

PLANNING, DESIGN AND ACCESS STATEMENT

Former Public Convenience, Junction between Kentish Town Road and Royal College Street NW1 9PX

Retrospective planning application for use of premises as music rehearsal and recording studio with guitar repairs Class B1 (c) and retention of two external advertisement signs.



The rehearsal and recording studio

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1. INTRODUCTION

- 1.1 This retrospective application at the former public convenience is made on behalf of Creation Studios who lease and operate their business at the site. Camden Council owns the site.
- 1.2 The Council has sent an enforcement letter dated 11th June 2015, requesting a retrospective planning application for a change of use, on the basis that the usage is not lawful.
- 1.3 The application seeks to retain the usage as a music rehearsal and recording studio and guitar repair shop. We also want to retain the two external advertisement signs.
- 1.4 The previous audio and visual music shop tenant was a continuous tenant from 1993 to 2011 and also used the premises as a music rehearsal space. However, he did not apply for permission for an additional usage. At the time the clients signed a six-year lease in June 2014 they did not realize that they were in breach of planning regulations.
- 1.5 The change of use approval will enable the clients to use the premises for their business and enable locals to use an affordable music rehearsal and recording space.

2. SITE AND SURROUNDINGS

- 2.1 The small site is currently being used as Class B1 (c). The former public convenience is located on the junction of Kentish Town Road and Royal College Street in Camden. The site has an approximate area of 27.9 square metres.
- 2.2 The studios are below ground and emit no harmful sound. There is an acoustic lobby between the door from the street and the door to the studio. The junction of these two busy roads is noisy and continually full of traffic. The separation from conflicting premises makes this an ideal site for its present use.
- 2.3 The surrounding area of the site has a mixture of uses that are mainly commercial usage. The architecture on Kentish Town Road is small scale and with a mixture of building styles.
- 2.4 The site has the highest PTAL level of 6b. It is located within a very sustainable location with excellent access to public transport.
- 2.5 The site is not in a Conservation Area and does not have any listed buildings nearby.

Planning History

- 2.6 The only planning history for this site is application number PEX0100670. This gave permission in 2001, for a change of use from public toilets to a nail and beauty parlour (Class A2).

3. THE DEVELOPMENT

- 3.1 The tenants want to regularise the existing B1 usage and the advertising boards. They are establishing a small but successful music rehearsal, recording and guitar repair business in what for three years was a redundant and disused retail space. They provide a small and affordable rehearsal venue and are adding to the music and cultural venues in Camden.
- 3.2 The land is still being used for employment purposes, with no loss of employment land or small employment sites. The usage contributes to the vitality of the area and is compatible with uses nearby.
- 3.3 No changes are proposed to the interior or the exterior of the site with this application.

4. RELEVANT POLICY CONSIDERATIONS

- 4.1 This application requires to be assessed against the following suite of policy documents. At national level the National Planning Policy Framework (published March 2012) sets out the key strategic policies against which development management decisions must be made. At regional level the policies in the London Plan (adopted March 2015) and supporting guidance documentation are material considerations, while at local level the key documents are the Core Strategy (adopted November 2010), the 2010 adopted Development Policies in the Local Plan and the Camden Planning Guidance SPD also has material weight.

- 4.2 **The National Planning Policy Framework, 2012** is built on the premise that sustainable development should go ahead without delay. This is underpinned by a 'presumption in favour of sustainable development,' which requires a positive approach to determining planning applications. For decision-taking this means;

'approving development proposals that accord with the development plan without delay'.

London Plan, 2015

- 4.3 Policy 4.1 states that the Mayor wants to see continued growth and economic development and expects Councils to facilitate change to ensure that all kinds of enterprises can flourish:

'ensuring the availability of sufficient and suitable workspaces in terms of type, size and cost, supporting infrastructure and suitable environments for larger employers and small and medium sized enterprises.'

Local Development Framework

Core Strategy Adopted 8th November 2010

- 4.4 The Core Strategy highlights the importance of Camden's local music venues and how important they are for the wider London economy, *'a focus of culture,*

entertainment and education.' One of the aspirational planning targets in the introduction section (paragraph 24) states that:

'Promoting a successful and inclusive economy is particularly challenging given the current economic situation. The Council will take into account these circumstances and take measures to support our residents and businesses during difficult economic times.'

- 4.5 Policy CS7 permits the loss of retail space if, as in this case, there is no *'harm to the character and function of a centre'*.
- 4.6 Policy CS8 promotes the creation of facilities for *'small enterprises, such as managed, affordable workspace'*.
- 4.7 Camden has spare capacity in its retail employment space but has very low stocks of B1 space as highlighted in paragraph 8.11 *'we need to ensure that sites and premises of adequate quality are provided.'* Paragraph 8.20 reinforces the suitability of the site *'small businesses are often seeking premises that have flexible terms like shorter leases, layouts that can adapt as the business grows or changes'*.

Development Policies Adopted 8th November 2010

- 4.8 The proposal meets the requirements of policy DP13 and DP16 as the change of use is *'continued business use'* and as the site has the highest PTAL rating for public transport it *'is properly integrated with the transport network'*.
- 4.9 As this change of use proposal involves no physical changes, it complies with the standards of Policies DP26 and DP27. The basement level of the site and its location on a busy road means that *'noise and vibration levels'* are insignificant and do not harm residential amenities. The site and the neighbours' properties are not at risk from underground flooding with this continued usage.
- 4.10 The former toilets have a high level of insulation in line with policy DP28. There are two doors and a small internal lobby between the stairs to the street and the studio so noise emissions are strictly controlled. This is compliant with *'PPG24: Planning and noise.'*

Camden Planning Guidance SPD Adopted September 2013

- 4.11 Policy section CPG5 emphasises how the shortage of B1 sites in the borough, even the compromised Category 3 employment sites, leads to difficulties for small companies as there is:

'a high level of demand for the remaining sites and that the majority of sites are well occupied and able to secure relatively high rents as long as they have good access and separation from conflicting premises.'

