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DESIGN & ACCESS STATEMENT




Part retrospective planning permission to include A1 retail activity to form
A1/sui-generis (Nail Bar)

OUR REF: WC2H 9AJ

REPORT DATE: 05/12/2019

**61 ENDELL STREET
LONDON
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INTRODUCTION

Urbanist Architecture Ltd. has been appointed by the applicant to prepare the necessary drawings and supplementary documents for pursuing planning consent retrospectively, at 61 Endell Street, London WC2H 9AJ for the change of use ground floor and basement from Use Class A1 to a Sui Generis Nail Bar.

The purpose of this design and access statement is to provide significant justification for the existing use of Sui Generis/Nail Bar and propose to integrate a Class Use A1/Retail into this property to maintain the character and the history of the site.

The overall objective of the scheme is to provide a high quality development at this site, while preserving the historical significance of the building, which is designated as a Grade II Listed Building, as well as the vitality and viability of the town centre and established character of the Seven Dials Conservation Area.

The planning application was refused on 05/06/2019 under reference 2019/1421/P. The refusal reasons is *"The change of use, by reason of the loss of an A1 retail unit, would undermine the retail function of the Specialist Shopping Area of Covent Garden and would harm the role and unique character of the Centre, contrary to policies TC2 (Camden's centres and other shopping areas) and TC4 (Town centres uses) of the Camden Local Plan 2017."*

This application is supported by robust marketing evidence by Managing Estate Agent and the Landlord of the no.61 Endell Street. This will be discussed under use section of this document. Marketing evidence and covering letter will be attached separately.

Principle of the Development

Seven Dial's Conservation Area appraisal states that:

SD16 The Council recognises that there are commercial pressures for changes of use to restaurants/cafes and wine bars, and the associated problems that can occur with regard to residential amenity and the overall character of the area. There are also pressures for additional retail uses that can have a detrimental impact as well. Therefore, the Council will have regard to the above in determination of these applications and the effects on the overall retail function of the shopping streets, traffic conditions and the needs of the local community

Nail bar use class will be in similar in nature of any A1 retail shop in terms of opening hours, footfall, window display and providing service to the community. Overall retail function on the shopping frontage needs to be assessed by taking into consideration Covent Garden's specialist retail context and surrounding environment. By limiting variety of uses in an international tourist hub would detrimentally have an impact the Seven Dial's context.

CAMDEN PLANNING GUIDANCE TOWN CENTRES AND RETAIL(2018)

Planning Guidance advises that *the Council's main objective in this location is to preserve and enhance the character, function, vitality and viability of the centre, particularly its shopping function. The Council will also take into account the number and mix of uses in adjacent and opposite premises in assessing applications.*

With this in mind, opposite premises across the application site, albeit outside of the primary shopping frontage area, has to be considered when assessing the change of use as it has to complement each other. From no.1 to no.22 a block of an apartment is located across the application site and ground floor uses being residential uses. Towards to the Short's Garden Road, there is an off-licence/convenience and sandwich shop store on the corner, use class A1.

As for adjacent uses and activities in the Endell Street, no.81 is paragon printing centre, A1 use class; no.77 is an architecture and design studio, A2 use class; no.73-75 is an Employment Agency, A2 use class; no.69 is a unisex hair and beauty salon, A1 use class;

no.67 is a hair salon, A1 use class; no.65 is a medical skin clinic, D1 use class; no.63 is an Italian restaurant, A3 use class; no.61 application site is a nail bar, sui generis; no 57-59 is an Italian cafe and restaurant, A1& A3 mix use; no. 55 is a dental clinic, D1 use class; no.53 is an estate agent, A2 use class; no.51 is a clothing shop, A1 use class; no. 45-49 is a Fish and Chips Restaurant, A3 use class.

The sequential test shows that there are only two non-A1 use class, both the medical centre and enhances the viability and vitality of the primary shopping centre by creating footfall in the area. It is mentioned in the Town Centre Strategy report for Covent Garden Area, it must be encouraged to have mixed uses in the vicinity because it will contribute to the area economically, socially and environmentally, through:

- *providing a substantial number of new jobs and space for businesses;*
Nail Bar creates new jobs and space for a new use in the Endell Street where no nail salon is close by. The nail bar currently employed three people.
- *supporting community facilities;*
Nail Bar provides service to the community and the public, in particular to the residents across the road.
- *protecting and improving the amenity of local residents; and*
Since the use is akin to A1 retail shop in terms of opening hours, it will protect and improve the amenity of the local residents.

Camden Local Plan

Covent Garden is considered to be a retail destination of national and international significance. The Council consider that the specialist retail activity in this area makes an important contribution to the economy and character of Covent Garden and should be protected. The Council will protect the number of premises suitable for retail purposes. To protect the retail function of Covent Garden the Council will seek to protect retail units in the area

Policy TC2 Camden's centres and other shopping areas: The Council will promote successful and vibrant centres throughout the borough to serve the needs of residents, workers and visitors.

