

<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>12/09/2012</b>	
		N/A / attached		<b>Consultation Expiry Date:</b>		20/08/2012	
<b>Officer</b>				<b>Application Number(s)</b>			
Neil McDonald				2012/3782/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
Unit 9 Amphill Square 217 Eversholt Street London NW1 1DR				Refer to draft decision notice			
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>				
<b>Proposal(s)</b>							
Change of use from retail unit (Class A1) to class room and ancillary office space (Class D1).							
<b>Recommendation(s):</b>		Granted					
<b>Application Type:</b>		Councils Own Permission Under Regulation 3					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	<b>03</b>	No. of responses	<b>01</b>	No. of objections	<b>00</b>
				No. Electronic	<b>00</b>		
<b>Summary of consultation responses:</b>		<p>In addition to written notifications to the immediately neighbouring addresses, 3 site notices were displayed in the vicinity of the site.</p> <p>An <u>objection</u> was received from Councillor Robinson on behalf of residents of the adjoining residential blocks referring to disturbances already being experienced from children that are there already, e.g. kicking footballs onto cars referred to.</p>					
<b>CAAC/Local groups* comments:</b> *Please Specify		N/A					

## Site Description

The site comprises a shop unit which is the last in a row of 4 similar units making up a single-storey parade. The parade makes up the southern side of Amptill Square which is accessed via an undercroft from Eversholt Street which was secured and gated at the time of the officer site visit. Two of the units including unit 9 (the application site) are vacant, while the other two appear to form additional storage to retail premises fronting Eversholt Street (Nos 207-217) to which they are attached. The Square is also bounded by Holmdale which is a large residential block of flats in the north-eastern corner and a single-storey public house in the western corner. A second large residential block, Calgarth overlooks the rear of the application site from which there is service access. Units (1-9) form part of the Eversholt Street (North) Neighbourhood Centre.

## Relevant History

A previous application (ref 2012/2399/P) for “change of use from Class A1 retail to Class B1 office use” was withdrawn in June 2012 to enable the current resubmission which more accurately describes the proposed use as Class D1 education.

## Relevant policies

### **LDF Core Strategy and Development Policies adopted 8<sup>th</sup> November 2010**

CS1- distribution of growth, CS5 – managing impact of growth, CS7 – promoting Camden’s Centres and shops, CS10 - supporting community facilities and services, CS16 – improving health and well-being, CS17 – safer places, DP12 – supporting centres and managing the impact of food, drink and entertainment uses, DP15 - community and leisure uses, DP26 - managing the impact of development on occupiers and neighbours.

### **Supplementary Planning Policies**

CPG5 (Town Centres, Retail and Employment)

### **Strategic and Government Policy**

London Plan 2011

National Planning Policy Framework.

## Assessment

### Proposed use

1. This is an application by LB Camden's Children, Schools and Families Directorate (CSF) to change the use of the single-storey retail premises from Class A1 use to Class D1 education use. The proposal would not create any additional floorspace, however two office/meeting rooms would be internally partitioned and a new kitchenette area would be created. There are no external changes proposed to the unit. The internal floor area of the unit measures 63sqm and most of this would serve as a classroom to educate a group of vulnerable students.
2. It has been clarified since the previous (withdrawn) application that the proposed D1 space would not be used by students from the Eversholt Centre, which is part of the CSF's Pupil Referral Unit located opposite the site beneath Holmdale block and forms an existing teaching centre for a small group of approximately 6 children with special educational needs.
3. It is proposed that unit 9 Ampthill Square would be used for up to 6 students on a daily basis between the hours of approximately 8.30am – 4.00pm Mon-Fri during term time and be staffed by 1 teacher and 1 support assistant and possibly additional staff engaged in 1:1's with one or more of the students. The students would have tuition in the mornings and a range of activities in the afternoon so would not always be on site during these times.
4. Policy CS10 would support the provision of a new community use such as this in principle.

### Affects on the Neighbourhood Centre

5. The unit was formerly a chemist but is now vacant. Whilst designated as part of the Eversholt Street (north) Neighbourhood Centre, it is cut off from the rest of the centre on Eversholt Street by a gated undercroft which would appear to explain the failure of the existing retail use. The Council's retail and town centre policies seek to protect the character, function and vitality of existing centres and would seek to resist changes of use which would result in more than a certain proportion of premises falling outside of Class A1. However given the isolated location of this parade of units in relation to the main shops on Eversholt Street and its current lack of any active usage, there would appear little harm in allowing the change of use to a non-retail community use in this case. In any event the centre has been recently surveyed and the number of units in existing retail use is such that the proposal would not cause the proportion of this use to fall below 50% which complies with the stated threshold guideline for this centre in CPG5. The proposed D1 use is therefore not considered to harm the character, function and vitality of the centre and therefore complies with policies CS7 and DP12.

### Affects on residential amenity

6. Concerns have been raised in consultation on the application about the behaviour of existing children in the area which are believed to be associated with the existing pupil referral unit in the Eversholt Centre. Residents are therefore concerned that the current proposal would contribute to such nuisances already experienced.
7. CSF envisage that with approximately 4 students in the main classroom and possibly 2 further students engaged in 1:1's with an additional tutor, there would potentially be 2/3 teachers with an additional support staff on site to supervise the maximum of 6 students. The students would at all times be accompanied by an adult including if they use the football pitch on the open space adjacent Ampthill Square. They would not be allowed to loiter or play within Ampthill Square itself. The students in the group are deemed as too vulnerable to attend any of the other behaviour provisions in Camden and although they have complex needs, they do not necessarily share the types of behavioural difficulties with students attending the pupil referral unit opposite. It is considered that the comparatively small number of students in relation to the high level of supervision, combined with the assurances of the applicant in this case that there are unlikely to be any undue impacts on the amenities of residents arising as a consequence of this application.

### Community Infrastructure Levy (CIL)

8. The proposal is for a change of use only and therefore not liable for payment of CIL.

### 9. Recommendation: Grant Planning Permission

## **DISCLAIMER**

**Decision route to be decided by nominated members on Monday 3<sup>rd</sup> September 2012.**  
For further information please click [here](#).