

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>08/11/2011</b>
<b>(Members Briefing)</b>		N/A / attached	<b>Consultation Expiry Date:</b>	<b>13/10/11</b>
<b>Officer</b>			<b>Application Number(s)</b>	
Angela Ryan			2011/4287/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
Unit 5 44 St Paul's Crescent London NW1 9TN			Refer to 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 commercial unit (Class B1) to residential (Class C3) at ground floor level to create 1x 3-bed residential dwelling over ground and first floor level and installation of window at ground floor level on front elevation.				
<b>Recommendation(s):</b>		Grant planning permission subject to a deed of variation to S106		
<b>Application Type:</b>		Full Planning Permission		

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>13</b>	No. of responses	<b>2</b>	No. of objections	<b>3</b>
<b>Summary of consultation responses:</b>	<p>A site notice was displayed from the 16/09/11 to 07/10/11 and a public notice displayed in the local press on 22/09/11 to 13/10/11. Three response have been received comprising 1x letter of support from the occupier of unit 1, 44 St Paul's Crescent and 2 x objections from the occupiers of units 9 &amp; 10, 44 St Paul's Crescent. A summary of the objections are as follows:-</p> <ul style="list-style-type: none"> <li>- The proposed change of use contravenes the S106 agreement (<b>Officer's response:</b> A deed of variation of the S106 will be sought to address the relevant clauses)</li> <li>- The proposal is contrary to policy E2 (now known as DP13) protecting existing business space (<b>Officer's response:</b> Although the policy seeks to protect employment space it is not relevant to live/work space and current policy states that live/work should be treated in the same way as housing for the operation of all other policies in Camden's LDF)</li> <li>- Property not being marketed effectively (<b>Officer's response:</b> The employment element of the units has been marketed and evidence indicated that the office space was not viable due to its location)</li> <li>- Proposal is contrary to SD1 (now CS1)) as is would have a detrimental affect on small businesses and set a precedent for financial gain (<b>Officer's response:</b> Loss of employment and revenue from business rates (<b>Officer's response:</b> The loss of employment policy normally pertains to sole employment uses and not to live/work units. The issue of business rates is not a planning consideration)</li> <li>- New window in front elevation would jeopardise the only means of escape from the adjacent 1<sup>st</sup> floor unit and contravenes Building Regulations (<b>Officer's Response:</b> This issue is best dealt with via building control. The new window forms an integral part of the unit and does not appear to have any relationship with the adjacent 1st floor unit)</li> <li>- Internal works appear to have been undertaken in advance of an application being submitted (<b>Officer's response:</b> Internal works are not normally subject to planning permission)</li> </ul>					
<b>CAAC/Local groups* comments:</b> <small>*Please Specify</small>	<u><b>Camden Square CAAC:</b></u> No comments received to date					

## Site Description

The application site relates to the western most part of a plot of land at the rear of Agar Grove (due north) and St Paul's Crescent (due east) amongst other buildings on the site, the application site forms a block of 11 live/work units. The whole site is accessed via St Paul's Crescent (west side). The application site relates to an existing two storey live/work unit located at the western end of the site, bounded at the rear (west) by existing railway lines and open land (embankment) to the south.

The site is located in the Camden Square Conservation Area, which was extended to include the application site in November 2002. There are no listed buildings within the vicinity of the site.

## Relevant History

2002- Permission granted subject to a S106 agreement for the construction of a 2-storey building (in place of the existing recording studio building) and extension & refurbishment of the retained central building for studio/workshop use within Class B1. Also, construction of 4 3-storey mixed live/work units and provision of parking & loading areas (in the south east part of the site adjoining Boringbank Walk).

2003- Permission granted for a change of use & alterations to the existing 2-storey warehouse to provide 3 workshops/artist studios & a 1-bed flat at first floor. (This relates to the centrally located building known as 44 St Paul's Crescent).

