

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

Date: 18 March 2024

Our ref: 68368/01/MLW/CW/30161560v1

Dear Sir/Madam

130 Charing Cross Road, London: Application for Change of Use

On behalf of our client, Consolidated Developments Limited, we enclose an application for the following change of use at 130 Charing Cross Road, London WC2H 0LA:

“Change of use from a hot food takeaway (Sui Generis) to a commercial use (Use Class E)”

Application submission

The application has been submitted via the Planning Portal (ref. PP-12882941). In addition to this cover letter, the application is accompanied by the following information:

- 1 Completed application form;
- 2 Completed Community Infrastructure Levy Additional Information form; and
- 3 Application drawings prepared by RKA Architectural Design Studio.

The requisite application fee of £642.00 (including the Planning Portal service charge of £64 including VAT) has been paid via the Planning Portal.

These details are considered sufficient to explain this proposal and allow an informed determination of this application. Given the application does not create a net additional 'gross internal area' of 100 sqm, the application will not be liable to pay CIL.

Site and background

No. 130 Charing Cross Road is a ground floor retail unit located within a seven storey residential mansion block located on the north eastern side of Charing Cross Road. The application site forms part of a row of five ground floor retail units, which are identified as a 'Secondary Frontage' within the 'Tottenham Court Road/Charing Cross Road Central London Frontage'.

The site is located in a highly sustainable location with Tottenham Court Road tube station being located approximately 100m to the north-west of the site.

No.130 Charing Cross Road is currently vacant and was last in use as a hot food takeaway (Sui Generis) in 2018.

The site is designated in the Camden Local Plan (2017) as a 'Secondary Frontage' within the 'Tottenham Court Road/Charing Cross Road Central London Frontage'. The site is not listed but is located within the Denmark Street Conservation Area and an Archaeological Priority Area.

No.130 Charing Cross Road is located within the wider St Giles Circus allocation, namely Site 16 in the adopted Camden Site Allocations Plan. The site allocation guidance for the St Giles Circus allocation outlines how development will be expected to redevelop buildings and sites to include a mix of uses appropriate to a Central London location, including retail, residential, office and leisure. Additionally, development should retain and provide active ground floor frontages to existing and proposed public spaces and streets.

Planning history

There are various permissions relating to the site based on a review of the London Borough of Camden's planning register. Of relevance to the application is the following planning application:

- 1 Planning application ref. 2017/4541/P: "Change of use of existing ground floor unit from retail (Class A1) to hot food takeaway (Class A5) including installation of extract duct to the rear."
Approved on the 22 January 2018.

Proposed development

This application proposes the change of use of No.130 Charing Cross Road from a hot food takeaway (Sui Generis) to a commercial use (Use Class E). The unit will be used in a commercial capacity and include a photography studio.

No external or internal alterations are proposed to the property in order to facilitate the change of use. Existing access to the site is from Charing Cross Road and no changes to these access arrangements are proposed.

Planning assessment

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that where an adopted development plan contains relevant policies, an application for planning permission shall be determined in accordance with the plan, unless material considerations indicate otherwise.

The statutory development plan for the site is the Camden Local Plan (2017) and The London Plan (2016).

The National Planning Policy Framework (NPPF) (2023), National Planning Practice Guidance (NPPG), Adopted London Borough of Camden Planning Guidance ('CPG') and Denmark Street Conservation Area Appraisal and Management Statement (2010) are also material considerations.

Below we assess the proposal under the key planning policy tests.

Principle of development

The Council seek to protect the retail role of Charing Cross Road. Local Plan Policy TC1 states that the Council will promote significant provision of additional retail in this location.

Local Plan Policy TC2 aims to promote successful and vibrant centres throughout the borough to serve the needs of residents, workers and visitors. Policy TC2 further seeks to protect the 'Secondary Frontages' as important locations for shops together with a broader range of other town centre uses to create centres with a range of shops which support the viability and vitality of the centre.

Local Plan Policy TC4 states that the Council will ensure that the development of shopping, services, food, drink, entertainment and other town centre uses do not cause harm to the character, function, vitality and viability of a centre, the local area or the amenity of neighbours. Policy T4 further refers to taking into consideration the Council's expectations for the mix and balance of uses within town centres. Appendix 4 outlines that within the Secondary Frontages of the Tottenham Court Road Central London Frontage, a minimum of 80% of units within each individual frontage should be retail use. This reflects paragraph 90(a) of the NPPF which is clear that planning policies and decisions should allow town centres to have a suitable mix of uses and diversify.

No.130 Charing Cross Road is located within the wider St Giles Circus site allocation in the adopted Camden Site Allocations Plan and is within a Central London Frontage, which provides a wide range of services, commercial and retail uses to serve the local population. The proposed change of use from a hot food takeaway to a broader commercial use (Use Class E) is suitable in this location where a range of uses in the area are promoted including Use Class E. The proposed change of use would meet the Council's expectations for the mix and balance of uses on Tottenham Court Road by increasing retail uses as set out in Appendix 4 of the Local Plan for the area. The proposed change of use will support the vitality of the town centre and is in accordance with the NPPF and Policies TC1, TC2 and TC4.

Noise and amenity

Local Plan Policies A1 and A4 seek to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents.

Local Plan Policy T4 further seeks to ensure that town centre uses do not cause harm to nearby residential uses and amenity.

Whilst residential development is located on the upper floors of the building, the proposed change of use and nature and scale of the commercial activities are not anticipated to cause harm to nearby residential uses and amenity. The proposed change of use will not result in a detrimental effect on amenity as a result of odour, noise and disturbance. Normal business hours will apply.

The proposal is in accordance with Policies A1, A4 and TC4 of the Camden Local Plan 2017.

Heritage

The site is not listed but is located within the Denmark Street Conservation Area.

London Plan Policy HC1 states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. Local Plan Policy D2 sets out how the Council will require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area.

It is considered that the proposed change of use is in keeping with the commercial character of the area, within this Central London Frontage, and will contribute to the area's vitality and viability. There are no external alterations proposed and therefore the proposal would have no impact on the character and appearance of the Denmark Street Conservation Area and the street scene along Charing Cross Road. The proposal is in accordance with London Plan Policy HC1 and Local Plan Policy D2.

Conclusion

This application proposes the change of use of No.130 Charing Cross Road from a hot food takeaway (Sui Generis) to a commercial use (Use Class E). No external alterations are proposed to facilitate the change of use. The proposed change of use is acceptable in the 'Tottenham Court Road/Charing Cross Road Central London Frontage' and wider St Giles Circus site allocation. The proposal is therefore in accordance with the statutory development plan.

We trust that the information provided is sufficient to enable you to validate and determine this application. Should you have any questions or require additional information, please do not hesitate to contact me or my colleague Anna Snow.

Yours faithfully



Charlotte Walker

Senior Planner

BSc (Hons) MA AssocRTPI

Copy Ben Ward, Consolidated Developments Limited.