

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>08/03/2007</b>	
		N/A / attached		<b>Consultation Expiry Date:</b>		<b>21/02/2007</b>	
<b>Officer</b>				<b>Application Number(s)</b>			
Tom Webster				2007/0205/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
1 Neals Yard London WC2H 9DP				See drawing numbers on the 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 from office use (Class B1) to flexible use as office use (Class B1) or non-residential institutional use (Class D1) at first to third floor levels.							
<b>Recommendation(s):</b>		<b>Grant Planning Permission subject to Conditionsd</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 on the 31/01/2007. The consultation period expired on the 21/02/2007 – no responses received					
<b>CAAC/Local groups* comments:</b> <small>*Please Specify</small>		Covent garden CAAC: <i>commented that this proposal might be acceptable given the unique nature of Neal's Yard, but would like to know the exact use within Class D1, and would not for example consider use for educational purposes appropriate.</i>  Covent Garden Community Association: <i>objects to the dual use, as this weakens Camden Borough Councils Planning Strategy (not a valid objection and as the Planning Acts allow such a submission)</i>					

## Site Description

The application site is located to the north/east corner of Neal's Yard, and comprises of a basement, ground, first, second and third floors. The ground floor has a Class A3 Use (Salad bar), and the first – third floors were used for Class B1 (office), although these floors have subsequently been vacated. The building is within the Seven Dials (Covent Garden) Conservation Area, but it is not listed.

There are also a number of occupied residential units surrounding the building (No.2 Neals Yard & 15,17,19 Shorts Gardens).

## Relevant History

PSX0005402 -Alterations to first and second floor windows at front and rear of building –Granted -18/06/2001

PS9904960 -New roof storey for office (Class B1) use –Refused -09/11/1999

PS9705091 -The erection of a canopy enclosure in front of the shop –Refused -21/11/1997

## Relevant policies

Set out below are the UDP policies that the proposals have primarily been assessed against, together with officers' view as to whether or not each policy listed has been complied with. However it should be noted that recommendations are based on assessment of the proposals against the development plan taken as a whole together with other material considerations.

Adopted Replacement UDP 2006

**SD6 'Amenity for occupiers and neighbours',**

**C1 –New Community Uses**

**SD1C –Quality of Life –Access for All**

**R6 - Other Town Centre Uses**

**R8A – Upper floors**

**E2 – Retention of Existing Business Uses**

Camden Planning Guidance 2006

**Conservation areas.**

## Assessment

This application is for the dual use of the existing vacant Class B1 (office) space on the first – third floors to allow Class D1 (non-residential institution) use as well.

The considerations material to the determination of the application are as follows:

- 1) Land use policy - in allowing dual use the building may be used for Class D1 purposes temporarily or in perpetuity resulting in loss of B1 space. The space is not suitable for a range of business uses (eg workshop/light industrial space) being above a restaurant without goods access or suitable floor loading/floor to ceiling heights. On this basis the exception in policy E2 allows the loss of B1 and one of the preferred alternative uses is a community use, a number of which fall within Class D1. The use change is therefore acceptable in land use policy terms;
- 2) Residential amenity – there is existing residential use in the upper floors of other buildings within Neal's Yard including the adjoining neighbours. As the applicant has not specified the precise D1 use proposed, the building could be used for any use within D1 including training/educational uses, places of worship, public halls, libraries, art galleries etc. None of the uses would be particularly harmful and most can coexist with residential without loss of amenity. Certain uses such as places of worship or training centres have the potential involve noisy activities. However, as the floorspace involved is relatively small and split into separate areas, the numbers of people associated with such uses would not be excessive. In addition, the character of Neal's Yard is defined by the ground floor uses spilling out onto the shared external yard area with activity at weekends as well as during normal working hours. Consequently, activity associated with people entering and leaving the premises is unlikely to materially increase activity in the area to the extent that it would harm residential amenity unless it would occur late at night – the recommended hours restriction addresses this issue. There is potential for certain noisy activities within the building if amplified music is involved and a condition is recommended to prevent this from occurring.
- 3) Transport – the site has no convenient street parking and most persons are likely to arrive by public transport. Accordingly, there is no objection to the D1 use on highways grounds.

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