

<b>Address:</b>	Lynton House 7 - 12 Tavistock Square London WC1H 9LY	
<b>Application Number:</b>	2010/6310/P	<b>Officer: Elizabeth Beaumont</b>
<b>Ward:</b>	Kings Cross	
<b>Date Received:</b>	18/11/2010	
<b>Proposal:</b> Change of use of part of the ground floor from office space (Class B1) to restaurant/cafe (Class A3) and the installation of new entrance doors and a ramp to the front elevation and the installation of a service door, grill platform, 4 external condenser units and extract fans to the rear elevation.		
<b>Drawing Numbers:</b>  Site location plan; 6013(PL2); 6013(PL3); 6013(PL5); 6013(PL6) Rev B; 6013(PL10); 5766.5Q (1 Rev P); Environmental Noise Assessment Acoustic report dated February 2011 (ref: 101908.ad.02.11.Issue1); Email from J. Sidpara dated 02.03.11 and 14.03.11; Manufacturer's information Y Series (4-6hp).		
<b>RECOMMENDATION SUMMARY: Grant planning permission</b>		
<b>Applicant:</b>	<b>Agent:</b>	
Deerbrook and York Properties Lynton House 7 - 12 Tavistock Square London WC1H 9LY	Mr Jay Sidpara Darling Associates 1 Greencroft Row London SW1P 1DH	

## ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	B1a Business - Office		243m <sup>2</sup>
Proposed	A3 Restaurants and Café		243m <sup>2</sup>

## OFFICERS' REPORT

**Reason for Referral to Committee:** The application involves the change of use to create new Class A3 restaurant floorspace (Clause iv)

### 1. SITE

- 1.1 The site contains a 10 storey plus basement Class B1 office building of post-war origin with a centrally located entrance door arrangement and front basement lightwell. It has T-shaped footprint and has a rear courtyard containing a substantial amount of ventilation plant.

- 1.2 The building faces Tavistock Square itself next to the listed BMA building. The square is surrounded by similar commercial buildings in office, educational or institutional use, including a hotel with bar on the southern side. The rear of the site adjoins other commercial buildings and smaller residential properties in Burton Street. The site lies within Bloomsbury conservation area.

## 2. THE PROPOSAL

- 2.1 It is proposed to change the northern part of the ground floor frontage from office (B1) use to a café/restaurant (A3). It is anticipated by the applicant that the space will be used as a coffeeshop (such as a Starbucks operation) rather than a restaurant with primary cooking. It will have a new dedicated double door entrance from the pavement across the lightwell and additional disabled access entrance. Proposals for ventilation/extraction plant and the associated noise assessment are based on the space being used as a coffee shop and thus only four condenser units are proposed for air-conditioning the cafe and 2 intake/extract fans. The equipment will be located in the rear courtyard. Refuse storage will be provided adjoining the existing stores in the rear yard.

### Revision

- 2.2 Additional information was received on the precise location and the number of air conditioning units to the rear of the property.

## 3. RELEVANT HISTORY

- 3.1 12/10/2007- **p.p. granted (2007/3620/P)** for the 'Installation of disabled access ramps and associated elevational alterations to front and rear entrances and creation of new plant room at rear basement level'.
- 3.2 21/10/2008 – **p.p. granted (20078/4251/P)** for the 'Erection of a single storey refuse enclosure within existing carpark.'
- 3.3 19/05/2008 – **p.p. granted (2007/4150/P)** for the 'Change of use of ground floor from office space (Class B1) to restaurant/cafe (Class A3) and external changes to the frontage to include the installation of new entrance doors to replace windows, plus installation of external condenser unit and extract fans and a new basement refuse store in rear courtyard'.
- 3.4 03/12/2008 – **Advertisement Consent granted (2008/4808/A)** for the 'Display of an externally illuminated fascia sign consisting of individual lettering and an externally illuminated projecting sign to shop front.'
- 3.5 10/09/2010 – **p.p. granted (2010/3690/P)** for the 'Installation of 14 new condenser units and associated timber acoustic screens to the roof of office building (Class B1).'

