

Application ref: 2019/1060/P
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Development Management
Regeneration and Planning
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Town Hall
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130 Old Street
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
119 Shaftesbury Avenue
London
WC2H 8AE

Proposal:

Change of use of floors 1 - 4 of the property from A1 (Retail) to B1 (Office), internal refurbishment and alterations to ground floor shopfront

Drawing Nos: 550-PA.01, 550-PA.02, 550-PA.04, 550-PA.05, 550-PA.06, 550-PA.07, 550-PA.08, 550-PA.09, 550-PA.10, 550-PA.11, 550-PA.13, 550-PA.25, 550-PA.26, Planning Statement, 550-PA.12 Rev A, 550-PA.14 Rev A, 550-PA.15 Rev A, 550-PA.17 Rev A, 550-PA.18 Rev A, 550-PA.19 Rev A, 550-PA.21 Rev A, 550-PA.22 Rev A, 550-PA.23 Rev A, 550-PA.24 Rev A, Design and Access Statement Rev A.

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

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: 550-PA.01, 550-PA.02, 550-PA.04, 550-PA.05, 550-PA.06, 550-PA.07, 550-PA.08, 550-PA.09, 550-PA.10, 550-PA.11, 550-PA.13, 550-PA.25, 550-PA.26, Planning Statement, 550-PA.12 Rev A, 550-PA.14 Rev A, 550-PA.15 Rev A, 550-PA.17 Rev A, 550-PA.18 Rev A, 550-PA.19 Rev A, 550-PA.21 Rev A, 550-PA.22 Rev A, 550-PA.23 Rev A, 550-PA.24 Rev A, Design and Access Statement Rev A.

Reason:

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

Informative(s):

- 1 Reasons for granting permission:

The proposed refurbishment seeks to retain existing A1 retail use at ground and basement floor level, whilst adopting the existing building entrances to accommodate an alternative use of proposed B1 office on the upper 1-4 floors to provide office space for small to medium businesses.

There is no objection to the loss of the A1 floorspace to the upper floors in policy terms as the A1 use would still be maintained on ground level and the existing percentage of retail and non-retail uses within the frontage would be unaltered. Given that the space in basement level is also used as retail, the creation of office space on the upper floors would maintain and enhance the function, viability and amenity of the area by creating more workspace. The proposal would provide 331.9 sq. m of B1 office space. Although a considerable amount of floor space is being converted, it is not considered that this would undermine or jeopardise the operation of the ground floor/basement retail unit which is currently occupied. Therefore, the conversion to office space is considered acceptable and in accordance with Policy E1 of the Local Plan which seeks to direct new office development to the Central London Area.

The change of use would involve internal changes whereby a new 6 person lift shaft is to be created replacing the existing to all floors resulting in a loss of 2.1m² of retail floor. Although there would be a minor loss to the retail floors (4.2m²), there would still be a large amount of retail space remaining both in the basement and the ground floor. The stairs would be retained for office use with the first two risers altered to accommodate the new lift. The existing elliptical staircase are to be removed this would result in a better use of floor space on the ground and first floor.

The proposed works also seek minor alterations to the existing shopfront to create a new separate entrance that will serve the proposed new offices on the upper floors. The existing right hand door will be utilised as an office entrance with some minor internal alterations by removing the recessed existing door and bringing it in line with the shopfront. This will enable the creation of the accessible waiting space required internally for the passenger lift serving the upper office floors. The new door would be sympathetic to the existing shopfront and would be similar in appearance and material. The entrance door coming in line with the shopfront is also supported by the transport and crime officers who have concern over inset entrances creating spots for anti-social behaviour. However, the existing retail unit would retain its inset entrance creating a separation from the two frontages to showcase the two different uses within the building, this is supported by officers.

It is considered that the proposed works would not cause harm to the visual or residential amenities of nearby and neighbouring properties in terms of loss of light outlook or privacy.

Comments were received from the Covent Garden Community Association (CGCA) objecting to the design impact of the proposed 5th floor extension. However, during the course of the application the applicant has submitted amended plans showing the complete removal of the proposed 5th floor extension and terrace area. These amendments are therefore considered to fully address the concerns raised by the CGCA. The sites' planning history and relevant appeal decisions were taken into account when coming to this decision.

The proposal would not involve the creation of new or additional car parking spaces and is therefore in accordance with Policy T2. The proposed change of use would be acceptable subject to securing a local level travel plan and a travel plan monitoring and measures contribution of £4,809 as section 106 planning obligations.

- 2 Cycle parking facilities for staff and visitors would not be accommodated on site therefore the applicants have agreed to make an off-site contribution of £1000 for the provision of 4 cycle parking stands on the public highway in the general vicinity of the site providing capacity for 8 cycles, this would be added to the s106 as another planning obligation.

Considerable importance and weight has been attached and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under and s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposed development is in general accordance with policies A1, D1, D2, E1, E2 and TC3 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework 2019.

- 3 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).

- 4 Construction and demolition works and associated activities at the development, audible beyond the boundary of the site should not be carried out other than between the hours of 0800 - 1800hrs Mondays to Fridays and 0800 - 1300hrs on Saturdays and at no other times, including Sundays and Public/Bank Holidays, unless otherwise agreed with the Environmental Health Officer.
- 5 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 6 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 7 The noise level in rooms at the development hereby approved shall meet the Table 6 noise standard specified in BS8233:2014 for internal rooms and external amenity areas.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the printed name and title.

Daniel Pope
Chief Planning Officer