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Contact: Adam Greenhalgh
Direct line: 020 7974 6341
Email: Adam.Greenhalgh@camden.gov.uk

Planning Solutions Team
Planning and Regeneration
Culture & Environment
Directorate
London Borough of Camden
2nd Floor
5 Pancras Square
London
N1C 4AG

Matt.Gore@cbre.com

www.camden.gov.uk/planning

Dear Matt

2021/6238/PRE – 194 Shaftesbury Avenue, WC2H 8JP

I refer to your pre-planning application enquiry 2021/6238/PRE for the above site. Thank you for sending the covering letter and the existing and proposed drawings.

Site description

The site is located on the eastern side of Shaftesbury Avenue to the south of the junction with Shaftesbury Avenue and High Holborn. The site is located within a Secondary Shopping Frontage within the Covent Garden area of Central London.

The existing building is currently vacant and was last used as a Class E retail use over basement, ground and three upper levels. The previous occupier of the unit was Arthur Beale's yacht and sailing shop who vacated the premises in 2021. In the previous operation, the public-facing retail element was located on ground and first floor level with ancillary back-of-house storage/office on basement and Levels 2 and 3.

The site is located within the Seven Dials (Covent Garden) Conservation Area. The site is not listed although is identified as a positive contributor to the Conservation Area (Nos. 190-204 are all identified as positive contributors).

Proposal

The proposal is to erect a three storey rear extension and a rear dormer extension and to change the use of the lower ground and upper (1st, 2nd and 3rd) floors from retail and ancillary retail (Class E) to serviced apartments (Class C1). The ground floor would be changed from the previous retail use to a café (open to the public). The new fourth floor facilitated by the dormer extension would be used as a serviced apartment.

The schedule of accommodation would be as follows:

Lower ground floor – 1 bed 33.6sqm, 2 person serviced unit

Ground floor – Café

First floor – 1 bed 20.2sqm 2 person serviced unit, 1 bed 17.5sqm 2 person serviced unit

Second floor – 1 bed 20.2sqm 2 person serviced unit, 1 bed 17.5sqm 2 person serviced unit

Third floor – 1 bed 18.5sqm 2 person serviced unit, 1 bed 18.3sqm 2 person serviced unit

Fourth floor – 1 bed 17.9sqm 2 person serviced unit

Relevant planning history

There is no previous planning history on the LB Camden website.

Relevant policies and guidance

National Planning Policy Framework 2021

The London Plan March 2021

Camden Local Plan 2017

G1 Delivery and location of growth

H1 Maximising housing supply

H6 Housing choice and mix

H7 Large and small homes

C5 Safety and security

C6 Access for all

A1 Managing the impact of development

D1 Design

D2 Heritage

TC2 Camden's centres and other shopping areas

TC4 Town centre uses

T1 Prioritising walking, cycling and car-free development

T2 Parking and car-free development

T3 Transport infrastructure

Camden Planning Guidance

Amenity - January 2021

Design - January 2021

Transport - January 2021

Seven Dials Conservation Area Statement 1998

Assessment

Principle of development

The proposal would involve the change of use from retail on the ground floor and first floor and ancillary retail on basement, 2nd and 3rd floors to:

- café on the ground floor, and
- Class C1 serviced accommodation on the basement, 1st, 2nd 3rd and new rooftop 4th floor levels.

The site is located in a secondary shopping frontage and policy TC2 (g) indicates that the Council will protect the secondary frontages as locations for shops (A1) together with a broader range of other town centre uses to create centres with a range of shops, services, and food, drink and entertainment uses which support the viability and vitality of the centre.

The text to policy TC2 indicates that alternative uses may be considered on the upper floors of sites in centres. However, the priority land use would be permanent housing or Class C3 rather than serviced accommodation.

You have indicated that the building could not be adapted to provide dwellings in accordance with the national housing standards. However, this does not appear to be the case on the basis of the proposed floor plans.

Officers consider that the proposed floor areas would potentially be satisfactory for one person studio or one bedroom units and these would appear to have front and rear windows for natural light and aspect.

As currently proposed, there is a concern that the proposal would not be providing self-contained new housing. It would need to be demonstrated clearly why one person units with a minimum of 37/39 sqm could not be formed here.

If it can be shown that satisfactory new dwellings could not be provided, then visitor accommodation would be a use which would be appropriate in the Central London location.

Design & Conservation

As mentioned by email, the Conservation Area Advisory Committee will be consulted on any external alterations to the building. Officers would expect the CAAC to comment on the proposals and if the comments are applicable then they will be taken into consideration in the determination of any application.

Camden Conservation Officers have raised significant concerns with the proposed three storey rear extension. It is considered likely to detract from the architectural value, form and proportions of the original building, the terrace and the character and appearance of the Conservation Area. Camden Planning Guidance advises that rear extensions should be at least one storey below eaves.

