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CAD Drafting, Planning, Building Regulations, Building Surveying, Gambling & Alcohol Licensing

Design and Access Statement

Variation of Condition to Extend the Trading Hours

106 - 108 Cromer Street London WC1H 8BZ



Prepared by UK Surveyors Ltd on behalf of:
Mr. Miggiano

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Project Ref: 2483

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1.0 Introduction

1.1 This report has been prepared by UK Surveyors Ltd on behalf of Mr. Miggiano to identify design and access issues relevant to the proposed Variation of Condition Application and to provide an assessment of the implications for the accompanying detailed planning application.

1.2 This Design and Access Statement accompanies an application for Variation of Condition Application at:

- **106 - 108 Cromer Street London WC1H 8BZ**

1.3 As this is a proposal for a Variation of Condition Application, some aspects such as the social and economic context are of limited applicability.

1.4 This design and access statement aims to demonstrate the principles of good design and safe and inclusive access for all have been considered from the outset of the development process.

1.5 This design and access statement has been written in accordance with the CABI document 'this design and access statements: How to write, read and use them' published in 2006 and 'Guidance on information requirements and validation' published by the Department of Communities and Local Government in March 2010.

1.6 The CABI 2006 states that:

'It is important that the design and access statement are written specifically for the application they accompany and the amount of detail they contain should reflect how complex the application is'.

1.7 Furthermore the 2010 guidance states that the level of detail required in a design and access statement depends on the scale and complexity of the application.

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2.0 Site Description

2.1 106 – 108 Cromer Street is a corner double retail unit arranged over ground and basement.

2.2 The units form part of Cromer house which is not listed but is marked as a positive contributor to the Bloomsbury Conservation Area, Sub Area 13: Cartwright Gardens/Argyle Square.

2.3 The application site is located within the Central Activity Zone, considered a highly accessible area and it is just outside of the Kings Cross and Euston growth area.

2.4 The ground floor unit has a floor area of 120.32sm.

2.5 This and the surrounding units form part of a vibrant and well used local center offering a wide range of goods and services with the majority of the units in the form of retail outlets.

2.6 The area is predominantly residential with a series of 1890s tenement blocks to the north along Loxham Street, Tankerton Street, Midhope Street and Whidborne Street and more modern estates lying to the east and south.

2.7 The Cromer Street facing mansion blocks are dated from the late 1930s and are listed as positive contributors within the Bloomsbury Conservation Area Appraisal and Management Strategy Adopted in April 2011

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3.0 The Proposal

3.1 Due to the changes in customer demand with customers wishing to have the option of ordering food later in the evening the applicant is seeking to meet this demand by the extension of his trading hours.

3.2 The pattern of retailing is changing to reflect this and the applicant is seeking to meet this demand.

3.3 The proposal consists of a Variation of Condition Application to amend the approved trading hours.

3.4 Application Number: PSX0004734 - Condition Number 2

Date: 24th November 2000

3.5 **Approved Trading Hours Existing:**

The current hours of operation are as follows:

Monday - Friday: 09.00 - 21.00

Saturday: 09.00 - 21.00

Sunday & BH: Closed

3.6 **Proposed Trading Hours Proposed:**

The proposed hours of operation are as follows:

Monday - Thursday: 09.00 – 22.00

Friday - Saturday: 09.00 – 22.00

Sunday & BH: 10.00 – 20.30

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4.0 Planning History

4.1 **2015/6068/A** - 29-10-2015

Display of 2 externally illuminated fascia signs, 1 non-illuminated projecting sign and 2 retractable awnings on the front façade on Cromer Street and over the entrance on the corner of Cromer Street and Tonbridge Street.

4.2 **PSX0104833** - 31-07-2001

The installation of a new shop front

4.3 **ASX0104685** - 21-06-2001

The display of: (a) an externally illuminated fascia signs to the Cromer Street and Tonbridge Street elevations, (b) an externally illuminated projecting sign

4.4 **PSX0004734** - 26-07-2000

Change of use of the basement and ground floors from retail (Class A1) to café (Class A3)

4.5 **PS9704593** - 20-06-1997

Alteration to shopfront and entrance

4.6 **CTP/L14/25X/A/33742** - 01-07-1980

Change of use of the basement and ground floors from shop to site office and welfare accommodation

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5.0 Relevant Planning Policy

5.1 Planning and Compulsory Purchase Act 2004

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise.

