

Delegated Report		Analysis sheet		Expiry Date:		26/09/2016	
		N/A / attached		Consultation Expiry Date:			
Officer				Application Number(s)			
John Diver				2016/3823/P			
Application Address				Drawing Numbers			
85 Jamestown Road London NW1 7DB				See draft decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Change of use of ground floor unit from office (B1) to retail (A1)							
Recommendation(s):		Granted					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	10	No. of responses	00	No. of objections	00
Summary of consultation responses:		No responses were received.					
CAAC/Local groups comments:		No responses were received.					

Site Description

The application site relates to a ground floor unit on the corner of Jamestown Road and Oval road. The corner property is situated at the end of terraces along both streets, with nos.81-85 Jamestown Road being locally listed. The site is not however located within a conservation area nor is statutorily listed. The site is on the periphery of the designated Camden Town Centre area but is an isolated unit, adjoining with residential units on all sides. The local vicinity is predominately residential; with a number of large flatted developments in close proximity. The unit has a gross internal area of approximately 35sqm.

In the early 1990's the historic retail/restaurant use of the unit was lawfully altered to an office for the design and printing of labels (ref. 9300371). Following a period of vacancy, a prior approval for the temporary change of use back to an A3 use was approved in 2013 (ref. 2013/4389/P). This temporary use has since expired and the site remains vacant once again; the lawful use of the unit has therefore reverted back to a B1 use.

Relevant History

APP: 2014/4058/P

DATE: 08/09/2014

DESC.: Mansard roof extension to create additional floor to 3rd floor flat and infill extension at side.

DEC: Refused – Appeal Allowed

APP: 2014/0635/P

DATE: 10/06/2014

DESC.: Change of use of part ground floor from B1 office to self-contained studio flat and three storey side infill extension to extend residential flats on 1st, 2nd and 3rd floor levels and associated use of basement vault as cycle storage.

DEC: Granted subject to S106

APP: 2013/4389/P

ADDRESS: Ground Floor 85 Jamestown Road London NW1 7DB

TYPE: GPDO Prior Approval Class D (Commercial CoU for 2 year change)

DESC.: Change of use at ground floor level from office (class B1) to coffee shop (Class A3).

DEC: Notified

APP: 9300371

DATE: 23/09/1993

DESC.: Retention of the change of use of the ground floor at No. 85 Jamestown Road from cafe (Class A3) to office for the design and printing of labels (Class B1)

DEC: Grant Conditional

APP: 8500927

DATE: 18/12/1985

DESC.: Change of use and works of conversion to provide 3self-contained flats including the erection of a rear extension at 1st floor level

DEC: Grant conditional

APP: CTP/J11/2/11/14184/R

DATE: 11/12/1972

DESC.: Erection of 2 floor rear extension and self-containing of 3 dwelling units at 85 Jamestown Road, N.W.5.

DEC: Conditional

Relevant policies

National and Regional Policy

National Planning Policy Framework 2012

London Plan 2016

LDF Core Strategy and Development Policies

CS1 (Distribution of growth)

CS2 (Growth Areas)

CS3 (Other highly accessible areas)

CS5 (Managing the impact of growth and development)

CS7 (Promoting Camden's centres and shops)

CS8 (Promoting Camden's economy)

CS14 (Promoting high quality places and conserving our heritage)

CS18 (Dealing with our waste and encouraging recycling)

DP10 - Helping and promoting small and independent shops

DP12 (Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses)

DP13 (Employment sites and premises)

DP16 (The transport implications of development)

DP17 (Walking, cycling and public transport)

DP24 (Securing high quality design)

DP25 (Conserving Camden's heritage)

DP26 (Managing the impact of development on occupiers and neighbours)

DP29 (Improving access)

Supplementary Planning Policies

CPG 1 Design 2015

CPG 5 Town Centres, Retail and Employment 2013

CPG 6 Amenity 2011

Assessment

1. Assessment

1.1. This application proposes a commercial change of use from office (B1) to retail (A1), however no external alterations are hereby proposed.

1.2. The principal consideration material to the determination of this application are therefore summarised as follows:

- Principle of the change of use and loss of employment space (Land Use).
- The potential impact of the proposed use upon the amenity of neighbours (Amenity)
- Appearance and Character (Design)
- Transport / Servicing

Land Use

1.3. Policy CS8 of the Council's Core Strategy states that the Council will support Camden's industries by safeguarding existing employment sites and premises in the borough that meet the needs of modern industry and other employers. Policy CS7 seek to protect and enhance the role and unique character of each of Camden's centres by ensuring new developments are of an appropriate scale and character for the centre in which it is located.

