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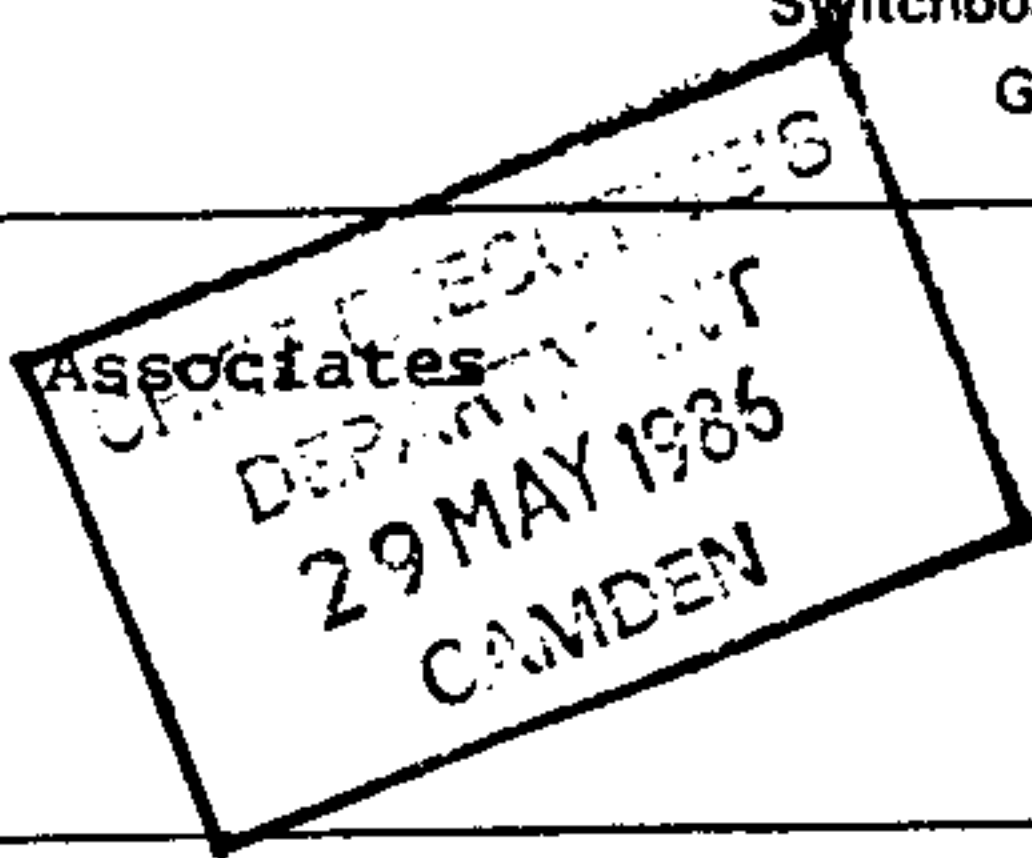


DISMISSED

J12/17/34

Reg 1766

Messrs Anthony Bowhill & Associates
Third Floor
48 Southwark Street
LONDON SE1 1UN



Your reference

TH/JB

Our reference

T/APP/X5210/A/85/042541/P4

Date

27 MAY 86

29 MAY 1986

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 2
APPEAL BY LEVEL MACE LTD
APPLICATION NO: PL/8500697

1. As you are aware I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal. This appeal is against the decision of the London Borough of Camden Council to refuse planning permission for the change of use from light industrial with ancillary office use to complete office use at No 3 Pratt Mews, London NW1. I have considered the written representations made by you and by the council. I visited the site on Tuesday 8 April 1986.
2. From my visit and from the representations made, I consider the main issue to be decided is whether, in view of a stated demand for small premises, this proposal would result in an unacceptable loss of a usable light industrial accommodation in conflict with current adopted policies of the council and whether there are special circumstances to justify the proposed change of use.
3. The appeal premises, a 2-storey building, is located on the east side of Pratt Mews, a narrow cul-de-sac off Pratt Street which runs parallel to the main shopping frontage of Camden High Street. The property has recently been renovated and offers single room accommodation on both floors, together with provision of toilet facilities. The adjoining building to the north is occupied as offices and storage whilst to the south is a cloth cutting workshop and store. The remainder of the Mews buildings are used as motor workshops with office accommodation above Nos 8 and 9, dressmaking workshops and a gymnasium/health clinic. The existing buildings front immediately onto the Mews and at the time of my visit the roadway contained a number of parked cars. At the southern end of the Mews is a Meeting Hall.
4. In support of this appeal you point out that because Pratt Mews is narrow, has no parking or unloading facilities and existing workshop users in the vicinity create traffic congestion the area is not conducive to light industrial activities within the appeal premises. There is you say, no demand for such a small unit of accommodation and its loss would have no material effect on the overall industrial provision in the borough. It is also pointed out that other surrounding buildings have office uses, including a permission issued in 1977 for similar change of use at 8/9 Pratt Mews. In your opinion the office use proposed would encourage small business activity with possible employment opportunities and no demonstrable harm to interests of acknowledged importance would occur as a result of granting permission for this proposal. You also argue that the approved local plan identifies the site as being within a preferred office location and provides for a change of use of

industrial to offices in exceptional circumstances and in this case it is emphasized, your client wishes to occupy the premises in connection with his existing manufacturing business elsewhere.

