

# 19 – 21 Great Queen Street, London, WC2B 5BE

## Planning Statement

On behalf of **RMBI & Iberica (Food and Culture)**

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## Document Control Sheet

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# 1 Introduction

- 1.1.1 Peter Brett Associates (PBA) is instructed by the Royal Masonic Benevolent Institutional (RMBI) and Iberica (Food and Culture) to prepare a Planning Statement in support of a planning application for development at 19-21 Great Queen Street, London, WC2B 5BE.
- 1.1.2 The proposals are made for the,
- ‘Change of use of the ground and basement floor levels from Use Class A1 (shops) to Use Class A3 (food and drink), associated installation of plant (extract/ventilation) and retention of existing shopfront’*
- 1.1.3 The proposals are made following planning permission granted in December 2014 for,
- ‘Partial demolition and re-build involving the erection of a single storey roof extension; and a three-storey rear extension for mixed use development comprising the retention of retail on the basement and ground floors and the change of use of the upper floors (1st to 5th) from offices (Class B1(a) to 4 x 3 bed residential units (Class C3)’ (LPA Ref: 2014/4958/P).*
- 1.1.4 This permission has now been implemented and completion is expected in 2017.
- 1.1.5 This Planning Statement should be read in conjunction with the following supporting documents:
- i. Applications drawings prepared by Latis and Ammonite Projects;
  - ii. Ground Floor Plan Drawings and M& E specifications pack prepared by Ammonite Projects; and a
  - iii. Noise Assessment prepared by Sandy Brown.
- 1.1.6 The proposals form part of RMBI’s long-term asset management strategy for Great Queen Street which aims to introduce a mix of quality tenants within a high quality environment in order to improve the vitality and viability of this frontage and to create an upgraded pedestrian link between Covent Garden and Holborn.
- 1.1.7 Overall the proposals are considered to accord with the Camden Development Plan and other material considerations including NPPF policies for town centre development.

## 2 Site and Surroundings

- 2.1.1 The Site is located at 19-21 Great Queen Street, London, WC2B 5BE.
- 2.1.2 The Site comprises of a 19th Century five storey building (plus basement level) which is divided into two separate planning units, as follows:
- i. The ground floor and basement levels, subject of this application, are currently vacant and were last occupied by 'Masonic Memorabilia' Toye Kenning and Spencer Co Ltd in February 2015; and,
  - ii. The first to fourth floors of the main building are currently undergoing residential conversion to provide four Class C3 units following planning permission granted in December 2014 (LPA Ref: 2014/4958/P). Completion is expected by the end of 2017.
- 2.1.3 Access to the site is made from two entrances from Great Queen Street with separate entrances provided for the upper floor residential units and the ground floor retail use.
- 2.1.4 The Site is bound to the north by office buildings located at 40 to 42 Parker Street; to the east by the Hercules Pillars Public House; to the south by Great Queen Street beyond which is the Grand Connaught Rooms and Freemason's Hall (United Grand Lodge of England (UGLE)); and to the west by Dexters – an estate agent with office uses on the upper floor levels above.
- 2.1.5 The Site is located within the Central Activities Zone; the Central London Area; the Secondary Frontage within the Covent Garden Central Area (CLA); and within a Controlled Parking Zone (CPZ).
- 2.1.6 The Site is also located within the Seven Dials conservation area. Whilst not statutory or locally listed the existing building is recognised in the LB Camden Seven Dials Conservation Area Statement (CAS) as making a positive contribution to the conservation area and there are a number of listed buildings located in the vicinity of the site along Great Queen Street.
- 2.1.7 The Site is located in an established mixed use area comprising a variety of commercial, civic and residential uses.
- 2.1.8 Great Queen Street is an important pedestrian route connecting Covent Garden to the west and Holborn / Kingsway to the east as well as forming a gateway street to Covent Garden.
- 2.1.9 Commensurate with its Central London location the Site has excellent access to public transport with a Public Transport Accessibility Level (PTAL) of 6b. There is no direct vehicular access into the site and the nearest underground stations are located at Holborn to the east and Covent Garden to the west. Bus services are available from Kingsway to the west and High Holborn to the north.

## 3 Planning History

- 3.1.1 The Site has an extensive planning history and the original building has undergone significant internal alteration and external alterations since it was first constructed.
- 3.1.2 Key planning applications and permissions includes:
- Planning permission was granted in 1987 for '*erection of a mansard roof extension to replace existing lean to roof extension bricking up of existing window and relocation to adjacent wall as shown on drawing number 8775/02 photographs and photocopied extracts from previous plans*' (LPA Ref: 8703660).
  - Planning permission was granted in 1991 for '*Infilling of light well on ground floor for retail use plus a toilet extension at first floor level and the erection of a mansard roof extension at the rear to replace the existing lean to extension*' (LPA Ref: 9100660).
  - Planning permission granted in December 2008 for '*erection of a plant enclosure at roof level, vents and fans at rear second floor flat roof level, a new duct on the rear elevation. New roof lights and alterations at roof level plus minor elevational alterations to the existing office building*' (LPA Ref: 2008/4915/P) - this permission was not implemented.
  - Planning permission granted in 2009 for the '*Replacement of the front ground floor entrance to upper floor offices*' (LPA Ref: 2009/2884/P) - this permission was not implemented.
  - Planning permission was granted in 2012 for the '*installation of an ATM on the front elevation and alterations to shopfront including new access ramp and replacement pavement lights to the ground floor front elevation associated with shop unit (Class A1)*' (LPA Refs: 2012/5305/P & 2012/5340/P) - this permission was not implemented.
- 3.1.3 More recently, planning permission was granted in 2014 for the '*Partial demolition and re-build involving the erection of a single storey roof extension; and a three-storey rear extension for mixed use development comprising the retention of retail on the basement and ground floors and the change of use of the upper floors (1st to 5th) from offices (Class B1(a) to 4 x 3 bed residential units (Class C3)*' (Ref: 2014/4958/P).
- 3.1.4 This permission has been implemented and its completion is expected in 2017.

