

Address:	Unit 8 Basement and Ground Floor 121- 126 High Holborn London WC1V 6QA	
Application Number:	2009/1057/P	Officer: Jonathan Markwell
Ward:	Holborn & Covent Garden	
Date Received:	23/02/2009	
Proposal: Change of use from shop (Class A1) to restaurant and café (Class A3) of unit 8 at basement and ground floor level on Southampton Place frontage.		
Drawing Numbers: Site Location Plan; 2047-SK-556 Rev A; 2047-SK-557 Rev B; 2047-SK-558 Rev A; 2047-SK-659; 2047-SK-660 Rev A.		
RECOMMENDATION SUMMARY: Grant Planning Permission		
Applicant:	Agent:	
Grandsoft Ltd c/o Agent	Montagu Evans LLP Clarges House 6-12 Clarges Street LONDON W1J 8HB	

ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	A1 Shop		345 m ²
Proposed	A3 Restaurants and Cafes		345 m ²

OFFICERS' REPORT

Reason for Referral to Committee: Clause 3(iv) involving the change of use to Class A3.

1. SITE

- 1.1 The application site is currently under construction for the development of a new office and retail building, as approved by planning permission 2005/1082/P. The overall site is bounded by Southampton Row to the east, High Holborn to the south and Southampton Place to the west. This application relates solely to Unit 8 at basement and ground floor level (situated on the Southampton Place elevation close to the junction with High Holborn).

- 1.2 The surrounding area is characterised by a mix of uses close to the High Holborn / Southampton Row / Kingsway interchange. These include office, retail and financial and professional service uses within buildings in excess of 5 storeys in height. There is only a limited amount of residential accommodation in close proximity to the site.
- 1.3 The site is located within the Bloomsbury Conservation Area. Although the building is not listed, there are several Listed Buildings located adjacent to the site. These include No. 1-8 Southampton Place (Grade II*) and No. 17-23 Southampton Row (Grade II). The application site is also located within a Central London Frontage.

2. THE PROPOSAL

- 2.1 Planning permission is sought for the change of use of Unit 8, located on the Southampton Place frontage, from the approved shop (Class A1) use under planning permission 2005/1082/P, to a restaurant and café (Class A3) use. This unit is situated at both basement and ground floor level and amounts to 345m² of floorspace.
- 2.2 To clarify, this application relates solely to the change of use of Unit 8. Any plant/equipment, alterations to the shopfront or advertisements associated with the proposed Class A3 use is not sought within the scope of this application. Planning permission / advertisement consent would be required in the future if such changes were proposed.

3. RELEVANT HISTORY

2005/1082/P

- 3.1 Planning permission granted on 05/08/2005 for demolition and redevelopment of 9-10 Southampton Place and 3-9 Southampton Row, and demolition and redevelopment behind the retained facade at 121-126 High Holborn, 1 and 11-13 Southampton Row to provide new office and retail accommodation together with associated plant, servicing and parking.

2008/5184/P

- 3.2 Planning permission granted on 16/12/2008 for change of use from Class A1 use (shops) to Class A2 use (financial and professional services) of unit B3 (basement level) and units 3 and 4 (ground floor), located in the south-east corner of the site, totalling 440sq m of gross internal floorspace. This application consolidated two of the 8 units at ground floor level associated with the substantive application above.

4. CONSULTATIONS

Bloomsbury Conservation Area Advisory Committee (CAAC)

- 4.1 The CAAC expressed no comment with regard to this application.

Adjoining Occupiers

<i>Number of letters sent</i>	9
<i>Total number of responses received</i>	1
<i>Number of electronic responses</i>	1
<i>Number in support</i>	1
<i>Number of objections</i>	0

- 4.2 In addition to the letter consultation to adjoining occupiers, a site notice was displayed from 24/03/2009 to 14/04/2009. A total of one response was received, from the occupier of No. 14 Southampton Place. This supported the application on the basis that the proposed food and drink use will be much needed in the area given the number of schools/colleges in Southampton Place.

5. POLICIES

5.1 London Borough of Camden Replacement Unitary Development Plan 2006

S11/12	Town centres, retail and entertainment
SD1D	Quality of life – Community Safety
SD6	Amenity for occupiers and neighbours
SD7B	Noise/vibration pollution
SD8	Disturbance
B7	Conservation areas
R1	Location of new retail and entertainment uses
R2	General impact of retail and entertainment uses
R3	Assessment of food and drink uses and licensed entertainment uses
R7	Protection of shopping frontages and local shops
Appendix 1	Noise and vibration thresholds

5.2 Supplementary Planning Documents

- Camden Planning Guidance 2006
- Revised Planning Guidance for Central London: Food, Drink and Entertainment, Specialist and Retail Uses. Adopted 4 October 2007
- Bloomsbury Draft Conservation Area Statement

6. ASSESSMENT

- 6.1 The principal considerations material to the determination of this application are summarised as follows:

- Principle of development – change of use
- Impact of proposed Class A3 use

Principle of development – change of use

- 6.2 The application site is located within the designated High Holborn and Kingsway Central London Frontage. Policy R7 has a broad presumption against the loss of shopping (Class A1) floorspace and will only grant planning permission for

development that is considered not to cause harm to the character, function, vitality and viability of the centre.

