

Delegated Report		Analysis sheet		Expiry Date:		08/08/2012	
		N/A		Consultation Expiry Date:		12/07/2012	
Officer				Application Number(s)			
Sam Fowler				2012/2907/P			
Application Address				Drawing Numbers			
296 Kilburn High Road London NW6 2DB				Refer to draft decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Change of use of existing ground floor unit from hairdressers (Class A1) to financial services office use (Class A2).							
Recommendation(s):		Refuse					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	07	No. of responses	00	No. of objections	00
				No. electronic	00		
Summary of consultation responses:		Not applicable					
CAAC/Local groups* comments: *Please Specify		Not applicable					

Site Description

The subject site is located on the eastern side of Kilburn High Road. The ground floor of the building on the property is currently a vacated hairdressers (Use class A1), and there are residential flats above (use class C3). The site to the immediate north of the property, no. 298, is an optometrist (use class A1), and to the immediate south of the property is a community facility (use class D1). To the immediate east of the site is a large public recreational area.

The site is located within the Kilburn Town Centre – Secondary Frontage. Across the road and to the west of the property is the London Borough of Brent, whom has not provided a written response to the application. The properties in the larger surrounding area along Kilburn High Road are a predominantly a mixture of commercial properties and community facilities at the ground floor level, and the majority of which have flats in the floors overtop.

Relevant History

There is no history on the subject property that is relevant to this application.

270 Kilburn High Road

2012/1322/P - Change of use from retail (Class A1) to office (Class B1) at ground, mezzanine and part first floor levels. Refused, 5th June 2012.

Reason:

“The proposed loss of an Class A1 retail use would be harmful to the character, function, vitality and viability of the secondary shopping frontage in which it is located and to the Kilburn High Road Town Centre by reason of an inadequate remaining proportion of Class A1 retail uses. The proposal would thereby be contrary to Policies CS3 (Other Highly Accessible Areas); CS5 (Managing the impact of growth and development); CS7 (Promoting Camden's centres and shops) of the Core Strategy and Policies 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) of the Development Policies of the Camden Local Development Framework.”

Relevant policies

LDF Core Strategy and Development Policies (2010)

CS5 Managing the impact of growth and development

CS7 Promoting Camden's centres and shops

CS14 Promoting high quality places and conserving our heritage

DP10 Helping and promoting small and independent shops

DP12 Supporting strong centres and managing the impact of food and drink

DP16 The transport implications of development

DP17 Walking, cycling and public transport

DP25 Conserving Camden's heritage

DP26 Managing the impact of development on occupiers and neighbours

DP29 Access

Camden Planning Guidance 2011

CPG5 – Town Centres, Retail and Employment (paras. 3.50-3.54 and figure 5)

London Plan (2011)

NPPF 2012

Assessment

1 Proposal

1.1 The ground floors of no. 296 Kilburn Road, and the covered courtyard to the rear, have historically been used for A1 usage. The previous use was as a hairdresser, however it is indicated that the property has been vacant for over a year. It was noted to be vacant at the time

of the site visit.

- 1.2 Consent is sought for the change of use of no. 296 Kilburn Road from retail (A1) to financial services office use (A2). No external alterations are proposed.
- 1.3 The applicant has also stated that the site has been advertised for tenants in the past, and had four expressions of interest. However these were not accepted as the owner of the property did not consider that these businesses would be able to sustain themselves within the premises.

2 Land Use

- 2.1 There is a general presumption within the LDF to protect retail uses as they contribute to the vitality, viability, character and function of an area. Policy CS7 states that the Council seeks to make Kilburn High Road a diverse and vibrant centre that takes advantage of its strengths. Emphasis is placed on 3 'zones', a shopping core to the centre; a mixed used, cultural zone to the north; and a mixed use zone to the south of Kilburn High Road Station.
- 2.2 The application site is located within the northern cultural zone. Within this zone the Council seeks to enhance the character and quality of the 'cultural zone' consolidating and building on the success and attractiveness of existing uses, such as the Tricycle Theatre, music and comedy venues and the range of diverse shops, restaurants, cafes and pubs.
- 2.3 The current proposal is for a financial services office which is not considered to add to the character of the cultural zone.
- 2.4 CPG5 prescribes levels at which Class A1 retail uses should not fall below.
- 2.5 Under the 3.51 of the Kilburn High Road section in CPG5, it is stated that
- "The Council will generally resist proposals that would result in:*
- Less than 75% of the premises in Core Frontages being in retail use; or*
 - Less than 50% of the premises in Secondary Frontages being in retail use."*
- 2.6 It then goes on to state under 3.53 that:
- "In accordance with policy DP12 of Camden Development Policies, we will seek to prevent concentrations of uses that would harm a centre's attractiveness to shoppers or its residential amenity. The Council will therefore generally resist proposals that would result in:*
- more than 2 consecutive premises within the Core Frontages being in non-retail use;*
 - more than 3 consecutive premises in non-retail use within Secondary Frontages."*
- 2.7 In the planning history, it is noted that there has been a recent planning application refused for no. 270 Kilburn High Road. A review of this application demonstrates that the proposal was located within the same Secondary Frontage as the property that forms the basis of this planning application.
- 2.8 It is also noted at the time of this application that there were 23 relevant units considered between the Grangeway junction with Kilburn High Road at the south (238 Kilburn Road) and Palmerston Road junction with Kilburn High Road at the north (no. 306 Kilburn Road). 17 of these units are currently non A1 uses, or 74% of the Secondary Frontage. This means that at present there are only 26% of units currently operating as A1, which is significantly below the 50% requirement given above in 3.51.
- 2.9 In the information provided with the Design and Access Statement, the area of the shopping frontage was reduced to only include no's 278 to 306 Kilburn High Road. In this narrower scope it is noted that the percentage of shops that are currently A1 would decrease from 42% to 36%.

In both instances, such a significant decrease below the 50% is not considered to be acceptable and would further exacerbate a lack of available retail space within a Secondary Frontage.

2.10 The proposal would also result in 3 consecutive units being in non retail use (the maximum permitted under CPG5 in secondary frontages). CPG5 notes that Kilburn High Rd centre has a large number of small, independent shops that serve the day-to-day needs of the local population and it is considered that the reduction in retail use in this location proposed would be harmful to the character, function, vitality and viability of the secondary frontage and the centre.

2.11 **The proposal is therefore recommended for refusal.**

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