

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>06/09/2010</b>	
<b>(Members Briefing)</b>		N/A / attached		<b>Consultation Expiry Date:</b>		27/08/2010	
<b>Officer</b>				<b>Application Number(s)</b>			
Rob Willis				1. 2010/3237/P 2. 2010/3717/L			
<b>Application Address</b>				<b>Drawing Numbers</b>			
21 Bonny Street London NW1 9PE				See 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>							
<ol style="list-style-type: none"> <li>1. Change of use of part of ground floor level from storage (Class B8) to retail use (Class A1).</li> <li>2. Removal of existing timber boarding and replacement of glass in existing timber window at existing office (Class B1).</li> </ol>							
<b>Recommendation(s):</b>		<b>Grant planning permission and Listed Building Consent</b>					
<b>Application Type:</b>		<b>Full Planning Permission and Listed Building Consent</b>					

<b>Conditions:</b>	<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>14</b>	No. of responses No. Electronic	<b>12</b> <b>02</b>	No. of objections	<b>09</b>
<b>Summary of consultation responses:</b>	<p><b>41 and 41A Camden Road; 3, 4, 5, 7, 12 and 14 Bonny Street</b></p> <p>Objections expressed from the above addresses on the following grounds:</p> <ul style="list-style-type: none"> <li>• Concerns regarding the motives for the application and the possible aim of the applicant to get planning permission to turn the premises into a night club</li> <li>• The proposal would worsen existing traffic and congestion problems, including through additional deliveries and the collection of goods.</li> <li>• The road is not wide enough to allow vehicles to turn</li> <li>• Insufficient parking for a shop, the application could lead to an increase in illegal parking, which is already a problem with the application site</li> <li>• Bonny Street is unsuitable for retail purposes as it is a quiet, mainly residential street. Negative impact on the quiet residential character of the street</li> <li>• Further information required regarding vehicular access and justification of a change of use to retail</li> </ul>					
<b>CAAC comments:</b>	<p>Jeffrey's Street CAAC comment - The unblocking of the window opening and reinstatement of a timber sash window would not harm the special interest of the listed building and moreover would improve the appearance of the building. However, further information should be provided to show the finer details of the proposed new window. If permission is granted without this further information, planning conditions should ensure that the new sash window would be single glazed, and exactly match existing windows.</p> <p><i>Officer response – the window is conditioned as per the last sentence of these comments.</i></p>					
<b>Site Description</b>						
<p>The application site comprises part of an existing terrace which forms part of the Grade II listed Camden Road Station complex, dating from 1870. The Bonny Street buildings are all faced in the same yellow brick as the main station building, with arched windows and stone mouldings.</p> <p>The building includes an entrance area with rooms off to the sides and a large warehouse area to the rear, and is currently used as B1 offices (199 sqm) and B8 storage/ distribution (367 sqm). The site is located within Jeffrey's Street Conservation Area and is close to the Camden Road and Royal College Street/ Camden Road neighbourhood centres.</p>						
<b>Relevant History</b>						
<p>2009/5495/P: Planning permission <i>refused</i> on 29-03-2010 for a change of use of part ground floor from office (Class B1) to retail use (Class A1).</p> <p>2010/0030/L: Listed building consent granted on 29-03-2010 for internal additions and alterations including installation of lighting and air conditioning ventilation, and general refurbishment associated with part change of use of ground floor level from office (Class B1) to retail use (Class A1).</p>						
<b>Relevant policies</b>						
<b>London Borough of Camden Replacement Unitary Development Plan 2006</b>						
<ul style="list-style-type: none"> <li>• SD1 Quality of Life</li> <li>• SD6 Amenity for occupiers and neighbours</li> <li>• R1 Location of new retail and entertainment uses</li> <li>• E2 Retention of existing business uses</li> <li>• B1 General Design Principles</li> <li>• B3 Alterations and Extensions</li> <li>• B6 Listed Buildings</li> <li>• B7 Conservation Areas</li> <li>• T1 Sustainable Transport</li> <li>• T9 Impact of parking</li> </ul>						

- T12 Works affecting highways

### **LDF Core Strategy and Development Policies**

*As the draft LDF Core Strategy and Development Policies documents have now been published, they are material planning considerations. However, as a matter of law, limited weight should be attached to them at this stage. The following policies in the draft LDF Core Strategy and Development Policies documents have been taken into consideration:*

- CS5 – Managing the impact of growth and development
- CS7 – Promoting Camden's Centres and shops
- CS14 – Promoting high quality places and conserving our heritage
- DP12 – Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses
- DP16 – The transport implications of development
- DP19 – Managing the impact of parking
- DP20 – Movement of goods and materials
- DP24 – Securing high quality design
- DP25 – Conserving Camden's heritage
- DP26 – Managing the impact of development on occupiers and neighbours

### **Assessment**

Planning permission and Listed Building Consent are sought for a change of use of a small entrance area (35 sqm) at the front of the application site from storage/distribution (B8) to retail (A1), together with the removal of timber boarding and replacement of glass in an existing timber window to the front of the premises.

