

RL/JD/P5869  
31 March 2015

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

Dear Sirs

**Town and Country Planning Act 1990 (as amended)**  
**31 Neal Street, London, WC2H 9PB**  
**Full planning application for the flexible use of the basement and ground floor for either continued Class A3 Use (restaurant) or Class A1 Use (retail).**

**Planning Portal Reference: PP-04089962**

On behalf of the applicant, Shaftesbury Covent Garden Limited, we submit a full planning application for the flexible use of the existing basement and ground floors for either continued restaurant (Class A3) or retail (Class A1) use.

We enclose with this letter a cheque for the statutory application fee of £385.00. The following application documents and forms have been submitted electronically online via the Planning Portal:

- Site Location Plan;
- Existing and Proposed Drawings prepared by Fresson and Tee;
- Community Infrastructure Levy (CIL) Form.

Site Location and Description

The application site is located along western elevation of Neal Street and forms part of the larger grade II listed Thomas Neal's Centre. The existing premises, Food for Thought, comprises of an existing sit down restaurant (with an established takeaway service ancillary to the primary restaurant use) at basement and ground floors. The remaining upper floors of the property, first, second, and third floors are in residential (Class C3) use and do not form part of this application.

The property is located within Seven Dial's Conservation Area and is statutorily grade II listed. English Heritage provides the following historical and architectural description for 29 Neal Street:

*"Terraced house and shop. Probably early C18, restored early C19. Yellow stock brick. 4 storeys and basement. 2 windows. C20 shopfront. House doorway with patterned radial fanlight and fielded 4-panel door. Gauged flat brick arches to recessed sash windows with*

**Architecture Planning Interiors**

Old Church Court, Claylands Road, The Oval, London SW8 1NZ

T 020 7556 1500

[www.rolfe-judd.co.uk](http://www.rolfe-judd.co.uk)

© Rolfe Judd Architects Limited. Registration No. 2146026  
Rolfe Judd Architecture Limited. Registration No. 1459773  
© Rolfe Judd Planning Limited. Registration No. 02677741  
All Rights Reserved. 11/12/2014

London Borough of Camden  
31 March 2015

*C19 glazing bars. Continuous 3rd floor workshop window of 3 lights under segmental arch. Restored parapet. INTERIOR: not inspected."*

We confirm that this application relates solely to the basement and ground floor only, and does not include any external or internal works.

Planning History

In 1985, planning permission was granted for an extension to the ground floor restaurant (ref: 8570335).

In 2013, permission was granted for the installation of a bracket and display of one non-illuminated projecting sign to the front elevation (ref: 2013/2439/A).

More recently, the applicant and freeholder, Shaftesbury have sought to confirm the lawful use of the existing unit through the submission of a Certificate of Lawfulness. This application was submitted on 13<sup>th</sup> March 2015 with accompanying evidence to demonstrate that beyond a balance of probability, the lawful use of the premises is Class A3. The application is currently pending consideration and is due determination on the 2015/1512/P.

The applicant has also sought the refurbishment of historic listed building and submitted a planning and listed building application for minor internal and external works at basement and ground floors (ref: 2015/1741/L and 2015/1388/P). The application is currently pending consideration and due determination on the 20 May 2015.

The Proposal

The existing ground and basement floors of the premises are currently in restaurant (Class A3) use which Shaftesbury, the applicant, seeks to retain for future use. However, in addition to the existing restaurant use, Shaftesbury would like to secure greater flexibility for the premises when marketing the future unit and therefore seeks consent for the flexible/alternative use of the basement and ground floor for either continued restaurant (Class A3) or retail (Class A1); as indicated on the accompanying floor plans.

This application does not include any internal or external works to the building. Should further alterations be required, the appropriate applications (listed building or full planning) will be submitted and formal permission sought from the Council. We note that should an A1 retail user seek to occupy the unit, the applicant is likely to implement those plans under application ref. 2015/1741/L and 2015/1388/P; pending its approval by the Council.

We confirm that a flexible use is permitted under the Town and Country Planning (General Permitted Development) Order 1995 (GDPO). Under Part 3, Class E of Schedule 2 of the GDPO, it states that "*development consisting of a change of the use of a building or other land from a use permitted by planning permission granted on an application, to another use which that permission would have specifically authorised when it was granted*". We confirm that Camden have permitted a number of flexible uses in the past relating to Shaftesbury's properties; thereby allowing flexibility across the Estate portfolio and ensuring that buildings are in continuous operational use.

As noted, securing the proposed flexible use will ensure that the continuous occupation and long

London Borough of Camden  
31 March 2015

term commercial viability of the unit is secured and would further prevent periods of vacancy, should the existing tenants seek to vacate the premises. Shaftesbury's primary objective is to ensure that all properties are fully occupied; therefore the flexible use for either retail or restaurant broadens the unit's marketability and presents a proven and responsible method to safeguard the vibrant and unique appeal of Seven Dials to visitors, workers and residents.

Please refer to the submitted existing and proposed drawings numbered; 22420-DU; DU1; and DU2.

Design & Access Statement

In accordance with the Town & Country Planning (Development Management Procedure) (England) (Amendments) Order 2013, Part 4, Article 8, a design and access statement is not required for any application which is for the material change in the use of any land or buildings. We confirm however that access will remain as existing from Neal Street.

Planning Policy Consideration

It is considered the proposed application is wholly supportive and in accordance with the Camden's adopted Core Strategy, Development Policies Document and Camden Planning Guidance for those reasons detailed below.

The proposal can be supported by Camden's Planning Policy CS7 which promotes the need to provide and maintain a range of shops, services and food and drink uses to provide variety, vibrancy and choice throughout the borough.

Camden Planning Policy Guidance CPG5 recognises that food and drink uses are an important part of the mixed character of the Covent Garden area and can contribute to the vibrancy and vitality of town centres. Development Management Policy DP12 states that the Council will not grant planning permission for development that it considers would cause harm to the character, amenity, function, vitality and viability of a centre or local area. The existing restaurant has been operating over the past ten years under a lawful Class A3 restaurant use without causing harm to the amenity of the area or to the residential population.

Core Strategy Policy CS7 seeks to promote retail growth across the borough and more specifically, support appropriate retail provision within Covent Garden, a designated Specialist Shopping Area. Moreover, Planning Guidance CPG5 supports the protection and promotion of retail uses within its centres. The proposal is supportive of these policies and retains the opportunity for potential retail (Class A1) use, should demand arise.

Summary & Conclusion

The proposal would allow for the alternative use of the basement and ground floor for either continued A3 (restaurant) or A1 (retail), thereby allowing a greater degree of flexibility in the future letting of the premises. The proposal will assist in the provision of a mixed use environment to sustain the area's attractiveness to the market and ensure the continued potential for attractive retail and restaurant space within and around Covent Garden and Seven Dials. The proposal will further ensure that Shaftesbury is capable of responding quickly to tenants' future demands and prevent the property from potentially remaining vacant for a prolonged period of time.

London Borough of Camden  
31 March 2015

We trust you have the sufficient information to validate and determine this application successfully, however, should you require any further information or would like to arrange a site visit, please do not hesitate to contact the undersigned.

Yours faithfully



Rupert Litherland  
Rolfe Judd Planning Limited