5.2 The National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how they should be applied to achieve sustainable development, which it sees as consisting of following three dimensions, economic, social and environmental. Although the Framework does not change established planning law and the need for planning applications to be determined in accordance with the statutory development plan unless material considerations indicate otherwise, it is clear that the Framework should be considered a material consideration in planning decisions.

5.3 The NPPF must now be taken into account in the preparation of local and neighborhood plans and is a material consideration in planning decisions.

5.4 The NPPF gives particular encouragement towards job creation and economic growth; provide additional support for the reuse of the premises in the manner suggested in the planning application.

5.5 Within paragraph 14 it is underlined the importance of delivering sustainable development through the planning system. It states that "at the heart of the National Planning Policy Framework is a presumption in favor of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking". The NPPF states that for decision making this means:

- Approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out of date, granting permission unless:
- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.

5.6 The Framework very clearly underlines the Government's commitment to ensure that the planning system does everything it can to support sustainable economic growth. It states that "significant weight should be placed on the need to support economic growth through the planning system" (paragraph 19).

5.7 In assessing planning applications the advice is clear, that local planning authorities "should apply the presumption in favor of sustainable development". This means that authorities should have regard to paragraphs 18 to 219 of the NPPF, which taken as a whole, constitute the Government's view of what sustainable development in England means in practice. It is therefore important for local planning authorities to make decisions that reflect a balance of economic, social and environmental considerations.

5.8 Planning For Growth

The Minister of State for Decentralization and Planning issued in March 2011 a written statement which highlighted the role planning has to play in helping rebuild Britain's economy. The Statement recognizes that there is a pressing need to ensure that the planning system does everything it can to help secure a swift return to economic growth.

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5.9 The Government's top priority in reforming the planning system is to promote sustainable economic growth and jobs. The Government is clear that the expectation is that the answer to development and growth should wherever possible be yes, except where this would compromise the key sustainable development principles set out in national planning policy. The statement makes clear that there is a strong presumption in favor of sustainable development.

5.10 Local Planning Authorities should consider fully the importance of national Planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession. Local Planning authorities should consider the range of likely economic, environmental and social benefits of a proposal such as increased consumer choice and more robust local economies.

5.11 In determining planning applications local authorities should ensure that they give appropriate weight to the need to support economic recovery. The statement makes clear that the Secretary of State for Communities and Local Government will take the principles set out in Planning for Growth into account when determining planning applications that come before him for a decision and in particular he will attach significant weight to the need to secure economic growth and employment.

5.12 The London Plan

The London Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital over the next 20-25 years. It forms part of the development plan for Greater London. All Borough plan policies are required to be in general conformity with the London Plan policies

5.13 The key policies:

- **Policy 3B.1:** Developing London's economy
- **Policy 3B.11:** Improving employment opportunities for Londoners
- **Policy 4B.3:** Enhancing the quality of the public realm
- **Policy 4B.2:** Promoting world-class architecture and design
- **Policy 4B.11:** London's Built Heritage
- **Policy 4B.8:** Respect local context and communities

5.14 Bloomsbury Conservation area

As mentioned previously the property falls within the Bloomsbury Conservation area and thus any proposed development must take account of policy DP25 – Conserving Camden's heritage which includes an aim to 'only permit development within conservation areas that preserves and enhances the character and appearance of the area. As the proposal is not proposing any alteration to the external fabric and indeed will be helping to conserve a building listed as a 'positive contributor' the proposal fully complies with policy.

5.15 Camden Development Policies

- **DP10** Helping and promoting small and independent shops
- **DP12** Supporting strong centers and managing the impact of food, drink, entertainment and other town center uses
- **DP15** Community and leisure uses
- **DP25** Conserving Camden's heritage
- **DP26** Managing the impact of development on occupiers and neighbours

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6.0 The Process & Assessment

6.1 Assessment:

The application property at present is comprised of an existing ground floor and basement areas.

