

DISCLAIMER

Decision route to be decided by nominated members on ----- (date to be inserted). For further information see

<http://www.camden.gov.uk/ccm/navigation/environment/planning-and-built-environment/planning-applications/development-control-members-briefing/>

Delegated Report		Analysis sheet	Expiry Date:	03/12/2007
(Members Briefing)		N/A / attached	Consultation Expiry Date:	19/11/2007
Officer		Application Number(s)		
Cassie Plumridge		2007/4503/P		
Application Address		Drawing Numbers		
Swiss Cottage Library 88 Avenue Road London NW3 3HA		Site Location Plan; L01; L02.		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Change of use of part ground floor foyer of the library (Class D1) to pharmacy (Class A1).				
Recommendation(s):		Grant Planning Permission, subject to conditions		
Application Type:		Full Planning Permission		

Conditions:	Refer to Draft Decision Notice
Informatives:	

Consultations

Adjoining Occupiers:	No. notified	Site Notice Only	No. of responses No. electronic	01 00	No. of objections	01
Summary of consultation responses:	<p>Objection lodged by a property in Belsize Square. Grounds of objection:</p> <p>(i) A pharmacy would be out of keeping with the rest of the listed building. (ii) People won't be aware of the application, as Camden no longer advertises in the most popular local paper – this is undemocratic. Only became aware of the application through a Site Notice.</p>					
Local groups comments:	No response received.					

Site Description

Grade II listed purpose built library dating from 1963-4, for the Borough of Hampstead by Sir Basil Spence, Bonnington and Collins. It comprises a reinforced concrete frame clad in pre-cast black basalt concrete spandrel panels between projecting concrete fins. While the site is not strictly within a town centre, it is immediately adjacent to the Swiss Cottage and Finchley Road Town Centre.

The subject room relating to the application is within the ground floor foyer of the building, located at the northern end of the building, which was previously used as exhibition space, however is now vacant. A new and larger dedicated area for exhibitions is now provided at first floor level. It is noted that library facilities are located on the first and second floors.

Relevant History

Planning permission 2007/3170/P granted on 19/10/2007 allowed for *Change of use to convert part of the basement from vacant library area (Class D1) to assembly and leisure (Class D2) for use as a martial arts studio.*

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's Replacement Unitary Development Plan 2006:

- S1 & S2 - Strategic Policy on Sustainable Development
- SD1 - Quality of Life
- SD6 – Amenity
- C2 – Protecting Community Uses
- R1 – Location of New Retail and Entertainment Uses; Part A – Shops and Services
- R2 – General Impact of Retail and Entertainment Uses.

Camden Planning Guidance 2006

Assessment

Proposal:

The scheme seeks planning permission for a change of use of part ground floor foyer of the library (Class D1) to pharmacy (Class A1).

It is noted that the proposal does not require any internal works to the building to facilitate this change of use. The section of the foyer proposed to accommodate the pharmacy is already partitioned off from the main foyer by glass screen and glass door. This area covers 40m². The applicant has indicated that:

- the number of staff to be 4 persons
- waste will be collected with other the library waste collection
- the hours of operation will coincide with those of the library i.e. Monday 10.00-19.00; Tuesday, Wednesday and Friday 10.00-18.00; Thursday 10.00-20.00; Saturday 10.00-17.00; Sunday opening on the 1st Sunday of the month 11.00-16.00.

Assessment:

Policy C2 (Protecting community uses) states that *'The Council will not grant planning permission for development that results in the loss of a community use unless it is demonstrated that: (a) an adequate replacement facility will be provided in a location accessible to the users of the facility; or (b) the specific community use is no longer'*. As the service is still being provided, and is elsewhere on the same site, it is considered to continue to remain accessible by the public.

Policy R1A (Location of new retail and entertainment uses, Part A Shops and services) states: *'The Council will grant planning permission for development for shopping and service uses (Use Classes A1 and A2), and markets (sui generis use) in Central London Frontages, Town Centres and Neighbourhood Centres. The Council will also grant planning permission for development of a significant focus of shopping and service uses and for Neighbourhood Centres and local parades in the King's Cross Opportunity Area provided that these would not harm the vitality and viability of existing centres. In assessing development for shopping and service uses and markets, the Council will consider whether it could be accommodated in any of these locations before edge-of-centre sites, or sequentially, sites out-of-centre are considered for development. Developments should be of an appropriate scale and character for the centre to which they relate.'*

The discussions relating to R1 goes onto state: *'The Council recognises that individual small shops outside centres can play an important role in meeting local convenience shopping needs. As an exception to the approach set out in Policy R1A, the Council will support the development of small shops (generally less than 100 square metres) outside centres where the proposals meet the requirements of policy R2.'*

Policy R2 - General impact of retail and entertainment uses states: *'The Council will only grant planning permission for development for shopping and service uses, food and drink uses, licensed entertainment and markets (in Use Classes A1, A2, A3, A4, A5, D2 or sui generis) where it considers the development: (a) will not cause harm to the character, amenity, function, vitality and viability of the area, or of other areas it affects; and (b) is readily accessible by a choice of means of transport, including by foot and public transport, and by late night public transport if late night opening is proposed...'*

While the site is not strictly within the town centre, it is immediately adjacent to the Swiss Cottage and Finchley Road Town Centre. Given the modest floor area and the scale and character of the use, the proposal is not considered to detract from the vitality of the centre and can be considered an appropriate location for the Pharmacy use. The proposal is considered to have appropriate regard for policy R1A and R2.

It is noted that the proposed use of a Pharmacy falls within the Class A1 category which does encompass a variety of uses, some of which are considered to be more intensive and not appropriate within the library, as such it is considered prudent that any approval should restrict the approved use to a 'pharmacy', so that

changes of use within the same use class would require planning permission.

The section of the foyer proposed to accommodate the pharmacy is already partitioned off from the main foyer by glass screen and glass door. The subject room relating to the applications with the ground floor foyer of the building, located at the northern end of the building, which was previously used as exhibition space, however is now vacant. A new and larger dedicated area for exhibitions is provided at first floor. It is noted that library facilities are located on the first and second floors. The floor space which is proposed to accommodate the Pharmacy is considered to be surplus to needs to the Library Service, and the loss of this space would not adversely impact on the function or standard of service provided by the Library.

The proposed use is considered to be compatible with the surrounding uses. The hours of operation will coincide with those of the library. A condition will be placed on the permission limiting the hours to those proposed, in order to protect the amenity of the residential properties in the surrounding area, and to ensure the use is consistent with the main use of the library within the building.

The application proposed 4 staff. Given the floor area is restricted in size, it is not considered necessary to cap the number of staff on the site by condition.

The applicants have provided limited details regarding refuse storage and collection of the site. Given there will be medical waste that will be need to stored securely and collected at regular intervals, further details shall be required by condition.

An informative will be placed on the permission reminding the applicant that if that Listed Building Consent is required for any internal changes associated with the new use.

As discussed above, the change of use is considered to be suitable for support. The scheme is considered to have appropriate regard for relevant policies of the Replacement UDP 2006 (S1, S2, SD1, SD6, C2, R1 and R2).

Recommendation: Grant Planning Permission, subject to conditions.