internally.
- 1.3. Following officer comments, supplementary documentation has been submitted to demonstrate the viability of a launderette at this location, including marketing evidence and financial records. The offer of alternative laundrettes in the general vicinity has also been compiled into a supporting document submitted to support the application.

2. Assessment

- 2.1. The principal considerations material to the determination of this application are as follows:
 - Land use
 - Amenity and community facilities
 - Town Centres

3. Land use

- 3.1. Policy C2 (Community facilities) states that the Council will seek to retain community facilities and recognise their benefit to the community, unless either one of two tests is met. The first test is that *“a replacement facility of a similar nature is provided that meets the needs of the local population or its current, or intended, users”*, and the second is that *“the existing premises are no longer required or viable in their existing use and there is no alternative community use capable of meeting the needs of the local area”*. This policy does also state that ‘Assets of Community Value’ should be taken into account as a material planning consideration, but this site is not a registered as an Asset of Community Value.
- 3.2. The Camden Planning Guidance ‘Community uses, leisure, and pubs’ supports the above policy, and makes specific reference to laundrettes and their protection. It states that laundrettes *“make an important contribution to the character, function, vitality and viability of centres”*, however notes that their loss may be accepted where the impact on local residents has been assessed, in particular the effect of the reduction in launderette facilities on the community. An Article 4 Direction has also been introduced in some parts of the borough to remove the permitted development right to convert laundrettes to residential properties without planning permission. This unit is not one of the seven laundrettes covered by this Direction.
- 3.3. Policies E1 (Economic development) and E2 (Employment premises and sites) also both aim to ensure that the Council supports development that retains existing employment sites and provides a range of different sizes of employment space within the borough. It should be noted that this proposal does not propose the removal of any employment space, and the change of use would not necessarily undermine the availability of jobs, particularly as the site is currently vacant (and has been such for nearly two years).
- 3.4. The unit currently falls under a Sui Generis use class for use as a launderette, though has been vacant since February 2022. This is the result of the launderette business previously occupying the site, known as ‘Veeroy Laundry Solutions’ recording poor financial results and subsequently choosing not to renew their lease at the site, which then ended on 12th March 2022. The submitted documents demonstrate this, with a letter to confirm the previous leaseholders and their decision not to exercise their right to renew.
- 3.5. A review of the finances of ‘Veeroy Laundry Solutions’ also shows that the launderette was suffering financial losses in the years leading up to its closure; in October 2021, the submitted set of accounts showed losses of £68,184, and in the two years prior to this, the company made losses of £34,796. Although many objectors raised the point that the launderette had an established customer

base in the years prior to closure, the submitted documents do show that the financial circumstances were not suitable to continued operation and appear to demonstrate that the unit was no longer viable in its current use.

