

Delegated Report		Analysis sheet		Expiry Date:		10/08/2010	
		N/A		Consultation Expiry Date:		28/07/2010	
Officer				Application Number			
John Sheehy				2010/2755/P			
Application Address				Drawing Numbers			
107 - 108 Rowley Way London NW8 0SW				Refer to draft decision			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal							
Change of use from shop use (Class A1) to an artist's studio (Class B1) at ground floor level.							
Recommendation:		Grant conditional permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:	No. notified	54	No. of responses	0	No. of objections	0	
			No. electronic	0			
Summary of consultation responses:		Site notice displayed from 30 th of June to 21 st of July. No comments, objections or expressions of support received from neighbouring occupiers.					
CAAC/Local groups comments:		No response to date.					
Site Description							
A double-fronted commercial unit at the eastern end of a ground floor walkway in a central location within the Alexandra Road/ Ainsworth Way Housing Estate. The application building is Grade II* listed and is within the Alexandra Road Conservation Area. The application unit is considered to have an established use as a Class A1 shop: it is currently vacant.							
Relevant History							
March 1979 Planning permission granted for use as a retail shop including the retention of the shop front, ref.J6/3X/A/27644.							
Relevant policies							
Replacement UDP 2006 SD1 Quality of Life SD6 Amenity for Occupiers and Neighbours R7 Protection of Shopping Frontages and Local Shops E1 Location of Business Uses							
LDF Core Strategy and Development Policies <i>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.</i> DP26 Managing the impact of development on occupiers and neighbours DP30 Shopfronts CS8 Promoting a successful and inclusive Camden economy							

Assessment

Proposal: change from class A1 use to class B1 use.

No external alterations are proposed.

The commercial unit measures 113 sqm. It would appear that the unit has been vacant for a number of years, however no supporting marketing information has been provided by the applicant on this matter. The applicant has described the activities to be carried out on the site as follows: "Artists studio practice, the creation of small wall based works".

Assessment

Loss of Class A1 Use

The site is not located within a designated Neighbourhood Centre, the closest of which is Fairfax Road Neighbourhood Centre 250m from the site to the north. The closest Town Centre location is Swiss Cottage/ Finchley Road Town Centre over 500m to the east of the site.

In areas outside neighbourhood and town centres policy R7(c) (b) allows for the loss of Class A1 uses where alternative shops in Use Class A1 are available within walking distance. Class A1 uses are represented in Langtry Walk, 100m to the east of the site and in the Fairfax Neighbourhood Centre, a further 150m away which has a mix of convenience stores, specialty shops and local services: as such there are alternative retail units within walking distance. It is considered that the loss of the existing Class A1 use is acceptable in the context of Policy R7(c).

Proposed B1 Use

Policy E1 states that the Council will grant planning permission for office development in locations accessible by a choice of means of transport. This site is accessible by overground train via South Hampstead Station just over 100m to the east of the site and by bus routes which serve Belsize Road 250m to the north and Abbey Road 365m to the west. It would therefore be easily accessible by a variety of means of transport. There is an estate office (Class B1) adjacent to the site on the eastern side: the proposed Class B1 Artists Studio is considered to be well related to nearby land uses.

Impact on amenity

The Council would not grant planning permission for development that it considers causes harm to the amenity of occupiers and neighbours, as set out in Policy SD6:

Class B1 uses include offices, research and development facilities, light industrial uses (provided the use could be carried out in a residential area without harm to amenity) and artists studios. These uses are capable in principle of being operated in close proximity to adjacent residential uses without any harm to amenity of the residential occupiers.

It is considered that the proposed Class B1 use would not have potential for loss of amenity for neighbouring occupiers under any of the headings of Policy SD6.

The proposed hours of operation are 10 AM to 10 PM 7 days a week: although the unit would operate 7 days a week until 10pm in the evening these hours of operation are considered to be acceptable given that there would be no impact on residential amenity as a result of the proposal.

Given the layout of the site and the separation of the unit from residential uses elsewhere in the building, the other activities that could be carried out in the property under the proposed Class B1 use are not considered to have an impact on residential amenity of neighbouring occupiers. It is therefore not considered to be reasonable or necessary to attach a condition to the permission to restrict the use of the unit to the Class B1 activities set out in the application form.

Recommendation: grant conditional permission.

Disclaimer

This is an internet copy for information purposes. If you require a copy of the signed original please contact the Culture and Environment Department on (020) 7974 5613