

MR/P7407
26 April 2019

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

Dear Sirs

13 SHORTS GARDENS, LONDON, WC2H 9AT

**APPLICATION FOR PLANNING PERMISSION FOR CHANGE OF USE OF THE FIRST FLOOR
FROM CLASS A1 (RETAIL) TO CLASS C3 (RESIDENTIAL) AND ASSOCIATED EXTERNAL
ALTERATIONS TO FORM A NEW WINDOW**

PLANNING PORTAL REF: PP-07772821

On behalf of our client, Shaftesbury Covent Garden Limited, we write in support of a planning application for the change of use of the existing first floor from retail accommodation to residential to form two residential (Class C3) studio units.

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

- Planning Application Form
- Site Location Plan (24503-OS Location Plan)
- Existing and Proposed Plans
 - 24503-01 First Floor Plan –Existing
 - 24503-02 Front Elevation –Existing
 - 24503-03 Rear Elevation –Existing and Proposed
 - 24503-05 First Floor Plan –Proposed
 - 24503-07 Access Details Sketch
- Design and Access Statement (this cover letter)

It is confirmed that the requisite application fee of £832 has been paid electronically online via the Council's website.

Site Location and Planning History

The property is located on the southern side of Shorts Gardens close to the Seven Dials junction. The property comprises retail (Class A1) at basement, ground and first floor level with residential

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(Class C3) above and adjoining, known as Seven Dials Court.

Access to the existing first floor retail accommodation is via the internal stairs at ground floor, fronting Shorts Gardens. Residential access to the existing flats on the upper floors is via 3 Shorts Gardens through a small side entrance. The proposal would make use of this existing access arrange.

The property is not listed, but is located within the Seven Dials Conservation Area. The Seven Dials Renaissance Study (1998) refers to the building (5-13 Shorts Gardens) as:

“A plain late 19th Century warehouse building of five storeys high... built of yellow stock brick and a sparing use of red brick for string course detail. The building was rehabilitated to the design of Levitt Bernstein as part of the Neal’s Yard Development in 1983”.

The site has been subject to a number of recent planning permissions which are relevant in the determination of this application. This includes:

- 2014 - ‘Use of first floor of 13 Shorts Gardens for dual/alternative uses for retail (Class A1) and residential (Class C3) comprising 2x studio flats and installation of two windows to rear elevation’ (ref. 2013/4642/P);
- 2003 – ‘Change of use of the second floor from offices (Class B1) to residential (Class C3) involving the creation of one two- bedroom self-contained flat at second floor level, associated new shopfront and the addition of louvered vents to first floor rear windows in association with the internal location of condensing units’ (ref. PSX0204030); and
- 2001 – ‘Change of use of first floor from Class B1 (offices) to dual/alternative use for Class A1 (retail) or Class B1 (offices) purposes’ (ref. PSX0104839).

The officer’s delegated report for the recent flexible use permission granted in 2014 stated that:

“...should the proposals at 13 Shorts Gardens be implemented, the proposed two studio (1-person) flats would meet the CPG2 minimum floor space requirements for 1-person flats (32 sqm), and all bedrooms also meet the standards (both single and double bedrooms)... The alterations to the rear elevation of 13 Shorts Gardens are considered acceptable and would not result in any harm to the appearance of the host building or wider conservation area”.

This application now seeks a new planning permission for the implementation of the residential scheme as previously granted consent in 2014 by the Council.

The Proposal

The proposal is for the change of use of the first floor from Class A1 (Retail) to Class C3 (Residential), as indicated on the submitted floor plans.

The proposal would create two studio flats (2 x 41.5sqm) at first floor level. The ground floor retail unit would continue to be accessed via Shorts Gardens; however the proposed residential units on the first floor will be accessed via the current access arrangements for the existing residential flats at Seven Dials Court.

All refuse storage would be kept within the kitchen and taken to the existing residential storage facilities for residents of Seven Dials Court. This includes a dedicated storage facility at ground floor

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level in Neal's Yard with organised collections from the Council. The units will not include dedicated cycle storage given the constraints of the existing site; however future residents can make use of proposed storage within the flats or the secured court yard at first floor level which remains private and locked.

As part of this application, the proposal also includes minor external alterations to the rear elevation. The current window openings at first floor level are currently louvres serving the existing retail unit, however this application seeks to provide replacement windows with new double glazed timber units.

Please refer to the submitted drawings for further details.

Planning Policy Considerations

The provision of residential use (Class C3) at the first floor has previously been established on site (former planning permission ref. 2013/4642/P) and would provide a land use compatible with the established character and function of the surrounding Seven Dials. The surrounding area is characterised by both retail and residential mixed use properties, predominantly with retail on the ground and residential on the upper floors and as such it is considered that the proposed use would be consummate with the surrounding properties and would contribute positively to the social viability and vitality of the area.

