

Delegated Report		Analysis sheet		Expiry Date:		08/05/2013	
		N/A		Consultation Expiry Date:		09/05/2013	
Officer				Application Number(s)			
Nicola Tulley				2013/1385/P			
Application Address				Drawing Numbers			
5 Windmill Street London W1T 2JA				See draft decision			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Replacement of shop front and change of use at basement and ground floors from office (Use Class B1) to retail (Use Class A1).							
Recommendation(s):		Grant conditional permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	21	No. of responses	00	No. of objections	00
				No. electronic	00		
Summary of consultation responses:		A site notice was displayed from 10/04/2013 to 01/05/2013. A publicity notice was placed in the Ham & High on 18/04/2013. No letters of comment or objection have been received to date.					
CAAC/Local groups* comments: <small>*Please Specify</small>		<u>Charlotte Street CAAC</u> commented: In this unique context (1950's building) the proposals would seem to appear appropriate. The proposed shop window is a modern treatment and would not serve as a precedent for older buildings in the conservation area.					

Site Description

The application site relates to a five storey terraced building with basement and extended roof level on Windmill Street, near the junction with Charlotte Street. The surrounding area is characterised by a mix of residential, shopping and commercial uses. The building is currently occupied by offices (B1).

The application site is located within the Central London Area (CLA) and within Charlotte Street Conservation Area. The building is not noted as a positive contributor within the CA however the view along Charlotte Street to the decorative frontage of the Fitzroy Tavern which signals the junction with Windmill Street is a local landmark and notable view.

Relevant History

Application site

Full planning application, reference 2013/1384/P, REGISTERED: Alterations to front fenestration and replacement of the existing entrance with new entrance at ground floor of office building (Class B1)

Advertisement consent, reference 2013/2009/A, REGISTERED: Display of one internally illuminated fascia sign to front of office building.

Full planning application, reference PSX0004846, was granted on 03/10/2000, for the erection of a roof extension at fourth floor level for office purposes. (Class B1)

Full planning application, reference 9501344, was GRANTED on 19/10/1995 for the erection of roof extension at fourth floor level for office purposes.

Full planning application, reference 8601735, was REFUSED on 19/11/1987 for the installation of new shopfront and change of use of part of ground floor front from office/showroom to retail.

Reasons: The proposed shopfront would have an adverse affect on the appearance of the building, and would be detrimental to the visual amenity and character of the Charlotte Street Conservation Area within which it lies. *Directive:* The proposed change of use of part of the ground floor to a separate retail use would be considered acceptable, if such an application were submitted by itself.

Full planning application, reference 8680260, was REFUSED on 12/02/1987 for The display of: (a)A fascia sign measuring 3.2m long x 1.0m high at a height of 2.2m above ground level signwritten to read "Chocolate Delights" in light green lettering on light grey background incorporating a solid light pink ribbon projecting 0.15m forward of the building line externally illuminated by halogen floodlights. (b)A fascia sign measuring 0.9m long x 1.0m high at a height of 2.2m above ground level signwritten to read "Piatkus Books" brown lettering in cream background externally illuminated by halogen floodlights. (c)An additional non-illuminated painted projecting hanging sign on left side of shopfront measuring 0.4m high x 0.7m long at a height of 2.6m above ground to read "Chocolate Delights".

Full planning application, reference 9643, was GRANTED on the 14/10/1970 for the installation of new shop front to ground floor.

Full planning application, reference 59811/51/1190, was GRANTED on the 09/05/1956 for the use of No. 5, Windmill Street, St. Pancras, as offices, photographic studio and office printing and duplicating service

Full planning application, reference 24934, was GRANTED on 25/03/1956 for the installation of shop front to ground floor showrooms at No. 5, Windmill Street, St. Pancras.

Full planning application, reference 59811/6724, was GRANTED on 04/08/1954 for the erection of a five storey building, including basement, on the site of No. 5, Windmill Street, St. Pancras, for use as showrooms.

Full planning application, reference 17520, was GRANTED on 09/05/1951 for the erection of a building on the site of No. 5, Windmill Street, St. Pancras, comprising basement, ground floor shop, and first, second and third floors ever, for use as offices, as shown on the plans submitted and of the materials as stated in your letter dated 8th March, 1951.

Relevant history

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Full planning application, reference 2008/4464/P, was refused on 19/12/2008 and dismissed on appeal for the retention of the change of use of the ground floor from retail (class A1) to office (class B1) in connection with the existing office use of the upper floors.

Reason: The proposed change of use would cause harm to the character, function, vitality and viability of the Windmill Street Protected Retail Frontage, which forms part of the Central London Area, by reducing the availability of A1 units within the frontage of which it forms part, contrary to policy R7A (Protection of shopping frontages and local shops - Central London Frontages, Town Centres and King's Cross) of the London Borough of Camden Unitary Development Plan and Revised Planning Guidance for Central London: Food, Drink and Entertainment, Specialist and Retail Uses.

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Full planning application, reference 2004/2988/P, was granted on 17/09/2004 for Change of ground floor from offices (Class B1) to retail use (Class A1) alterations to ground floor shopfront and installation of replacement UPVC windows to rear elevation.

