

19th January 2024

Planning and Environment
London Borough of Camden
5 Pancras Square
London
N1C 4AG

Dear Sir/Madam

**Town & Country Planning Act, 1990: Section 73
73-78 and 79-80 High Holborn, London, WC1V 6LS**

I am instructed by Frank Capital Ltd to submit a planning application in respect of 73-78 and 79-80 High Holborn for:

“Removal of Condition 1 on planning permission 2009/3002/P to remove the restriction on floorspace for Class A1 uses (now Class E).”

Accordingly, please find enclosed the following documents:

1. Planning application form and completed Certificate A
2. Site Location Plan P626/00/100/PL-1

The planning application fee of £293, plus the administration fee to the Planning Portal of £64 has been paid online.

Site and Surroundings

The subject property is located on the northern side of High Holborn, close to the junction with Red Lion Street. It consists of two buildings: 79-80 which comprises a Ground Floor unit occupied by a dentist with three storeys and a double height mansard above providing offices and residential; and 73-78 High Holborn which has three retail units on the Ground Floor and offices and residential above, extending one storey above 79-80.

The existing development has its origins in a planning permission which was granted in April 2007 (2006/3615/P) for a change of use, refurbishment and extension of the property. This permission is the umbrella consent against which the scheme was built out, although there have been a number of amendments, to which we refer below.



Figure 1: 79-80 and 73-78 High Holborn

Proposed Development

The proposed development seeks the removal of Condition 1 from 2009/3002/P to enable flexibility in the letting of Units 1, 2 and 3 located at 73-78 High Holborn.

Planning History

I highlight relevant planning history below:

- **2007:** as noted above, planning consent was granted for the extension and refurbishment of the property in 2007. Condition 3 of that consent sought to control the amount of Use Class A1 at the property and stated as follows:

“The Class A1 (retail) use hereby permitted shall be maintained at a minimum of 400 sq m of the ground floor area.”

The reason for the condition was stated as follows:

“To protect the retail character of the street in pursuance of Policy R7 of the London Borough of Camden UDP 2006”.

- **2009:** consent was subsequently granted in 2009 for the change of use of Unit 1 from A1 to A2 (2009/3002/P) to enable William Hill Betting to operate. This was allowed on the basis that the betting shop was considered to add to the vitality of the shopping parade by providing an active street frontage and attracting members of the public. Accordingly, condition 3 (renumbered condition 1) was amended to place a revised minimum amount of A1 floorspace at the site as follows:

“The Class A1 (retail) use hereby retained shall be maintained at a minimum of 287 sq m of the ground floor area”.

- **2010:** planning consent was granted (2010/1215/P) for amendments to Unit 1 including a new shop front to facilitate the occupation of the unit by William Hill.
- **2016:** to facilitate the occupation of Unit 3 by Leeds Building Society, planning consent was granted (2016/6402/P) for the change of use of the unit from Use Class A1 to A2. Condition 1 of 2009/3002/P which set a minimum amount of 287 sq m of A1 floorspace was not amended. However, in the same year Unit 1 was taken by Oliver Bonas and reverted back to Class A1, re-establishing the level of A1 floorspace at the site.

Justification

The ebb and flow of A1 floorspace at the site is slightly academic given the changes to the Use Classes Order introduced in 2020 which brought A1, A2 and A3 into new Use Class E, along with B1, D1 (part) and D2 (part). The aim of Class E is to allow flexibility between commercial, business and service uses in appropriate locations.

The umbrella consent predates the revised Use Classes Order and the restriction contained in Condition 1 and does not therefore reflect up to date legislation. It unnecessarily restricts the use of the property contrary to Government guidance which seeks to encourage flexibility in town centres and other commercial areas.

Accordingly, Condition 1 should be removed in order to bring the consent in line with the Use Classes Order 2020.

I trust the enclosed is appropriate, but should you have any queries, please do not hesitate to contact me.

Yours faithfully

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