## 4. CONSULTATIONS

### Conservation Area Advisory Committee

4.1 **Bloomsbury CAAC – No comment**

**Adjoining Occupiers**

<i>Number of letters sent</i>	76
<i>Total number of responses received</i>	4
<i>Number of electronic responses</i>	1
<i>Number in support</i>	0
<i>Number of objections</i>	4

4.4 Site notice displayed from the 15/12/2011 until 05/01/2011. Letters received from; Flat b, 13 Burton Street, 1 x response with no address, 7 Leonard Court, Burton Street and 9 C Burton Street. Concerns are as follows;

**Amenity**

- Residential units overlook the car park
- Concerned about the potential adverse effects arising from the restaurant in terms of smells and noise
- Arrangements should be made that no smells are emitted from the proposed kitchen
- The works will be noisy. There is constant building work in this area
- The proposed plant should not include anything that would cause a noise audible to the rear after 7pm
- The trading hours will be longer than office hours

**Proposed use**

- There is already a Starbucks – no need for more
- The square is the home to the statue of a famous world leader. It does not seem appropriate for the surrounding streets to become a parade of shops.
- This facility is more than adequately provided for, towards Russell Square and Southampton Row
- If the permission is allowed what will stop the developer from extending the house and to become licensable
- Change the nature of the square by creating a commercial environment

**Transport**

- Deliveries should only take place between 9am and 6pm
- Deliveries and the movement of trade effluent and waste

5. **POLICIES**

5.1 **LDF Core Strategy and Development Policies**

Core strategies

CS1 (Distribution of growth)

CS5 (Managing the impact of growth and development)

CS7 (Promoting Camden's centres and shops)

CS8 (Promoting a successful and inclusive Camden economy)

CS11 (Promoting sustainable and efficient travel)

CS14 (Promoting high quality places and conserving our heritage)

CS18 (Dealing with our waste and encouraging recycling)

Development plan policies

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

DP13 (Employment premises and sites)

DP16 (Transport implications of development)

DP24 (Securing high quality design)

DP25 (Conserving Camden's heritage)

DP26 (Managing the impact of development on occupiers and neighbours)

DP28 (Noise and vibration)

## 5.2 **Supplementary Planning Policies**

Camden Planning Guidance 2006

Revised Planning Guidance for Central London: Food, Drink and Entertainment, Specialist and Retail Uses 2007

## 6. **ASSESSMENT**

### **Land use policy**

- 6.1 Planning permission was previously granted in 2007 for the change of use of the right-hand side of the ground floor frontage from B1 to an A3 use; this change resulted in the net loss of 191sqm. A net loss of 243m is now proposed which is comparatively small to the overall building which is to remain in office use (approximately 12012sqm of floorspace).
- 6.2 Policy CS8 indicates that the provision of office floor space to meet the Borough's predicted demand at King's Cross and Euston plus other Growth Areas and Central London will be promoted. Supporting paragraph 8.8 indicates the Borough can meet projected demand and therefore there is potential for change of use of older office premises to provide housing and community uses.
- 6.3 Policy DP13 seeks to protect existing business premises for business use, with a particular emphasis on light industry and storage/distribution. The change of use will be resisted unless the premises are not suitable for the existing use and alternative business uses have been explored over a suitable period. However, it is considered that these should not apply to older office premises. In this case the application premises is set within a larger building that provides a significant amount of office floor space, therefore the impact of the change of use on the on going viability of the remaining employment space is likely to be minimal.
- 6.4 Turning to the proposed use consideration needs to be given to Policy DP12 with regard to managing the impact of new food, drink and entertainment uses. Although the proposal is just outside a Neighbourhood Centre and relates to 243 sq m, the floorspace involved is considered to provide a compatible use to a largely business-orientated area, providing convenience and choice to people working within the building, and the surrounding area generally. The right-hand side of the existing building is in use as an A3 unit, with access to the offices and the reception area located in the centre of the building with further office accommodation to the rear. It

is considered that although there is an existing A3 unit bearing in mind the other surrounding uses that the proposal would not create a concentration of units that would be harmful to the character of the area. Furthermore the Planning Guidance for Central London: Food, Drink and Entertainment, Specialist and Retail Uses states that on heavily trafficked streets with limited residential development and good access to public transport, food drink and entertainment uses may be acceptable as a part of a mix of uses.

