

Ward: Regents Park (NE area)

Officer: Rob Brew

Camden Town Conservation Area

Address : Greater London House, Hampstead Road, NW1

Date of Application : 07/10/1998

Application Number: PE9800760 Case File: K12/9/2

Proposal :

The change of use of part of the basement from offices to
gymnasium and restaurant,
as shown on drawing number > 9604/15B, SK119,

RECOMMENDATION SUMMARY : Grant Permission subject to Section 106

Applicant

Kian Gwan Land Ltd,
HBSC Private Banking (CI)
Ltd,
1 Grenville Street,
St. Helier,
Jersey

Agent

Finch Forman Architect,
Attn. A. Forman 960A/15
20 Bridge Wharfe,
156 Caledonian Road,
London,
N1 9UV.

Analysis Information

<u>Land Use Details</u>		<u>Sq Metres</u>
<u>Existing</u>		
A3	Food and drink	0
B1	Business	2190
<u>Proposed</u>		
A3	Food and drink	864
D2	Assembly and leisure	1326
Total		2190

LONDON BOROUGH OF CAMDEN
TOWN AND COUNTRY PLANNING ACTS

11 MAR 1999

RECOMMENDATION AGREED
ON BEHALF OF THE COUNCIL

Fa/18

OFFICER REPORT:

1. SITE

- 1.1 The site comprises part of the basement to a large 7 storey office building that is currently being refurbished as hi-tech and media office suites. The basement currently accommodates a car park and loading bays, offices, and a number of ancillary storage and plant rooms. The application relates to the offices.
- 1.2 The site adjoins but lies outside of the boundary to the designated Camden Town Shopping Centre, but lies within the area covered by the Camden Town Centre management scheme. The site is within the Camden Town Conservation Area.
- 1.3 Mornington Crescent and Hurdwick Place are predominantly residential but there are existing A3 uses at 1 Hurdwick Place, 1 Camden High Street and 46 Mornington Crescent.

2. PROPOSAL

- 2.1 The change of use of part of the basement from offices to gymnasium (1326m²) and restaurant (864m² and 220 covers). The application includes the provision of a ventilation duct in an existing duct riser in the building. No external alterations are proposed.
- 2.2 The applicants state that the proposed gymnasium may be used solely by the occupiers of the rest of the building, but they wish to retain the flexibility for use by existing occupiers and members of the public. The restaurant will be used by the occupiers of the rest of the building and members of the public. Both the proposed uses have direct internal access from the upper floors.

3. RELEVANT HISTORY

- 3.1 Numerous planning permissions were granted during 1997 for works for the refurbishment of the building, including a permission for the provision of new service duct risers within the building and its internal courtyard approved on 1.4.97 (ref: PE9700102). The internal courtyard is to be covered to form an atrium.

4. RELEVANT POLICIES

- 4.1 Relevant Borough Plan policies include the following:
Housing - HG1,12;
Transport - TR1;
Urban Design - UD11,12;
Shopping - SH1;
Leisure - LE1,11,13.

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- 4.2 Relevant Draft UDP policies include the following:
Resources, Implementation and Monitoring - RE1,2,4;
Environment - EN1,6,7,16,33;
Transport - TR1,3;
Employment - EC5;
Shopping - SH1,5/6,24;
Leisure and Culture - LC3;
Camden Town Area of Special Character - CT3,4/5;
Development Standards - DS6,9,10,12.

5. CONSULTATIONS

5.1 Conservation Area Advisory Committee Comments

The CAAC do not object if the gym is to be a private facility. They object if the restaurant is to be open to the public, as the Council would have no legal means of preventing the future conversion of the restaurant into a pub.

5.2 Local Group comments

Camden Town Community Forum - The proposed restaurant could be converted to a pub if it is a public facility, and it will bring traffic to the area which will cause parking congestion on nearby streets.

5.3 Adjoining Occupiers

Number Notified	28
Site Notices	4
Replies Received	0

6. ASSESSMENT

- 6.1 The main considerations are the loss of office accommodation, the suitability of the site as a location for the proposed uses, the likely impact of those uses on local amenity and transport conditions, and the role of the development within the Camden Town Centre Management Scheme.

6.2 Loss of employment space

The proposed loss of office space is considered to be acceptable for three reasons. Firstly, the space is physically displaced from the bulk of the office space in the building which is located on the upper floors overlooking the central atrium in the building. Secondly, the office space provides a lesser quality of employment space than the upper floors because its basement location allows only limited access to natural light and has a poor outlook. Thirdly, the proposed uses would enhance the attractiveness of the rest of the building as employment space as the occupiers of the office suites would be the principal users of the proposed gym and restaurant. The applicants have stated that some of the agreed future occupiers of the office suites have made the provision of the gym and restaurant a requirement of their occupation.

