

LP/P6287
5th August 2016

Regeneration and Planning
Development Management
London Borough of Camden
Town Hall
Judd Street
London
WC1H 8ND

Dear Sirs,

2 (West) Neal's Yard, London, WC2H 9DP
Full planning application for change of use of the ground floor unit from retail (Class A1) to hot food takeaway (Class A5) use.

Planning Portal Reference: PP-05385112

On behalf of the applicant, Shaftesbury Covent Garden Ltd, we write in support of a planning application for change of use of the ground floor unit from retail (Class A1) to hot food takeaway (Class A5) use. We note that this application is submitted in conjunction with a separate change of use application at the adjoining premises 2 (East) Neal's Yard to allow a 'use swap' of the existing uses via a formal legal agreement.

Accompanying documentation in support of this application has been submitted electronically online via the Planning Portal along with the requisite planning fee of £385.

Site Description and Existing Use

The existing four storey terraced property comprises retail (Class A1) at ground floor (approx. 30.8sqm). The application site is located within Neal's Yard; a pedestrian courtyard area enclosed by buildings comprising predominantly commercial uses with a small element of residential at upper floor levels. Access into the enclosed courtyard is provided from Monmouth Street to the north and Shorts Gardens to the south. The application property is not listed, however is located within the Seven Dials (Covent Garden) Conservation Area. The Seven Dials Conservation Area Appraisal describes Neal's Yard as;

'...a courtyard area that has developed into a wholefood and complementary medicine centre which also serves as a well-used small public open space'.

The shop's frontage is also designated as 'Secondary Retail Frontage' within Camden's Planning Guidance (CPG5). The surrounding streets form part of the larger Primary Shopping Frontage, as defined by the adopted LDF Proposals Map.

Architecture Planning Interiors

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

T 020 7556 1500

www.rolfe-judd.co.uk

DD 020 7556 1642

E lucyp@rolfe-judd.co.uk

London Borough of Camden
5th August 2016

Relevant Planning History

Planning permission was granted in March 1983 for *“the continued use of the ground floor as two retail units, the first floor as a community room, the second floor as medical consulting rooms and the third floor as a self-contained residential flat”* (ref. 35981).

The Proposal

The proposal is for the change of use of the ground floor unit at 2 (West) Neal’s Yard from retail (Class A1) to hot food takeaway (Class A5) use (approximately 30.8sqm).

As noted above, this application is submitted in conjunction with a separate change of use application at the adjoining premises 2 (East) Neal’s Yard (currently operating under Class A5) to allow a ‘use swap’ of the existing uses.

The simple ‘swap’ between the existing units will ensure a balanced mix of retail accommodation is maintained and can be secured by an appropriate legal agreement. Giving consideration to the ground floor activities, the proposal will maintain the same amount of active frontage between retail and food relates uses and will allow the Council to impose greater control over the future Class A5 use operations (which are currently unlimited) at the premises.

Waste storage will remain as existing, stored inside and brought outside the unit for collection at designated times during the day and week by the local authority. Local security and management teams within Seven Dials who patrol the area will ensure that bins are not left out over night or during the day prior to collection.

Please refer to the submitted plans for further details. We confirm that no external alterations are proposed as part of this application.

Design and Access Statement

In accordance with the Town & Country Planning (Development Management Procedure) (England) (Amendments) Order 2015, Part 3, Article 9, a design and access statement is not required for any application which is for a material change in use to any land or buildings. We do confirm however that access will remain as existing from the ground floor entrance.

Planning Policy Consideration

As a standalone application, the loss of the retail accommodation, particularly at ground floor level would be considered contrary to the Council’s adopted land use policies, in particular policy DP12 of the Development Management Plan.

