

Delegated Report		Analysis sheet		Expiry Date:		23/03/2012	
		N/A / attached		Consultation Expiry Date:		29/2/2012	
Officer				Application Number(s)			
Hugh Miller				2012/0289/P			
Application Address				Drawing Numbers			
182 Royal College Street LONDON NW1 9NN				See draft decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Change of use and works of conversion from business use (Class B1) at basement and ground floor levels into a three bedroom residential maisonette (Class C3).							
Recommendation(s):		Refuse					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	22	No. of responses	00	No. of objections	00
				No. electronic	00		
Summary of consultation responses:		Advertised in Ham & High 16/2/2012, expires 8/3/2012. Site Notice displayed 8/2/2012, expires 29/2/2012.					
CAAC/Local groups* comments: *Please Specify		No active CAAC.					

Site Description

A basement , 4-storey terraced property situated on the north side of Royal College Street, west of the junction with Camden Road and north of the Camden Road overground rail station. The building has commercial use at the ground and basement floor levels, though currently vacant; and residential use on the upper floors in the form of 3 self-contained flats. The building is located within the designated Neighbourhood Centre and Camden Broadway conservation area.

Relevant History

October 1970 - PP Granted - Use of the ground floor of 182 Royal College Street, Camden as a builder's office with ancillary storage in the basement; ref. 9624

November 1976 - PP Granted - Use of the ground floor as dressmaking workshops in the rear part, with a retail and wholesale dress shop in the front premises; ref. 23313.

September 1981 - PP Granted – Installation of a new shopfront; ref. 32789

Relevant policies

Core strategy

- CS1 (Distribution of growth)
- CS5 (Managing the impact of growth and development)
- CS6 (Providing quality homes)
- CS7 (Promoting Camden's centres and shops)
- CS8 (Promoting Camden's economy)
- CS9 (Achieving a successful Central London)
- CS11 (Pedestrian and cycling)
- CS14 (Promoting high quality places and conserving heritage / conservation areas)

Development policies

- DP2 (making full use of housing)
- DP5 (Housing size mix)
- DP6 (Lifetimes homes and wheelchair housing)
- DP12 (Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses)
- DP13 (Employment sites)
- DP17 (Walking, cycling and public transport)
- DP18 (Parking standards)
- DP19 (Impact of parking)
- DP24 (Securing high quality design)
- DP25 (Conserving Camden's heritage / conservation areas)
- DP26 (Managing the impact of development on occupiers and neighbours)
- DP27 (Basements and lightwells)

Camden Planning Guidance (2011)

Assessment

Overview

The basement and ground floors of the building have lawful use as printers within Class B1. Both floors have the print machinery and it is laid out as if it is still in operation but the use ceased some time ago as noted by the applicant and has been marketed since 2010. The applicant refers to it as being B1 business although visual inspection suggests that it could have operated partly or totally as a A2 use, given that it has a shop frontage in a service centre, or more specifically as a B1a office. For the purposes of this application, it is assumed that the use is B1. The initial concern was related to the loss of employment floorspace and matters related to the marketing of the unit. However having confirmed that the unit is within a designated neighbourhood retail centre, the issues are more related to introducing a non-retail use, in particular a residential component, within the retail parade.

Proposal

- ❖ Change of use and works of conversion from business (Class B1) at basement and ground floor levels into a three bedroom residential self-contained flat (Class C3).

Key concerns **a]** provision of non-commercial use within designated Neighbourhood centre, **b]** impact on the character and appearance of the area and the vitality and viability of the centre, **c)** acceptability of new unit in compliance with residential and parking standards.

Policy context

Policy CS7 (*Promoting Camden's centres and shops*) states in particular with relevance to this centre:

"The Council will promote successful and vibrant centres throughout the borough to serve the needs of residents, workers and visitors by:

- e) seeking to protect and enhance the role and unique character of each of Camden's centres, ensuring that new development is of an appropriate scale and character for the centre in which it is located;
- f) providing for, and maintaining, a range of shops, services, food, drink and entertainment and other suitable uses to provide variety, vibrancy and choice;
- g) protecting and promoting small and independent shops, and resisting the loss of shops where this would cause harm to the character and function of a centre;
- h) making sure that food, drink and entertainment uses do not have a harmful impact on residents and the local area, and focusing such uses in Camden's Central London Frontages, Town Centres and the King's Cross Opportunity Area. Development policy DP12 further supports this by stating that the Council will ensure that the development of shopping, services, food, drink, entertainment and other town centre uses does not cause harm to the character, function, vitality and viability of a centre, the local area or the amenity of neighbours;
- i) supporting and protecting Camden's local shops, markets and areas of specialist shopping; and
- j) pursuing the individual planning objectives for each centre, as set out below, including through the delivery of environmental, design, transport and public safety measures".

