

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>17/03/2010</b>	
		N/A		<b>Consultation Expiry Date:</b>		<b>17/02/2010</b>	
<b>Officer</b>				<b>Application Number(s)</b>			
Jennifer Walsh				2010/0011/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
Shaftesbury House 151 Shaftesbury Avenue London WC2H 8AL				Please refer to draft 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 part ground floor from office use (Class B1) to retail use (Class A1), and alterations including installation of new shopfront to South elevation and replacement of exit door to North elevation.							
<b>Recommendation(s):</b>		<b>Grant Planning Permission</b>					
<b>Application Type:</b>		<b>Full Planning Permission</b>					
<b>Conditions or Reasons for Refusal:</b>		<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	<b>00</b>	No. of responses	<b>00</b>	No. of objections	<b>00</b>
				No. electronic	<b>00</b>		
<b>Summary of consultation responses:</b>		A site notice was displayed from 27/01/2010 – 17/02/2010. No comments have been received.					
<b>CAAC/Local groups comments:</b>		Covent Garden Community Association had no comments regarding the application.					
<b>Site Description</b>							
An office building constructed in the late nineties comprising 8 stories and basement on the Shaftesbury Avenue frontage and a stepped rear elevation above fifth floor level on New Compton Street. There is a courtyard to the rear, with vehicular access from New Compton Street and an internal light well. The site does not lie within a conservation area but is in between Denmark Street and Seven Dials Conservation area.							
<b>Relevant History</b>							
<b>9501817R4</b> Demolition of existing building and the development of the site by an 8 storey plus basement building for use as offices, 5 residential units and rehearsal room. <b>Granted 04/09/96.</b>							
<b>PSX0004231</b> Change of use of part of the basement from rehearsal room (Sui Generis use) to Class B1 use. <b>Refused 11/04/00.</b>							
<b>2004/2262/P</b> Change of use of ground floor from office use (Class B1) and basement area from rehearsal room (Sui Generis) to create a retail unit (Class A1), including alterations to ground floor elevations. <b>Granted 20/10/04.</b>							

**2009/5028/P** Renewal of planning permission granted on 20/10/2004 [ref 2004/2262/P] for "change of use of ground floor from office use (Class B1) and basement area from rehearsal room (Sui Generis) to create a retail unit (Class A1), including alterations to ground floor elevations." **Granted 14/12/2009**

## Relevant policies

### Replacement Unitary Development Plan 2006

- B1 General design principles
- B3 Alterations and extensions
- B6 Listed buildings
- B7 Conservation areas
- R1A Location of new retail uses
- R2 General impact of retail and entertainment uses
- E2 Retention of existing business uses

### Camden Planning Guidance 2006

## Assessment

### Proposal

This application seeks permission for the change of use of the ground floor unit from office (Class B1) to a retail unit (Class A1). This application also seeks permission for associated external alterations to the rear and front elevations. Such alterations include the installation of a fire escape door to the rear elevation as well as a new entrance formed to the proposed unit from Shaftsbury Avenue and a new metal door to the existing escape stairs. The application also talks of proposed internal alterations which include new internal stairs and wall partitions. However, as the Building is not a Listed Building, these proposed internal alterations do not require planning permission.

Revisions have been received which show the removed terracotta panel reinstated to match existing and the double doors incorporated into the existing glazed opening.

### Change of use

These proposals relate to part of the ground floor area of a large office building located on the western side of Shaftesbury Avenue. Permission is sought for change of use from offices (Class B1) to retail (Class A1). A previous consent was granted in 2004 and renewed in 2009 for the change of use to the basement level and the ground floor level from Class B1 to Class A1.

Policy E2 of the UDP has a general presumption against the loss of employment floorspace, however, in this instance the unit has been empty since late 2005. Adding to the fact that in this case the proposals involve a relatively small amount of floorspace (208sqm) within the context of a large office building, the loss of such floorspace will not affect the operation/function of the wider office premises. In light of this a strict application of Policy E2 would not be reasonable in this instance.

The retail policies contained within the UDP in general encourage the provision of new retail floorspace in appropriate locations. Policy R1 adopts a sequential approach, and states that new retail floorspace should be located in Central London Frontages, Town Centres and Neighbourhood Centres. The Council would consider these sites before edge of centre or out of centre sites are considered for retail development.

Although the policy does cover the whole of the borough, it is apparent that the intention was to insure that retail uses are located in existing designated centres that have the greatest access to public transport and are less likely to harm neighbouring amenity, or if they were of such a size that they would harm those designated centres if located outside. In this case, the site is located on Shaftesbury Avenue, and whilst it is not within a designated Central London Frontage, the site is located close to Covent Garden and Oxford Street. Furthermore, this part of Shaftesbury Avenue (between Cambridge Circus and St Giles Circus) is characterised by a number of commercial uses at ground floor level, including shops and restaurants. In addition to this the premises is small in size and is unlikely to attract a significant retail operator that would cause harm the designated Central London Frontages in Covent Garden and New Oxford Street.

In light of the above, given the size of the proposed unit, and the unique site circumstances, as well as the previous site history which accepts this change of use in principle, the proposals are broadly acceptable under Policy R1. Within this location, Policy R2, which states that new retail uses should not cause harm to the character, function, amenity, vitality and viability of an area; and is accessible by a choice of means of

transport, should also be considered. Given the site and its surrounds, the proposals are acceptable in the context of the policy and its requirements and therefore the proposals are broadly acceptable in land use terms.

#### Design

The application includes alterations to both the front and rear elevations of the existing building.

The proposed alterations to the rear elevation include the installation of a fire door to provide access from the proposed unit to the New Compton Street. The principle of the fire exit has been approved by the 2004 permission, however this application involves a slightly different design. It is considered that the alterations which involve changing an existing window into a fire escape are minor in detail including height and bulk and the alteration is not considered to have an impact on the scheme as a whole or the wider streetscene and neighbouring conservation area. This addition is therefore considered acceptable.

To the front elevation, it is proposed to create a new access to the proposed A1 unit. The revisions which have been received show the proposed entrance door being retained within the existing opening. The existing terracotta panel to the east of the proposed door way is to be retained and a new metal door is proposed to the existing escape stair. It is considered that as the proposal retains the terracotta panel, the architectural integrity of the front elevation is retained through the proposal. The building has been designed as a solid terracotta and glazed structure. Retaining the size of the existing openings means that the proposed shopfront does not unbalance the design of the building as a whole, when viewed from the shopfront and the wider neighbouring Conservation Area.

The drawings also show a proposed fascia sign and hanging sign. They are shown as indicative proposals and the final details and design of the signage will be subject to the future retailer's requirements and an application for advertisement consent will be required. However, if the application were to be approved, the shopfront would have a certain amount of permitted advertisement regulations. An informative will be attached to the permission to reiterate this information.

#### Amenity

As the proposed alterations are not to go beyond the existing building lines of the host property nor the neighbouring properties, there is no perceived loss of amenity on the neighbouring properties. The works would not adversely impact on the amenity of the adjacent properties with regard to access to sunlight, daylight, visual bulk or sense of enclosure, and thus is considered to be consistent with Policy SD6 of the UDP. An informative will be applied to the permission stating the hours of construction on site are subject to control under the Control of Pollution Act 1974.

**Recommendation: Grant Planning Permission**

#### **Disclaimer**

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