

Delegated Report		Analysis sheet		Expiry Date:		14/12/2009	
		N/A / attached		Consultation Expiry Date:		N/A	
Officer				Application Number(s)			
Rob Tulloch				2009/5028/P			
Application Address				Drawing Numbers			
Shaftesbury House 151 Shaftesbury Avenue London WC2H 8AL				Please see draft decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
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."							
Recommendation(s):		Grant Planning Permission					
Application Type:		Renewal of Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00	
			No. electronic	00			
Summary of consultation responses:		N/A					
CAAC/Local groups* comments: <small>*Please Specify</small>		None received					
Site Description							
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 within the Central London Area, adjacent to the Covent Garden Local Area and to the east of the Tottenham Court Road/Charing Cross Road Central London Frontage.							

Relevant History

9501817R4 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. Granted 04/09/96.

PSX0004231 Change of use of part of the basement from rehearsal room (Sui Generis use) to Class B1 use. Refused 11/04/00.

2004/2262/P 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 20/10/04.

Relevant policies

Unitary Development Plan 2000

- EN1 General environmental protection and improvement
- EN13 Design of new development
- EN21 Alterations to existing buildings
- RE2 Residential amenity and environment
- RE3 Access for all
- RE5 Mixed use development
- SH3 Location of new provision
- EC3 Retention of employment uses

Replacement Unitary Development Plan 2006

- B1 General design principles
- B3 Alterations and extensions
- SD1C Quality of life/Access for all
- SD3 Mixed use development
- R1A Location of new retail uses
- E2 Retention of existing business uses

Camden Planning Guidance 2006

Assessment

Proposal

An extension to the time limit for implementing planning permission 2004/2262/P granted on 20/10/2004 for the "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."

The proposal more accurately involves the change of use of part of the ground and basement floors comprising approximately 370 square metres of the south western part of the building. External alterations include the formation of new entrances to each end of the front elevation and in the centre of the rear elevation, and the installation of two 6m wide by 0.5 m high louvres to the rear and side ground floor elevations.

Assessment

Although the permission was extant and the permission had not been implemented when the application was received on 19/10/2009, it expired on 20/10/2009. CLG guidance states that an LPA and the Secretary of State (in the event of an appeal) retain jurisdiction to determine an application even if the original permission has expired after the application was made but before determination.

The development proposed is, by definition, judged to have been acceptable in principle at the time of the original decision, however the original application was assessed against the Camden Unitary Development Plan 2000, whilst the application for an extension must be assessed against the current development plan. The two main issues remain the change of use and the external alterations.

Change of use

Policy EC3 of the 2000 plan sought to retain sites suitable for continued employment use. Due to the oversupply of office space (B1a) at the time, as an exception to the general approach, the loss of office space was considered acceptable. Policy E2 of the current plan maintains this approach and seeks to resist the loss of a business use where there is potential for that use to continue. The surplus of office space remains and the exception to the general approach now permits a loss of office space where there is no potential for the existing use or an alternative business use to continue. It is not considered that an alternative business use could continue at the application site. The favoured change is too residential. However an A1 use is considered appropriate in this central London location.

Policy SH3 of the 2000 plan required a sequential approach to new retail development. The applicant demonstrated that there was no alternative site available in the Charing Cross Road Central London Frontage. Policy R1A retains the sequential approach, and although the applicant has not submitted information about the availability of alternative sites, the location is considered acceptable due to its proximity to the Covent Garden Local Area and the Charing Cross Road Central London Frontage.

Design

The proposed external alterations were considered relatively minor given the size of the building, the materials and design were considered appropriate for the building's modern design, and the entrances met access requirements thereby complying with the Policies EN1, EN3 and RE3 of the former plan. Due to their design and minor nature they would also comply with Policy B1 of the current plan. The step free entrances would also comply with Policy SD1C.

Recommendation

Grant planning permission

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