Given that the building to the south (192 Shaftesbury Avenue) aligns with the rear elevation at the application site, it is considered that a rear extension should be limited to the side adjoining the deeper building to the north (i.e. 196 Shaftesbury Avenue) and, as mentioned above, that it should be restricted to two storeys in height.

A rear dormer extension on the original main roof could be acceptable in conservation & design terms, subject to it being of an appropriate design and appearance on the building. The dormer window on your proposed elevation is not of an appropriate traditional size, siting or design, both in terms of the extension itself and its window fenestration. Any dormer window should take on board the conservation policies and guidance relating to the character and appearance of the Conservation Area and it should also follow the guidance on rear dormers in the Council's Home Improvements CPG 2021.

Amenity

Policy A1 (Managing the impact of development) of the Camden Local Plan seeks to ensure that the amenity of neighbouring properties is protected, particularly with regard to visual privacy, outlook, sunlight, daylight and overshadowing, noise and vibration levels.

Given the nature and scale of the proposed use it is not considered that it would cause undue noise or disturbance for neighbouring occupiers.

A condition may be attached to prevent the café from operating very late at night and early in the morning in the interests of the amenity of neighbouring residents.

It would also be necessary to provide details of any external ductwork or plant which would be installed, in terms of appearance/effects on light/outlook, noise and other (odour) emissions.

A rear extension aligning with the rear elevation of the building to the north (196 Shaftesbury Avenue) would be unlikely to impact upon the amenity of the occupiers of this site by way of light, privacy or outlook.

However, as shown, the three storey rear extension alongside the rear element at 192 Shaftesbury Avenue would result in overbearing and overshadowing effects on the neighbouring window at second floor level at this site.

However, as stated above (Design & Conservation), we are of the view that any rear extension should be no more than two storeys in height and sited on the side next to the deeper building to the north (196 Shaftesbury Avenue). Such a rear extension may address the amenity concerns that we have in relation to 192 Shaftesbury Avenue.

The proposed rear dormer would not project beyond the rear elevation of the building or above the top of the roof, and, as such, it should not result in any significant loss of light, privacy or outlook at any neighbouring sites.

Transport

The development would not provide any car parking spaces. This is in accordance with Policy T2 of the Camden Local Plan which requires all new developments in the borough to be car-free. In order to prevent future occupiers from obtaining on-street parking permits from the Council, the development should be subject to a car free agreement and this should be secured by means of a Section 106 Agreement.

There would appear to be no scope for providing accessible cycle parking facilities for the future occupiers on site and the Council's Transport Planning Team has the initial view that the proposal would not result in any significant need for cycle parking facilities.

Conclusion

The provision of a café on the ground floor would represent an appropriate use within the secondary retail frontage in the central area. A condition would be likely in respect of opening hours and details of external ductwork/plant may be needed under planning conditions, to protect the amenity of adjoining residential occupiers.

The change of use of the basement/upper floors may be considered (if an appropriate use for the ground floor is provided). However, self-contained housing would be the priority use on the upper floors. It will be necessary to demonstrate conclusively that adequate residential units could not be provided on the upper floors before any alternative Class C1 use is considered.

A two storey rear extension on the side of the building next to 196 Shaftesbury Avenue may be acceptable in design & conservation terms and a small rear dormer extension of an appropriate design and size within the rear roof slope may also be acceptable.

It is likely that a S.106 legal agreement preventing future occupiers from obtaining car parking permits would be required.

If you submit a planning application, I would advise you to submit the following for a valid planning application:

- Completed form (full planning permission)
- An Ordnance Survey based location plan at 1:1250 scale denoting the application site in red.
- Floor plans at a scale of 1:50 labelled 'existing' and 'proposed'
- Elevation drawings at a scale of 1:50 labelled 'existing' and 'proposed' (including servicing arrangements)
- Design and access statement
- Extract ductwork details and noise assessment (if applicable)
- The appropriate fee

We are legally required to consult on applications with individuals who may be affected by the proposals. We would notify neighbours by putting up a notice on or near the site. We would also place an advertisement in the local press. The Council must allow 21 days from the consultation start date for responses to be received.

It is likely that that a proposal of this size would be determined under delegated powers, however, if more than 3 objections from neighbours or an objection from a local amenity group is received the application will be referred to the Members Briefing Panel should it be recommended for approval by officers.

This document represents an initial informal officer view of your proposals based on the information available to us at this stage and would not be binding upon the Council, nor prejudice any future planning application decisions made by the Council.

If you have any queries about the above letter or the attached document please do not hesitate to contact Adam Greenhalgh on Adam.Greenhalgh@camden.gov.uk.

Thank you for using Camden's pre-application advice service.

Yours sincerely,

Adam Greenhalgh

Planning Officer

Planning Solutions Team