- 3.6. Additionally, the submitted financial review also reviews the company's accounts and the accounts of similar businesses to conclude that any refit of the unit to allow it to continue under its current function would cost in the region of £40,000-£60,000. Although these figures are an estimate, it should be noted that the costs involved in the required internal works to the building would likely be significant and would contribute to the claim that the site is not viable for continued launderette use, as any future leaseholder would need to pay for these works in addition to rent costs.
- 3.7. As stated above, the proposed change of use would not result in any removal or addition of employment space but is merely a change of use. Therefore, there would not necessarily be any loss of jobs or employment opportunities as a result of the proposed use, particularly as the launderette use has already ceased and the former provider stopped operating. In fact, as one objection states, this launderette, like many others, previously worked on a mostly automated system that did not require many staff to operate. It is likely, though admittedly has not been evidenced, that a café would employ a larger workforce and provide more jobs. The proposal would therefore be in accordance with Policies E1 and E2 of the London Borough of Camden Local Plan.
- 3.8. The applicant has also provided a marketing history report in support of the application. This demonstrates that the unit was marketed on a leasehold basis from 19th January 2023, with additional hard copies of the advert sent to the twenty closest operators to the subject property. The premises were marketed at £48,000 per annum, which is considered to be generally reflective of market rents in the local area. This statement, dated 9th November 2023, confirms that, as of the date of the report, no offers were received from prospective launderette leasehold tenants.
- 3.9. It is noted that the letting particulars advertised the site as 'Sui Generis Unit' but did not specifically mention launderette use. Similarly, the physical letting board at the property incorrectly advertised the site as 'CLASS E UNIT TO LET'. Although this inconsistency is regrettable and may have led to some confusion amongst prospective tenants, it is not considered that this would have had a significant impact on the likelihood for launderette tenants to come forward. Although the marketing period is approximately ten months, so shorter than is usually preferred (12 months) for similar applications (such as those that would result in the loss of employment uses), this application is not considered to involve the loss of employment use, so the marketing evidence is considered to be additional evidence to support the claim that the site is no longer viable; the Council's guidance does not state that marketing evidence is required to support the loss of a launderette, but merely that the impact on residents is considered.
- 3.10. The submitted documents to show that the proposed use of the site as a launderette is no longer viable have been reviewed by officers, including those from the Council's Policy team. On balance, the financial losses incurred by previous tenants, the vacancy of the site since the departure of the previous tenant, and the lack of response from launderette providers to the marketing of the site are considered to be sufficient to demonstrate that the launderette is not a viable or in demand as a use in this location.
- 3.11. It should also be noted that the appeal decision at a similar site, 47 England's Lane (ref. APP/X5210/W/22/3302422), considered that the loss of a launderette was acceptable given the vacancy of the unit and the marketing evidence to show no interest in the letting of the site for launderette use. The appeal decision stated "*although in the proposal an alternative use to a launderette would come into fruition, no launderette is currently operating at the premises and so no positive contribution to the Neighbourhood Centre is presently being made... occupation with a use class E business would bring an alternative contribution to the locality*". Therefore, the reasons outlined above are considered to be material planning considerations that would lead to a similar conclusion as the aforementioned appeal decision, in that an alternative use to the launderette would be acceptable given the contribution that would be made by a Class E unit and the lack of contribution from the unit in its current vacant position.

4. Amenity and community facilities

- 4.1. Local Plan Policy A1 (Managing the impact of development) seeks to protect the amenity of Camden's residents by ensuring that the impact of development is fully considered and by only granting permission that would not harm the amenity of communities, occupiers, and neighbouring residents. This is supported by CPG 'Amenity' which requires that the potential impact on the amenity of

neighbouring properties must be fully considered.

- 4.2. Local Plan Policy C2 (Community facilities) sets out how the Council will seek to ensure that community facilities and services are “*developed and modernised to meet the changing needs of our community and reflect new approaches to the delivery of services*”, stating that the loss of community facilities will only be accepted where a replacement facility of a similar nature can be provided, or the existing premises are no longer viable and there is no alternative community use capable of meeting the needs of the local area.
- 4.3. The viability of the laundrette use has been assessed in the previous section, and it is considered that the applicant has sufficiently demonstrated that the use is no longer viable.
- 4.4. A number of objections pointed to the fact that the laundrette is an important community facility for the area, and that there is a lack of other similar facilities in the immediate area. Following officer comments that raised this concern, the applicant has provided supplementary documentation to review the offer of alternative laundrette facilities in the vicinity, including walking distance and time. It should also be noted that, although the existing laundrette use can be considered an important community facility, the site is currently vacant and has been for nearly two years, so is not currently able to provide that service.
- 4.5. The report on laundrette services submitted by the applicant shows that there are four laundrettes currently operating and open for public use in the general area, all within approximately 10-20 minutes’ walk from the application site. These are located at: 3 Chester Court, Albany Street to the north; 78 Marchmont Street to the east; 114 Cromer Street to the east; and 92 Crawford Street to the west. There are also noted to be a number of laundry services in the immediate vicinity, such as those located at 90 Cleveland Street and 108 New Cavendish Street, both of which are around a five-minute walk or less from the application site.
- 4.6. Although it is understood that the loss of a laundrette facility is regrettable, particularly for an area where one has previously been established, the evidence submitted by the applicant does appear to demonstrate that alternative provision is available in the surrounding area. Though this may be a further distance, many are within walking distance and would also be accessible via public transport.
- 4.7. As stated in the CPG ‘Community uses, leisure, and pubs’, applications proposing the loss of a laundrette should demonstrate that the impact on local residents has been assessed. In this instance, the supporting documentation does show that alternative provision is available elsewhere within a reasonable distance. Although it is appreciated that the loss of this particular laundrette would be unfortunate for residents in the immediate vicinity, it would be considered that the impact on residents would be acceptable.