1.4. Policy DP13 states that the Council will generally resist a change to non-business uses unless it can be demonstrated to the Council's satisfaction that a site or building is no longer suitable for its

existing business use. Policy DP10 states that the Council will encourage the provision of small shop premises suitable for small and independent businesses by encouraging the occupation of shops by independent businesses and the provision of affordable premises

- 1.5. As outlined in the submitted documents, the unit was historically used for A1/A3 purposes with evidence dating back to the mid-19th century that the unit was used as “coffee and dining rooms”. This historic use of the unit is clear when viewing the historic and attractive shop front which wraps around the unit at ground floor level. This use was changed in 1993 following planning application 9300371; however the label printing business ceased to function leaving the unit vacant for a number of years. No employment use has since been held within the site.
- 1.6. Whilst no marketing evidence has been submitted to demonstrate that the unit has been advertised for similar or alternative business use over an appropriate period of time; the applicant reasons that the unit is not viable for office use and would be better suited to revert back to its historical usage (A1). The submitted planning statement reasons that factors such as the physical dimensions of the unit, its oversized windows (for office purposes); as well as the resulting improvements to the public realm and local service provision all act to demonstrate that the unit is in fact best placed within the use class A1.
- 1.7. Feedback from the Council's Economic Development team confirm these assertions that the physical constraints of the unit would mean that its use for office purposes would be restricted, with minimal area for desks and equipment and existing fenestrations which are not conducive to modern office requirements (i.e. reliant upon backlit computer screens). Further feedback from the Council's planning policy team confirmed that the vicinity around the site is one which would benefit from additional service provision, and that the use of the unit for A1 purposes would not be considered to impact upon the vitality of the adjacent Town Centre.
- 1.8. On balance, it is considered that the slight loss of employment space (35sqm) would not be objectionable in this instance as the unit is not suited for this continuing use, and the resulting A1 use would provide additional services and improve the public realm for local residents. The proposed change is therefore considered to remain in accordance with policies CS7 and DP10.

Residential Amenity

- 1.9. Policy DP13 states that the Council will protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity. Although the unit is surrounded by residential units, in this instance it is not considered that the use of the site for A1 purposes would result in any greater harm than the existing use. The proposed use of the site for A1 purposes would remain within similar opening hours of any potential B1 use, and the proposed use would not include any significant noise generating activities. As no external alteration is proposed, the development would not impact upon the outlook, light levels or privacy of any neighbouring occupier.
- 1.10. In the interests of clarity and to ensure that the amenities of local residents are protected, an informative shall be added to remind the applicant that the unit shall not be used for restaurant (A3) purposes without prior planning consent and that no primary cooking should therefore take place within the unit.

Design and Heritage

- 1.11. As aforementioned, the proposed development relates to a change of use only and does not include any external alterations. Notwithstanding this, it should be noted that the use of the site for A1 purposes would allow for a return to the traditional use of the existing shop front (i.e. for the display of goods and views into the public area of the shop); would avoid the need to screen windows for the privacy of office works; and would allow for an improved public realm with better street surveillance and a more active frontage. As such the proposed development is considered

to reinstate a traditional use into the locally listed building, enhancing its significance within the streetscene without requiring any intervention into its existing form. The proposal is therefore considered to be in accordance with policies DP24 and DP25.

Transport / Servicing

- 1.12. Policy DP12 advises that the Council will consider the impact of parking, stopping and servicing and Policy DP20 expects development that would generate significant movement of goods or materials during construction and/or operation to seek opportunities to minimise disruption for local communities.
- 1.13. In this case, the scale of the proposal does not warrant the submission of a transport assessment and/or delivery and servicing management plan. The unit has historically been used for B1/A3 uses and due to the scale of the unit it is not considered that the need for servicing would be significantly increased if it were to change into the other proposed use.
- 1.14. The site is located within Controlled Parking Zone (CA-F(s)) and the site has a Public Transport Accessibility Level score of 6b, indicating an excellent level of accessibility by public transport. It is therefore not considered that the proposed uses would lead to any impact upon local parking provision.

2. Conclusion

- 2.1. The proposal to change the use of the ground floor unit from office use (Class B1) to retail use (Class A1) is in this instance not considered objectionable due to the small size and limited viability for continued office use as well as the public benefits resulting in the proposed A1 use.
- 2.2. The proposed change would disturb the visual appearance of the locally listed terrace, and would replace a traditional use in the corner unit, enhancing the terrace's importance within the streetscene.
- 2.3. It is not considered that the proposed change of use would lead to any detrimental impact upon the amenities of any adjoining occupier and the proposal is considered to be acceptable in terms of the transport implications.
- 2.4. Planning Permission is therefore recommended for approval subject to conditions.