In its justification, it states that in paragraph 7.16- "The success of a centre is strongly influenced by the variety and choice of shops, services and other uses within it. Policy DP12 in Camden Development Policies sets out more detail on our approach to protecting the character, function, vitality and viability of our centres through managing the mix of uses in them and ensuring that development does not cause harm to a centre, to its neighbours or to the local area".

Under the heading Centre Specific Planning Objectives, it states for Neighbourhood Centres-

"The Council will seek to retain a strong element of convenience shopping for local residents in Camden's neighbourhood centres and ensure that any development in them does not harm the function, character or success of that centre. We will take into account the individual character of the centre when assessing development proposals but, as a guide, we will resist schemes that would

result in less than half of ground floor premises in a neighbourhood centre from being in retail use or in more than three consecutive premises being in non-retail use. We will also take into account any history of vacancy in shop units and the prospect of achieving an alternative occupier for vacant premises.“

Policy DP12 (Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses) states that – “The Council will ensure that the development of shopping, services, food, drink, entertainment and other town centre uses does not cause harm to the character, function, vitality and viability of a centre, the local area or the amenity of neighbours. We will consider, *amongst other criteria-* a) the effect of non-retail development on shopping provision and the character of the centre in which it is located”.

Paragraph 12.6 states “The Council will not grant planning permission for development that it considers would cause harm to the character, amenity, function, vitality and viability of a centre or local area. We consider that harm is caused when an impact is at an unacceptable level, in terms of trade/turnover; vitality and viability; the character, quality and attractiveness of a centre; levels of vacancy; crime and antisocial behaviour, the range of services provided; and a centre’s character and role in the social and economic life of the local community. We will consider the cumulative impact of additional shopping floorspace (whether in a centre or not) on the viability of other centres, and the cumulative impact of non-shopping uses on the character of the area”.

Para 12.4 also lists town centre uses to include A1-A5, B1a, C1, D1 and D2 and some ‘sui generis’ uses but not C3 residential uses.

CPG5 – Town Centres, Retail under the heading *Protecting and promoting retail uses-*

Paragraph 2.7 states “In order to provide for and retain the range of shops in the borough the Council aims to keep a certain proportion of premises in its centres in retail use”.

Paragraph 2.8 states “The proportion of shops that we aim to retain will vary from centre to centre and area to area. Detailed guidance on the proportion of retail uses that we will maintain within our centres is set out in Section 3 of this guidance and, for Central London, in our separate Area Guidance for Central London”.

Accordingly Paragraph 3.60 for Neighbourhood Centres states “As a guide we will resist schemes that result in:

- less than 50% of ground floor premises being in retail use; or
- more than 3 consecutive premises being in non-retail use”.

Non-commercial use within designated Neighbourhood centre

On the north side of Royal College St, there are 5 premises including the host building (180-188) and 11 premises on the north side of Camden Road frontage (57-77) that forms part of the Neighbourhood Centre. Within the parade nos. 180-188, none of the premises falls with retail A1 use Class. Of the 16 designated premises, 5 are within Class A1 usage which equates to 31% of the total units in retail use. The existing ratio is already low, but the change of use would not further exacerbate this as it would still provide a non-retail use.

The appearance of the premises is compliant with the Centres’ designation in that it is accessible to members of the public and it retains an active frontage and shop window display in keeping with the function, vitality and viability of the Centre. A change of use to a non-commercial use from a town centre use, defined as appropriate in DP12 (see quoted para 12.4 above), would have an opposite impact and would be detrimental to the function of the Centre- it would introduce a new residential use in the centre where currently none exist and which is not defined as a town centre use; it will not contribute to the character, vitality and function of the centre in serving the needs of the local population; moreover it would introduce an inactive frontage within the parade which would affect its function as part of the overall centre.

In the submitted supporting information the applicant states that the premises have been vacant for a considerable period, without being specific. The statement also states the applicant commenced marketing the premises in 2010. Unusually however, only one organisation was chosen for advertising the premises as being vacant. Equally problematic, the submitted information lacked clarity and detail such as the numbers of viewers, reasons and feedback given for the lack of uptake of the premises but rather it had generalisations regarding the economic downturn and the premises location as being disadvantageous. This lack of information to support the case for a change of use here is unhelpful; notwithstanding, this cannot form a reason for refusal as the premises, if considered to be B1c workshop, is not considered to be such a good quality business unit such that it has to be retained and, if considered to be B1a offices, can be suitable for conversion to other uses as noted in policy DP13.

