

Planning Statement

55 Hemstal Road, London NW6



September 2012

1. Introduction

This site comprises the ground and basement floors of a terrace property located on the southern side of Hemstal Road, close to its junction with Kingsgate Road. The property is not listed, nor does it form part of a conservation area or town centre.

The site has most recently been in use as a community facility. However, a condition of the previous planning permission for the site (ref: 30643) requires that, in the event of the community use vacating, the premises revert back to its previous A1 retail use. It is therefore considered that the lawful use of the premises is as A1 retail.



2. Principle of change of use from retail

In line with the policies of the Local Development Framework (specifically DP10 of the Development Policies document) the Council seeks to protect A1 shops outside centres (including those on small shopping parades) by only granting planning permission for development that involves a net loss of shop floor space outside designated centres provided that:

- Alternative provision is available within 5 -10 minutes (approx 400-800 metres) walking distance;
- There is clear evidence that the current use is not viable; and
- Within the Central London Area, the development positively contributes towards local character, function, viability and amenity.

A case could be made that the loss of a retail unit at this location would not impair local shopping provision and the character of the area, given that there is alternative shopping provision within a 5-10 minute walk. In addition to this it would appear that the unit has been vacant for a sustained period of time, and in order to address the

issue of viability, any history of vacancy in the unit and the prospect of achieving an alternative occupier would be taken into consideration.

3. Principle of change of use to residential

On the basis that the loss of the A1 unit can be addressed in line with the above, housing is the borough's priority land use, therefore new residential floor space on this site would be welcomed.

A key issue for residential conversions is ensuring that a satisfactory residential environment is created. Firstly, one of the key considerations relates to daylight and sunlight. Under Camden's adopted policies and guidance, 'habitable' rooms such as bedrooms, living rooms and kitchens should have adequate light. Residential use in the basement area would require careful consideration, as the light available to this floor may be limited.

Secondly, a residential conversion would need to ensure a satisfactory level of amenity for future occupiers in terms noise disturbance, particularly as the site is located within a frontage that has a mix of different uses. Measures to mitigate noise, including locating noise sensitive (i.e. habitable rooms) away from parts of the site most sensitive to noise and/or insulating/soundproofing the building may be necessary in order to provide an acceptable residential environment. More information on this issue is outlined in 6. below.

In addition to the above, it is also worth noting that in Conservation terms the retention (and ideally restoration) of the existing shopfront would be sought in line with policy DP30 of the Development Policies.

4. Principle of change of use to other uses

D1 uses may be acceptable at this site. Given its out-of-centre location, community uses which serve local needs would be most appropriate. If community uses are considered acceptable, the Council may impose conditions to ensure that the lawful use of the property reverts to retail use following the vacation of the named occupier if the longer term need to retain units in A1 use is considered paramount.

In normal circumstances A2 uses would be more appropriate in town centre and neighbourhood centre locations than in out-of-centre sites. However, as the premises is sited within a commercial parade, a case could be made that an A2 use would fit within the mixed use character of the immediate area and support the function of the commercial parade in serving the needs of local residents.

5. Transport and highways

In line with Development Policy DP18 and the Camden Planning Guidance any new residential units on this site should be designated as either car capped or car free, i.e. the occupants would be unable to obtain on-street parking permits from the Council. This would be secured by means of a Section 106 Agreement.

Cycle parking should be provided in line with TfL's standards, i.e. 1 space per 1 or 2 bedroom unit and 2 spaces per 3+ bedroom units.

A Construction Management Plan may also be necessary in order to demonstrate how the transport (and other) impacts of the construction process would be

managed. These are particularly helpful in circumstances where development works are being carried out in close proximity to residential properties or on sites with very narrow or restricted access. Further information can be found in section 8 of Camden Planning Guidance 6: Amenity, which can be viewed using the following link;

<http://www.camden.gov.uk/ccm/content/environment/planning-and-built-environment/two/planning-policy/supplementary-planning-documents/camden-planning-guidance.en>

6. Residential development standards

The provision of any new residential uses would need to ensure an adequate standard of accommodation for future residents in relation to outdoor amenity space and internal space standards. Indicative minimum ceiling heights and unit and room sizes are set out in section 4 of Camden Planning Guidance 2: Housing, which can be viewed using the following link:

<http://camden.gov.uk/ccm/content/environment/planning-and-built-environment/two/planning-policy/supplementary-planning-documents/camden-planning-guidance.en>

It should also be noted that under LDF Development Policy DP6, all new housing should be built to Lifetime Homes standards and a minimum of 10% of new housing should either meet wheelchair housing standards, or be easily adapted to meet them.

7. Sustainability and flooding

Under Core Strategy policy CS13 and policy DP22 of the Camden Development Policies, development will be expected to incorporate sustainable development principles into the design and implementation of development, and will be expected as a minimum to achieve Code for Sustainable Homes level 3 (with level 4 expected from 2013).

It would also need to be ensured that any development limits the amount of run off and waste water entering the combined storm water and sewer network.

8. Section 106 requirements

Given the size of the site and the potential scale of development the scale of contributions to be made via a Section 106 agreement are not likely to be onerous. In particular, contributions towards community facilities and education are not required on schemes of less than five units. Useful information on Camden's approach to planning obligations is provided in Camden Planning Guidance 8: Planning Obligations. The amount that would be required through financial contributions would be subject to a detailed assessment of impact and could cover a wide range of issues, but could be expected to include:

- A highways contribution to mitigate any impacts and to allow any works required in association with any development (the amount to be paid would be subject to a detailed survey);
- Open space provision, if adequate space cannot be provided on-site then contributions of £817 per 1 bed unit; £1,304 per 2 bed unit; £2,317 per 3 bed unit; and £2,642 per 4 bedroom home would be required.

On 1st April 2012 the Mayor of London introduced a Community Infrastructure Levy. This is a new charge to be paid by developers to help fund infrastructure required to support development in the area. In Camden rates will be charged at £50 per sqm of new development. Further information can be found at;

<http://www.london.gov.uk/publication/mayoral-community-infrastructure-levy>

Key non-financial items that could be sought via a Section 106 agreement could include:

- Sustainable design and construction measures and decentralised energy networks;
- Car free or car capped housing;
- Construction Management Plan;
- Servicing management plan.

9. Conclusion and recommendations

A case could be made for the change of use of these premises from retail on the basis that it would not impair local shopping provision and the character of the area. In the case of an application for change of use being submitted, any history of vacancy in a shop unit and the prospect of achieving an alternative occupier would be taken into consideration.

Should the principle of change of use be addressed, the priority would be for the provision of new residential use on site, subject to securing an adequate standard of accommodation.