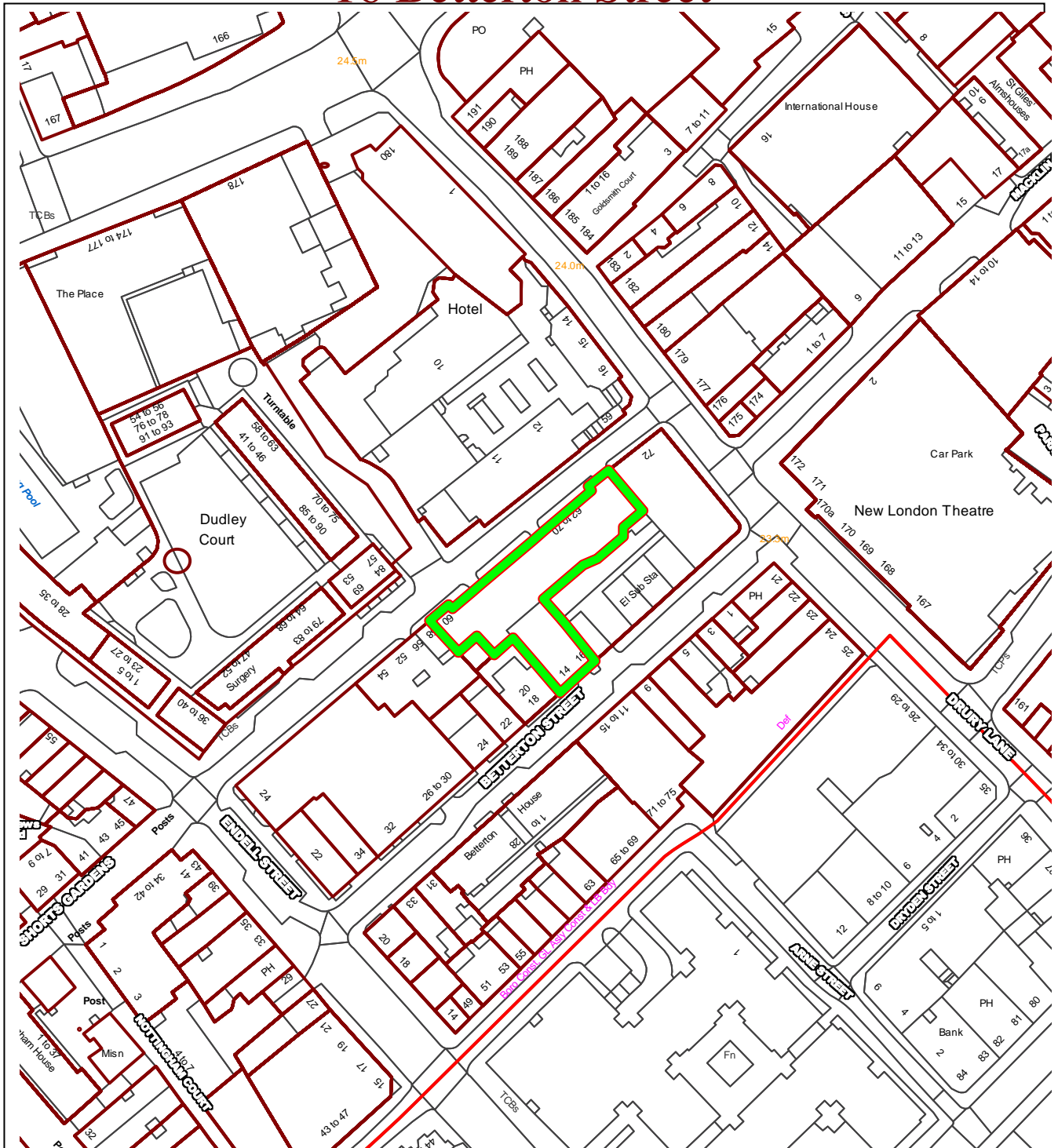


(2015/4850/P) 60-72 Shorts Garden & 14-16 Betterton Street



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Photo 1 Shorts Garden Elevation



