

Delegated Report		Analysis sheet		Expiry Date:		31/12/2009	
		N/A / attached		Consultation Expiry Date:		26/11/2009	
Officer				Application Number(s)			
Tania Skelli-Yaoz				2009/5061/P			
Application Address				Drawing Numbers			
73 Parkway London NW1 7PP				See Decision Notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Change of Use of ground floor from retail (use class A1) to class A2 with new shopfront to be installed.							
Recommendation(s):		Refuse Permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	05	No. of responses	00	No. of objections	00
				No. Electronic	00		
Summary of consultation responses:		A site notice was displayed from the 18/11/1009 until the 09/12/2009. No responses to date					
CAAC/Local groups comments:		No responses to date					

Site Description

The site relates a three storey terrace located on the East side of Parkway. The site is situated in the Camden Town Conservation area.

Relevant History

2004/4466/P

61 Parkway

Change of use of the ground floor shop unit from retail (Class A1) to financial and professional services (Class A2). **Refuse** Consent 02/12/2008

2006/5423/P

16-18 Parkway

Change of use from A1 (retail) to A2 (professional & financial services) at ground floor level.

Granted 12/02/2007

2007/0665/P

33 - 37 Parkway

Change of use of lower ground and ground floors from A1 (retail) to A2 (financial & professional services).

Withdrew

2008/3595/P

103 - 105 Parkway

Change of use of basement and ground floor from retail (Class A1) to an estate agent (Class A2) (retrospective). **Granted** 13/10/2009

2009/1198/P

3 Parkway

Change of use of ground and first floor from shop (Class A1) to financial and professional services (Class A2).

Granted 30/04/2009

2009/3646/P

Change of use from A1 (Retail) to A2 (Lettings Agency) and minor alterations to shopfront.

16/10/2009

Relevant policies

Set out below are the UDP policies that the proposals have primarily been assessed against. However, it should be noted that recommendations are based on assessment of the proposals against the development plan taken as a whole together with other material considerations.

Camden Development Plan 2006

SD6 Amenity for occupiers and neighbours

R1 Shops and services

R2 General impact of retail and entertainment uses

R7 Protection of shopping frontages and local shops

B4 - Shopfronts, advertisements and signs

B7 – Conservation Areas,

Camden Planning Guidance 2006

Section 46 Town centres, retail and entertainment uses.

Revised Planning Guidance for Camden Town: Food, Drink and Entertainment Uses February 2008.

Assessment

Planning permission is sought for the change of use of the ground floors of the building from retail (Class A1) to (Class A2) No tenant has been specified.

Main Considerations

- Principle of change of use
- Impact on host building and conservation area

Principle of Change of Use

The Council has published Guidance on Food, Drink and Entertainment Uses for Camden Town, the frontage on which the application site is located Parkway is not classified as a "Core Frontage" on which specific guidance is provided, but is classified as an "Environmental frontage". No Guidance is issued for A2 uses.

The proposal is therefore assessed against the general principles as outlined in UDP policies R1, R2 and R7 and Camden Planning Guidance which seeks to ensure that development does not harm the character, function, vitality and viability of a centre.

Policy R7 - 'Protection of shopping frontages and local shops' has a broad presumption against the loss of shopping floorspace in town centres, and will only grant planning permission for development that it considers would not cause harm to the character, function, vitality and viability of the centre. Camden Planning Guidance gives further guidance (p.225) by stating that outside of the core frontages the Council will generally resist proposals that would result in less than 50% of the frontage being in retail use.