### Ground Floor and Basement Use

- 3.1.5 Taking account of the above permissions, the current use of the ground floor is Class A1 retail as granted under the 1991 permission which also allowed for the rear extension. The creation of this retail space involved filling in the lightwell at ground floor level and the variation of ceiling heights through the centre of the space through the erection of new downstand beams and structural columns. As a result of these extensive internal works the only significant original remaining feature of the retail space is the shopfront onto Great Queen Street.
- 3.1.6 Existing floorspace at ground and basement levels extends to 530.5 sqm GIA with 250 sqm at ground floor level and 280.5 sqm at basement level.
- 3.1.7 It should be noted however that the existing use of the ground floor retail space had been significantly modified by Toye Kenning and Spencer Ltd (the previous tenants of the unit) in order to meet the operational needs of their business. The net sales floorspace had been reduced to approximately 30% of its usable area with the majority of the basement and ground floor at the time of the 2014 permission was granted used for administrative offices, workshop space, customer reception lounge, a staff kitchen and ancillary storage.

- 3.1.8 The ground floor and basement levels of the unit have been vacant since the previous tenant Toye Kenning & Spencer Ltd. 'Masonic Memorabilia' vacated the building on the 6 February 2015 and during the conversion works of the upper floors. The tenant has now transferred its specialist retail offer online and the supporting office function has been relocated to an address at 4-16 Woburn Place, Russell Court, Coram Street, WC1H 0LL.



## 4 The Proposals

### 4.1 Background to the Proposals - A Strategy for Great Queen Street

- 4.1.1 Proposals form part of a comprehensive estate management strategy ('the strategy') for Great Queen Street by the RMBI which is part of the United Grand Lodge of England (UGLE) group who are a longstanding stakeholder and property owner in Great Queen Street.
- 4.1.2 The strategy aims to secure the long term success of Great Queen Street as a vibrant mixed neighbourhood with a quality independent retail and leisure offer set within a high quality public realm that provides an attractive pedestrian link and gateway to Covent Garden.
- 4.1.3 The strategy was prepared by UGLE in 2011 to address the declining quality of the retail offer and the environment of Great Queen Street which meant that it was struggling to compete with other destinations in terms of attracting retailers and spending. This decline was partially a result of 'ad hoc' management where units had been let without consideration given to if the occupiers would enhance its appeal to residents and visitors. Whilst there were some good and longstanding retail and restaurant occupiers these were punctuated by poor quality units both in terms of their offer and overall contribution to the street. At the same time, there was a significant amount of vacant office and residential space on the upper floors of buildings along the street which were in need of refurbishment and/or letting.
- 4.1.4 The strategy is split into two phases. The first phase combined existing office floorplates along the upper levels of Great Queen Street in order to improve and deliver high quality office space with larger adaptable floorplates. The new flexible offices are aimed at a broad range of occupiers with different space requirements and their flexibility also offers occupiers the opportunity to expand or contract over time which, it is hoped, will create a stronger sense of belonging and contribute to a more cohesive neighbourhood. This phase has now been completed with the successful letting of refurbished office space at 36 Great Queen Street.
- 4.1.5 The second phase is currently ongoing and aims to establish Great Queen Street as a leading destination for independent shops and restaurants offering something different. UGLE have adopted a proactive strategy of identifying high quality retail and restaurant operators which will complement one another and improve the attractiveness of GQS as a visitor destination. The strategy has been successful in attracting a variety of quality new tenants which have invested heavily in the street and made significant improvement to the shopfront and appearance of their respective premises:
- No. 33: Ted's Grooming Room;
  - No. 38: Walker Slater Scottish Tweed tailoring specialists;
  - No. 34: The Black Penny Coffee House; and,
  - No. 35: Shroyu Ramen.
- 4.1.6 The initial success of the strategy has generated interest from a range of potential retailers in Great Queen Street however the application site is considered to be too large (c.5,000 sqft) to accommodate the types of small, independent retailers which UGLE has received interest from to date as such retailers generally have a requirement for units of 500 -1,000 sqft.
- 4.1.7 The site has historically been marketed for its existing Class A1 retail use in accordance with the now extant 2012 permissions (LPA Ref: 2012/5305/P & 2012/5340/P) which allowed for the shopfront to be modified in order to facilitate its use by a convenience (food) retailer.

- 4.1.8 The unit is considered to be of an appropriate size for a 'C-format' store (such as Tesco Express) however, UGLE consider that a convenience store could have a detrimental effect on the amenity of new residential units above and the character of the local area. Potential C-format store operators would require extended opening hours in this central location in order to maximise store turnover. Furthermore, a C-format store would require regular servicing to keep the shelves stocked owing to the limited amount of storage space available in small stores. The requirement for a loading bay in front of the unit could impact upon the amenity of neighbouring residents, impede the free-flow of traffic along the Great Queen Street (pedestrian, cycle and vehicles) and further reduce the availability of limited on-street parking.
- 4.1.9 Finally, it is considered that the potential negative effects of a convenience store operation could undermine the progress that UGLE have made to date in terms of establishing Great Queen Street as a destination for independent shops and restaurants. For these reasons the current proposal is considered to be favourable over retaining the unit in its Class A1 use.

## 4.2 Application Proposals

- 4.2.1 The proposals are made for:

*'Change of use of the ground and basement floor levels from Use Class A1 (shops) to Use Class A3 (food and drink), associated installation of plant (extract/ventilation) and retention of shopfront.'*

- 4.2.2 The identified occupier of the proposed A3 unit is Iberica who are a small restaurant group that currently operates four outlets across London (Marylebone, Farringdon, Canary Wharf and Victoria). Following the success of these outlets Iberica are now looking to expand their business in selected locations where they are not currently represented, including Covent Garden.
- 4.2.3 The Site provides a suitable unit which meets Iberica's principal physical and operational business requirements. Namely, Iberica are seeking to invest in buildings of architectural and historical merit which will be enhanced by the high quality internal fit out design standards. This requirement is important in order to provide a consistent high quality service and visitor experience across all of their outlets.
- 4.2.4 The proposed layout of the restaurant is shown on the submitted application drawings Ref: 1473-001 and 1473-002 which shows:
- Ground Floor - meet and greet counter and cloakroom; shop window display area; deli and bar counter; open and semi-private seating areas; Disabled WC; and ancillary storage and M&E (air conditioning and heat recovery units).
  - Basement Floor - public and private seating areas; wine room; staff facilities including office, WC and locker rooms; kitchens, cold and dry storage; customer toilets and refuse storage areas.
- 4.2.5 Whilst a change of use from Class A1 to Class A3 is sought it is important to note that the unit will retain a small element of retail use with a deli counter for sandwiches proposed at ground floor level offering customers the opportunity to purchase convenience goods for consumption off the premises.
- 4.2.6 It is anticipated that the restaurant will provide 111/120 covers split between ground floor and basement level. No outdoor seating onto Great Queen Street is proposed.
- 4.2.7 Opening hours at Iberica restaurants are generally 11:00 to 24:00 Monday to Fridays and Sundays 12:00 to 10:30 but it is expected that a condition on opening hours will be agreed between the applicant and the Council during the course of this planning application.

- 4.2.8 No alterations are proposed to the existing shopfront onto Great Queen Street although new signage for the proposed operator will be erected. Advertisement and Licensing requirements will be subject to separate applications by the applicant.

## 5 Relevant Planning Policy

5.1.1 The Development Plan for the site comprises:

- London Plan (Consolidated with Further Alterations 2016); and
- Camden Local Plan (July 2017)

5.1.2 Other material considerations include the Camden Planning Guidance's: CPG1 - Design; CPG3 – Sustainability; CPG5 - Town centres, retail and employment; CPG8 – Planning obligations; the Camden Seven Dials Conservation Area Statement (CAS); the National Planning Policy Framework (NPPF) (2012) and the National Planning Practice Guide (NPPG) (2014).

### 5.2 Development Plan

#### London Plan (Consolidated with Further Alterations 2016)

5.2.1 The Site is located within the Central Activities Zone (CAZ).

5.2.2 The London Plan identifies the CAZ as the geographic, economic and administrative core of London and contains a range of retail centres of international to local significance.

5.2.3 Policy 2.10 (d) requires the Mayor's development partners to enhance and promote the unique international, national and Londonwide roles of the Central Activities Zone (CAZ), supporting the distinct offer of the Zone based on a rich mix of local as well as strategic uses and forming the globally iconic core of one of the world's most attractive and competitive business locations. Part (f) requires development to support and improve the retail offer in the CAZ for residents, workers and visitors, especially Knightsbridge and the West End as global shopping destinations

5.2.4 Policy 2.11, part (c) requires retail capacity in the CAZ to be enhanced in order to meet strategic and local needs. Part (e) recognises Covent Gardens' strategic function as, together with Soho constituting the '*country's largest concentration of night time activities*' and requires that Borough's recognise, improve and manage this concentration of night time activities.

5.2.5 Policy 2.15 Town centres advises that the Mayor will, and boroughs and other stakeholders should, co-ordinate the development of London's network of town centres in the context of Map 2.6 and Annex 2 so they provide (amongst other issues): the main foci beyond the Central Activities Zone for commercial development and intensification, including residential development; the structure for sustaining and improving a competitive choice of goods and services conveniently accessible to all Londoners, particularly by public transport, cycling and walking; and together with local neighbourhoods, the main foci for most Londoners' sense of place and local identity within the capital.

5.2.6 Policy 4.7 states that the Mayor supports a strong, partnership approach to assessing need and bringing forward capacity for retail, commercial, culture and leisure development in town centres. In taking planning decisions on proposed retail and town centre development, it sets out a number of principles that should be applied. This includes that the scale of retail, commercial, culture and leisure development should be related to the size, role and function of a town centre and its catchment

5.2.7 Policy 4.8 advises that the Mayor will, and boroughs and other stakeholders should, support a successful, competitive and diverse retail sector which promotes sustainable access to the goods and services that Londoners need and the broader objectives of the spatial structure of this Plan, especially town centres. In determining proposals, policy 4.8 states that (amongst

other issues) a proactive approach to planning for retailing and related facilities and services should be adopted.

- 5.2.8 Achieving the highest standards of sustainable design is an overarching objective within the London Plan and it requires sustainable design standards to be integral to the construction and operation of development proposals.
- 5.2.9 Policy 7.4 states that development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve the area's visual or physical connection with natural features. Consistent with this, Policy 7.6 advises that architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape and that it should incorporate the highest quality materials and design appropriate to its context.
- 5.2.10 Policy 7.8 states that development should identify, value, conserve, restore, re-use and incorporate heritage assets, where appropriate. Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.

### **Camden Local Plan (2017)**

- 5.2.11 The Local Plan was adopted by Council on 3 July 2017 and has replaced the Core Strategy and Camden Development Policies Document. The adopted Policies Map has yet to be published on the Council's webpage but the Submission Policies Map identifies the Site within the Central London Area and the Seven Dials Conservation Area. The Site is located outside of the High Holborn / Kingsway Central London Frontages.
- 5.2.12 Policy A1 states that the Council will seek to protect the quality of life of occupiers and neighbours. It will grant permission for development unless this causes unacceptable harm to amenity. It will:
- a. seek to ensure that the amenity of communities, occupiers and neighbours is protected;
  - b. seek to ensure development contributes towards strong and successful communities by balancing the needs of development with the needs and characteristics of local areas and communities;
  - c. resist development that fails to adequately assess and address transport impacts affecting communities, occupiers, neighbours and the existing transport network; and
  - d. require mitigation measures where necessary.
- 5.2.13 The factors the Council will consider include:
- a. visual privacy, outlook;
  - b. sunlight, daylight and overshadowing;
  - c. artificial lighting levels;
  - d. transport impacts, including the use of Transport Assessments, Travel Plans and Delivery and Servicing Management Plans;
  - e. impacts of the construction phase, including the use of Construction Management Plans;
  - f. noise and vibration levels;

- g. odour, fumes and dust;
  - h. microclimate;
  - i. contaminated land; and
  - j. impact upon water and wastewater infrastructure.
- 5.2.14 Policy A4 states that the Council will seek to ensure that noise and vibration is controlled and managed. Development should have regard to Camden's Noise and Vibration Thresholds (Appendix 3). Planning permission will not be granted for:
- a. development likely to generate unacceptable noise and vibration impacts; or
  - b. development sensitive to noise in locations which experience high levels of noise, unless appropriate attenuation measures can be provided and will not harm the continued operation of existing uses.
- 5.2.15 The Council will only grant permission for noise generating development, including any plant and machinery, if it can be operated without causing harm to amenity. We will also seek to minimise the impact on local amenity from deliveries and from the demolition and construction phases of development.
- 5.2.16 The supporting text at paragraph 6.99 advises that *'planning conditions will be imposed to require that plant and equipment which may be a source of noise is kept working efficiently and within the required noise limits and time restrictions. Air conditioning will only be permitted where it is demonstrated that there is a clear need for it after other measures have been considered ("Policy CC2 Adapting to climate change")'. Conditions may also be imposed to ensure that attenuation measures are kept in place and are effective throughout the life of the development.'*
- 5.2.17 Policy D2 states that the Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens and locally listed heritage assets.
- 5.2.18 It goes on to state that in order to maintain the character of Camden's conservation areas, the Council will take account of conservation area statements, appraisals and management strategies when assessing applications within conservation areas. The Council will:
- a. require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area;
  - b. resist the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a conservation area;
  - c. resist development outside of a conservation area that causes harm to the character or appearance of that conservation area; and
  - d. preserve trees and garden spaces which contribute to the character and appearance of a conservation area or which provide a setting for Camden's architectural heritage.
- 5.2.19 Policy D3 advises that the Council will expect a high standard of design in new and altered shopfronts, canopies, blinds, security measures and other features. When determining proposals for shopfront development the Council will consider:
- a. the design of the shopfront or feature, including its details and materials;

- b. the existing character, architectural and historic merit and design of the building and its shopfront;
- c. the relationship between the shopfront and the upper floors of the building and surrounding properties, including the relationship between the shopfront and any forecourt or lightwell;
- d. the general characteristics of shopfronts in the area;
- e. community safety and the contribution made by shopfronts to natural surveillance; and
- f. the degree of accessibility.

5.2.20 It goes on to state that the Council will resist the removal of shop windows without a suitable replacement and will ensure that where shop, service, food, drink and entertainment uses are lost, a shop window and visual display is maintained. Where an original shopfront of architectural or historic value survives, in whole or in substantial part, there will be a presumption in favour of its retention. Where a new shopfront forms part of a group where original shop fronts survive, its design should complement their quality and character.

5.2.21 Policy TC1 states that the Council will focus new shopping and related uses in Camden's designated growth areas and existing centres, having regard to the level of capacity available in these locations. The Council will promote the following distribution of retail and other town centre uses across the borough in Growth Areas; Town Centres; Central London Frontages; Neighbourhood centres; and specialist shopping areas, and small shops outside of centres.

5.2.22 Policy TC2 states that the Council will promote successful and vibrant centres throughout the borough to serve the needs of residents, workers and visitors. It will:

- a. seek to protect and enhance the role and unique character of each of Camden's centres, ensuring that new development is of an appropriate scale and character for the centre in which it is located;
- b. provide for and maintain, a range of shops including independent shops, services, food, drink and entertainment and other suitable uses to provide variety, vibrancy and choice;
- c. make sure that food, drink, entertainment and other town centre uses do not have a harmful impact on residents and the local area and focusing such uses in King's Cross and Euston Growth areas, Central London Frontages, and Town Centres (Refer to "Policy TC4 Town centres uses");
- d. support and protect Camden's Neighbourhood Centres, markets and areas of specialist shopping, local shops; and
- e. pursue the individual planning objectives for each centre, as set out in supplementary planning document Camden Planning Guidance on town centres, retail and employment, and through the delivery of environmental, design, transport and public safety measures.
- f. The Council has designated primary and secondary frontages in its centres, which are shown on the Local Plan Policies Map. We will:
- g. protect the primary frontages as locations with a high proportion of shops (A1) in order to maintain the retail function of the centre; and
- h. protect the secondary frontages as locations for shops (A1) together with a broader range of other town centre uses to create centres with a range of shops, services, and food, drink and entertainment uses which support the viability and vitality of the centre. The

Council's expectations for the mix and balance of uses within frontages for each designated centre are set out in Appendix 4.

- 5.2.23 Policy TC4 advises that the Council will ensure that the development of shopping, services, food, drink, entertainment and other town centre uses does not cause harm to the character, function, vitality and viability of a centre, the local area or the amenity of neighbours. We will consider:
- a. the effect of development on shopping provision and the character of the centre in which it is located;
  - b. the cumulative impact of food, drink and entertainment uses, taking into account the number and distribution of existing uses and non-implemented planning permissions and any record of harm caused by such uses;
  - c. the Council's expectations for the mix and balance of uses within frontages for each centre are set out in Appendix 4;
  - d. the individual planning objectives for each centre, as set out in the supplementary planning document Camden Planning Guidance on town centres, retail and employment;
  - e. impacts on small and independent shops and impacts on markets;
  - f. the health impacts of development;
  - g. the impact of the development on nearby residential uses and amenity and any prejudice to future residential development;
  - h. parking, stopping and servicing and the effect of the development on ease of movement on the footpath;
  - i. noise and vibration generated either inside or outside of the site;
  - j. fumes likely to be generated and the potential for effective and unobtrusive ventilation; and
  - k. the potential for crime and antisocial behaviour, including littering.
  - l. To manage potential harm to amenity or the local area, we will, in appropriate cases, use planning conditions and obligations to address the following issues:
    - m. hours of operation;
    - n. noise/vibration, fumes and the siting of plant and machinery;
    - o. the storage and disposal of refuse and customer litter;
    - p. tables and chairs outside of premises;
    - q. community safety;
    - r. the expansion of the customer area into ancillary areas such as basements;
    - s. the ability to change the use of premises from one food and drink use or one entertainment use to another (within Use Classes A3, A4, A5 and D2); and



- t. the use of local management agreements to ensure that the vicinity of premises are managed responsibly to minimise impact on the surrounding area.

5.2.24 Appendix 4 of the Local Plan states that the Council seeks to protect the retail function of town centres by ensuring there is a minimum proportion of premises in A1 retail (shop) use. Additionally, in some locations the Council seeks to manage the mix and balance of uses, and the impact of food, drink, and entertainment uses by setting maximum proportion of these uses. The proportion of A1 shop and A3, A4, and A5 food, drink, and entertainment uses the Council expect for primary and secondary frontages is set out on the table below. It goes on to say that this policy should be read in conjunction with the detailed centre specific guidance in Camden Planning Guidance 5 (CPG5) on town centres, retail and employment.

### 5.3 Other Material considerations

#### CPG1- Design

- 5.3.1 CPG1 recognises that high quality design makes a significant contribution to the success of a development and the community in which it is located. Applicants are required to consider buildings in terms of context, height, accessibility, orientation, siting, detailing and materials.
- 5.3.2 The Guidance states that development within conservation areas or development affecting the setting of conservation areas will only be permitted where it preserves and enhances the character and appearance of the area.

#### CPG5 - Town centres, retail and employment (2013)

- 5.3.3 The Site is located within the secondary frontage of the Covent Garden Central Area on Map 11 of CPG5.
- 5.3.4 CPG5 recognises Covent Garden as ‘a retail destination of international significance and a well-known ... entertainment destination’. The Guidance recognises that ‘Food, drink and entertainment uses are an important part of the mixed use character and function of Covent Garden’.
- 5.3.5 The Guidance does however stress that the area is sensitive to the impacts of food and drink uses and that along secondary frontages, planning permission will generally not be granted for development that results in:
  - *‘More than 25% of the total number of units in that frontage being in food, drink and entertainment uses;*
  - *More than two food and drink and entertainment uses consecutively, or*
  - *Food, drink and entertainment uses greater than 100 sqm.’*
- 5.3.6 Additionally, the Guidance states that the Council will also take into account the number and mix of uses in adjacent and opposite premises in assessing applications.

#### National Planning Policy Framework (NPPF) (2012)

- 5.3.7 The NPPF was published in March 2012 and a set out the Government’s planning policies for England and how these are expected to be applied. It is advised that the NPPF must be taken into account in the preparation of local and neighbourhood plans, and that it is a material consideration in planning decisions.
- 5.3.8 The Ministerial Foreword to the NPPF emphasises that the purpose of planning is to help sustainable development and by development this is meant as growth. The NPPF brings

forward the jobs, investment and growth message in Greg Clark's earlier March 2011 'Planning for Growth' Statement and reaffirms that weight will be attached, as a material consideration, to the potential economic benefits offered by an application or development proposal.

- 5.3.9 The NPPF does not change the statutory status of the development plan as the starting point for decision making although in the context of Section 38(6) of the 2004 Act it identifies the presumption in favour of sustainable development as a 'golden thread running through both plan-making and decision-taking'. For decision taking this is identified as meaning:
- 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 planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.
- 5.3.10 Building a strong, competitive economy is considered key to delivering sustainable development and it requires local authorities to plan proactively to meet the development needs of business and support an economy fit for the 21st century. In determining planning applications paragraph 19 states that: *'significant weight should be placed on the need to support economic growth through the planning system'*.
- 5.3.11 Chapter 2 of the NPPF seeks to ensure the vitality of town centres and states that planning policies should be positive, promote competitive town centre environments and set out policies for the management and growth of centres over the plan period. As part of this, the NPPF states that local planning authorities should promote competitive town centres that provide customer choice and a diverse retail offer which reflects the individuality of the town centres.
- 5.3.12 The NPPF attaches great importance to design and considers that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people (paragraph 56).

The NPPF advises that LPA's should require an applicant to describe the significance of any heritage assets affects, including any contribution made by their setting. The level of detail should be proportionate to the asset's importance and in determining planning applications, LPAs should take account of:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable use consistent with their conservation;
  - The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - The desirability of new development making a positive contribution to local character and distinctiveness.
- 5.3.13 The NPPF goes on to advise at paragraph 135 that in weighing applications that affect directly or indirectly non-designated assets, a balanced judgement will be required having regard to the scale of any harm of loss and the significance of the heritage asset.

## 6 Key Planning Issues

- 6.1.1 Taking into consideration the proposals, background to proposals and the policy context we consider that the key issues to be addressed in this section include:
- a. The principle of development: loss of A1 floorspace and provision of a A3 food and drink use;
  - b. Impact on amenity: noise, air and odour; and
  - c. Design and impact on the Seven Dials Conservation Area

### 6.2 The principle of development: loss of A1 floorspace and provision of a A3 food and drink use

- 6.2.1 Local Plan policy TC4 advises that the Council will ensure that the development of shopping, services, food, drink, entertainment and other town centre uses does not cause harm to the character, function, vitality and viability of a centre, the local area or the amenity of neighbours. The Council will consider:
- a. the effect of development on shopping provision and the character of the centre in which it is located;
  - b. the cumulative impact of food, drink and entertainment uses, taking into account the number and distribution of existing uses and non-implemented planning permissions and any record of harm caused by such uses;
  - c. the Council's expectations for the mix and balance of uses within frontages for each centre are set out in Appendix 4;
  - d. the individual planning objectives for each centre, as set out in the supplementary planning document Camden Planning Guidance on town centres, retail and employment;
  - e. impacts on small and independent shops and impacts on markets;
  - f. the health impacts of development;
  - g. the impact of the development on nearby residential uses and amenity and any prejudice to future residential development;
  - h. parking, stopping and servicing and the effect of the development on ease of movement on the footpath;
  - i. noise and vibration generated either inside or outside of the site;
  - j. fumes likely to be generated and the potential for effective and unobtrusive ventilation; and
  - k. the potential for crime and antisocial behaviour, including littering.
- l. To manage potential harm to amenity or the local area, we will, in appropriate cases, use planning conditions and obligations to address the following issues:
- m. hours of operation;

- n. noise/vibration, fumes and the siting of plant and machinery;
- o. the storage and disposal of refuse and customer litter;
- p. tables and chairs outside of premises;
- q. community safety;
- r. the expansion of the customer area into ancillary areas such as basements;
- s. the ability to change the use of premises from one food and drink use or one entertainment use to another (within Use Classes A3, A4, A5 and D2); and
- t. the use of local management agreements to ensure that the vicinity of premises are managed responsibly to minimise impact on the surrounding area.

6.2.2 Appendix 4 of the Local Plan states that the Council seeks to protect the retail function of town centres by ensuring there is a minimum proportion of premises in A1 retail (shop) use. Additionally, in some locations the Council seeks to manage the mix and balance of uses, and the impact of food, drink, and entertainment uses by setting maximum proportion of these uses. The proportion of A1 shop and A3, A4, and A5 food, drink, and entertainment uses the Council expect for primary and secondary frontages is set out on the table below. It goes on to say that this policy should be read in conjunction with the detailed centre specific guidance in Camden Planning Guidance 5 (CPG5) on town centres, retail and employment.

#### TC4 (a) (b) (c) (d) and (e)

6.2.3 The site is located in the Central London Area and outside of the High Holborn/ Kingsway Central London Frontages on the Submission Policies Map. CPG 5 however identifies the site as within the secondary frontage on Map 11 - Covent Garden Retail Area which advises that planning permission will not generally be granted for development that results in:

- *‘More than 25% of the total number of units in that frontage being in food, drink and entertainment uses;*
- *More than two food and drink and entertainment uses consecutively, or*
- *Food, drink and entertainment uses greater than 100 sqm.’*

6.2.4 This approach is also reiterated in Appendix 4 of the Local Plan (extract below).

Centre	Frontage type Displayed on the Policies Map	A1 shops Minimum proportion of A1 shops in each individual frontage	A3 A4 A5 food, drink, and entertainment uses Maximum proportion of A3, A4, and A5 uses combined in each individual frontage	A3 A4 A5 food, drink, and entertainment uses and other non retail uses Other restrictions

Specialist Retail Areas				
Covent Garden	Primary	Min 80%	Max 25%	Max 100sqm No more than 2 consecutive food, drink, or entertainment uses
	Secondary	-	Max 25%	Max 100sqm No more than 2 consecutive food, drink, or entertainment uses

- 6.2.5 PBA carried out a survey of the secondary frontage along Great Queen Street in July 2017 and have found there to be direct comparable alternative retail provision within 5 minutes walking distance of the site. The Site was formerly occupied by retailers selling a range of Masonic memorabilia and clothing products. The proposals will not adversely impact on retail provision in Covent Garden due to the fact that the shop at no. 23 Great Queen Street also stocks a similar range of Masonic memorabilia and clothing products compared to the previous occupants.
- 6.2.6 In terms of retail provision more generally the secondary frontage along Great Queen Street has a range of essential services for residents and visitors including professional and financial services, community facilities and launderettes. The site is located within a 10-minute walking distance of Covent Garden and Tottenham Court Road shopping parades which both have a diverse retail offer.
- 6.2.7 We have assessed the current distribution of uses along the secondary frontage running directly along Great Queen Street (shown in table below) Our assessment revealed that the existing position is non-compliant with CPG5 since 42% of units along this frontage are already in food, drink or entertainment use (Class A3, A4 and A5 uses). As a result, it is not possible for this planning application to comply this this policy since the existing situation is already non-compliant.

Great Queen Street Secondary Frontage - Ground Floor (Existing)

Address	Fascia	Activity	Use
41-44 Great Queen Street	Itsu	Restaurant	A3
40-39 Great Queens Street	Philomena's Irish Bar and Kitchen	Public House	A4
38 Great Queens Street	Walker Slater	Tailors	A1
37 Great Queens Street	Bhati Indian Restaurant	Restaurant	A3
36 Great Queens Street	Stephen Jones Millnery	Fashion	A1
35 Great Queens Street	Shroyu	Restaurant	A3

34 Great Queens Street	The Black Penny	Café and deli	A3
33 Great Queens Street	Teds Grooming Room	Hairdresser	A1
32 Great Queens Street	Great Queen Street	Restaurant	A3
31 Great Queens Street	No fascia	Offices	B1
30 Great Queens Street	Wolfes Bar & Grill	Restaurant	A3
29 Great Queens Street	Bloomsbury Flowers	Florist	A1
28 Great Queens Street	Charles Worthington	Hairdresser	A1
27 Great Queens Street	Steen Associates Ltd	Office	B1
24-26 Great Queens Street	No fascia	Office	B1
23 Great Queens Street	Central Regalia	Clothes and Memorabilia Shop	A1
22 Great Queens Street	Dexters	Estate Agents	A2
19-21 Great Queens Street (APPLICATION SITE)	No fascia/ Vacant	Vacant - previously Masonic clothes and Memorabilia Shop	A1
18 Great Queens Street	Hercules Pillars	Public House	A4
<b>% A3</b>	<b>42%</b>		

6.2.8 Following a change of use of 19-21 Great Queen Street the proportion of food, drink or entertainment use (Class A3, A4 and A5 uses) will increase to 47% but it is again emphasised that the existing situation along the street does not comply with CPG5 and Appendix 4 of the Local Plan.

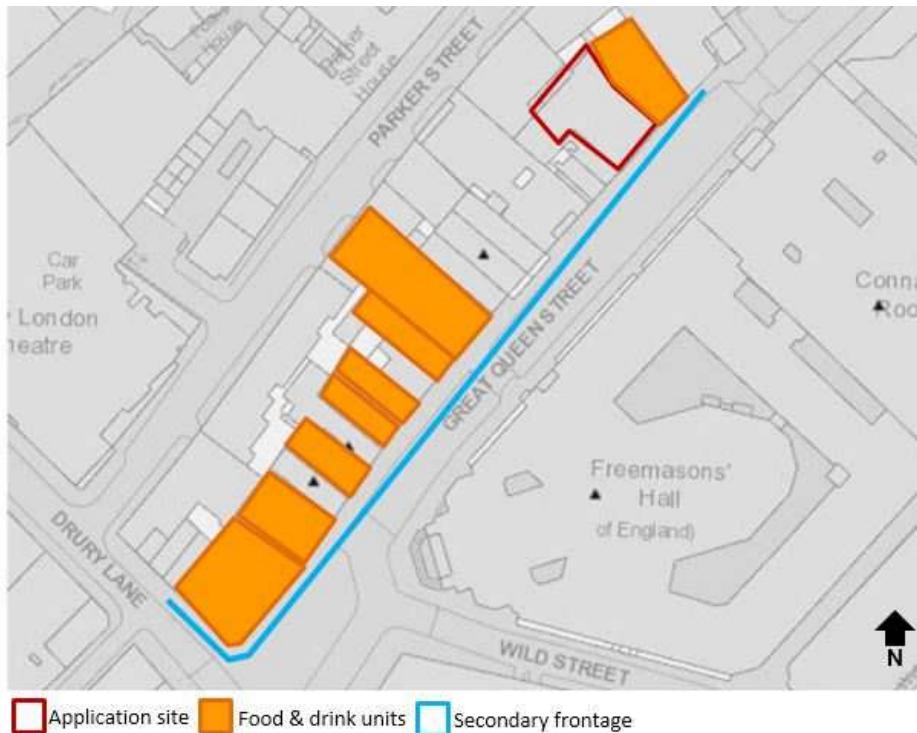
Great Queen Street Secondary Frontage - Ground Floor (Proposed)

Address	Fascia	Activity	Use
41-44 Great Queen Street	Itsu	Restaurant	A3
40-39 Great Queens Street	Philomena's Irish Bar and Kitchen	Public House	A4
38 Great Queens Street	Walker Slater	Tailors	A1
37 Great Queens Street	Bhati Indian Restaurant	Restaurant	A3

36 Great Queens Street	Stephen Jones Millnery	Fashion	A1
35 Great Queens Street	Shroyu	Restaurant	A3
34 Great Queens Street	The Black Penny	Café and deli	A3
33 Great Queens Street	Teds Grooming Room	Hairdresser	A1
32 Great Queens Street	Great Queen Street	Restaurant	A3
31 Great Queens Street	No fascia	Offices	B1
30 Great Queens Street	Wolfes Bar & Grill	Restaurant	A3
29 Great Queens Street	Bloomsbury Flowers	Florist	A1
28 Great Queens Street	Charles Worthington	Hairdresser	A1
27 Great Queens Street	Steen Associates Ltd	Office	B1
24-26 Great Queens Street	No fascia	Office	B1
23 Great Queens Street	Central Regalia	Clothes and Memorabilia Shop	A1
22 Great Queens Street	Dexters	Estate Agents	A2
19-21 Great Queens Street (APPLICATION SITE)	No fascia/ Vacant	Vacant - previously Masonic clothes and Memorabilia Shop	A3
18 Great Queens Street	Hercules Pillars	Public House	A4
<b>% A3</b>	<b>47%</b>		

6.2.9 The second requirement of CPG5 and Appendix 4 is that there is no more than two food and drink and entertainment uses consecutively.

6.2.10 As shown on the plan below the proposals would not result in more than two food, drink and entertainment uses consecutively along the frontage. The Site is adjoined to the west by Dexter's estate agent (Class A2) which is adjoined by the Central Regalia shop (Class A1). To the east the Site is adjoined by 'Hercules Pillars' public house (Class A4) which is the end unit on the defined secondary frontage.



Secondary Frontages as assessed under CPG5

- 6.2.11 The third requirement of CPG5 and Appendix 4 is that there is no food, drink and entertainment uses greater than 100 sqm.
- 6.2.12 The Site will result in a change of use of 530.5 sqm however whilst the change of use from Class A1 to Class A3 exceeds 100 sqm it is important to note that the unit will retain a small element of retail use with a deli counter for sandwiches proposed at ground floor level offering customers the opportunity to purchase convenience goods for consumption off the premises. Additionally, a large area of the basement will be used for ancillary staff accommodation and offices, kitchens, storage and WCs.
- 6.2.13 The proposals also need to be considered within the context of the wider street strategy adopted by UGLE (set out in 4.1 of this Statement) which aims to secure the long term success of Great Queen Street as a vibrant mixed neighbourhood with a quality independent retail and leisure offer set within a high quality public realm that provides an attractive pedestrian link and gateway to Covent Garden.
- 6.2.14 The proposals will provide significant benefits to the vitality and viability of the street by bringing back into active use a unit which has been vacant since February 2015, contribute to local employment and retains the existing shopfront which is considered to contribute to the character of the Seven Dials conservation area.

#### TC4 (f)

- 6.2.15 The proposals for A3 use of the unit are not expected to have any health impacts.

#### TC4 (h) & (p)

- 6.2.16 The Site is located within a Controlled Parking Zone and within a PTAL 6b location.



6.2.17 No parking or on-street seating/ tables and chairs are proposed as part of the proposals and therefore it is not considered that there will be any impact on parking and ease of movement on the adjoining footpath.

6.2.18 Servicing will take place during daytime hours to limit any impacts on the amenities of residential neighbours.

#### **TC4 (g) (i) (j) (n)**

6.2.19 Noise generation, fumes and impact on the amenities of the local area are considered at 6.3.

#### **TC4 (m)**

6.2.20 Opening hours at Iberica restaurants are generally 11:00 to 24:00 Monday to Fridays and Sundays 12:00 to 10:30 but it is expected that a condition on opening hours will be agreed between the applicant and the Council during the course of this planning application.

#### **TC4 (o)**

6.2.21 Refuse and recycling will be self-contained within the unit with storage at basement level.

#### **TC4 (r)**

6.2.22 The existing use of basement is Class A1 and there are no restrictions on the use of the basement for retail sales or customer access. The proposals seek the change of use of the ground and basement floor for A3 use with some customer seating/ table and chairs provided in the basement. A large proportion of the basement would however be used for ancillary staff accommodation and offices, kitchens, storage and WCs.