Photo 2 showing the host building



Photo 3: Betterton Street Elevation



Photo 4: At street level

Delegated Report		Analysis sheet		Expiry Date:		19/10/2015	
(Members Briefing)		N/A		Consultation Expiry Date:		N/A	
Officer				Application Number(s)			
Obote Hope				2015/4850/P			
Application Address				Drawing Numbers			
60-72 Shorts Gardens & 14-16 Betterton Street London WC2H 9AU				Refer to Draft Decision Notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Details of condition 7 (waste storage and removal) of planning permission dated 25/02/2013 (ref: 2012/1533/P) to replace / extend the time limits for implementation of, planning permission ref: 2008/1401/P, granted on appeal 10/06/2009 for 'alterations and extensions (including roof extensions) and refurbishment of existing commercial/office use (Class B1), change of use of ground floor of Shorts Gardens to create small units (Class A1/A2 and D1), and change of use of basement to either B1/D1 or D2 use'.							
Recommendation(s):		Grant approval of details					
Application Type:		Approval of Details					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	00	No. of responses	00	No. of objections	00
				No. Electronic	00		
Summary of consultation responses:		No formal consultation was undertaken as part of the application process due to the proposal relating to the approval of details.					
CAAC/Local comments:		<p>groups*</p> <p>Covent Garden Community Association - Object due to the absence of the hours for waste removal, as well as deliveries, <i>Condition/limitation were suggested to be in place to protect the residential amenities; For officers comment please see paragraphs 2.1 and 2.4 below;</i></p> <p><i>Concerns were raised in regards to the refuse parking point in Shorts Garden as being inappropriate; For officers comment please see paragraph 2.3 below;</i></p> <p><i>Recommendation for only small delivery and waste-removal vehicles should be electric and low-emission vehicles. For officers comment please see paragraph 2.6 below.</i></p>					

Site Description

The site comprises 2 separate but adjoining buildings, with frontages to Shorts Gardens (northwest) and Betterton Street (southeast). The 2 buildings have 3 and 4 storeys respectively, plus a high-ceilinged basement, and date back to the late 19th/early 20th century. Both were used formerly by LEB/EDF for an electricity substation and ancillary use, and later a variety of non-residential mixed uses (mainly B1 offices, and including car parking).

The site lies within the Central Activities Zone, as defined in the London Plan, and the Seven Dials Conservation Area.

Shorts Gardens and Betterton Street lie within a mixed use area between Endell Street and Drury Lane. Shorts Gardens contains a Travelodge multi-storey modern hotel and a large residential block of flats, Dudley Court, lying opposite and in close proximity to the site. There are other residential uses in the vicinity, and a variety of commercial uses.

Relevant History

2012/1533/P - Application to replace / extend the time limits for implementation of, planning permission ref: 2008/1401/P, granted on appeal 10/06/2009 for 'alterations and extensions (including roof extensions) and refurbishment of existing commercial/office use (Class B1), change of use of ground floor of Shorts Gardens to create small units (Class A1/A2 and D1), and change of use of basement to either B1/D1 or D2 use.' **Granted 25/02/2013**

2012/2059/P - Non material amendment to planning permission 2008/1401/P (above, allowed on appeal) to add a condition to ensure development shall be carried out in accordance with the approved plans.

2008/1401/P - Alterations, extension (including roof extensions) and refurbishment of existing commercial/office use (Class B1), change of use of ground floor of Shorts Gardens to create small units (Class A1/A2 and D1), and change of use of basement to either B1/D1 or D2 use. Permission was granted following the lodging of an appeal against the non determination of the application. The appeal was initially contested on the basis that, were LB Camden to have made a decision, the reasons for refusal would have related to:

1. Inappropriate D2 use class proposed

2. Inadequate on site cycle storage
3. Lack of affordable housing
4. Lack of housing generally
5. Lack of information regarding sustainability
6. The absence of s106 for car free development, Construction Management Plan, Service Management Plan, Highways Works and a Business Travel Plan

However, by the time of the Inquiry, only the first issue remained for the Inspector to rule upon, as all other shortcomings had been agreed between the applicant and the Council to not be contestable. Thus the sole matter being assessed was the appropriateness of the proposed basement D2 option proposed. The Inspector agreed with the Council upon allowing the appeal that an unrestricted D2 use was inappropriate, and thus restricted the approved D2 use to 'swimming bath, skating rink, gymnasium or area for other indoor sports or recreations'. Those D2 uses with greater potential to impact on local residential amenity, such as Cinemas, Music and Concert Halls, are thus not permitted by the consent.

