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Application Ref: **2016/3615/P**
Please ask for: **Kate Phillips**
Telephone: 020 7974 **2521**

18 October 2016

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
51 Goodge Street
London
W1T 1TG

Proposal: Change of use from Class A1 (shops) to mixed Class A1 (retail) and Class A3 (restaurants and cafes)

Drawing Nos: Site Location Plan at 1:1250; and Floor plans at 1:100.

The Council has considered your application and decided to grant permission subject to the following conditions:

Conditions and Reasons:

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan at 1:1250; and Floor plans at 1:100.



Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

Informatives:

- 1 Reasons for granting permission

This application seeks permission to permanently change the use of No. 51 Goodge Street from retail use (Class A1) to restaurant and café use (Class A3). The premises has been in mixed A1 and A3 use since 2014, using permitted development rights for a temporary change of use for 2 years (from A1 to A3); however, the temporary permission expired on 13/02/2016 and the A3 use has been operating unlawfully since then.

The application site is within the Goodge Street Neighbourhood Centre in the Central London Area, wherein CPG5 (Town Centres, Retail & Employment) guides that the Council will resist schemes that would result in less than 50% of ground floor premises being in A1 retail use; or more than 25% of premises being in food, drink and entertainment uses; and more than 2 consecutive food, drink and entertainment uses. The proposal complies with the CPG guidance insofar as the percentage of ground floor premises in A1 retail use would still exceed 50% (currently, the figure is 65.9% and the proposal would reduce this figure to 63.6%); there would not be more than 25% of premises in food, drink and entertainment uses (currently, the figure is 18.2% and the proposal would increase this figure to 20.5%); and there would not be more than 2 consecutive food, drink and entertainment uses (No. 49 Goodge Street is in A1 use and No. 53, which is in A3 use, is adjacent to a road which interrupts the run of premises). On this basis, the principle of development is considered to be acceptable.

It is not considered that the proposal would cause undue harm to the character and appearance of the street scene or the Charlotte Street Conservation Area. The change of use has already occurred and this proposal does not seek to make further physical changes to the building. Any future changes would require a separate planning application, which would be assessed on its own merits.

It is not considered that the proposal would cause undue harm to the residential amenities of nearby and neighbouring properties. Goodge Street Neighbourhood Centre is already a busy thoroughfare which experiences a high level of general activity and it is not considered that allowing the permanent change of use of the application premises would cause significantly more harm to any nearby residential

properties.

The applicant notes that on-site cooking is limited to the production of three trays of fresh pasta, which are usually cooked once a day in the morning, although there is occasionally a need to produce a further tray of fresh pasta in the afternoon; and the rest of the food offered for dining at the premises is either served cold or simply reheated on site. There is just one electric hob in the basement kitchen for these purposes and there is an extract from the basement kitchen which treats air before discharging it at street level through a wide vent in the shopfront. Any proposal to ventilate to the rear in the future would require a separate planning application. It is considered likely that, if any future occupiers required additional plant to support the restaurant / café use, this could be accommodated without prejudicing the character and appearance of the Charlotte Street Conservation Area.

Neighbouring occupiers were consulted on the application. One objection has been received prior to making this decision which has been duly taken into account prior to making this decision. The application site's planning history and relevant appeal decisions were taken into account when coming to this decision.

Considerable importance and weight has been attached to the harm and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under and s.72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

- 2 The proposed development is in general accordance with Policies CS1, CS2, CS5, CS7, CS8, CS9 and CS14 of the London Borough of Camden Local Development Framework Core Strategy, and Policies DP1, DP12, DP24, DP25, DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with the London Plan 2016; and the provisions of the National Planning Policy Framework 2012.
- 3 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 4 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

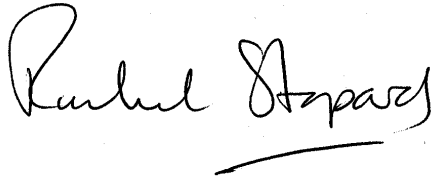
- 5 Your attention is drawn to the need for compliance with the requirements of the Environmental Health regulations, Compliance and Enforcement team, [Regulatory Services] Camden Town Hall, Argyle Street, WC1H 8EQ, (tel: 020 7974 4444) particularly in respect of arrangements for ventilation and the extraction of cooking fumes and smells.

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

A handwritten signature in black ink, appearing to read 'Rachel Stopard', with a horizontal line underneath the name.

Rachel Stopard
Executive Director Supporting Communities