

Delegated Report		Analysis sheet		Expiry Date:		25/04/2012	
		N/A / attached		Consultation Expiry Date:		28/03/12	
Officer				Application Number(s)			
Angela Ryan				2012/1711/P			
Application Address				Drawing Numbers			
CRAVEN HOUSE 119-123 KINGSWAY LONDON WC2B 6PA				N/A			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Non material amendment to planning permission ref: 2011/5090/P granted on 27/02/2012 (for the change of use of part of existing retail unit (Class A1) at basement and ground floor to restaurant use (Class A3), installation of louvres at rear ground floor and mezzanine level and an extract duct on the rear facade from first to fifth floor roof level) as a variation of condition 6 (use shall not be carried out outside the following times 12:00hrs to 23:00hrs Monday to Saturday and 12:00hrs to 22:00hrs on Sunday and Bank Holidays) involving changing the specified hours to customer opening hours only.							
Recommendation(s):		Refuse Planning Permission					
Application Type:		Non Material Amendments					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:	No. notified	0	No. of responses	0	No. of objections	0	
			No. electronic	0			
Summary of consultation responses:		N/A					
CAAC/Local groups* comments: <small>*Please Specify</small>		N/A					

Site Description

The site comprises a part 6 storey part 7-storey plus basement building built in 1906, which was last used as a stationary office bookshop. It is located on the west side of Kingsway within a terrace of similar type buildings. It forms part of Craven House which is known as 119-123 Kingsway. The ground and basement floors of nos. 119 and 123 Kingsway are currently vacant and were previously used for retail. The upper floors are in use for offices. No. 121 Kingsway is currently occupied for sole office use on all floors. The area is characterised by mixed A1, B1 and A3 uses.

The site is not listed but lies within the Kingsway Conservation Area and is listed as making a positive contribution to the character and appearance of the conservation area. The ground floor of the premises is located in the Holborn Central London Frontage, however only the front part of the unit is within this frontage.

Relevant History

121 Kingsway:

In 1997- Planning permission refused for change of use of the ground floor from class A1 at the front and class B1 at the rear to class A3 and change of use of the basement from class B1 to class A3 (Ref: PS9704517). Permission was refused on the grounds of loss of retail, lack of details regarding ventilation, and the loss of business space.

In 2011 permission was granted for an infill extension to two lightwells between first and fifth floor levels on south and north elevations, including removal of the external staircase on the south elevation; partial demolition of rooftop plant room, and the installation of 7 new condenser units and acoustic metal louvres at 6th floor roof level in connection with existing office use (Class B1)(Ref: 2011/5174/P)

119-123 Kingsway:

In 1998 permission granted for the retention of a new shopfront for public entrance of the stationary office bookshop at no. 123 and the installation of a new shopfront at no. 119 for goods entrance (Ref:PS9804272R3)

In 2011 permission granted for alterations to front facade including installation of new timber framed shopfronts to vacant A1 units and new glazed entrance and door at ground floor level to offices, replacement of all windows from first to sixth floor level, and the installation of two uplighters at first floor level. (Ref: 2011/5166/P)

115 Kingsway: In 2008 permission granted for the change of use of the basement, ground and mezzanine floor levels from a shop (Class A1) to a restaurant (class A3) and takeaway (Class A5) and the installation of an extraction flue system at the rear (Ref: 2008/5058/P)

123 Kingsway:

In 2011 permission granted for the change of use of part of existing retail unit (Class A1) at basement and ground floor to restaurant use (Class A3), installation of louvres at rear ground floor and mezzanine level and an extract duct and various condenser units on the elevation.

Relevant policies

LDF Core Strategy and Development Policies

Core strategy:

CS1 – (Distribution of growth)

CS2- (Growth areas)

CS3 – (Other highly assessable areas)

CS5- (Managing the impact of growth and development)

CS7- (Promoting Camden's centres and shops)

CS8- (Promoting a successful and inclusive Camden economy)

CS9- (Achieving a successful Central London Borough of Camden)
CS11- (Promoting sustainable and efficient travel)
CS14- (Promoting high quality places and conserving our heritage)

Development policies:

DP12- (Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses)
DP16- (The transport implications of development)
DP17 – (Walking, cycling and public transport)
DP18 – (Parking standards and limiting the availability of car parking)
DP19- (Managing the impact of parking)
DP20- (Movement of goods and material)
DP21 – (Development connecting to the highway network)
DP24 – (Securing high quality design)
DP25 – (Conserving Camden's heritage)
DP26 – (Managing the impact of development on occupiers and neighbours)
DP28 – (Noise and vibration)
DP32 – (Air quality and Camden's Clear Zone)

Supplementary Planning Policies

Camden Planning Guidance 2011
Kingsway Conservation Area Statement 2001
Central London Planning Guidance 2007
National Planning Policy Framework 2012

Assessment

In 2011 permission was granted for the change of use of part of existing retail unit (Class A1) at basement and ground floor to restaurant use (Class A3), installation of louvres at rear ground floor and mezzanine level and an extract duct and various condenser units on the elevation.

The applicant proposes to vary condition (6) attached to the previous permission. The condition restricted the hours of use from 12:00hrs to 23:00 hrs Monday to Saturday and 12:00 to 22:00hours on Sunday and Bank Holidays. The application now proposes to extend the hours of operation so that the condition reads "*The use hereby permitted shall not be carried out outside the following times 10:00 hrs to 00:00 hrs Monday to Saturday and 12:00 hrs to 23:00 hrs on Sunday and Bank Holidays*".

As the proposal constitutes a variation of condition and the applicant has incorrectly submitted an application for a non-material amendment the Council is unable to determine this current application. A variation of condition application would have required consultation and based on the applicant's submission the correct procedure has not been carried out. As such the Council are not able to assess whether the proposal would have any detrimental impact on the surrounding neighbours. The applicant's agent was advised to withdraw this current application, with a view to submitting a correct application for a variation of condition. To date no response has been made and as such it is considered that this current application should be refused.

Recommendation: Refuse

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