Character of town centre

This particular frontage runs from Parkways junctions with Delancey Street and Albert Street, and comprises 16 shop units. The uses are:

Use	Number of units (addresses)	%age	Comment
A1	6 (61, 73, adj 79, 83, 89-95, 97)	38%	Units 97 and 73 (application site) are vacant A1
A2	6 (67, 69, 71, 99-101, 103-105)	38%	
A3	3 (63-65, 75, 85-87)	18%	
A4	1 (Spreadeagle pub)	6%	

While it is recognised that the Camden Town end of Parkway is home to a greater predominance of retail this southern end is still within the Town Centre designation and is expected to maintain a strong element of convenience and comparative shopping. It is clear that within the specific parade the presence of A1 units is well below the 50% figure preferred by the CPG. A change of use to A2 for this unit would further reduce this figure to 31% with A2 at 44%.

Taking a wider view of the character of the town centre by looking at the 20 units on the West side of Parkway from opposite the junction with Albert Street to the Delancey Street junction the composition is as follows:

Use	Number of units (addresses)	%age	Comment
A1	6 (76, 80, 84, 88, 102, 104)	30%	Units 97 and 73 (application site) are vacant A1
A2	4 (72-74, 82, 90-92, 114-118, 120)	25%	Unit 82 is a vacant A2 use
A3	3 (96, 106, 108)	15%	
A4	1 (Dublin Castle)	5%	
C3	2 (98, 100)	10%	
D2	1 (86)	5%	
B1	2 (78, 110-112)	10%	

Cumulatively it can be seen that the number of A2 (11 units, 31% of the total 36) almost equals the number and proportion of A1 (12 units 33% of the total 36) within the wider context which demonstrates that the presence of a shopping function provided by this part of the town centre has been eroded to a very low level. Further erosion of this use should be resisted if the centre is to maintain a viable shopping presence, within a diversity of local uses. Amongst the established A1 uses within the wider context are Health and Beauty, Optician and Dry Cleaning uses with convenience and comparative shopping only available in 3 units (80, 88, adjacent 79).

It should also be acknowledged that the proposed A2 use is a use that would typically be found within town and neighbourhood centres, and is a use that would attract visiting members of the public. The property is also likely to make use of the shopfront, and the proposals would not result in 'dead' frontage. However, without a proposed tenant and the wide range of uses that the A2 use class covers, the Council is unable to restrict the use to a particular use within the class. For example, another estate agent on an already saturated area would further reduce the versatility of the area. It is considered that further loss of a A1 unit is not considered to retain the character, function, vitality and viability of the area.

Viability and vacancy

The applicant states that the property has been advertised by Christo & Co since 2008 at a rent of £30 000 PA.

They have featured the property on their website since November 2008. They have featured the property on Shopproperty.co.uk and have had 302 hits on the specific page from December 2008. A board has been up at the property since early 2009 which has generated a poor response. The property has been advertised as ground floor retail space, entire building or as a temporary opportunity. The over whelming majority of enquires have been whether the property has A2 and A3.

The applicants want the recession to be acknowledged and they have also provided details of other sites on Camden High Street which have been marketed from as far back as April 2008 with no success apart from temporary licences.

Notwithstanding this, the property has been marketed for a little over a year and it is considered that a longer period of at least 2 years is necessary before the vacancy of the site could be considered to mitigate in favour of the loss of an A1 unit in this location.

Change of Use summary

In conclusion, given the present amount of information submitted it is considered that it would be that the proposed change of use would result in the net loss of retail frontage thereby causing harm to the town centre. It would not protect the character, function, vitality and viability of the shopping function within the centre, contrary to policy R7A.

Impact on host building

The proposed changes to the shop front are fairly minor and replicate the style of the neighbouring property at no.75. The door is centred with two glass panels either side. The simple design respects the host building and sits subordinately within the host building complaint with policies B4.

Amenity

It is considered that the change of use of this unit to a Class A2 use would not have any harmful impact on the amenities of any or neighbouring occupiers and would be consistent with policy SD6. The changes to the shopfront would not adversely impact on the amenity of the neighbouring properties or the flats above with regards to access to sunlight, daylight, overlooking, visual bulk or sense of enclosure and is therefore considered to be consistent with policy SD6 of the UDP.

Recommendation Refuse 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