- 6.5 It is considered that an additional A3 use in this location would complement the commercial nature of the area and would not cause any harm to the vitality or viability of the Central London Area, the nearby Neighbourhood Centre, or intrinsically cause harm to residential amenity, given that residential uses are well separated from the site. Furthermore the proposed operation replicates the existing A3 at ground floor level, a cafe/coffeeshop with no or limited cooking on site; it will have a seating capacity of 40 and is intended to have limited opening hours limited to 8am to 7pm Mondays to Saturdays only. According to the applicant, it is aimed at serving the needs of the office tenants in this building as well as the general public. Furthermore the rear facade is over 50m away from residential properties behind. Thus it is considered that the impact on neighbour amenity and traffic flows is likely to be negligible.

### **Amenity Issues**

- 6.6 The proposed ventilation equipment is relatively small in scale and located to the rear of the building at ground floor level. The nearest residential units are located 50m away to the rear. The acoustic report submitted demonstrates that the Council's noise levels will be complied with. The proposed units will not meet the requirements for the office façade located directly above and additional mitigation measures such as an acoustic enclosure are proposed. A condition is recommended requiring the installation of acoustic enclosures as recommended in the technical report prior to operation.
- 6.7 There is no reason why the operation of the Class A3 use should be restricted to only a coffeeshop operation with no primary cooking, due to its location and proximity to neighbouring. Notwithstanding this, the Council will be able to control any future change as primary cooking will require more sophisticated ventilation/extraction equipment which will require planning permission. The operational hours of the neighbouring unit are restricted to 8am to 11pm Monday to Saturdays it is therefore considered that as the proposed use will be similar to this the operational hours of the proposed unit should also be restricted to these hours.

### **Design**

- 6.8 The external elevational changes to the front of the building involve the replacement of one window with glazed double doors to match the design of the adjacent A3 unit on the right side of the main entrance doors. Disabled access is proposed to the new unit via a proposed ramp to the new doors installed in the front lightwell. This would match the design to the neighbouring unit. It is considered that the design and the location of the doors are sympathetic to the overall design and form of the building. The detailed design of the additions would relate to the

fenestration of this façade. It is considered that these proposals would not have a detrimental impact on the appearance and character of the building and the wider conservation area.

- 6.9 The alterations to the utilitarian rear façade include the installation of new service doors, the four plant units, a safety grille above the existing lightwell and two louvres for the ventilation of the unit. These alterations would not harm the appearance of the host building and are only visible from the car park to the rear.
- 6.10 It is considered that the A3 use is appropriate to this square which contains other commercial and institutional uses, including a hotel with bar on the southern side. The ground floor unit of the right side of the building hosts a similar use with access to the office accommodation located in the centre of the building. It is considered that although this would increase the stretch of A3 uses given the remainder of the building is to remain as office accommodation and the number of other similar commercial and institutional uses the proposal would not result in a change of character in the square which would harm the character of the conservation area.

### **Transport**

- 6.11 Concerns have been raised with the servicing arrangements of the proposed unit. It is considered that given the size of the unit the servicing demands are unlikely to be excessive. The site has a restriction outside the premises, where deliveries can only be made after 7pm. The applicant has confirmed that the proposed delivery times will be the same as the Starbucks between 7-9pm.

## **7. CONCLUSION**

- 7.1 The proposed change of use is considered acceptable in land use policy and amenity terms. It is considered that the proposal will not harm the character of the area and the elevational alterations and additions are acceptable in design terms.

## **8. LEGAL COMMENTS**

- 8.1 Members are referred to the note from the Legal Division at the start of the Agenda.

### **Disclaimer**

***This is an internet copy for information purposes. If you require a copy of the signed original please contact the Culture and Environment Department on (020) 7974 5613***