6.3 Suitability of site for proposed uses

The site lies outside of the Camden Town Centre which is a location designated within the UDP as suitable for the proposed uses. However, the site does lie immediately

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adjacent to the southern end of the Centre, and the proposed uses are not considered likely to reduce the vitality or viability of the Centre. In fact the proposed uses may help improve the vitality of the southern end of the Centre as this is generally less economically vibrant than the northern end.

6.4 Camden Town Centre Management Scheme

The site is located within the Camden Town Centre Management Area, and in accordance with UDP policies RE2, SH5/6, and CT4/5, it is considered that the proposal should make a contribution to the Town Centre Management Scheme. Officers consider that a contribution of £7,500 for each of the proposed uses would be appropriate. This contribution is based on the likely impact of the proposed uses and takes into account a reduction in the overall impact of the use of the existing office space that is to be lost, and a reduction to take into account that fact that a proportion of the users of the new uses will be occupiers and users of the rest of the building. The payments could be phased so that one third is paid on commencement of the development, one third on occupation, and one third 12 months after occupation. The second and final payments would be index linked.

6.5 Impact on amenity

Whilst the opposite side of Mornington Crescent is predominantly residential the location for the proposed uses is at basement level at the other side of the building facing the busy highway of Hampstead Road. The existing duct riser would discharge at roof level and is considered to be a suitable location for the ventilation ducts for the proposed uses. There is sufficient space within the proposed restaurant to provide refuse storage facilities. Therefore the proposed uses are unlikely to significantly affect local residential amenity, but nonetheless it is considered prudent to attach the normal conditions to protect amenity.

6.6 The proposed restaurant is considered to be acceptable in terms of UDP policy SH24 for the following reasons:

(a) Hours of operation

The proposed use is located on a busy highway but there are residential premises nearby. It is considered that the hours of operation of the proposed restaurant should be limited to between 0800 and 2400 hours.

(b) Impact of noise on local amenity

For the reasons set out in paragraph 6.5, the noise likely to be generated by the proposed uses is not considered likely to harm local amenity.

(c) Tables and chairs on the highway

As the proposed restaurant is at basement level with no direct access to the highway it is unlikely that tables and chairs will be provided on the highway.

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(d) Refuse storage

For the reasons set out in paragraph 6.5, it is considered that refuse storage space could be provided, and it is suggested that the details of the facilities for refuse storage be reserved.

6.7 **Impact on local traffic conditions**

The premises have direct access to the internal loading facilities located in the basement and so the servicing of the proposed uses can take place off-street. There are no parking spaces allocated within the basement car park for staff or customers of the proposed uses. The site lies on a number of bus routes and opposite Mornington Crescent Underground Station, and so has good public transport accessibility. Also, many of the users of the proposed gym and restaurant would be occupiers of the offices and so would already be in the building. Consequently, the servicing arrangements and likely traffic generation potential of the proposed uses are considered to be acceptable.

6.8 **Other matters**

Both the CAAC and the CTCF are concerned that the proposed restaurant would become a public house. In planning terms this change would lie beyond the control of the Council, but in this report the assessment of the impact of the proposed restaurant is made on the basis of all potential uses within the A3 Use Class. In any case, it is considered more likely that the restaurant would remain a restaurant or wine bar type of operation as this is the sort of use desired by the occupiers of the offices who will be the principal customers for the proposed uses.

6.9 **Conclusion**

It is considered that the proposed edge-of-centre development would not harm the established shopping centre of Camden Town or local amenity or traffic conditions, but this should be ensured by the use of conditions and a financial contribution to the Camden Town Centre Management Scheme. The loss of the office space is considered acceptable. The proposed development is considered to preserve the character and appearance of the Camden Town Conservation Area.

7. **LEGAL COMMENTS**

- 7.1 Members are referred to the Note from the Acting Borough Solicitor contained at the start of the Agenda.

8. **RECOMMENDATION**

- 8.1 That planning permission be granted subject to the completion of a satisfactory legal agreement to secure a total financial contribution of £15,000 to the Camden Town Centre Management Scheme (as set out in paragraph 6.4) and subject to the following conditions:

