

Application ref: 2024/1496/P
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Date: 27 June 2024

Development Management
Regeneration and Planning
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planning@camden.gov.uk
www.camden.gov.uk/planning

Lichfields
Lichfields
The Minster Building
21 Mincing Lane
London
EC3R 7AG
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

130 Charing Cross Road
London
WC2H 0LA

Proposal:

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

rawing Nos: 1098.GA.49, rev 01; 1098.GA.50, rev 02; 1098.GA.51, rev 02;
1098.EL.01, rev 02; 1098.EL.02, rev 02; Cover letter prepared by Lichfields, ref.
68368/01/MLW/CW/30161560v1, 18/03/2024

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 1098.GA.49, rev 01; 1098.GA.50, rev 02;

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 Reasons for granting permission.

The proposal involves the change of use of a vacant retail unit, last used as a hot food takeaway (Sui Generis) to a commercial use (Use Class E)

No external or internal alterations are proposed to the property in order to facilitate the change of use.

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'.

Local Plan Policy TC1 states that the Council will promote significant provision of additional retail in this location as a central London frontage.

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.

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, and support the vitality of the town centre. The proposed change of use would be consistent with the Local Plan'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.

As no additional floor space is being created through the change of use to Class E and this use would generate a similar level of cycle traffic as the hot food takeaway use, it is not necessary to secure any additional cycle parking or cycle contributions for the change of use.

Given the nature and scale of the works, the proposal would not cause any adverse impacts on the amenity of adjoining residential occupiers.

No objections were received prior to making this decision. The application site's planning history and relevant appeal decisions were taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, D1, D3, E1, E2, TC1 and TC2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2023.

- 3 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.
- 4 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.

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 2023.

You can find advice about your rights of appeal at:

<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

A handwritten signature in black ink, appearing to read 'DPope', is written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer