

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		16/10/2009	
		N/A / attached		<b>Consultation Expiry Date:</b>		30/09/2009	
<b>Officer</b>				<b>Application Number(s)</b>			
Hannah Parker				(1)2009/3646/P (2)2009/3762/A			
<b>Application Address</b>				<b>Drawing Numbers</b>			
97 Parkway London NW1 7PP				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>							
Change of use from A1 (Retail) to A2 (Lettings Agency) and minor alterations to shopfront.							
<b>Recommendation(s):</b>		(1)Refuse Planning Permission (2)Grant Advertising Consent					
<b>Application Type:</b>		Full Planning Permission					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	<b>07</b>	No. of responses	<b>01</b>	No. of objections	<b>01</b>
				No. electronic	<b>00</b>		
<b>Summary of consultation responses:</b>		<ul style="list-style-type: none"> <li>• Object to application of change of use.</li> <li>• Parkway has been designated a Neighbourhood Centre</li> <li>• A mixed residential and commercial Street which relies on diversity</li> <li>• Retail outlets at risk</li> <li>• At present there are 11 estate agents in the street including six in the stretch from Albert to Delancy Street</li> <li>• This street cannot afford to lose another retail premises</li> </ul>					
<b>CAAC/Local groups* comments:</b> *Please Specify		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

## 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 an Estate Agents (Class A2). This application also relates to the proposed new signage.

### Main Considerations

- Principle of change of use
- Impact on host building
- Neighbourhood Amenity

### 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 73 and 97 (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%.

However the determination as to whether a development would cause harm to the character, function, vitality and viability of a centre should not be measured on this percentage alone. Consideration must be given to wider site characteristics and the specific merits of the proposals.

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 73 and 97 (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 estate agent's is also likely to make use of the shopfront, and the proposals would not result in 'dead' frontage. However, due to the large proportion of estate agents along parkway a diversity of units is not visible and the loss of further A1 units is not considered to retain the character, function, vitality and viability of the area.

### **Viability and vacancy**

The applicants have stated that the most recent A1 occupiers of the premises have vacated and moved to alternative premises and have submitted very limited information at the request of the Council in support their application regarding attempts to market the application site.

This information included that they advertised the premises via a board and the internet commencing in March 2009. The rent initially was £27,500. There were 6 enquires and 3 viewing. The estate agent concluded that 97 Parkway is not attracting A1 retail users, due to the fact that the unit is too far away from the centre of Camden. They state that the south end of Parkway is recognised for its Restaurants and Estate Agencies and not a retailing area.

The applicants have not provided any information about the vacancy rates within the rest of Parkway nor on the relative rent levels for comparative units. They state that half of the neighbourhood centres in Camden have vacancy rates of 10% or more. It is noted that at the time of assessment there are three single shopfront units vacant in the area surveyed above (8% of the 36 total units), one of which is an A2 unit, identified as an accountant's office in the Retail Survey 2008.

### **Change of Use summary**

On balance, 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 shopping 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**

It is proposed to remove the unsightly roller shutters this will be beneficial to the character and appearance of the conservation area. The only piece of signage which requires permission is the projecting sign. Due to the modest proportions and placement at existing fascia level the projecting sign is considered acceptable.

The introduction of the non illuminated fascia sign does not require planning permission.

The signage integrates well with the form, fabric, design and scale of the host building and is constructed from materials that are robust and sympathetic to the host building. Given the highly commercial nature of the Town Centre coupled with the frontage recognised as secondary shopping, the advertisements therefore integrates well with the general character of the area. The building is within Camden Town Conservation Area and therefore the signage has been designed to a high standard with a good level of detail in that the lettering is of an appropriate scale and size and does not dominate the fascia level of the building. It is therefore considered that the signage will preserve the character and appearance of the conservation area. The design arrangement on the shop front will remain. The only proposed change is for the woodwork to be painted blue to match the new signage.

Although effectively the signage is acceptable it cannot be implemented due to the recommendation for the refusal of the proposed use. However, if assessed purely on its own merits the signage is appropriate and acceptable.

The signage and works to the shopfront are considered to comply to policies B1, B3 and B4 of the London Borough of Camden Unitary Development Plan.

### **Public Safety**

Given that the signage is static and is adequately placed 2.720 mm above street level it is considered that the signage would have minimal negative impact upon highway safety; both in terms vehicular and pedestrian

movements.

### **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.

### **Recommendation**

**Refuse Planning Permission**

**Grant Advertising Consent**

### **Disclaimer**

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