

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>13/01/2012</b>	
		N/A / attached		<b>Consultation Expiry Date:</b>		<b>05/01/2012</b>	
<b>Officer</b>				<b>Application Number(s)</b>			
Rob Tulloch				2011/5856/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
Basement Floor 41-44 Great Queen Street London WC2B 5AA				See decision notice			
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>				
<b>Proposal(s)</b>							
Change of use of basement floor from dual use of either Offices (Class B1) and/or Non Residential Institution (Class D1) to multi uses falling within Classes B1 and/or D1 and/or D2 (Assembly & Leisure).							
<b>Recommendation(s):</b>		<b>Grant Planning Permission</b>					
<b>Application Type:</b>		<b>Full Planning Application</b>					
<b>Conditions:</b>		<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	<b>27</b>	No. of responses	<b>00</b>	No. of objections	<b>00</b>
<b>Summary of consultation responses:</b>		Site notice 08/12/2011 Press advert 15/12/2011 No responses received					
<b>CAAC/Local group comments:</b>		<b>Covent Garden CAAC</b> have no comment <b>Covent Garden Community Association</b> do not object as long as the proposed hours are controlled by condition.  Officer response: the proposed hours will be secured by a condition.					
<b>Site Description</b>							
The application site is six storey building located on a prominent corner site on the north side of Great Queen Street at the junction with Drury Lane. The site is within the Central London Area and the Seven Dials (Covent Garden) Conservation Area. The area is characterised by a mixture of retail, leisure, business and residential uses. The upper floors of the property contain offices, the ground floor is currently in A1 use (retail) and the basement is vacant.							
<b>Relevant History</b>							
2011/0152/P Change of use of basement floor B1 to dual use of either office (Class B1) and/or Non-Residential Institution (Class D1). Granted 04/03/2011							
2008/2649/P change of use of ground and basement floors from financial and professional services (Class A2) to restaurant use (Class A3) and associated works including the erection of extract vents on the rear elevation and replacement entrance doors. Refused 1/12/2008							
2005/3746/P change of use of part of ground and lower ground floor from office use (Class B1) to financial services (Class A2) including installation of double doors to ground floor corner window							

opening. Granted 24/10/2005

2004/2306/P change of use of ground floor and basement from offices (Use Class B1) to restaurant (Use Class A3) including associated plant and duct work at rear and roof level Refused 11/08/2004 dismissed on appeal 13/04/2005

2004/1459/P Change of use of the basement and ground floor from office (use class B1) to retail (use class A1). granted 15/06/2004

### **Relevant policies**

#### **LDF Core Strategy and Development Policies**

CS5 Managing the impact of growth and development

CS8 Promoting a successful and inclusive Camden economy

CS10 Supporting community facilities

DP12 Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses

DP13 Employment premises and sites

DP15 Community and leisure 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

DP26 Managing the impact of development on occupiers and neighbours

DP28 Noise and vibration

#### **Camden Planning Guidance 2011**

#### **Seven Dials Conservation Area Statement**

### **Assessment**

#### **1 Proposal**

1.1 The proposal is for the change of use of the basement from B1/D1 to B1/D1/D2. The main issues are:

- Land use
- Transport
- Amenity

#### **2 Land Use**

2.1 The site was historically in office use (Class B1). Whilst this use is retained on the upper floors, permission has been granted for a change of use of the basement and ground floors to retail (Class A1) in 2004, a change of use of part of the ground and lower ground floors to financial services (Class A2) in 2005, and a change of use of the basement to a dual B1/D1 (restricted to a medical/health facility) use in 2011 (see history section).

2.2 The ground and basement floors have been let separately since 2009 with the tenant of the basement entering administration in 2010. The justification for seeking a change of use to dual B1/D1 in the previous application was that there was no subsequent interest shown in the basement as office floorspace due to its physical constraints, such as no natural light or disabled access, although there was interest from medical clinic users. It was considered that as the site was not suitable for any alternative business use other than office (Class B1a), and evidence was submitted that it had been marketed, the loss of office floorspace would not be contrary to DP13.