However, to ensure compliance with local policy objectives this application is submitted in tandem with an accompanying change of use application at 2 Neal’s Yard, thereby allowing a ‘use swap’ between both premises at 2 (East) and 2 (West) Neal’s Yard. The accompanying application proposal at 2 (East) Neal’s Yard includes the conversion of the existing hot food take away (Class A5) to a high quality retail (Class A1) unit, thereby relinquishing the Class A5 use completely to 2 (West) Neal’s Yard. The proposal will further allow the Council to implement further controls over the proposed Class A5 use, which currently operates unrestricted.

Further consideration for assessing the acceptability of the proposed change of use to a hot food takeaway (Class A5), is the effect of non-retail uses on the surrounding shopping provision. Camden’s Planning Guidance 5 (Town Centres, Retail and Employment), provides further guidance

London Borough of Camden
5th August 2016

to the aims of Policy DP12 and stipulates that non-retail uses will generally not be permitted within the designated 'Secondary Shopping Frontage' which would result in:

- *Loss of retail units (Use Class A1) which contribute positively to the character, function, vitality, viability and amenity of the area.*

Response: The proposal forms part of a simple 'use swap' between two existing units; 2 (East) Neal's Yard and 2 (West) Neal's Yard - the application site. When both applications are considered in tandem, no retail unit would be lost and as a result it is considered that there would be no impact upon the existing retail provision. It is proposed that a simple legal agreement secures both uses are linked together to ensure there is no subsequent loss in retail accommodation.

- *More than 25% of the total number of units in that frontage being in food, drink and entertainment uses.*

Response: The total number of units within the Neal's Yard frontage would not change and therefore the percentage of food, drink and entertainment uses would remain unchanged. This application is simply for the relocation of existing uses (Classes A1 and A5) within the Yard.

- *More than two food, drink and entertainment uses consecutively.*

Response: The proposal would not result in more than two non-retail uses consecutively.

- *Food, drink and entertainment uses greater than 100sqm in floorspace.*

Response: The proposal falls under this threshold, measuring approximately 30.8 sqm.

Core Strategy Policy CS7 seeks to promote Camden's centres and shops, acknowledging it is the eclectic mixture of shops and services within places which provide character and identity to local areas such as Neal's Yard. Policy CS7 further aims to ensure the vibrancy, vitality and unique role of Camden's centres are protected and enhanced. The proposal seeks to provide a high quality hot food takeaway unit (as already existing at 2 (East) Neal's Yard) to continue Neal's Yard's reputation as wholefood retail and dining experience. It is further noted that the Yard also supports local residents, office workers and retailers which is an important part of the wider jigsaw and overall success of Seven Dials.

The Yard's location is not a 'late night destination' for entertainment, but through the careful management of commercial tenants, having regard to hours of operation, noise and pollution from plant and machinery and the safe and secure storage and disposal of waste, Neal's Yard will remain an attractive, clean and vibrant environment for residents to enjoy. As such, the proposal will not result in any adverse impact upon nearby residents, existing premises or the surrounding character of Seven Dials Conservation Area.

Conclusion

The proposal is a small part of Shaftesbury's long term management strategy for Seven Dials. It is considered that the relocation of uses within the vicinity of one another will be complimentary to the area and will maintain a balanced and appropriate mix of accommodation given the properties central

London Borough of Camden
5th August 2016

location. It is also considered that the proposal would not be detrimental to the character and function of the Conservation Area and remain in accordance with policy via a suitable legal agreement.

This proposal seeks to support the investment in the area and bring smaller retailers and eateries to a vibrant part of Camden. The proposed change of use in association with the proposal at 2 (East) Neal's Yard will maintain a retail provision and an active frontage within the area whilst allowing for greater control over the existing use.

We trust that the enclosed information is sufficient for you to validate our client's planning application and we look forward to a swift and positive outcome. Should you require any further information or would like to arrange a site visit please do not hesitate to contact the undersigned.

Yours faithfully

Lucy Pitham

For and on behalf of
Rolfe Judd Planning Limited

Cc Charles Owen - Shaftesbury