

MADDOX PLANNING

LONDON & MANCHESTER
0845 121 1706

Jaspreet Chana
Camden Council

13/11/2020

119 SHAFESBURY AVENUE: REFERENCE

Dear Jaspreet

On behalf of my client, Cambridge Circle Limited, please find enclosed an application for planning permission for the installation of a ventilation flue to the rear of 119 Shaftesbury Avenue, London, WC2H 8AE.

This application has been submitted electronically on the Planning Portal (reference: PP-09251635), and the full submission comprises:

- Application form;
- CIL form;
- Existing and proposed floorplans and elevations by GPAD;
- Noise report; and
- Application fee.

BACKGROUND

The site, located at 119 Shaftesbury Avenue, previously accommodated a retail unit across ground and basement levels (former use class A1). The previous retail tenant (Angels Fancy Dress Shop) has now vacated the site.

On 21st July 2020 the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 ('the Regulations') was laid before Parliament. The Regulations amend the Town and Country Planning (Use Classes) Order 1987 and the amendments include revoking Parts A and D and introducing three new use classes – Class E, F.1 and F.2. The Regulations came into force on 1st September 2020.

Class E is defined in Schedule 2 Part A of the Regulations as Commercial, Business and Service, and states:

Use, or part use, for all or any of the following purposes—

- for the display or retail sale of goods, other than hot food, principally to visiting members of the public,*
- for the sale of food and drink principally to visiting members of the public where consumption of that food and drink is mostly undertaken on the premises,*
- for the provision of the following kinds of services principally to visiting members of the public—*
 - financial services,*
 - professional services (other than health or medical services), or*

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- iii. *any other services which it is appropriate to provide in a commercial, business or service locality,*
 - (d) *for indoor sport, recreation or fitness, not involving motorised vehicles or firearms, principally to visiting members of the public,*
 - (e) *for the provision of medical or health services, principally to visiting members of the public, except the use of premises attached to the residence of the consultant or practitioner,*
 - (f) *for a creche, day nursery or day centre, not including a residential use, principally to visiting members of the public,*
 - (g) (g) for—
 - i. *an office to carry out any operational or administrative functions,*
 - ii. *the research and development of products or processes, or*
 - iii. *any industrial process,*
- being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.*

As such, whilst the unit located at ground and basement levels previously fell within use class A1, it now falls within use class E and can therefore be occupied by a range of tenants operating within the Class E use class. The applicant has received interest from a restaurant occupier that requires a ventilation flue to be installed. As noted, restaurant is an acceptable use of the site as it falls within Class E.

The main considerations associated with the application are set out below.

DESIGN

The proposal is for the installation of a ventilation flue to the rear of the existing building. The flue is proposed to extend up the centre of the rear façade from first floor level, up to the roof. The flue is proposed to be finished in brick vinyl to match the existing brick located on the rear elevation. The flue would not be visible from the public realm as it is located to the rear of the site. The flue would only be visible in private views. It is therefore not considered that the proposed flue would result in any harm to the Seven Dials (Covent Garden) Conservation Area, as it would not be visible from the streetscene. It is proposed to be finished in the same material as the rear façade of the building so that it blends into the rear elevation as much as possible.

IMPACTS TO AMENITY

The site is located within a busy, central London location, with a range of uses located nearby including restaurants, theatres and bars. It is therefore not considered that the proposal for a ventilation flue will cause any unacceptable impacts to residential amenity given the context of the site. A noise report has been submitted with the application that demonstrates that the proposed flue does not result in any harmful noise impacts.

Overall, the proposal for the installation of a ventilation flue is considered to be acceptable. It will not result in any unacceptable impacts to residential amenity through noise and disturbance. It is located at the rear of the site and will not be visible in public views. It is proposed to be clad in brick vinyl to match the existing building and is therefore considered to be acceptable in design terms.

I trust this application is acceptable, however should you require anything else then please do not hesitate to contact me.

Yours sincerely



Laura Dimond
Associate Director

t: 0845 121 1706