Camden Local Plan 2017

Camden supports any residential development which contributes to their target for housing supply in the borough (Policy H1 – Maximising housing supply). Further, policy specifically supports housing above shops where this does not prejudice town centre functionality (Policy TC2 – Camden's centres and other shopping areas). The residential use proposed on the first floor is considered to be supported in this location and will not impact or harm the character and function of the wider area.

In support of the Local Plan, the Strategic Housing Market Assessment (SHMA) for Camden was undertaken in February 2016. The SHMA shows greatest housing need to 2031 for two and three bedroom market housing (2,400 and 2,700 respectively). Notwithstanding this, the SHMA also shows a housing need of 1,000 one bedroom market units to 2031 which the proposal will contribute towards meeting. Given the context of the site within the Central London and the constraint area of Seven Dials, there are limited opportunities for external amenity and facilities that would be associated with family housing. It is therefore considered the location of the site is more suitable for single unit occupancy and young professionals who can work and live within the local area.

Policy T2 (Parking and car-free development) notes the Council will limit the availability of parking and require all new developments in the borough to be car-free. In accordance with this, the proposal does not have any provision for car parking. The units will be subject to a S106 agreement that future residents will not be able to obtain parking permits.

Policy TC5 (Small and independent shops) notes that the Council will promote the provision of small shop premises suitable for small and independent businesses. Paragraph 9.50 outlines the Council will resist the loss of shop premises in centres where it would harm the character, function, viability and vibrancy of the area. The principle of residential use of the first floor at 13 Shorts Gardens is already established from the previously approved mixed use scheme and policy does not protect residential at upper floor levels. Residential use of the first floor is entirely aligned with the character

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and functions of the area, and will not harm the viability of Seven Dials as a whole.

Policy H4 (Maximising the supply of affordable housing) notes that contributions are required for all developments that provide one or more additional homes and a total addition to residential floor space of 100 sqm GIA or more. As the proposal only involves the addition of 83 sqm of residential floor space, affordable housing contributions are not required.

The site is within Seven Dials Conservation Area. Policy D2 (Heritage) of the Local Plan notes that the Council will not permit the loss of or substantial harm to a designated heritage asset (including conservation areas). The proposal involves very modest changes to the exterior at the rear of the building. The external works will not impact upon the appearance of character of the conservation area and will remove the existing louvres which detract from the existing residential entrance of Seven Dials Court

Camden Planning Guidance

Camden Planning Guidance (CPG) relating to housing was amended in March 2019. The CPG 2 does not introduce any new legislation that is relevant to the proposal. The Interim Housing CPG, adopted in March 2018, introduced general principles for new homes to guide applicants when designing a new home. Figure IH11 outlines many of the space standards that are dictated in the London Housing SPG, such as a 2.5m ceiling height for at least 75% of the gross internal area (GIA) of the dwelling. The proposal has been designed to meet and exceed all of the minimum space standards.

The Interim Housing CPG notes that a 'suitable number of secure covered cycle spaces or storage space for them must be provided'. It is considered in the existing circumstances that dedicated cycle spaces would not be appropriate due to the lack of external space for them to be stored. If required, cycles may be stored internally. Further, the CPG notes that 'all new homes should have access to some form of private outdoor amenity space', with the aspiration of 9sqm per resident. Whilst this aspiration is not reflected by the proposal, the scheme is a change of use of an existing building and commensurate with other residential properties in the area and a number of community wildlife gardens such as The Phoenix Garden are a short walk from the site, including the private court yard of Seven Dials Court.

The CPG also notes that 'space must also be provided for storing separated and sorted waste for recycling'. As shown on the proposed first floor plans (reference 24503-05), space is provided within each proposed dwelling to store one 90 litre dustbin for waste and 2x 55 litre containers for dry recyclable materials. A rubbish room in Neal's Yard is available for residents of Seven Dials Court Yard which may be utilised by the new residents to store household waste prior to scheduled collection.

Summary

This application seeks the renewal of the residential scheme previously granted consent in 2014 by the Council (reference 2013/4642/P). This would involve a change of use of the first floor, from Class A1 (Retail) to Class C3 (Residential), as indicated on the submitted floor plans. As the site, 13 Shorts Garden, forms part of a wider established residential development it is considered that the change of use of this unit from retail to residential will be commensurate with surrounding uses. It is considered

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that the use of the first floor for residential uses would support the vibrancy of Seven Dials, is in accordance with local planning policy and guidance, and would help to meet the need for market housing in Camden.

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 and would like to arrange a site visit please do not hesitate to contact the undersigned.

Yours faithfully

Mark Rattue

For and on behalf of
Rolfe Judd Planning Limited