Policy TC2 goes further that the council will take into account any history of vacancy in shop units and the prospect of achieving an alternative occupier for vacant premises. CPG Town Centres states that when applicants are providing marketing evidence the following information should be provided:

- where the premises were advertised (shopfront; media, web sources etc.) and when (dates);
- how long the premises were advertised for and whether this was over a consistent period;
- rental prices quoted in the advertisement (we expect premises to be marketed at realistic prices);
- copies of advertisements;
- estate agents details;
- any feedback from interested parties outlining why the premises were not suitable for their purposes; and
- consideration of alternative retail uses and layouts.

Historically, the unit had been purchased in 1999 and granted a 15-year lease in March 2000 to a coffee shop - Petit Pain. They ran into financial difficulty and assigned their lease in 2001 to an individual who ran it as a coffee shop - Coffee, Cake and Kink until 2008. The property was then vacant for about 4 years and then sublet to another coffee bar - E&J's pantry in 2012 who did not want to enter into a new lease in March 2015 as the business was not trading well. The previous tenant I Love Nata started trading in March 2015. Due to financial difficulties they vacated the shop in early July 2018, the company then went into receivership and the property was put on the market for rent.



THE HISTORICAL SETTING

The application site is situated in the heart of London within the London Borough of Camden. The surrounding area is popular for tourists and visitors with Covent Garden to the south, and Tottenham Court Road to the northwest. Whilst the Thames River is located just further south of Covent Garden, the proposed unit is not within a flood zone.

The site is within the Central London boundary and the Seven Dials Conservation Area. The history of this area dates back to Roman Times. The urbanisation of the area began after the establishment of Covent Garden in the 1630s. The area became attractive to developers to provide accommodation that was accessible to the Westminster area.

Seven Dials is characterised by a range and mix of building types and uses, as well as its unusual street layout. The character is dominated by multiple styles of buildings from different periods. Endell Street has an interesting diversity of architectural styles with distinctive buildings. The street was constructed in its present form in 1846, and is therefore, wider than most streets in Seven Dials with a number of mid Victorian medium scale commercial buildings.

Many of the terraced properties have been adapted to modern commercial activities on the ground floor with a mix of commercial and residential use on the upper floors. The mix of residential and commercial activity has maintained the vitality of the area and safety at night.

The street along which the site is located is considered a Central Shopping Area within the Local Plan and forms part of a primary shopping frontage, with many restaurants, salons and specialty shops along the street and surrounding area. As there are no other nail bars within the immediate vicinity, the proposed nail bar would not be detrimental to the existing commercial vitality of the area.



STATEMENT OF HISTORICAL SIGNIFICANCE

No. 61 Endell Street, also known as Latchfords Timber Yard, is a Grade II listed building that was in use as a timber yard for the last 100 years. The building was listed in 1973 due to its special architectural and historical interest. The historical significance of the site prevents its unnecessary demolition while also allowing alterations that are sympathetic to the character of the area and enhance the quality of the building. shopfronts identified under Shopfronts of Merit

The proposed site exemplifies the Seven Dials Conservation Area characteristics, particularly for Endell Street. The building forms part of a three storey terrace with commercial use on the ground floor and residential use on the upper floors. The building is red brick with stucco dressings on the ground floor. The front facade of the ground floor is characterised by pilasters, having enriched capitals, carrying entablature with dentil cornice and flanked by paired, modified consoles. The left side of the front facade forms the entrance to the yard with a large iron gate. A new housing development has been built at the rear of the building on the site of the former yard that contained the timber shed. The proposal has been careful to assess these and they will not be altered.

The proposed site contributes to both the architectural characteristics that visually define the area, as well as contributing to the vitality of the area through the commercial usage on the ground floor. According to Paragraph 189 of the NPPF, it is important to assess the proposal as is sufficient to understand the potential impact. As the proposal will not alter the existing scale or external features of the building there can be no negative impact on the architectural characteristics that define the area. Therefore, the only impact that needs to be assessed and understood is the viability and the vitality of the commercial usage on the ground floor.



USE

The lawful use falls under the A1 use class as the site was used as a coffee shop called as *I love Nata*. The current use of the unit is not viable anymore due to financial difficulties of the occupiers. For this reason, coffee shop had to close down.

Marketing evidence is produced by Robert Irving Burns Estate Agent, attached separately. The letter clearly explains that the unit has received sufficient amount of inquiries between August 2018 and February 2019. There was 35 enquiries received, and 15 viewings took place which ended only three offers. Out of three offers, two of them were Nail Salon business. Only a single offers received from patisserie business which then later withdrew their offer. Please refer to the marketing evidence produced by Robert Irvin Burns attached.

