

Application ref: 2018/2528/P
Contact: Obote Hope
Tel: 020 7974 2555
Date: 22 August 2018

Development Management
Regeneration and Planning
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Savills
33 Margaret Street
London
W1G 0JD

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
78 Cleveland Street
London
W1T 6ND

Proposal: Temporary change of use from retail (Class A1) to Marketing Suite (Sui Generis) until the 31st of May 2022.

Drawing Nos: Existing and proposed ground floor plans commissioned by Dukelease, site location plan and Statement commissioned by Savills dated 31st May 2018.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The use hereby permitted is for a temporary period only. The use shall cease and the unit shall be reverted back into a retail unit (including the removal of the fittings of the approved use, to be ready for a retail occupier) on, or before 01 June 2022.

Reason: The permanent retention of the proposal would be contrary to the requirements of policies G1, TC1, TC2 and TC4 of the Camden Local Plan 2017.

- 2 The development hereby permitted shall be carried out in accordance with the

following approved plans: existing and proposed ground floor plan commissioned by Dukelease, site location plan and Statement commissioned by Savills dated 31st May 2018.

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

- 3 No music shall be played on the premises in such a way as to be audible within any adjoining premises or on the adjoining highway.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, A1, TC1, TC2 and TC4 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

The site is a retail unit (Class A1) on the ground floor of a five storey terraced building (basement, ground + three storeys), with a residential dwelling at basement level, and further residential dwellings on the upper floors. Any permanent change of use from retail would be unacceptable as it would be harmful to the vibrancy or vitality of the Fitzrovia Area.

The proposal is for the temporary change of use (expiring end of May 2022) from retail (Class A1) to marketing suite (Sui-Generis); to promote the redevelopment of a large mixed use development directly opposite the site containing 105 residential units (14/11837/FULL). No physical alterations to the property are required as a result of the works, meaning there are no design or heritage considerations in the determination of this application.

The long-term change of use of this unit as a marketing suite would represent a loss of retail and result in three consecutive units being in non-retail use. The application site is in a neighbourhood centre and has an Article 4 Direction to prevent the change of use from A1 to A2 without planning permission. The policies in the Fitzrovia Area Action Plan (principle 5) are also relevant.

On balance, the loss of retail would be short term and would result in limited public benefit through providing short term employment within the Borough, as well as marketing assistance in the sale of the proposed units at 87-125 Cleveland Street. A street presence and activity within the neighbourhood centre would be provided with the nature of the use. On balance, and given the site specific circumstances, the proposal would not be contrary to the Council's policies to maintain retail provision within neighbourhood and town centres subject to a condition being attached in order to ensure that the premises revert to Class A1 retail before the end of May 2022. The condition also states that the unit must have its temporary fittings removed so that a future retail occupier would not be prejudiced.

A condition would be attached to restrict levels of amplified music as there are residential flats in the lower and upper floors of the building. As no external changes are proposed it is not considered that the proposal would result in any

detrimental impact upon the residential amenities of residents within the upper floors of the block or neighbouring occupiers in terms of daylight/sunlight, privacy or sense of enclosure.

Due to the satisfactory existing servicing arrangements, the proposed change of use is unlikely to result in disruption in this regard. The application site has a high PTAL level as such there would be no anticipated transport implications as a result of the change of use. Due to the scale and type of the development, there is no requirement to provide cycle parking in this instance.

No objections have been received and the sites planning history and relevant appeal decisions were taken into account when coming to this decision.

As such, the proposal is in general accordance with policies A1, A4, G1, TC1, TC2, TC4 and T1 of the Camden Local Plan 2017. The proposed development also accords with the Fitzrovia Area Action Plan, the London Plan 2016 and the National Planning Policy Framework 2018.

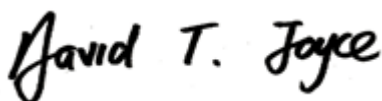
- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 3 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 Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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.

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



David Joyce
Director of Regeneration and Planning