- 6.3 Further guidance is set out in 'Revised Planning Guidance for Central London; Food, Drink and Entertainment, Specialist and Retail Uses'. Paragraph 15.33 states, with specific reference to the High Holborn and Kingsway frontage, that planning permission will not be granted for development that involves the loss of retail floorspace and results in retail uses falling below 50% of the total units in each individual frontage. Furthermore, paragraph 15.34 continues that planning permission will not be granted where it will result in more than 25% of units being in use for food, drink and entertainment uses.
- 6.4 As a result of planning permission 2005/1082/P, there are 8 units within this frontage. Following planning permission 2008/5184/P, which granted the change of use of Units 3&4 from Class A1 to Class A2 (see paragraph 3.2 of this report for details), there are now 7 units in this frontage. All units are currently in Class A1 use barring Units 3&4 (Class A2 use). As such, the proposed change of use from Class A1 to Class A3 will not result in the retail uses falling below 50% or food, drink and entertainment uses rising above 25% of the total uses within the frontage. Retail uses will account for 71.4% of the units within the frontage (5 of the 7 units remain in Class A1 use); food, drink and entertainment uses will account for 14.3% of the units within the frontage (the proposed A3 unit will be the only food, drink and entertainment use within this frontage). Consequently, the proposed change of use is acceptable within the context of Policy R7.

Impact of proposed Class A3 use

- 6.5 Careful consideration must also be given to the location of food and drink uses within the context of Policies R1, R2 and R3. As noted above, the application site is located within a Central London Frontage, where uses such as that proposed are encouraged within the scope of Policy R1B. Policy R2 continues that such uses will however only be acceptable where the use will not harm the character, amenity, function, vitality and viability of the area or other areas it affects and where readily accessible by a choice of means of transport. Policy R3 offers further factors to consider for the proposed individual or cumulative impacts of Class A3 uses, such as residential amenity, noise pollution and highway implications for example.
- 6.6 First, with regard to accessibility, the application site is located in a highly accessible central London location, in close proximity to Holborn underground station and a variety of bus routes from both Kingsway and High Holborn. As such, the site is evidently in a readily accessible location.
- 6.7 Regarding the impact on the area, it has already been established in preceding paragraphs that the proposed use will not cause harm to the vitality or viability of this frontage. Furthermore, the site is located in an area with a mix of uses, largely commercial and retail in nature. There is only a limited amount of residential uses in close proximity to the site.
- 6.8 Given this context the proposed opening hours of the unit are recommended to be 08:00 to 23:30 Monday to Thursdays, 08:00 to 00:00 on Fridays and Saturdays and 08:00 to 22:30 on Sundays and Bank Holidays. These hours align with licensing

hours in the borough and are considered to be reasonable and appropriate in this Central London area. At this stage the intended occupier of the unit has not yet been confirmed, although it has been intimated that advanced discussions are currently on-going with an intended occupier. The proposed opening hours will provide sufficient flexibility for future occupiers whilst also safeguarding the amenity of the local area. A condition noting these specific hours is recommended to be added. An informative is recommended further to this condition, stating that this condition means that no customers shall be on the premises and no activities associated with the use (such as preparation and clearing up) will be permitted outside these hours.

- 6.9 With regard to plant/equipment associated with the proposed A3 use, the applicant has clarified that details of the exact plant required have not yet been confirmed. An area at roof level was given planning permission, within the original consent for the overall site (2005/1082/P – see paragraph 3.1 above), for plant for the proposed site. The applicant has however indicated areas where risers are likely to be positioned. As such, it is recommended that the standard Environmental Health noise condition be added, in addition to an informative advising the applicant that when plant/equipment details are confirmed full planning permission will be required from the Council.
- 6.10 In terms of transport matters, it is considered unlikely that there will be any net increase in scale of transport impacts from the proposed Class A3 use in comparison with the approved Class A1 use. Furthermore, there are several loading bays directly in front of the site and the original permission for the overall site approved an off-street servicing area, with access from Southampton Place. Consequently the servicing of the unit is not considered to present any transport issues. Regarding cycle parking, there are no changes to the ground floor level and thus additional cycle parking to that already approved for the overall site is not required.
- 6.11 Given that there are no external alterations proposed as part of the application, there are no design issues. Notwithstanding this, informatives are recommended that advise the applicant that should alterations to the shopfront or external advertisements associated with the proposed use be proposed in the future, full planning permission and advertisement consent would be required for these works.
- 6.12 In relation to refuse matters, refuse bins are shown in the rear servicing area at ground floor level, as approved by the original consent at the site. This provision is therefore acceptable for the proposed use. Notwithstanding this, informatives are recommended which states that refuse sacks should not be deposited on the public highway. This is required in order to protect amenity of the area. Also to protect the amenity of the area, a condition is recommended to be added which states that no music from the premises should be audible from the highway or adjoining premises. In addition, given that only a Class A3 use is proposed, there are not considered to be any anti-social behaviour impacts envisaged.
- 6.13 In overall terms, the proposed change of use is not considered to cause either individual or cumulative harm to the area and is thus considered to comply with the relevant UDP policies.

7. CONCLUSION

- 7.1 It is considered that the proposed Class A3 use complies with the relevant UDP policies regarding the loss of a Class A1 use and the impact of the proposed food and drink use. The application site is located within a Central London Frontage and is not considered to cause harm to the surrounding area. In light of the above, planning permission is recommended to be granted.

8. LEGAL COMMENTS

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