Relevant policies

National Planning Policy Framework 2012

London Plan 2011

LDF Core Strategy and Development Policies

CS1 – Distribution of growth

CS3 – Other highly accessible areas

CS5 – Managing the impact of growth and development

CS8 – Promoting a successful and inclusive Camden economy

CS7 – Promoting Camden's centres and shops

CS14 – Promoting high quality places and conserving our heritage

DP12 – Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses

DP13 – Employment premises and sites

DP24 – Securing high quality design

DP26 – Managing the impact of development on occupiers and neighbours

DP28 – Noise and Vibration

DP30 - Shopfronts

Supplementary Planning Policies

Camden Planning Guidance 2011

CPG1 Design

CPG5 Town Centre, Retail and Employment

CPG6 Amenity

CPG7 Planning Obligations

Planning Guidance for Central London: Food, Drink and Entertainment, Specialist and Retail uses 2007

Charlotte Street Conservation Area Appraisal and Management Strategy 2008

Assessment

Proposal and background

The application site relates to a five storey building with additional roof level and basement on Windmill Street and sited within Charlotte Street Conservation Area. The whole building is currently vacant and was last occupied by a single mini cab office but now lies vacant. The area is characterised by a mix of uses of commercial and residential and is adjacent to buildings that make a positive contribution to the character and appearance of the conservation area.

Full planning permission was granted on 09/05/1956 (59811/51/1190) for the change of use of the building as offices. A subsequent application was refused on 19/11/1987 (8601735) for the change of use of offices and showroom to retail on the ground floor. The refusal however, related only to the detailed design of the proposed shopfront and not the change of use.

This application proposes the change of use of ground and basement floors from office (B1) to retail (A1) with alterations to the shopfront. Associated applications that are currently being assessed propose alterations to fenestration and doors at ground floor level and advertisement consent (2013/1384/P & 2013/2009/A).

The main considerations subject to the determination of this application are: land use and design and appearance.

Land use

Policies CS8 and DP13 will resist the loss of buildings that are suitable for continued business use (B1) unless: it can be demonstrated to the Council's satisfaction that the building is no longer suitable; and that there is evidence that the possibility of retaining or reusing the building has been fully explored over an appropriate period of time. Where a change of use has been justified the Council will seek to maintain some business use on site, with a higher priority of retaining flexible space that is suitable for a range of business uses.

The applicant had purchased the whole building early this year and it is currently vacant but was last occupied by a car hire firm. The building has four storeys with basement, requires modernisation, and is located within the Central London Area (CLA). The applicant proposes to change the use of the ground and basement floors to retail and refurbish the upper floors into individual office spaces with amenities on each floor with new security and fire protection. Following site inspection it was clear that the building was not in an adequate condition to allow the business use to continue without modernisation and that in its present state would only be suitable for one occupier with significant works of refurbishment.

Basement: Ancillary space with services and storage only. The chimney flue at lower levels has asbestos.

Ground and upper floors: Evidence of damp, old partitioning requiring removal, general works of repair and resurfacing required on walls and ceilings. The W/C's are tight spaces located on half landings with inward opening doors, poor facilities.

The CLA guidance notes that this area is characterised by a variety of small scale, independent specialist retailers, particularly art dealers/galleries but also furniture shops, book and music shops. This diversity and range of retail outlets adds to the vitality and mixed use character of the area. An appeal at the premise adjacent at number 4 for the retention of a change of use from A1 to B1 was dismissed by the Planning Inspectorate in 2008. The Inspector recognised that there are a number of office premises on Windmill Street and that a dominance of office uses would reduce the number and range of shops available and could result in dead frontages which would be harmful to the retail character and vitality of the area. Paragraph 9.20 of the CLA guidance notes that the reduction of stock suitable for retail purposes would harm the specialist function of this area.

Given that the proposal would not result in a significant reduction of useable (ground floor, 61.9m²) floorspace in business use (B1) and that the existing office accommodation would be refurbished to modern standards with increased flexibility of how the floorspace could be utilised for small and medium businesses the change of use from B1 at ground and basement floors to an appropriate use is considered acceptable in relation to policies CS8 and DP13 of Camden's LDF.

DP13 state that where a site is no longer suitable for continued business use the Council may allow a change to permanent residential uses. In this instance a change of use into residential would not be suitable. It is clear however that small retail premises serve to enhance the character and vitality of this area and that the increase in provision of an A1 premise is therefore considered as an appropriate use in combination with the improved quality of office stock suitable for flexible use.

Design and appearance

Policy DP30 seeks a high standard of design in new and altered shopfronts and expects developers to consider: the design of shopfront or feature; the existing character and historic merit of the building and its shopfront; the relationship between the shopfront and upper floors of the building and surrounding buildings; and the general characteristics of shopfronts in the area.

The application site is within Charlotte Street Conservation Area and is in close proximity of buildings that make a positive contribution to the character and appearance of the CA. The proposed shopfront should therefore reflect the positive attributes of shopfronts in the locality. On site inspection shopfronts on this side of the street featured strong fascias and stallrisers of a more traditional nature whereas opposite the site shopfronts were more contemporary, featuring a higher proportion of glazing.

The subject building is of 1950's design with shopfront that does not particularly serve to contribute to the character or appearance of the building or this part of the conservation area. Revised drawings have been submitted which provides a stronger more defined fascia as per neighbouring shopfronts at numbers 4 and 3 with an increased stallriser of 208mm. In consideration of the age of the building and contemporary shopfronts in the immediate locality the proposed more contemporary detailed shopfront is considered acceptable and would serve to enhance the building and this part of the conservation area in accordance with policies CS14, DP25 and DP30 of Camden's LDF.

Conclusion

The proposed change of use from offices (B1) to retail (A1) on ground and basement floors and alterations to the shopfront are considered acceptable in relation to policies CS5, CS7, CS8, DP12, DP13, DP24, DP25 and DP30.

Recommendation

Grant conditional permission.