Whilst it is acknowledged that the property was advertised for a period of five months, there was no realistic prospect of demand from A1retailers to take over the unit. The main reasons are:

1. Narrow layout internally on both floors; and
2. Restricted window display to attract the customers.

Furthermore, No.61 Endell is mainly occupied by coffee shops over a period of 20 years which most of them struggled to do viable business and had to surrender the lease. Primedene properties has provided a covering letter that said premises had been occupied by coffee shops but they failed to do viable business. Please refer to the covering letter produced by Primedene Properties

No.61 Endell street was vacant between 2012 - 2014 accordingly google street view images. In 2015, the unit was under renovation work which still made the unit not occupied since 2012.



2008 Google Street View



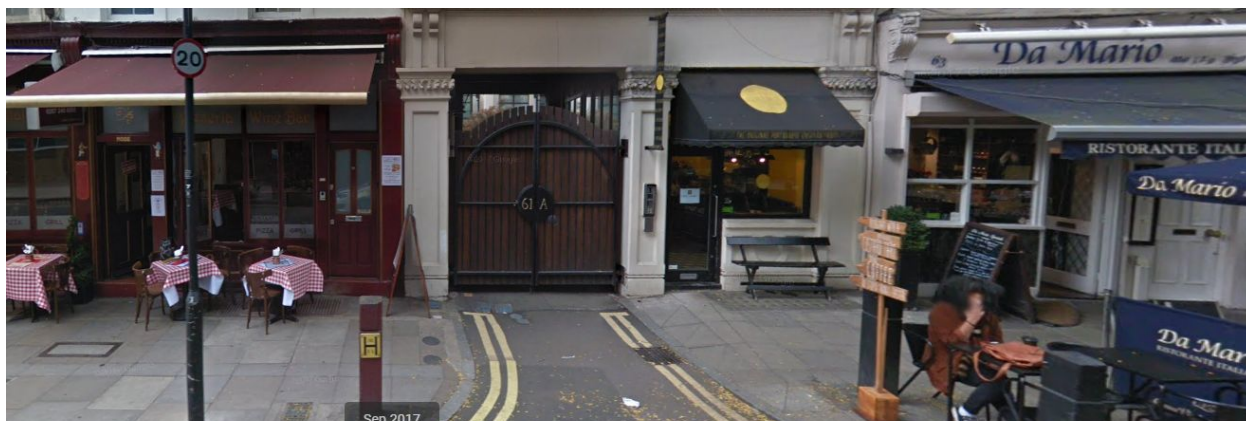
2012 Google Street View



2014 Google Street View



2015 Google Street View



2017 Google Street View

The applicant is willing to agree to impose a personal condition to the premises.

“This permission shall be personal to Mia Nails only for long as they shall reside upon the premises, and shall not enure for the benefit of the land. Upon vacation by the above-named, the premises shall revert to and be reinstated as an A1 retail use.”

This is to enable the Council to retain control of the use in the event of the present applicant vacating the premises and to ensure that it reverts to the appropriate residential use previously in existence.



AMOUNT

The part retrospective change of use into A1/sui generis use has no external extensions or alterations to the original property. All of the internal floor areas will not change.

The existing footprint of the site has an area of 36.16 sqm.

The gross internal floor area (GIA) of the ground floor is 29.02 sqm and GIA of the basement is 62.17 sqm. The internal floor area will remain the same for the proposed development.

The ground floor will be designated for the reception, display shelves, retail cabinets, seating area, manicures and pedicures station. The proposed basement will see the extra manicure and pedicure tables.



LAYOUT & APPEARANCE

The proposed ground floor part retrospective layout will remain the same other than small partitions. The reception area together with window display shelves will be located at the front part of the site to retain the retail appearances along with the retail cabinets aforementioned in the use section.

The ground floor benefits from windows to the front, transoms and light from the glazed doors which provides a healthy amount of light into space.

There will be no alteration to the external architectural features of No. 61 Endell Street.

The shopfront will remain the same.



ACCESS

The access to the premises is currently through the front of the property, and will remain unaltered.

Access to the basement has been through the internal staircase which is safe and well lit.

There is currently no on-site parking provided. There is no provision for car parking proposed as part of this application. Given that it is located in high accessibility area, PTAL 6b, off-street car parking is not allocated to the unit. The London plan encourages the sustainable mode of transport.

The property is easily accessible via all modes of transport.



SUMMARY

The applicant seeks approval for the change of use into a beauty salon sui generis use class which seeks to revitalise the use of the premises.

The parade has a mix of uses with activate frontages and an element of A1 would be sustained. As such, it is considered this sui generis nail bar type use that is akin to A1 retail would not compromise the functionality and purpose of the parade and that the loss of full floor retail space is minor. It is supported by Current Local Policy , therefore, it should be considered acceptable.

The development proposals that are the subject of this planning application offer substantial benefits to the Camden Council.

The proposed scheme has been designed to achieve the maximum use of the available space. The employment generating use of the site supports the high street identity.

Should there be additional information or clarification required in order to progress this application please do not hesitate to contact us. We are more than happy to make any amendments according to what the planning department may suggest.