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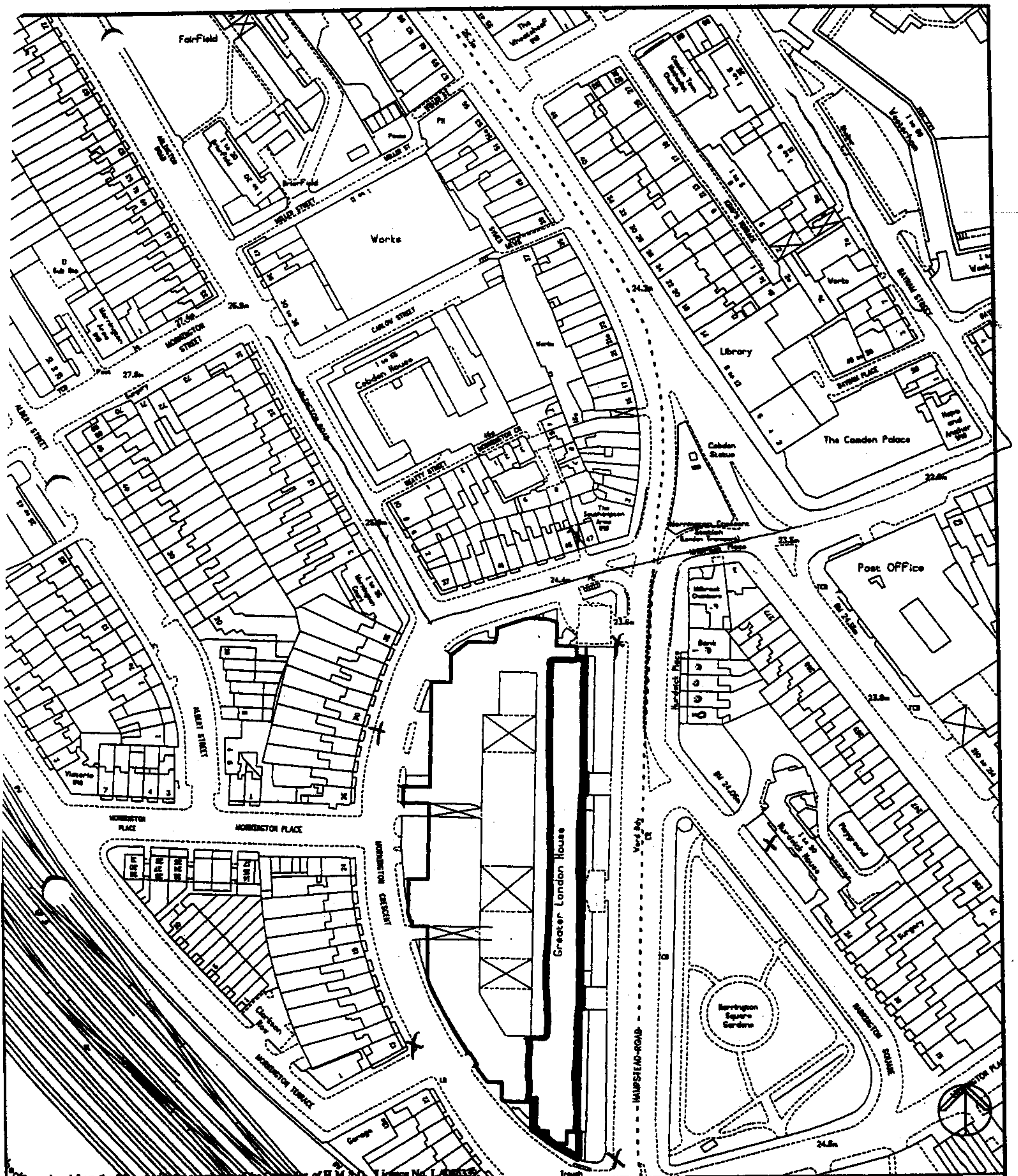
Conditions

1. No music shall be played on the premises in such a way as to be audible within any adjoining premises or on the adjoining highway. (CG04)
2. At 1 metre outside the windows of any neighbouring habitable room the level of noise from all plant and machinery shall be at all times at least 5 decibels below the existing background noise levels, expressed in dB(A) at such locations. Where the noise from the plant and machinery is tonal in character the differences in these levels shall be at least 10 dB(A). (CG08)
3. Before the use commences, details of the method of storage and waste removal shall be submitted to and approved by the Council and the approved method shall thereafter be maintained. (CG20)
4. No loading or unloading of goods, including fuel, by vehicles arriving at or departing from the premises shall be carried out otherwise than within the curtilage of the building. (CH03)
5. The restaurant use hereby permitted shall not be carried out outside the following times: 0800 to 2400 hours. (CG01 amended)

Informatives

1. Your attention is drawn to the requirements of Sections 4, 7 and 8A of the Chronically Sick and Disabled Persons Act 1970 that this development (for employment use or to which the public will be admitted) should be made accessible to people with disabilities wherever practicable. Guidance is provided in British Standards Institution Code of Practice BS 5588 1987 "Access for the Disabled to Buildings". (IB01)
2. If any difficulty is anticipated in complying with the condition in respect of the regulation of noise, you are advised to consult officers of this Department. (IE01)
3. Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. (IH06)
4. The Council supports schemes for the recycling of bottles and cans and encourages all hotels, restaurants, wine bars and public houses to do so as well. Further information can be obtained by telephoning the Council's Street Environment Service (Recycling) on 0171 485 1553. (IJ01)
5. You are advised that condition 05 means that no customers shall be on the premises and no activities associated with the use, including preparation and cleaning up, shall be carried out otherwise than within the permitted time. (IE08)

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London Borough of Camden

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REPORT ENDS

Environment Department
Town Hall Extension
Argyle Street Entrance
London WC1H 8EQ

Greater London House,
Hampstead Road.

Date: 29-Oct-1998

Scale: 1 : 1696

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