5. The council point out that it is their policy to retain and encourage industrial employment, as expressed in the District Plan, Action Area Plan and proposed Alterations to the District Plan. The authority argue that Pratt Mews, whilst containing some office accommodation, nevertheless has a substantial amount of industrial accommodation in a form which is typical of older Mews type premises and which policies of the District Plan are concerned to prevent continued loss. In this case the council is of the opinion that despite having no parking or loading facilities, this premises is of a size which is in greatest demand and is suitable for continued light industrial occupation. Furthermore it is not considered that the further use of the appeal premises for industrial purposes would attract any significant change in the existing traffic situation in the Mews. My attention is drawn to recent appeal decisions where the council state that their industrial employment policy has been upheld. The background to the grant of permissions at Nos 8/9 and 1/2 Pratt Mews is also outlined.

6. Policies of the council's District Plan and proposals for alterations thereto, clearly indicate their concern to encourage a range of employment opportunities, prevent further loss of industrial floorspace and resist the decline in industrial activities in the borough. There is in consequence an implied presumption against granting permission for changes of use of existing usable industrial buildings unless an environmental nuisance is being caused.

7. Although Pratt Mews already contains some offices, particularly at Nos 1/2 and 8/9, a substantial number of the remaining buildings are nevertheless used in the form of workshops and associated storage. It would seem to me therefore, as a result of my visit, that the continued use of the appeal premises would not be out of keeping with either the character of this area or the general activities which are currently being undertaken within these Mews buildings.

8. Your view that there is no demand for such a small unit of industrial floorspace appears to be contrary to that of the council whose Vacant Premises Register indicates a significant number of applicants seeking industrial accommodation of less than 500 sq ft. Furthermore no evidence has been submitted to show that the appeal premises has been properly offered for suitable light industrial occupation at a reasonable level of rent or that the future beneficial use of the building is dependant upon a successful outcome of your client's application.

9. I appreciate that due to the narrow width of Pratt Mews, the lack of parking/unloading facilities causes obstruction and inconvenience of access to premises. However I am not persuaded that the amount of traffic activity likely to arise from the proposed use would significantly differ from that generated by most small industrial uses. Nor am I satisfied that potential employment opportunities would necessarily be greater as a result of the use change proposed.

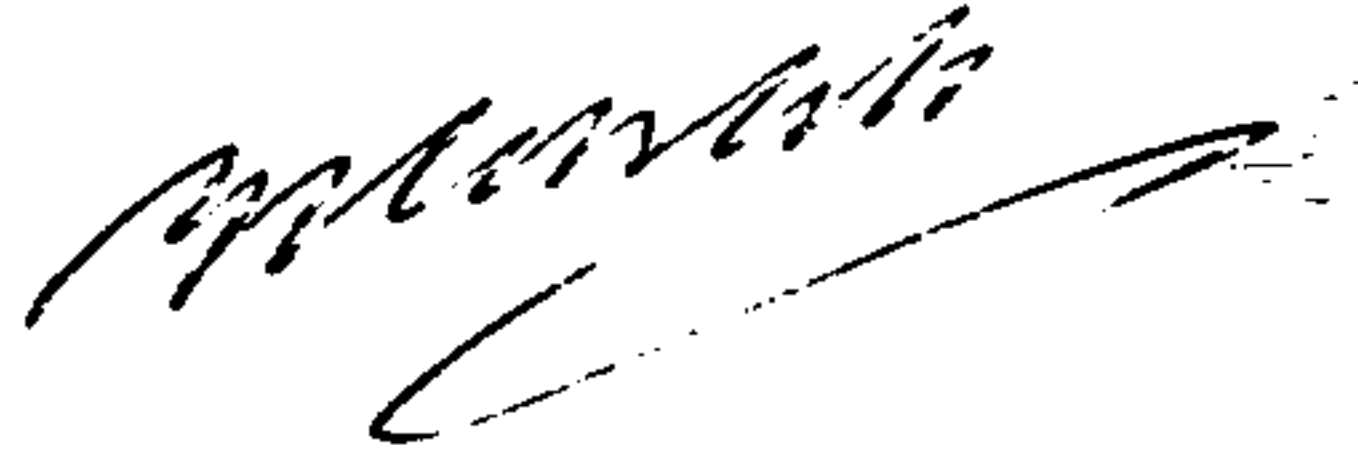
10. From the above I have concluded that, although modest in size, the appeal premises is adequate and suitably located for continued industrial occupation and I am also satisfied that, notwithstanding your client's wish to occupy the building, no special reasons have been put forward which would justify a departure from adopted policies of the council. In my opinion to grant permission in these circumstances, for the changed use proposed, would result in the undesirable loss of usable industrial floorspace and prejudice future achievement of the council's objectives in respect to halting the decline of industrial employment in the district. There is therefore, in my judgement, planning objection to your client's application which overrides the normal presumption in favour of development.

11. Whilst noting the presence of other office accommodation in Pratt Mews, which you have brought to my notice, I nevertheless consider that the circumstances leading to the grant of permission in these instances differ from those concerned with the appeal premises. However each application has to be judged on individual merit and it is on this basis that my decision has been reached.

12. I have taken account of all the other matters raised, including other appeal decisions, unoccupied industrial buildings in the vicinity and other development in Pratt Mews, but they are not of sufficient weight to alter my decision.

13. For the above reasons and in exercise of the powers transferred to me, I hereby dismiss this appeal.

I am Gentlemen
Your obedient Servant



G S WEBB CEng MICE
Inspector