- 2.2 It was considered that the location of the site and its accessibility to public transport would make it suitable a community use such as a health facility. Any new use would have had similar hours of opening and numbers of people attending to the previous B1 use, and the local impact would be similar so the proposal was considered to be acceptable in principle. Although it was considered unlikely that the site would be used as place of worship or school, which could have a negative impact on amenity or transport, it was considered reasonable to attach a restrictive condition limiting the use to medical facility to prevent other more harmful uses taking place. There have been no material changes since the grant of the previous planning permission that would make the loss of office floorspace or a new health facility use unacceptable, as such this part of the proposal remains compliant with policy DP13.
- 2.4 Since the grant of planning permission for the dual use in March 2011 the premises have remained unoccupied. The applicants have indicated that the basement has been advertised in the normal way by direct enquiries, mailouts, and over the internet.
- 2.5 The proposal seeks to introduce an additional alternate use as a gymnasium (Class D2). There are a number of chain gyms in the vicinity and the applicant proposes a more bespoke personal service for which they claim there is a gap in the market. The proposed hours are 07:00 – 20:00 Monday to Friday and 09:00 – 15:00 Saturdays with no opening on Sundays or public holidays.. The facility would employ the equivalent of 6 full time members of staff and personal training for up to 200 members.
- 2.6 DP12 considers D2 uses to be appropriate town centre uses as long as they do not harm the centre or the amenity of neighbours. DP15 also expects new leisure facilities to be located close to the people who use them, easily accessible by walking, cycling and public transport, and not harmful to residential amenity, with Central London and town centres being the appropriate locations for community and leisure uses.
- 2.7 As the site is within the Covent Garden local area of the Central London Area, the location is considered to be appropriate and would comply with policies DP12 and DP15 of the LDF and Camden Planning Guidance.

### **3 Transport**

- 3.1 The site is located on Great Queen Street in the Clear Zone Region. The PTAL of the site is 6a and there is no vehicle access to the property. The proposal is only for a change of use of the basement and does not have any implications for the highway. The previous application considered the proposal acceptable in transport terms with no planning conditions or obligations required. It is considered that a proposed gym use would not be significantly different to a B1/D1 use in terms of its impact on the transport network.

### **4 Amenity**

- 4.1 The area is characterised by a mixture of retail, leisure, business uses and residential uses on the upper floors of some of the neighbouring properties. It was considered that the previous proposal would not have an adverse impact on the amenity of adjoining residential occupiers.
- 4.2 The ground floor is in use as a sushi/sandwich bar and has had tables and chairs outside since 2009. The current license allows tables and chairs to be on the public highway from 09:00 – 20:00 hours Monday to Sunday. There does not appear to be planning consent for the use, however the Council's Planning Enforcement Team investigated a complaint about an A3 use and determined that, as only rice was being cooked on the premises for the making of sushi and the majority of sales were for consumption of food off the premises, the use fell within the A1 use class. A 2008 planning application described the ground floor as A2 (professional and

financial services) and a change of use from A2 to A1 does not required planning permission.

- 4.3 Due to the basement location it is not considered that a potential gymnasium use would harm the amenity of adjoining residential occupiers if appropriate conditions are attached. The impact of a gym use is not considered to be noticeably different from a B1/D1 use in terms of numbers of visitors, but the hours of operation could be different. An office or clinic use would normally operate during the day/evening, however some gyms are 24 hours, so it is considered reasonable to restrict the gym use to the hours proposed by the applicant: 07:00 – 20:00 Monday to Friday and 09:00 – 15:00 Saturdays with no opening on Sundays or public holidays. Gyms can create noise nuisance from music so it is also considered reasonable to attach a condition ensuring no noise is audible from outside the premises. Similarly to the previous application, an alternative D2 use may potential have more harmful impacts so it is reasonable to restrict the D2 use to a gymnasium use.
- 4.4 It is also proposed to use the existing service/escape route on Drury lane as the main access to the basement. Access to the Great Queen entrance would remain, and as there are no external alterations, it is not considered that this part of the proposal would require planning consent, however it would be covered by the Building Regulations.
- 4.5 As such the proposal is not considered to harm the amenity of adjoining occupiers and would comply with policies CS5 and DP26 of the LDF and Camden Planning Guidance.

**5 Recommendation:** Grant Planning Permission

**Disclaimer**

***This is an internet copy for information purposes. If you require a copy of the signed original please telephone Contact Camden on (020) 7974 4444***