8701046 – Permission was granted for the change of use from electricity sub station / depot to design studio (1987)

Relevant policies

LDF Core Strategy and Development Policies adopted 8th November 2010

- CS1 Distribution of growth
- CS5 Managing the impact of growth and development
- CS11 Promoting sustainable and efficient travel
- CS18 Dealing with waste and encouraging recycling
- CS19 Delivering and monitoring the Core Strategy
- DP16 Transport implications of development
- DP20 Movement of goods and materials
- DP26 Managing the impact of development on occupiers and neighbours

Supplementary Planning Policies

Camden Planning Guidance (CPG) 2015

- CPG 5 Town centres, retail and employment
- CPG 6 Amenity
- CPG 7 Transport

London Plan March 2015

National Planning Policy Framework 2012

Proposal & Assessment

1. Background:

1.1 Planning permission was previously granted to 'replace / extend the time limits for implementation of, planning permission ref: 2008/1401/P, granted on appeal 10/06/2009 for 'alterations and extensions (including roof extensions) and refurbishment of existing commercial/office use (Class B1), change of use of ground floor of Shorts Gardens to create small units (Class A1/A2 and D1), and change of use of basement to either B1/D1 or D2 use.' This planning permission was subject to conditions including a condition requiring the submission of details of waste storage and removal (condition 7).

2. Summary of the condition to be approved

2.1 The application was submitted with supporting documents for the discharge of condition 7.

2.2 Condition 7 reads as follows: "Prior to the commencement of development, details of waste storage and removal shall be submitted to and approved in writing by the local planning authority, and development shall be carried out in accordance with the approved details". The agent formally consulted Waste Monitoring Officer on the 29th and 30 June prior to the submission of the application with the annotated floor plans showing the required waste and recycling facilities and pickup points.

2.3 Details of the waste and storage area including the dimension of the bin storage containers were submitted for the residential and commercial units, including the details of the external storage requirement. Having consulted with the Environmental Services, the Waste Monitoring Officer raised no objection to the proposed condition to be approved.

2.4 The matters relating to potential impacts upon residential amenity were assessed by the Inspector, and were considered to be adequately addressed by the conditions attached to the decision. The area surrounding the site is not noted to have become host to a wider range, or higher intensity of sensitive uses (particularly residential impact). Furthermore, the collection of waste and recycling would not contribute to harm to the amenity of the neighbouring occupiers and the proposed waste collection would be undertaken by the Council in line with waste management best practice as confirmed by the Waste Monitoring Officer who raised no objection.

2.5 The condition relates to the storage and removal of waste and it would be unreasonable to stipulate the hours for waste removal and deliveries. A service Management Plan was dated 26th March 2009 from Waterman Boreham Transport Planning. The document entailed information in regards to delivery, access and generation, servicing, swept path analysis and travel calculations that addresses majority of the concerns raised by Covent Garden Resident Association. Furthermore, the information was assessed by transport planner who confirmed the schedule/timetable and the delivery/collection points listed in the service management plan would be acceptable.

2.6 The waste removal is contracted to the council's waste management team and in line with Environmental services best practices. Therefore, it would be unreasonable to add a condition that stipulates that all small delivery and waste-removal vehicles should be undertaken by electric and low-emission vehicles.

3.0 Recommendation: Grant approval of details

DISCLAIMER

Decision route to be decided by nominated members on Monday 11th January 2016. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Mr Dominic May
Method Architects Ltd
The Busworks United
House North Road
London
N7 9DP

Application Ref: **2015/4850/P**
Please ask for: **Obote Hope**
Telephone: 020 7974 2555

6 January 2016

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Approval of Details Granted

Address:

**60-72 Shorts Gardens &
14-16 Betterton Street
London
WC2H 9AU**

DECISION

Proposal:

Details of waste storage and removal required by condition 7 of planning permission 2012/1533/P dated 25/02/2013 to replace / extend the time limits for implementation of, planning permission ref: 2008/1401/P, granted on appeal 10/06/2009 for 'alterations and extensions (including roof extensions) and refurbishment of existing commercial/office use (Class B1), change of use of ground floor of Shorts Gardens to create small units (Class A1/A2 and D1), and change of use of basement to either B1/D1 or D2 use'.

Drawing Nos: L(00)03sht1 REVA, L(00)03sht2 REVA, L(00)12, S(00)03 and Waterman Boreham Transport Planning Service Management Plan.

The Council has considered your application and decided to grant approval of details.

Informative(s):



- 1 The applicant is advised that the following condition associated with planning application 2012/1533/P dated 25/02/13 requires the submission of further details:
9 (a) the new roof extensions; b) new slab levels of the building in relation to surrounding land; c) typical details of the new shop-fronts; d) all new external doors and windows; e) new rainwater pipes and gutters; f) the replacement glass within the existing arches in Shorts Gardens, demonstrating the relationship with the brick surrounds are outstanding and require details to be submitted and approved.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Culture & Environment

DRAFT

DECISION