Neighbourhood Plans

Kentish Town Constitution 2012

- 4.12 The Kentish Town Neighbourhood Forum, which is committed to producing a Neighbourhood Plan, states that *'the forum will make every effort to help shops and businesses within the Forum Area to flourish.'*

5. RELEVANT PLANNING CONSIDERATIONS

The Principle of Development

- 5.1 The retention of B1 use in a borough with very limited B1 space is policy compliant with the London Plan, the Local Plan (Core Strategy policy CS7) and the Camden Planning Guidance SPD. It has been demonstrated that there is no demand for the premises with its previous use of Class A1 as the site was vacant for 3 years. This use does not prejudice neighbouring employment uses, nor is it located within a protected employment area.
- 5.2 The rehearsal and recording usage is unusual and it is hard to find suitable premises with no neighbours and no difficulties associated with noise emission. This former public convenience space is also unusual being at basement level with confined spaces. The usage and site area are an ideal match.
- 5.3 As prior to the current B1 usage the premises were vacant since 2011, the two jobs that have been created by the applicants with their new music rehearsal business are a small but significant employment increase, in line with Core Strategy, Policy CS8. In addition, the applicants have brought a redundant and disused employment space back into life.
- 5.4 The Enforcement Officer (Angela Ryan) for this case is supportive of the retention of the existing B1 use. She recognizes that start up business workers find it almost impossible to find employment spaces that are suitable, affordable and with reasonable leases.

The Benefits of the Development

- 5.5 Camden has historically been a very important area for the nurturing of musical talent but there is increasingly a shortage of suitable facilities on account of gentrification and rising rental values. This start up company are meeting a local need and enabling young musicians, with limited resources, to develop their creative talents and pursue their careers, in a borough with a shortage of small affordable music rehearsal spaces. The gentrification of Camden is increasing the numbers of residential properties with noise amenity issues. The application property provides a uniquely suitable venue for the existing use.
- 5.6 The venue contributes to the vitality and appeal of Camden's music scene and is in keeping with the regeneration initiatives in Kentish Town and the Neighbourhood Forum. It also helps to meet the principles of lifetime neighbourhoods from the London Plan and provides a community benefit by providing individual guitar tutorials.

The Amenity of Neighbouring Occupiers

- 5.7 As the location of the site is below ground level, with no windows, is well insulated and is next to two very busy highways, there is no need for attenuation measures. The level of noise generated by the usage is well below Camden's Noise and Vibration Thresholds (policy DP28). The amenities of the local residents are not harmed by its current usage.
- 5.8 The previous tenant who used this site to sell music equipment also used the space for music rehearsals and no enforcement action for noise emissions was undertaken in the period from 1993 to 2011.

Design

- 5.9 Only the advertising signs can be seen from the street as the site is below ground. The advertising boards, on the street level frame, are vitally important in enabling customers to locate the studio and in forming a roof, which prevents rainwater entering the studio, from the stairs above. In addition the signs advertise the business, so that potential customers know where this type of business is located in Camden.
- 5.10 The advertising boards do not look out of place on the Kentish Town streetscene and do not have a negative impact upon the visual appearance of the area. The previous tenant also used the street level frame for his business advertising signs for more than ten years.



The advertising boards in the street scene

Access and transport

- 5.11 The B1 usage will not alter the accessibility of the site.
- 5.12 The retention of the existing usage will have a neutral impact upon traffic as all customers arrive either by public transport or on foot, in the case of local customers.

Other Material Considerations

- 5.13 Music rehearsals and music recording venues of this type operate into the evening as these opening hours suit the customer base who are musicians, many of whom work during the day. The opening hours also suit children attending for after-school guitar lessons. The extended opening hours of the facility are necessary in order to meet the needs of the customers and to compete with similar sized music rehearsal facilities.
- 5.14 If the Council would prefer to grant planning permission tied to the applicants' tenancy, then the applicants would be satisfied for the site to revert to Class A1 retail when they cease to occupy and use the floor space as described. However, the Council's property management service supports the existing B1 usage.

6. SUMMARY AND CONCLUSION

- 6.1 The existing B1 use meets the relevant national, London and local planning policies. Therefore it is requested that the Council approve the retention of the B1 usage and the advertising signs.
- 6.2 The previously unoccupied studios are below ground and emit no harmful sound due to the acoustic lobby. The junction of these two busy roads is noisy and continually full of traffic. The separation from conflicting premises makes this an ideal site for its present use.
- 6.3 The borough is good at producing talent but there is a dearth of music facilities. This start up company are meeting a local need and enabling young musicians, with limited resources, to pursue their creative talents and careers, in a borough with a shortage of small affordable music rehearsal spaces.
- 6.4 The advertising boards do not look out of place on the Kentish Town streetscene and do not have a negative impact upon the visual appearance of the area.
- 6.5 If planning permission is not forthcoming, Creation Studios will have great difficulty in finding suitable alternative accommodation. It is likely that they would have to leave the borough and there is a high probability that the applicants' business would have to close down. The protracted vacant period prior to the current occupiers establishing their business, suggests that demand for the employment space is not strong and accordingly it may be difficult for Camden to find another tenant.