

Delegated Report		Analysis sheet		Expiry Date:		11/08/2008	
				Consultation Expiry Date:		19/08/2008	
Officer				Application Number(s)			
Jenny Fisher				2008/2969/P			
Application Address				Drawing Numbers			
194 - 198 Arlington Road London NW1 7HH				Refer to decision letter			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Change of use from retail (Class A1); professional (Class A2); business (Class B1) to three live/work units at lower ground level.							
Recommendation(s):		Grant planning permission with conditions and a S. 106 Agreement					
Application Type:		Full Planning Permission					
Conditions:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:	No. notified	420	No. of responses No. electronic	01 00	No. of objections	00	
Summary of consultation responses:	Site notice displayed One response from room 37, Arlington House – no comments						
Local groups comments:	None received.						
Site Description							
<p>The site is adjacent to the Arlington Road hostel on the north side, which is 6 storeys high with a prominent end wall elevation. Early Mews runs between the hostel and the application site. Two storey buildings are on the south side of the Mews, to the east of the application site. Adjoining the site is a public house (The Good Mixer), at the junction of Arlington Road and Inverness Street.</p> <p>Steps and a ramp lead to the main entrance of 194 -198 Arlington Road. There are lightwells either side of the entrance.</p> <p>Works to the building are complete following planning permission for the erection of a 6 storey building for A1/A2/B1 use of the lower ground floor and residential use on upper floors. The lower ground floor of the application site is vacant, but currently has approval for A1, A2 or B1 use; the ground and upper four floors comprise 12 self-contained residential units.</p> <p>The site is not in a conservation area, although the Camden Town Conservation Area lies across Inverness Street, 25m to the south. It is within the Camden Town Major Shopping District and the Camden Town Special Protection Area.</p>							

Relevant History

In 1990 permissions were **refused** 3 times for the change of use from showroom/ storage use and residential to office use with additional storeys.

Planning permission was **granted** in September 2002 for demolition of the existing building and the construction of a 3-storey building containing lower ground floor business units and 7 flats on the upper floors.

20/07/2004. Planning permission was **granted** (2003/0159/P) subject to a S.106 for the demolition of the existing 3-storey building office building and the construction of a 5-storey building, with basement, to provide offices (class B1 business) use at lower ground floor level and nine self contained residential units (2x1-bed, 6x2-bed and 1x3-bed) above.

14/10/2004. Planning permission was **granted** (2004/2944/P) subject to a S.106 for the demolition of existing 3-storey building and the erection of a 6-storey building comprising retail/professional/business accommodation (Classes A1/A2/B1) on the lower ground floor and 12 flats (2 x studios, 2 x 1-bed, 7 x 2-bed and 1 x 3-bed flats) on the upper floors.

In March 2006 permission was **refused** (2006/0184/P) for amendments to planning permission ref. 2004/2944/P, involving the infill of the curved rear extension at ground, first and second floors, and the enlargement of the rear bin store. The reasons for refusal were essentially the failure of the applicant to sign the S.106 and therefore the detriment that would arise from the development failing to provide car-free housing, to pay for necessary highway improvements/costs and to pay an education contribution towards the Boroughs school infrastructure.

21/06/2006. Planning permission was **granted** (2006/1999/P) subject to S.106 for amendments to planning permission ref. 2004/2944/P involving the infill of the curved rear extension at ground, first and second floors, and the enlargement of the rear bin store.

Relevant policies

Replacement UDP 2006 S1/S2/S4, SD2, SD6, H1; H7; H8, B1, B3, E2, E4, T3, T8

Camden Planning Guidance 2006: design, residential development standards.

Assessment

Proposed is the change of use of the lower ground floor from the existing flexible use (A1/A2/B1) granted permission as part of the redevelopment of the site under permission dated 14 October 2004 (ref: 2004/2994/P), to provide three self-contained live/work units. These are small units aimed at starter businesses.

The applicant states that the present owners have marketed the lower ground floor as retail/professional/business use, but to date have found no demand or interest.

The three live/work units would vary in size from 47.2m² – 63.5m². A bicycle store would be included, with external stair access (from Early Mews) and by lift.

The applicant has reached a preliminary agreement with the immediate neighbour, a retail unit with what appears to be residential use on 1st and 2nd floors (26 Inverness Street), to acquire part of their rear yard, to enable the introduction of natural light wells. The light well would be 'L' shaped, 7.2m (length) x 1.7m (width) widening to 3.5m for 1.8m of the length. The proposed development includes two windows that would open onto the new light well.