#### **TC4 (s)**

6.2.23 The Town and Country Planning (General Permitted Development) Order 2015 (as amended) would permit the change of use of the A1 to A3 of a building of up to 150 sq m. Proposed development would exceed this threshold by 380 sqm.

6.2.24 Overall it is considered that the proposals accord with Local Plan TC4 and will contribute to the continued vitality and viability of Great Queen Street and the Covent Garden Central Area.

### **6.3 Impact on amenity: noise, air and odour**

6.3.1 Local Plan Policy A1 states that the Council will seek to protect the quality of life of occupiers and neighbours and Local Plan policy A4 states that the Council will seek to ensure that noise and vibration is controlled and managed and that development should have regard to Camden's Noise and Vibration Thresholds (Appendix 3).

6.3.2 Local plan policy TC4 criteria (g) (i) (j) and (n) also relate to noise and amenity.

6.3.3 Proposed plant will be located at ground floor level to the rear of the unit. It will include three wall mounted air conditioning units and one heat recovery unit to provide a comfortable internal environment for staff and visitors.

6.3.4 Opening hours at Iberica restaurants are generally 11:00 to 24:00 Monday to Fridays and Sundays 12:00 to 10:30 and it is expected that a condition on opening hours will be agreed between the applicant and the Council during the course of this planning application.

- 6.3.5 A Noise Assessment prepared by Sandy Brown is submitted as part of the application proposals. It reviews the existing noise environment in and around the application site, assesses proposed plant (ventilation and extraction) alongside the noise thresholds in Appendix 3, and identifies attenuation measures that may be required to ensure compliance with the Appendix3 thresholds and to reduce any impacts on amenities.
- 6.3.6 The Noise Assessment demonstrates that the proposals are unlikely to generate unacceptable noise and vibration impacts and that appropriate attenuation measures can be provided to limit impacts on neighbours of the residential units on the upper floors of 19-21 Great Queen Street and adjoining residential neighbours. Proposed plant can be operated without causing harm to residential amenities.
- 6.3.7 Overall it is considered that the proposals comply with Local Plan Policies A1, A4 and TC4 and there will be no significant adverse impacts on the amenities of local neighbours.

#### **6.4 Design and impact on the Seven Dials Conservation Area**

- 6.4.1 Local Plan Policy D2 states that the Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens and locally listed heritage assets.
- 6.4.2 Local Plan Policy D3 advises that the Council will expect a high standard of design in new and altered shopfronts, canopies, blinds, security measures and other features. It goes on to state that the Council will resist the removal of shop windows without a suitable replacement and will ensure that where shop, service, food, drink and entertainment uses are lost, a shop window and visual display is maintained. Where an original shopfront of architectural or historic value survives, in whole or in substantial part, there will be a presumption in favour of its retention. Where a new shopfront forms part of a group where original shop fronts survives, its design should complement their quality and character.
- 6.4.3 The Site is located within the Seven Dials conservation area. Whilst not statutory or locally listed the existing building is recognised in the LB Camden Seven Dials Conservation Area Statement (CAS) as making a positive contribution to the conservation area and there are a number of listed buildings located in the vicinity of the site along Great Queen Street.
- 6.4.4 The proposals retain the existing shopfront and no alterations are proposed to the existing shopfront onto Great Queen Street although new signage for the proposed operator will be erected. Advertisement consent requirements will be subject to separate applications by the applicant.
- 6.4.5 The proposals are considered to accord with Local Plan policies D2 and D3 and will maintain the character and setting of the Seven Dials Conservation Area.

## 7 Conclusions

- 7.1.1 This Planning Statement is prepared in support of a planning application for development at 19-21 Great Queen Street, London, WC2B 5BE.
- 7.1.2 The proposals are made for the,  
*'Change of use of the ground and basement floor levels from Use Class A1 (shops) to Use Class A3 (food and drink), associated installation of plant (extract/ventilation) and retention of existing shopfront'*
- 7.1.3 The proposals are made following planning permission granted in December 2014 for, 'Partial demolition and re-build involving the erection of a single storey roof extension; and a three-storey rear extension for mixed use development comprising the retention of retail on the basement and ground floors and the change of use of the upper floors (1st to 5th) from offices (Class B1(a) to 4 x 3 bed residential units (Class C3)' (LPA Ref: 2014/4958/P). This permission has now been implemented and completion is expected in 2017.
- 7.1.4 The ground floor and basement levels of the unit have been vacant since the previous tenant Toye Kenning & Spencer Ltd. 'Masonic Memorabilia' vacated the building on the 6 February 2015 and during the conversion of the upper floors of the building. The tenant has now transferred its specialist retail offer online and the supporting office function has been relocated to an address at 4-16 Woburn Place, Russell Court, Coram Street, WC1H 0LL.
- 7.1.5 When the unit was in use by Toye Kenning and Spencer Ltd it had been significantly modified by the tenant to meet the operational needs of their business. The net sales floorspace had been reduced to approximately 30% of its usable area with the majority of the basement and ground floor at the time of the 2014 permission was granted used for administrative offices, workshop space, customer reception lounge, a staff kitchen and ancillary storage.
- 7.1.6 The proposals will enable occupation of the unit by Iberica who are a small restaurant group that currently operates four outlets across London (Marylebone, Farringdon, Canary Wharf and Victoria). Following the success of these outlets Iberica are now looking to expand their business in selected locations where they are not currently represented, including Covent Garden.
- 7.1.7 The Site provides a suitable unit which meets Iberica's principal physical and operational business requirements. Namely, Iberica seeks to invest in buildings of architectural and historical merit which will be enhanced by the high quality internal fit out design standards. This requirement is important in order to provide a consistent high quality service and visitor experience across all of their outlets.
- 7.1.8 The proposals form part of RMBI's and UGLE's long-term asset management strategy for Great Queen Street which aims to introduce a mix of quality tenants within a high quality environment in order to improve the vitality and viability of this frontage and to create an upgraded pedestrian link between Covent Garden and Holborn.
- 7.1.9 The proposed A3 use will add to the vitality of the street and overall the proposals are considered to accord with the Camden Development Plan and other material considerations including NPPF policies for town centre development.