The proposals are comparable to a previous application for the site (ref. 2009/5495/P), which sought a change of use of 367 sqm from storage to retail: the application was refused due to a failure to justify the loss of employment space (conflicting with UDP policy E2); insufficient information provided to demonstrate that the sequential approach has been considered for the siting of a new A1 retail use outside of an identified centre (contrary to PPS4 and UDP policy R1); and the absence of a Servicing Management Plan, which is required to ensure that proposals would not harm the local transport system (contrary to policies T9 and T12). This application seeks a change of use for a much smaller amount of floorspace.

The main considerations for this application are:

- the principle of the proposed change of use (loss of employment space and new retail outside an identified centre)
- transport issues
- amenity
- design

### **Principle of the change of use**

#### **(a) Loss of employment**

Policy E2 of the UDP has a general presumption against the loss of employment floorspace, and Camden would normally expect justification in terms of assessment of viability/marketing etc in order to accept the loss of employment floorspace. However, these proposals only relate to 35sqm of B8 storage floorspace, which is a relatively small area within the context of a large building (566 sqm): the loss of this amount of floorspace will not affect the continued operation or function of the wider office/storage premises. The proposals are therefore considered to be acceptable in the context of policy E2.

#### **(b) Proposed retail**

UDP Policy R1 adopts a sequential approach to the provision of new retail, and states that new retail floorspace should be located in Central London Frontages, Town Centres and Neighbourhood Centres. The application site is not within an identified centre, but is located close to Camden Road and Royal College Street/ Camden Road neighbourhood centres.

Paragraph 6.15 of the UDP states that, as an exception to its sequential approach, the Council will support the development of small shops (generally less than 100 sqm) outside centres where proposals meet the requirements of policy R2. This proposal is therefore considered acceptable in relation to the sequential

approach to new retail uses, subject to the tests set out in policy R2.

Under Policy R2, proposals for new A1 uses must not cause harm to the character, amenity, function, vitality or viability of the area. Whilst the area is predominantly residential, it also includes a range of commercial uses, and so it is considered that the introduction of a small retail area to the front of the premises would not cause harm to the character, function, vitality or viability of the area. Assessments of amenity and transport issues are provided separately below.

Policy R2 also states that new shops should be readily accessible by a choice of means of transport, including by foot and public transport. The site is considered to meet this requirement, as it is located adjacent to Camden Road Overground Station, and bus routes are also available along Camden Road and Camden Street.

### **Transport issues**

Local residents have raised concerns regarding the potential impacts of the proposed change of use on local traffic and parking conditions.

The site is currently used as B1 offices (199 sqm) and B8 storage/ distribution (367 sqm). The application seeks to replace 35 sqm of B8 space with retail. It is considered that the proposals would have a limited impact on traffic and parking conditions, as:

- They relate to a very small area, especially when compared to the overall scale of the building; and
- The existing permitted use (B8) can generate similar levels of traffic and parking demand as A1 retail.

Therefore, whilst it is understood that residents are concerned about existing levels of traffic on the street, it is considered that the type and scale of the proposed use means that the application would not have a harmful effect on current road conditions, when considered against the existing use. It is therefore considered that it is not possible to refuse the application on the grounds of traffic generation.

### **Amenity**

The proposed development will not result in any significant external changes to the property and there would be no issues with regards to overlooking, loss of privacy or loss of sunlight/daylight. The proposed retail area would be open from 9am-6pm every day, which is considered to be acceptable in terms of amenity. Given the nature and very small scale of the proposed operation, it is not considered to be necessary or appropriate to limit the proposed use to these hours through the use of a planning condition.

The proposal to reinstate an existing window would not harm amenity as it faces onto the street, and would not therefore affect the privacy of surrounding premises.

### **Proposed alterations to front window**

The proposal seeks to reinstate the existing timber framed sash window, removing the existing boarding that covers the window. It is considered that this would enhance the special interest of the building and the character and appearance of the conservation area, and is thus in compliance with UDP policies B6 and B7. The details of the proposed new window required by condition to be single glazed, and exactly match existing the windows.

### **Conclusion**

The proposed change of use from B8 storage to A1 retail is considered to be acceptable in the context of Camden's planning policies on employment (UDP policy E2) and retail provision (UDP policies R1 and R2). Whilst it is understood that there are current issues relating to traffic on Bonny Street, it is considered that, due to the type and scale of development proposed, this application would not have a sufficiently harmful effect on current road conditions to merit refusal, when considered against the existing use of the area in question.

The proposed reinstatement of the front ground floor window is considered to be acceptable in relation to design [impact on the special interest of the building and the character and appearance of the conservation area] and amenity issues. UDP policies SD6, B1, B3, B6 and B7.

Recommend approval.