

RadcliffesLeBrasseur

London Borough of Camden
Development Control
Camden Town Hall
Argyle Street
London
WC1H 8ND

25 August 2009

Our Ref: TRS/115125.001

Your Ref:

W 3646439 v1

Dear Sirs

**Planning Application for Change of Use of Nos. 171 and 170A Drury Lane, London WC2
and erection of a new shop front**

We write on behalf of Margin Finance Corporation Limited to submit a planning application as outlined above. We enclose the requisite number of copies of the form and the application fee.

Location

The site straddles two existing planning units, No. 171 and No. 170A Drury Lane. Both of these are contained within a parade which stretches from Parker Street and Macklin Street in which inclusive of the site there are six units at ground floor level. The area is predominantly commercial in character and contains several offices, shops and entertainment uses. There are also a few residences. Drury Lane is a busy road. There is one other restaurant consented within the parade at No.167 (consented on 21 April 2004 Application Ref 2004/0362/P).

History

No. 171 has been vacant for approaching the last four years. Its last use was as a travel agent. On 1 February 2008 under application 2007/5522/P it was consented for a change of use from shop (Class A1) to mixed use as a shop and a nightclub entrance (Sui Generis) including the installation of a new shopfront.

No. 170A operates at basement level under and next to No. 171 and is consented as an A2 use according to a letter from your department dated 17 July 2009. That letter refers to its use as being as a betting shop. Its current use is as a printers. It is accessed via a staircase from the pavement and it is understood that the work carried out by the printers is largely for the trade.

The Proposal

The proposal is to merge both units into one and to operate an A1/A3 operation at the ground floor of No. 170 with an A3 operation in the basement of No. 170A. The retail area at No. 171 would straddle into the staircase which currently affords access from the Lane to No. 170A at basement level. The retail element would be situated towards the front of the premises. The proposal would be operated by The Real Eating Company. We enclose literature on their company and its operations, from which it can be seen that they have a proven track record in operating mixed shop/restaurant type activities. They would employ ten full

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time and/or part time equivalents employees. The menus enclosed give an indication as to the cuisine and its affordability. It will serve a variety of users from shoppers to office workers and those who may be visiting tourist attractions and entertainment destinations. As far as the latter is concerned, the New London Theatre is situated in Parker Street just but a matter of yards away. Currently at the Parker Street end of the parade there is one restaurant (which caters for the Indian cuisine) located at No. 167, the particulars of which were referred to earlier. We suggest that our proposal would be complementary to the use of the theatre for suppers and to some extent complementary to Guanabara, some of whose clients may wish to dine locally.

It is important to note that the retail element of the site will assist the A3 element and vice versa. The emphasis is upon helping to promote an interest in a certain range of food, which the shop and A3 element has in common. There are as you may be aware other successful examples of mixed A1/A3 operations, such as Carluccio's. This is an expanding area of the market and one which because of its nature helps to bolster the viability and vibrancy of shopping parades.

The extract duct work and air conditioning are shown on drawing FWP/001/A and we enclose a letter from FWP Refrigeration & Air Conditioning which explains that the current fresh air supply is taken from the louver above the shopfront. In respect of the restaurant it explains that a condenser will be fixed at a high level within the service yard of the basement car park, where other similar units are currently situated. Insofar as the kitchen extract duct is concerned it explains that this will run to the kitchen from the same service yard. It gives further information on the toilet extract and kitchen air supply. We have discussed this aspect with Jenna Litherland of your department who agrees with us that since the relevant structures will not be visible from the exterior of the building, planning permission is unnecessary for their installation. She agrees with us, however, that it is relevant for us to supply this information to you in order that you can see, and hopefully assure yourselves that the system will operate without adverse effects to amenity. We do not think that that drawing needs to be an application drawing, but hope that you will agree with us that it is of relevance. We also enclose a drawing numbered 1148 from the kitchen contractor, Caterware Ltd, which gives details as to the layout of the kitchen. Again we think that this can be taken as being for illustrative purposes.

The ground floor will contain a café and the restaurant will be contained in the basement. It is not proposed to operate either the café or the basement beyond midnight, and it is envisaged that people would gradually exit from it, rather than all leave at the same time. Most of these would travel by public transport, although there are taxi ranks in the locality.

It is important to appreciate that there would be no vertical drinking in this proposal. Customers would order drink with their meals and be served at their tables.

Please note that this is not an Advertisement Application as well. The name of the Real Eating Company shown on the drawings should at this stage be taken to be for illustrative purposes only. In due course, should a planning consent be granted, an Advertisement Application will be made.

UDP Policies

Policy R1 encourages entertainment uses within Town Centres although this is not a Town Centre. Policy R2 advises that entertainment uses A1 and A2 uses will only be allowed where they will not be detrimental to the character, amenity, vitality and viability of the area. Policy R7 advises that the council will only

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grant permission for development that involves a net loss of shopping provided within the Central London Area if it contributes to the local character, function, vitality, viability and amenity.

The letter dated 17 July from Jennifer Walsh also refers to Policy R3 which needs to be considered in the context of The Revised Planning Guidance for Central London. She correctly mentions that this part of Drury Lane falls within a Commercial Frontage and to paragraph 8.17 which advises the acceptability of up to 25% of such frontages being in entertainment uses (such uses being those measured at ground floor). In this case by virtue of the previous consent granted in respect of No. 171, this taken with the Indian restaurant already exceeds that figure.

The site is within the Seven Dials Conservation Area.

Analysis

Given what is in being and what is consented. The proposal therefore does not adversely affect the entertainment exposure within this parade. Indeed it is envisaged that the number of customers entering the shop/café/restaurant will be significantly fewer and spread out over a longer period than with the consequences of the previous consent. That would have entailed people queuing in the unit at certain key times, and although that was acceptable in environmental terms, we suggest that this will be even more acceptable.

We suggest that a qualitative café/restaurant shop in this location will only help the viability and vibrancy of this parade. The fact that No.171 was vacant for so long, taken along with the nature of some of the other shops in the locality (a charity shop exists in the opposite parade), means that any good neighbourly and appropriate entertainment activities for this site should help to improve the viability and vibrancy of the parade and in our view should therefore be favourably considered. Entertainment uses such as theatres benefit particularly from the location of nearby restaurants. Additionally the fact that there will be a retail element, will help provide an additional retail viability for the parade.

Please do not hesitate to contact us for any clarification.

Yours faithfully



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Encs.

1. Planning Application form
2. Planning Application drawings
3. Design & Access Statement
4. Management Statement
5. Literature
6. Letter from FWP Refrigeration & Air Conditioning
7. Cheque - £335