Within this Neighbourhood Centre, including the host building, the upper floors of the premises are occupied as residential flats. It has been acknowledged that the diversity of the Neighbourhood Centre is reflected from its mix of retail and non-retail uses; residential uses are not included and indeed not present in this centre at ground floor level. At this location a new residential use in this frontage would create a sterile dead frontage and would set an unwelcome precedent for future changes of use in future which would upset the commercial balance and character and its diversity and vibrancy particularly outside normal shopping hours.

No objection is raised to loss of the B1 use *per se* as policy does allow the conversion of redundant employment and especially office premises to other uses with a preference for change to residential uses. Equally no objection is raised *per se* to the growth of a priority landuse such as residential use. The issue however is one of an appropriate use for town centre/designated frontage being lost to an inappropriate one which will harm the function of the centre.

Provision of new residential accommodation

Policy DP5 states that residential development should make contributions to meet the priorities set out in the Dwelling Size Priorities Table. The proposed three bedroom maisonette would comply with policy because it is identified as a high priority within the market sector noted in the DSPT.

Policy DP6 states that all new homes should comply with Lifetime Homes criteria as far as possible. The applicant has submitted a Lifetime Homes assessment which addresses some of the 16 points of the criteria. The constraints of this conversion scheme are such that not all of the criteria can be met, and the measures (bathroom & electrical fittings) proposed are considered acceptable in this instance.

Development Policy DP26 (h) states that we will require developments to provide an acceptable standard of accommodation in terms of internal arrangements, dwelling and room sizes and amenity space. Space standards as set out in the Camden Planning Guidance state a minimum of 84 m² should be provided for a five person unit, with a minimum first bedroom size of 11 m². The plans indicate that the proposed unit has a net floor area of 87.7sqm. It would be compliant with CPG standards and comprises 2 x double bedrooms 11.2sqm & 12.0sqm, 1 x single bedroom 7.1sqm, a kitchen and living room and a separate w. c. The floor plans also indicate a satisfactory amount of suitable storage space. At 2.1m, the internal floor to ceiling height complies with the CPG guidelines and is therefore acceptable.

Notwithstanding, the basement floor is considered unacceptable as it would not comply with the Council's Residential Development Standards in the CPG in respect of acceptable natural light to the front bedroom; the rear bedrooms are considered to gain enough daylight:

- The cantilevered ground floor over the front lightwell would obstruct the amount of natural light into the proposed bedroom, the uncovered existing narrow lightwell only measures 1.0m, and the proposed front bedroom only has one glazed door facing this.
- These constraints mean that a very limited amount of unobstructed natural light reaches the basement floor habitable room and indeed very little above the required 30 degree daylight angle;

- The proposal thus does not comply with CPG guidelines in that the glazed area above the 30 degree angle is significantly less than 10% of the floor area of the bedroom.

For these reasons the proposal is considered unsatisfactory and is not compliant with policy and CPG guidelines.

Design and appearance

Front elevation

Except for the proposed sand blasted double glazed window, the shopfront retail appearance would remain unaltered.

The premises has an existing covered lightwell. Lightwells are a feature of the streetscape and the area generally as can be seen at no.184 and at other premises opposite. For residential use it would be opened by the removal of the steel doors and the balustrade enclosure would be retained. These alterations are satisfactory and would not harm the appearance of the building or the streetscape because the principal shopfront elements would be retained as existing with no change to the pattern of access to the building. The proposed minor alterations would not harm the character or the appearance of the conservation area.

Rear elevation

The actual alterations would comprise the installation of new windows and door at basement floor level and erection of railings at ground floor level. These alterations are satisfactory and would not harm the appearance of the building. Likewise, the proposed alterations would not harm the character or the appearance of the conservation area. Notwithstanding, the proposal is considered unacceptable for all the reasons discussed above.

Transport

The proposal is for the provision of 3 bed maisonette; the Council's Parking Standards for cycles states that 1 storage or parking space is required per residential unit; although no cycle space is actually shown on the plans, there is sufficient space to accommodate one within the unit.

Where a change of use from non-residential to residential occurs, in line with policy DP18 and DP19, car free housing should be sought. The immediate side streets (Royal College Street & Camden Road) are within a controlled parking zone plus there are limited opportunities for parking on Royal College Street & Camden Road. If the proposal was to be recommended for approval, officers would seek car-free housing via S106 legal agreement to control on-street parking by way of not issuing parking permits to the new occupiers.

Recommendation: Refuse planning permission

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