Application No:	Site Address:	Case Officer:	Consultees Name:	Received:	Comment:
2013/4863/P	3 Neal's Yard London WC2H 9DP	Angela Ryan	Meredith Whitten Covent Garden Community Association	04/09/2013 19:07:27	OBJ

Response:

Objection. The CGCA objects to permission for dual/alternative use. Please note that we have legal advice to the effect that the granting of dual use would be unlawful and we will provide further information in due course. The applicant is not requesting permission for two uses at once, but rather permission to potentially change use at some point in the future without the need to apply for planning permission at that time. The CGCA believes that allowing dual/alternative use effectively removes the premise from planning control.

The CGCA also notes that the applicant inconsistently argues for dual use across this and other similar applications. In this application, the applicant wants the option for A1 at the first floor in an area that is predominantly C3 at this level. However, in the current application for 13 Shorts Garden (2013/4642/P), the applicant argues for permission to convert A1 to C3 at first-floor level by saying that nearby premises at that level are C3. The applicant cites Camden policies that encourage the provision of additional residential accommodation and that seek to retain and protect retail, choosing the argument that best fits the applicant's current need (see cover letters for the applications).

Dual use not only makes it difficult for the Council to know which policies to enforce (C3 or A1) at any given time, but it also means that neighbouring residents, as well as the CGCA, would not be able to comment on changes of use back and forth.

Finally, the applicant had permission for 10 years and did not change to A1. The CGCA feels that a decade is a sufficient time period to prove that the premises is sufficiently able to be let as C3, as there has not been a need to convert to A1 in the past 10 years.