6.2 The proposals are to change the existing trading hours to allow the outlet to open later in the evening.

6.3 Application Number: PSX0004734 - Condition Number 2
Date: 24th November 2000

6.4 Approved Trading Hours Existing:

The current hours of operation are as follows:

Monday - Friday:	09.00 - 21.00
Saturday:	09.00 - 21.00
Sunday & BH:	Closed

6.5 Proposed Trading Hours Proposed:

The proposed hours of operation are as follows:

Monday - Thursday:	09.00 – 22.00
Friday - Saturday:	09.00 – 22.00
Sunday & BH:	10.00 – 20.30

6.6 Layout:

The main access route to the premises is through the front elevation entrance.

6.7 The application comprises of no internal or external changes to the building or the layout of the application site.

6.8 Scale:

The application site has a combined floor area of 120.32sm.

6.9 Landscaping:

There are no plans to carry out any landscaping works at the site.

6.10 Appearance:

There are no plans to carry out any refurbishment works at the site.

6.11 Currently the designs of the premises are in accordance with the relevant districts planning design guidelines and also in accordance to the overall appearance of adjoining building's appearance.

6.12 The view of the application site is in harmony with the overall appearance of site and the overall view is smart, clean and clinical.

6.13 There are no internal or external changes to take place at the property.

6.14 Use:

The application site is to be retained as Class Use A3 (Restaurant & Cafe).

6.15 Access:

The applicant has insisted on a high standard of design for the premises.

6.16 Since taking on the lease for the property, the applicant has traded at the approved hours without any material harm or disturbance to the local amenities and it is currently enjoyed by neighboring residents, becoming a valuable retail outlet.

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6.17 Trading at the applied hours will positively enhance the character of the urban and social street scene and immediate locality in general. In addition, the council should allow flexibility to respond to the challenging economic circumstances and thus enable the premises to be used for alternative purposes in uncertain economic times.

6.18 It is therefore considered that the proposed Variation of Condition to extend the trading hours is appropriate and would not have a detrimental impact on the surrounding area.

6.19 When assessing the likely impact of the Variation of Condition to extend the trading hours on residential amenity, it is considered that the main concerns will relate to noise, these concerns have been addressed as follows:

6.20 Noise:

Although an extension to the trading hours may result in an increase in noise levels, this would be limited to customers walk to and from the site, their conversations and people entering and leaving the property. This slight increase in noise will not be prevalent and will not be a greater than the current level of background noise at this site.

6.21 In addition, the application site is close to Euston Road (A501) is a busy thoroughfare with access into the City of London which suggests there will be a prevalent level of background noise within the hours that purposed As a results there will be very little if any impact upon the neighboring residents as a result of the introduction of Variation of Condition to extend the trading hours.

6.22 This slight increase in noise will not be prevalent and will not be a greater than the level of background noise at this site. In addition it should not be presumed that this would be more detrimental to residential amenity than the existing use.

6.23 External Facades:

In order to improve the performance of the external façade over current operational practice, it would be recommended that all windows and doors are kept closed during the hours of operation, this is especially important during the evenings trading.

6.24 It is estimated that this would provide an improvement of the airborne sound reduction of the external building fabric of the property.

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7.0 Conclusions

7.1 In summary, the application site has a lawful use for Class Use A3 (Restaurant & Cafe).

7.2 Overall it is considered that the proposed development would make a positive contribution to the character and appearance of the surrounding area.

7.3 It is therefore considered that the proposal to extend the trading hours is appropriate as it accords with both local and national policy; we therefore respectfully request that the council grant planning permission.

7.5 The layout of the unit seeks to maximize the unit's potential whilst ensuring it respects the neighboring uses. The design also ensures ease of access for all groups of society regardless of age, class or physical disability.

7.6 The scale, design and layout of the proposed development ensure that it represents an appropriate addition to the area and the proposed development reinforces the strong character of the street scene.

7.7 It is considered that the proposed scheme accords with current central, regional and local planning policies and that detailed planning permission should be granted.

7.8 We trust that this application will meet with your approval and we look forward to receiving confirmation of your decision in due course.