

Delegated Report		Analysis sheet		Expiry Date:		09/01/2013	
		N/A / attached		Consultation Expiry Date:		07/12/2012	
Officer				Application Number(s)			
Rob Tulloch				2012/6010/P			
Application Address				Drawing Numbers			
1 Royal College Street London NW1 0RU				See decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Retrospective change of use of the ground and lower ground floor from Class A1 (Shops) / B1 (Business) to Class A2 (Financial and Professional Services).							
Recommendation(s):		Grant Planning Permission					
Application Type:		Full Planning Application					
Conditions:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:	No. notified	47	No. of responses	00	No. of objections	00	
Summary of consultation responses:	No responses received						
CAAC/Local group comments:	N/a						
Site Description							
The site comprises six-storey building with a lettings agency (Class A2) at ground floor and basement floors, and 13x flats above. The site is located on the corner of Crowndale Road and Royal College Street and the application relates to the ground and basement floors. The site is adjacent to the Crowndale Road Neighbourhood Centre and does not lie within a conservation area.							
Relevant History							
<u>2 Crowndale Road</u> 2004/5515/P Demolition of the existing part one/part two-storey public house (Class A3) and erection of a new six-storey building comprising a dual use of offices (B1) or retail (A1) at ground floor and basement, with 13 residential flats (1 x studio, 2 x one-bed, 7 x two-bed, 3 x three-bed) above. Granted 23/03/2005							

Relevant policies

LDF Core Strategy and Development Policies

CS5 Managing the impact of growth and development

CS7 Promoting Camden's centres and shops

CS8 Promoting a successful and inclusive Camden economy

DP1 Mixed use development

DP10 Helping and promoting small and independent shops

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

DP13 Employment sites and premises

DP26 Managing the impact of development on occupiers and neighbours

Camden Planning Guidance 2011

NPPF 2012

Assessment

1 Proposal

1.1 Consent is sought for the retrospective change of use of the ground and basement floors from Class A1 (Shops)/B1 (Business) to Class A2 (Financial and Professional Services).

1.2 The application originally referred to 2 Crowndale Road as this was the address given for the original redevelopment of the site. However, the site abuts a parade of shops whose addresses are nos. 2-22 Crowndale Road and no. 2 Crowndale Road is part of this parade, not the application site. The application site was once a public house at no. 2 Crowndale Road, but in the 1960's the surrounding area was redeveloped. Terraces to the west of the application site, which were formerly 4-16 and 18-24 Crowndale Road were replaced by a five storey block of flats with shops on the ground floor now identified as 2-22 Crowndale Road. The terraces to the north comprising 1-73 Royal College Street were replaced by five blocks of flats. During this redevelopment the pub remained. It appears that when the application to redevelop the pub site was determined it incorrectly retained the original address of the pub, but the application site is now known as 1 Royal College Street. This is shown on OS maps and the existing commercial tenant uses this address. The application form has been amended accordingly.

1.3 The main issues are:

- land use
- amenity
- community infrastructure levy

2 Land use

2.1 Permission was granted on 23/03/2005 for the demolition of a public house and the erection of a six-storey building comprising a dual use of offices (B1) or retail (A1) at ground floor and basement, with 13 flats above (ref. 2004/5515/P).

2.2 There was no objection to the loss of the public house, and the provision of 394sqm of retail floorspace over the ground and basement floors was welcomed as it was considered that it would enhance the local area. An alternative B1 use was also considered acceptable as the scale of the proposed use was not considered to be significant enough to alter the character of the area. To prevent flipping between uses Condition 2 stated

The lawful use of the ground and basement floors of the development shall be whatever use first occupies those floors, and shall be a use within Class A1 or Class B1 of the Schedule of

the Town and Country Planning (Use Classes) Order 1987.

Reason: To ensure the use of the commercial component of the building is lawfully established."

- 2.3 The ground and basement floors have been in use as a lettings agency (Class A2) since November 2008. It appears that no retail or business use occupied the site prior to this. The applicant does not have any evidence as to whether there was a previous use, and anecdotal evidence from a neighbouring business (No. 2 Crowndale Road) suggests that the current occupier was the first occupier of the premises. This corresponds to business rate information which shows business rates being charged for the basement and ground floors as offices from January 2009 (for the purpose of business rates offices could include an estate agents (A2)).
- 2.4 As such it is considered that the planning permission has not been fully implemented, and the use of the ground and basement floors as a lettings agency is therefore unauthorised. Policy DP10 seeks to protect shops outside centres provided that alternative provision is available within 5-10 minutes walking distance, and policy DP12 acknowledges that there is a surplus of office floorspace in the borough. However, as neither a retail or business use has been implemented, it is not considered necessary to assess the application as a loss of either use. Therefore the application should be assessed on the impact of the proposed use.
- 2.5 The site abuts the Crowndale Road Neighbourhood Centre which comprises 15 units at nos. 2-22 Crowndale Road and 1-11 Crowndale Court. There are typical town centre uses within the centre including a laundrette, pharmacy, dry cleaners, dentists, and a medium sized convenience store, as well as a betting shop and insurance company which fall within the A2 use class. There are currently two vacant units, but these were not previously in A2 use.
- 2.6 The application site is almost an extension to the Neighbourhood Centre in terms of its function and location. The use of the application site within the A2 use class has not caused any demonstrable harm to the function, character, vitality or viability of the adjacent neighbourhood centre and is therefore considered to comply with policies CS7, CS8, DP10, DP12 and DP13 of the LDF and Camden Planning Guidance.

3 Amenity

- 3.1 The use of the basement and ground floors within the A2 use class has not harmed residential amenity and is not considered to be noticeably different, in terms of its impact, to the authorised A1 or B1 use. As such the proposal is considered to comply with policies CS5 and DP26 of the LDF and Camden Planning Guidance.

4 Community Infrastructure Levy (CIL)

- 4.1 The proposal is therefore not CIL liable because it does not involve the creation of an additional residential unit, the site is not currently vacant, and there is no additional floorspace. Although the current use is unauthorised, for the purposes of CIL, the parent permission has already been implemented, although not fully implemented. If no part of the development had been implemented a CIL charge would be payable.

5 Recommendation: Grant Planning Permission

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