

RL/P6716
16 June 2017

London Borough of Camden
Regeneration and Planning
5 Pancras Square
London
N1C 4AG

Dear Sirs

25 SHELTON STREET, LONDON, WC2H 9HW

RENEWAL OF PLANNING PERMISSION (2006/2095/P) FOR THE FLEXIBLE USE OF THE BASEMENT AND GROUND FLOORS FOR EITHER CONTINUED USE AS HEALTH AND BEAUTY SPA (SUI-GENERIS USE) OR RETAIL (CLASS A1 USE) OR A COMBINATION OF A HEALTH AND BEAUTY SPA AND RETAIL (SUI-GENERIS AND CLASS A1 USES).

PLANNING PORTAL REF. PP-06104002

On behalf of the applicant, Shaftesbury Covent Garden Limited, we submit a planning application for the renewal of planning permission (ref. 2006/2095/P) for the above flexible uses at the basement and ground floors of 25 Shelton Street.

In support of this application, the following documents and forms have been submitted electronically online via the Planning Portal:

- Site Location Plan
- Existing and Proposed Drawings
- Community Infrastructure Levy (CIL) Form

It is confirmed that the requisite application fee of £385.00 has been paid electronically online via the Council's website.

Site Location

The application site is situated to the north of Shelton Street, adjacent to the borough boundary with Westminster City Council within the area known as Seven Dials.

The premises comprises of five floors. The basement and ground floors are currently vacant, however were previously in use as a health and beauty spa (Sui-generis) – this being the premises lawful use. The remaining upper floors are all in residential use (Class C3) comprising of 14 flats. This application relates solely to the basement and ground floors and includes the external rear court

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yard with access onto Earham Street.

The building is designated as being within the Seven Dials (Covent Garden) Conservation Area, but is not statutorily listed.

Planning History

On 7th July 2006, planning permission was granted for the “*use of basement and ground floor for an alternative use, as either retail (Class A1) or health and beauty spa (Sui-generis), or a combination of the two*” (ref. 2006/2095/P).

Following the grant of planning permission, the use of basement and ground floors were implemented as a health and beauty spa (Sui-generis). This was the last use of the premises following the permission’s 10 year flexible implementation date which expired on 7th July 2016.

Development Proposal

In accordance with Part 3, Class V of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2016 (as amended), 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, shall be permitted.

The applicant therefore seeks the renewal of planning permission 2006/2095/P dated 7th July 2006 to enable the continued flexibility for a further 10 year period provided by the existing permission and as granted under Part 3, Class V of the Order.

The proposal seeks the same flexible use of the basement and ground floors for either the continued use as Health and Beauty Spa (Sui-generis Use) or Retail (Class A1 Use) or a combination of a Health and Beauty Spa and Retail (Sui-generis and Class A1 Uses), as indicated on the proposed floor plans.

Please refer to the submitted existing and proposed floor plans for full details. Access will remain as existing from the main entrance fronting Shelton Street or the rear passage and court yard adjoining 48 Earham Street.

Design and Access Statement

In accordance with the Town & Country Planning (Development Management Procedure) (England) (Amendments) Order 2015, Part 3, Article 9 (d), 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.

Planning Policy

The proposal seeks to allow for either continued use of the premises as a health and beauty spa (Sui-generis use), a retail unit (Class A1), or a combination of the two (health and beauty spa and retail). The existing lawful use of the premises is currently Sui-generis for use as a health and beauty spa, however is now vacant.

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The Council noted within the application's previous delegated report that;

"The proposed use of the building for either retail (class A1) or a health and beauty spa (Sui Generis) is considered acceptable in land use policy terms. The use of the building would not significantly conflict with the residential amenities of neighbouring occupiers, the general character of the area or the conservation area subject to suitable conditions".

Having consideration of Development Plan, both uses proposed, either retail or a health and beauty spa, would remain supportive of Local Plan policies and it is considered can be renewed by the Council.

Development Management Plan Policy DP10 (Helping and promoting small and independent shops) seeks to support the provision of new retail provision with the Central London area and town centres. Supporting text further notes that "additional protection is needed to prevent the widespread loss of A1 retail uses outside centres, in order to ensure that local shops are available for local residents, workers and visitors". Further, draft Local Plan Policy TC1 (Quantity and location of retail development) states that the Council will focus new shopping and related uses in Camden's designated growth areas and existing centres, and central London frontages.

The proposed flexible permission to allow the use of the basement and ground floors as retail accommodation in this Central London area and designated CAZ would be supportive of local plan policy objectives to protect the local retail character, function and viability of Seven Dials.

Development Management Plan Policy DP15 (Community and leisure uses) states that the Council will protect existing leisure facilities by resisting their loss unless adequate alternative facilities are already available in the area or the leisure facility is no longer required. Further, draft Local Plan (2016) notes that within Policy C3 (Cultural and leisure facilities) that most cultural and leisure uses fall under D2 of the Use Classes Order or are sui-generis (not belonging to a specific use class) for which this policy will apply.

The proposed use as a health and beauty spa (sui-generis) would be retained as part of a new flexible use permission which would allow the opportunity of any prospective tenants to implement such use over next 10 years and therefore support local plan policy. However, should its use no longer be in demand or required, the permission will allow the applicant the flexibility to convert the premises to the Council's preferred retail use.

Summary

The proposal seeks to renew the previous flexible use of the basement and ground floors at 25 Shelton Street for either use as either retail accommodation or as a health and beauty spa. Allowing for continued use of the premises for those permitted will allow a greater degree of flexibility in the future letting of the premises by the applicant. The flexible use will assist the provision of a mixed use environment to sustain the area's attractiveness by meeting the needs of the local community and market demands which fully complies with existing and emerging plan policy.

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.

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Yours faithfully



For and on behalf of
Rolfe Judd Planning Limited