Land Use

Normally in a town centre location such as this, the loss of A1/A2 floor space is likely to be resisted for lack compliance with Policy R2 of the UDP. Similarly the loss of employment floor space is generally resisted under Policy E2.

However, in the circumstances of this development, the applicant has stated that the building has been completed for almost a year, and the upper floors were occupied very quickly. Despite best endeavours, there has been no serious interest in or take up of the lower ground floor. The applicant's advice from agents who have been consulted has been that there is very low demand for office/professional accommodation of this nature in this locality. They also advised that there is a much higher demand for live/work space. Given the location and residential element of the rest of the building, if the lower ground floor could be brought into use as proposed, it is expected that it would be occupied in reasonably short space of time.

There would be no loss of active frontage at ground floor level, and since the applicant has provided a written declaration of unsuccessful attempts to let the premises, the principle of a change of use as proposed is considered acceptable in this case.

Turning to the proposed use, UDP Policy E4 states that the Council will grant permission for live/work units providing they do not result in the loss of permanent residential accommodation or employment space that has the potential to continue on site; harm residential amenity; increase traffic congestion or parking pressure. It is considered that the proposal complies with the requirements of Policy E4.

The applicant has confirmed (19/08/2008) that the proposed changes would address 10 of the 16 Lifetime Homes Standards: Approach; External Entrances; Communal Stairs; Doorways and Hallways; Wheelchair Accessibility; Living Room; WC; Bathroom and WC Walls; Bathroom Layout; Fixtures and Fittings. The applicant explains that the nature of the existing building means that some of the standards, such as those relating to parking, are not possible to implement.

Transport

The proposal is acceptable in transport terms subject to a S.106 agreement securing the live/work units as car free. The location of the site means that it satisfies all of the criteria for a car free development. An area of 5.4m² is shown on drawing 2021/2CU as allocated for cycle storage. This should be secured by condition.

Amenity

New lightwell:

An 'L' shaped light well would allow light into proposed Unit 1. This would be 7m (length) x 1.4m

(width) for 5.4m of the 7m length; the remainder would be 3.2m wide. 4.5m of the length would be excavated on land in the ownership, and to the rear, of no. 26. The remainder of the proposed lightwell appears to be an existing open space between the application premises and the pub.

Since this is the rear yard of commercial premises and not residential amenity space, there is no objection to a narrow strip of the rear yard of no. 26 Inverness Street being used as a light well.

Existing lightwells:

There are lightwells to the front on either side of the main entrance, and there is an open area to the Early Mews side of the building within which a metal staircase has been installed.

Daylight:

Windows would be installed for each work space and living space within the three live/work units opening onto lightwells.

Unit 1: A light well adjacent to Early Mews is 3m wide; a large window to the work space would open onto the lightwell. A second window to the work space, and a window for the studio/living space, would open onto the new lightwell to the rear of no. 26.

Unit 2: A light well to the work space would open onto the new lightwell; a window to the studio/living space would open onto an existing lightwell to the front of the building.

Unit 3: The work space window would open onto the Early Mews lightwell and the studio/living space would have a window opening on to an existing lightwell to the front of the building.

Buildings fronting Inverness Street are no more than 2 storeys high with open space between. There is a gap of approx. 10.5m between the rear elevation of no. 26 Inverness Street and the window opening onto the new lightwell; approx. 6.5m between the extension to no. 26.

Arlington House on the opposite side of Early Mews is taller than the application premises. As a consequence, there is unlikely to be a great deal of daylight to Units 1 and 3 with windows opening onto the Early Mews lightwell. However, the most affected parts of the units are the work spaces, and Unit 1 has an additional work space window opening onto the new lightwell. The living space to Unit 1 also has a window on both sides of the building. There should therefore be adequate daylight to both rooms to Unit 1.

The window to the work space for Unit 2 would receive light from above and along open space to the rear of Inverness Street properties. An analysis of the studio/living space suggests that it would be rather gloomy; however, since the area designated for work space would be lighter, it would be possible to swap live/work floor space.

The studio/living space to Unit 3 does not extend back as far as for Unit 2, and the window onto the Arlington Road lightwell is wider; it is considered that this room would receive sufficient daylight. The workspace for this unit has a window that opens onto the Early Mews lightwell. It is also considered that, given the width of the window and the size of the room, it would receive adequate daylight.

Waste

The site is occupied and collection is taking place. The Council's Street Environment Service does not require additional space for residual waste containers.

Recommendation: Grant approval subject to a S.106 agreement for a car-free development.

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