2004- Permission granted subject to a S106 for demolition of the existing building and construction of a part 2 and part 3 storey building to provide 4 live/work units (which includes units 5, 6, 7 & 8, 44 St Paul's Crescent)

## Relevant policies

### Core Policies:

- CS1- (Distribution and growth)
- CS5- (Managing the impact of growth and development)
- CS6- (Providing quality homes)
- CS11 – (Promoting sustainable and efficient travel)
- CS14 – (Promoting high quality places and conserving our heritage)

### Development Policies:

- DP2- (Making full use of Camden's capacity for housing)
- DP5 – (Homes of different sizes)
- DP6- (Lifetime homes and wheelchair homes)
- DP13- (Employment sites and premises)
- DP18 – (Parking Standards and limiting the availability of car-parking)
- DP24- (Securing high quality design)
- DP25- (conserving Camden's heritage)
- DP26- (Managing the impact of development on occupiers and neighbours)

**Camden Design Guidance 2011**

**Camden Square Conservation Area Appraisal and Management Strategy 2011**

## Assessment

### 1. Proposal:

1.1 The site forms part of a mixed use development, comprising offices, and live/work. The applicant seeks to change the use of a previously approved live/work unit into a 3 bed, four persons two-storey dwelling. This would entail changing the use of the ground floor work space into residential floorspace. The first floor is already in residential use by virtue of the 'live' element of the live/work unit previously approved. The proposal also entails the installation of a window on the front elevation at ground floor level, and a roof light on the small flat roof area at first floor level to the rear in order to allow light into the proposed living and kitchen areas at ground floor level. Internally an aluminium framed frosted glazed door will be installed to provide access out of the kitchen area into the hallway.

1.2 The previous scheme for a live/work unit was subject to a S106 to securing the employment and residential floorspace in perpetuity. As such this application is recommended for approval subject to a deed of variation to remove this restriction and to also car-cap the development limiting it to one car parking space for the proposed residential unit as previously approved.

1.3 A site inspection ascertained that the unit is being let as two separate residential units. This appeared to be a recent intervention and is not likely to benefit from the four year rule thus making the use lawful. As such the authorised use still remains for live/work purposes.

1.4 The main issues to consider are:-

- The principle of the development
- The impact of the development on the character and appearance of the host building and conservation area
- The impact of the development on adjoining/surrounding neighbours
- Residential amenity
- Transportation

### 2. Land use:

2.1 The principle of the change of use from live/work to residential is considered to be acceptable in this instance. Policy DP13 seeks to protect employment floorspace within the borough, however the policy is normally applied to premises that are in sole business use and not to live/work premises.

2.2 Live/work units is treated in the same way as housing for the operation of all other policies in Camden's LDF and therefore those policies pertaining to housing and in this case policies CS6, DP2, DP5, and DP6 should be applied in this instance. Core policy CS6 seeks to maximise the supply of homes and minimise their loss, whilst policy DP2 protects against development for non-residential use and relates to all forms of housing. The proposal would not result in the loss of housing and would result in maximising the floorspace for housing, providing a good sized unit which maintains the Council's housing stock.

2.3 The unit is of such that can meet the 16 criteria in respect of the lifetime home standards. Where standards are not met at present the layout of the unit is such that can be easily adapted.

### 3. Design:

3.1 The only external alterations would be the proposed window at ground floor level and the roof lights proposed at first floor level to the rear. The proposed window is to the same design as the existing fenestration on the building and would allow light into the living and kitchen area which is approximately 17.9m<sup>2</sup>. The building is of a modern design of facing brick and render which was considered harmful to the character and appearance of the conservation area. Although the addition of the window at ground floor level would interrupt the symmetry of the building it is not considered to be harmful to the character and appearance of the conservation area as the site is not visible from the wider public realm by virtue of it being sited in a building complex that is off the street.

### 4. Amenity:

4.1 No significant external alterations are proposed. The new window at ground floor level looks out onto the courtyard area and car park. This element together with the proposed roof lights on the flat roof at first floor level would not create issues of overlooking, loss of privacy, loss of sunlight/daylight or noise and it is therefore concluded that the proposal would not be harmful to residential amenity. The proposed use is of such that is compatible with the existing B1 development within the site and it is envisaged that no adverse impacts will arise by way of noise nuisance, fumes or

smells.

4.2 The proposed room sizes comply with the Council's residential development standards. Amenity space is provided via a small balcony that leads out onto the ground floor flat roof. Although access to the balcony is not ideal, overall it is considered that a satisfactory level of residential amenity has been achieved.

**5. Transport:**

5.1 The live/work unit benefits from an existing car parking space. A S106 is proposed in order to secure a car-capped development to one car parking space to avoid increased car usage. It is therefore envisaged that the development would have no detrimental impact on the free flow of traffic or traffic congestion within the vicinity.

**Recommendation: Approve subject to a deed of variation to the S106**

**DISCLAIMER**

**Decision route to be decided by nominated members on Monday 14<sup>th</sup> November 2011.**

**For further information see**

<http://www.camden.gov.uk/ccm/navigation/environment/planning-and-built-environment/planning-applications/development-control-members-briefing/>