

Application ref: 2023/3427/P  
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Date: 24 January 2024

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
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London  
WC1H 9JE

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Rolfe Judd Planning  
Old Church Court  
Claylands Road  
Oval  
London  
SW8 1NZ

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:  
**1 Monmouth Street**  
**London**  
**WC2H 9DA**

Proposal: Change of use of the ground and basement floor from Sui Generis (hot food takeaway) to dual use continued Sui Generis (hot food takeaway) or Class E(a)/E(b) use.

Drawing Nos: A-010-P1 Location Plan, A-100-P1 Basement level existing, A-101-P1 Ground level existing, A-200-P1 Basement level proposed (sui generis), A-201-P1 Ground level proposed (sui generis), A-210-P1 Basement level proposed (class E(a)/E(B)), A-211-P2 Ground level proposed (class E(a)/E(B)).

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: A-010-P1 Location Plan, A-100-P1 Basement level existing, A-101-P1 Ground level existing, A-200-P1 Basement level proposed (sui generis), A-201-P1 Ground level proposed (sui generis), A-210-P1 Basement level proposed (class E(a)/ E(B)), A-211-P2 Ground level proposed (class E(a)/ E(B)).

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

- 3 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 For the next 10 years [until 24/01/2034], the ground and basement floor shall be used for only either continued Sui Generis (hot food takeaway) or other uses within Class E(a)/E(b) use of the Schedule of the Town and Country Planning (Use Classes) Order 1987, or any uses equivalent to those classes in any statutory instrument revoking and re-enacting that Order with or without modification. After 10 years the lawful use will revert to whichever of the uses is taking place at the time.

Reason: To safeguard the character of the area in accordance with the requirements of policy TC2 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

The application is for a change of use for dual use of the premises at ground and basement level as either continued hot food takeaway (sui generis), or for either retail/restaurant or café use (Class E a/b). The site is in the Seven Dials Conservation Area but is not listed nor noted as being a positive contributor within the Conservation Area. Dual use gives flexibility for 10 years from the date of the permission, after which the lawful use would revert to whichever of the uses is taking place at that time.

The site is located in the Central Activities Zone (CAZ) and within Covent Garden which is identified in the London Plan as a strategic cultural area, and in the Local Plan as a specialist shopping area. The property is a prominent corner unit at the junction of Monmouth Street and Neal Street as approached from Shaftesbury Avenue and is considered part of the primary frontage of the specialist shopping area. The proposal was initially for dual use for either hot food takeaway sui generis use or general Class E uses. However, it is considered that not all uses within Class E are appropriate at this specific location, particularly at ground floor which interfaces with the street. Limiting the possible Class E uses should ensure an active frontage and protect the vibrant character of the area.

The introduction of a potential retail use supports the area's identity as a specialist shopping area and its unique character in accordance with Policy TC2. The expanded flexibility for a restaurant/café at this site, as well as continued hot food takeaway, is also in line with Policy TC2 which seeks to 'provide for and maintain, a range of shops including independent shops, services, food, drink and entertainment and other suitable uses to provide variety, vibrancy and choice'. The Local Plan also notes the contribution of quality restaurants to Camden's image as a dynamic and attractive place.

The proposal is not considered to change the nature and character of the wider conservation area nor to reduce business employment, nor have any negative impact on the functioning of the CAZ.

The development is considered to preserve the character and appearance of the Conservation Area. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

In terms of amenity, the additional possible uses of the unit are not considered to impact levels of light, overlooking to neighbouring properties or their outlook. It is noted that the property would still be subject to control by the Licensing Department. Effects on the security and amenity of neighbouring residents/the surrounding area would be taken into consideration in any license application. The proposed uses would not result in any significant change to servicing requirements and there should be no significant or adverse impacts upon the efficiency of the highway.

No objections were received as a result of statutory consultation. The 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, E1, E2, TC2, D1 and D2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2023.

- 2 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).
- 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](http://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.

- 5 You are advised that if implemented, the alternative use permission hereby granted gives flexibility of use for 10 years from the date of this permission. After 10 years the lawful use would revert to whichever of the uses is taking place at the time.

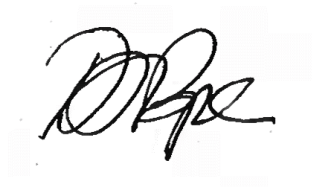
In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2023.

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 blue rectangular background.

Daniel Pope  
Chief Planning Officer