

Delegated Report		Analysis sheet		Expiry Date:		23/10/2014	
		N/A		Consultation Expiry Date:			
Officer				Application Number(s)			
Obote Hope				2014/5813/P			
Application Address				Drawing Numbers			
56 Neal Street London WC2H 9PA				Refer to decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Change of use from shop (Class A1) to beauty treatment service for the provision of waxing service (Sui Generis)							
Recommendation(s):		Grant conditional permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	02	No. of responses	00	No. of objections	00
				No. electronic	00		
Summary of consultation responses:		Press notice was published on: 25/09/2014, expiry: 16/10/2014 Site notice was displayed on: 19/09/2014, expiry: 10/10/2014 No responses received					
CAAC/Local groups comments:		Covent Garden Community Association has no objection					

Site Description

No. 54-56 is A1 retail unit at ground and basement level. The site is located within a parade of shops on the northern side of Neal Street towards Shorts Garden. The upper floor levels along the parade are in residential use. The business is located within a primary frontage within the Covent Garden within the Central London Activity Zone (CLAZ).

Relevant History

PS9704305: The installation of a new shopfront, as shown on drawing numbers 168/PL/01A & 02, and letter dated 9 May 1997. **Granted** 16/05/1997

Relevant policies

National Planning Policy Framework (2012)

The London Plan (2011)

LDF Core Strategy (2010)

CS1 (Distribution of growth)
CS3 (Other highly accessible areas)
CS5 (Managing the impact of growth and development)
CS7 (Promoting Camden's centres and shops)
CS11 (Promoting sustainable and efficient travel)
CS18 (Dealing with our waste and encouraging recycling)

Development Strategy (2010)

DP12 (Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses)
DP16 (The transport implications of development)
DP20 (Movement of goods and materials)
DP26 (Managing the impact of development on occupiers and neighbours)
DP28 (Noise and vibration)

Camden Planning Guidance 2013

CPG5 – Town Centres Retail and Employment
CPG6 - Amenities

Assessment

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

- Loss of retail floorspace, creation of a Sui Generis use;
- Residential amenity; and
- Other matters.

1.1 Loss of retail floorspace, creation of sui generis use

1.2 Policies CS7 and DP12 seek to protect and enhance Camden's existing centres. In the case of Town Centres these policies seek to protect the vibrancy and vitality of its centres whilst ensuring development is appropriate to the character, size and role of the centre. The application site forms part of a primary frontage within the Central London Frontage where in accordance with CPG5 the Council seeks to ensure that the shopping function and character of Seven Dials/Covent Garden area is not harmed by developments in other parts of centre. Within the primary frontage the Council will only permit a change from retail to a non-retail use where it would not cause the number of premises in retail use to fall below 80% in a particular frontage.

1.3 Where the number of premises in retail use is already less than 50%, no further loss of shop uses will be permitted in these frontages. To prevent harmful impacts on the large residential population within this centre, new or expanded food, drink and entertainment uses should be small in scale. CPG5 also states that to avoid concentrations of evening and night time uses that could create harmful impacts, the Council will not permit development that would result in more than two consecutive food, drink and entertainment uses in a row.

1.4 The unit is located in a frontage of approximately 45 premises, from No. 1 to 82 Neal Street. It is noted that 38 of these units, or 84%, are currently Class A1 retail units (including the application site). Following the change of use, this number would reduce to 37 out of 45, giving an overall figure of 82% in use as A1. This complies with the requirement above that at least 80% are in A1 use. Furthermore, the ground floor would still retain element of A1 use that would sell beauty products with treatment tables. However, the basement would be designed to incorporate set treatment facilities, providing that they comply with other policies such as those protecting residential amenity. The proposed use, for beauty treatment is generally considered to be relatively typical of shopping frontages, and therefore considered to be an appropriate use. It is also duly noted that the Sui Generis use would be specific to the use of the site for the provision of beauty treatment and waxing service, and would be stipulated as such on the decision notice. Therefore, any potential deviation from the proposed use would need to undertake an application for a change of use as any other use of the property due to its location within the Central London Activity Zone would not be considered a permitted change. This would further regulate the type of usage in this particular area.

1.5 Therefore it is considered that the change of use would not harm the vibrancy and vitality of the Town Centre and the principle of this specific Sui Generis use within the unit is acceptable subject to it not harming residential amenity. In order to ensure the detail of the current proposal will not impact on neighbour amenity further consideration is required, this is covered below.

2.0 Residential amenity

2.1 As the site is in a CLA area activity would be expected and the principle of some types of Sui Generis use in this location is considered to be acceptable. The premises would be in close proximity to a number of residential properties, in particular the flats above the business. The use would be during normal business hours, and no heavy machinery is required in order to undertake the operation of the business. The proposal would therefore not cause any undue loss of residential amenity to neighbouring properties, and would comply with policies CS5, CS7, DP12, DP26 and DP28 of the LDF.

3.0 Other matters

3.1 There is sufficient space within the premises for the storage of refuse. As stated above the servicing hours would be controlled in order to protect the amenity of neighbours.

3.2 CIL - This proposal would not be liable for the Mayor of London's Community Infrastructure Levy (CIL) as it does not result in the provision of additional floorspace in excess of 100m².

4.0 RECOMMENDATION

4.1 It is considered that the proposal, subject to conditions, would contribute to the vibrancy and vitality of the Town Centre whilst maintaining its shopping function and protecting residential amenity. It is recommended that planning permission is granted subject to conditions.