5. Town centres

- 5.1. Policies TC1 (Quantity and location of retail development) and TC2 (Camden’s centres and other shopping areas) of the Local Plan seek to protect the vitality and viability of centres and ensure that development supports the distribution of future retail growth. Policy TC4 (Town centre uses) seeks to ensure that the development of town centre uses does not cause harm to the character, function, vitality, and viability of a centre, the local area, or the amenity of neighbours.
- 5.2. The CPG ‘Town centres and retail’ supports this by ensuring that development will “*protect the retail function of Camden’s town centres by ensuring there is a high proportion of premises in shopping use*”. The CPG also states that the Cleveland Street Neighbourhood Centre (that this application site is part of) should maintain an acceptable mix of uses, with no more than 3 consecutive premises being in non-retail use, and 50% or more of ground floor premises being in retail use.
- 5.3. The proposal would involve the addition of a new retail unit that would operate within the ‘Class E’ use class. As such, it would comply with the policies outlined above, and lead to the provision of a new retail unit within the Cleveland Street Neighbourhood Centre, improving the quantity of retail development and protecting and encouraging business premises. The site is part of an established commercial frontage, so the proposed change of use would be suitable and appropriate within the local context as part of the Cleveland Street Neighbourhood Centre and is therefore considered acceptable.
- 5.4. It is not considered that the change of use would result in harm to the amenity of neighbours. As established, this unit forms part of an established commercial frontage, and the existing use as a

launderette would be likely to have had a similar impact on amenity as the proposed use as a café. If the application site were to be used as a hot food takeaway or other use falling within a Sui Generis use class, then permission would be required, and additional conditions would likely be required. However, the proposed use as a café is acceptable and would not be deemed to cause harm to the centre, local area, or amenity of neighbours.

6. Conclusion

6.1. Overall, the proposed development is considered acceptable in planning terms. The Council's position on the loss of launderettes is clear in that this will only be acceptable where it can be shown that the existing premises are no longer viable in their existing use and there is no alternative community use capable of meeting the needs of the local area. The supporting documentation provided with this application show that maintaining a launderette at this location is not financially viable, suggesting the demand for a launderette is not sufficient to sustain such a facility. Additionally, it has been shown that there are alternative facilities providing laundrette and laundry services in the surrounding area and the proposed use would not undermine the function of the Cleveland Street Neighbourhood Centre.

6.2. On balance, the proposed loss of the launderette is acceptable given the lack of viability of this use and the alternative provision available. As such, the proposed development is considered to comply with Policies C2, E1, E2, A1, TC1, TC2, and TC4 of the London Borough of Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2023.

7. Recommendation

7.1. Grant conditional planning permission.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 11th December 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: 2023/3079/P
Contact: Sam Fitzpatrick
Tel: 020 7974 1343
Email: sam.fitzpatrick@camden.gov.uk
Date: 5 December 2023

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Mr Yatish Agarwal
85 Great Portland St
First Floor
London
W1W 7LT

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**86a-88
Cleveland Street
London
W1T 6NJ**

DECISION

Proposal:

Change of use from launderette (Sui Generis) to coffee shop (Class E).

Drawing Nos:

Site Location Plan; Ground Floor Plan - Existing; Ground Floor Plan - Proposed; Design and Access Statement; Launderette Services Report; Confirmation of Previous Leaseholder Letter (prepared by Sterling Property Consultants, dated 17/11/2023); Review of Veeroy Laundry Solutions Limited (prepared by Monty); Marketing History Report - 86a-88 Cleveland Street (prepared by Jenkins Law Limited, dated 09/11/2023).

The Council has considered your application and decided to grant permission subject to the following condition(s):

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: Site Location Plan; Ground Floor Plan - Existing; Ground Floor Plan - Proposed; Design and Access Statement; Launderette Services Report; Confirmation of Previous Leaseholder Letter (prepared by Sterling Property Consultants, dated 17/11/2023); Review of Veeroy Laundry Solutions Limited (prepared by Monty); Marketing History Report - 86a-88 Cleveland Street (prepared by Jenkins Law Limited, dated 09/11/2023).

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

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 The applicant is reminded that any works to install advertisements would likely require an application for advertisement consent, which should be submitted to and approved by the Council.

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.](https://www.gov.uk/appeal-planning-decision)

If you submit an appeal against this decision you are now eligible to use the new *submission form* (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully

Chief Planning Officer

DRAFT

DECISION