

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>23/01/2017</b>	
		N/A		<b>Consultation Expiry Date:</b>		22/12/2016	
<b>Officer</b>				<b>Application Number(s)</b>			
Evelyn Jones				2016/5734/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
58 Parkway London NW1 7AH				See Decision Notice			
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>				
<b>Proposal(s)</b>							
Change of use of rear part of ground floor from office (Class B1a) to residential (Class C3) to create 1x 1-bed self-contained studio flat							
<b>Recommendation(s):</b>		Refuse Planning Permission					
<b>Application Type:</b>		Full Planning Permission					
<b>Conditions or Reasons for Refusal:</b>		Refer to Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>	No. notified	00	No. of responses	00	No. of objections	00	No. of support
<b>Summary of consultation responses:</b>	A site notice was erected 24/11/2016 expiry date 15/12/2016 A press notice was released 01/12/2016 expiry date 22/12/2016  No comments were received						
<b>Camden Town CAAC</b>	No objection to the application						

### Site Description

No. 58 Parkway is a 4 storey building located on the north side of Parkway. The upper three floors of the property are in residential (Class C3) use and the ground floor is currently retail use (Class A1) at the front.

Planning permission (reference 2015/6680/P) exists for a partial change of use from retail (Class A1) to office (Class B1) at the rear of the ground floor level. At the time of the Officer's site visit, the extension was being constructed, but the office use had not yet commenced. The lawful use of the rear part of the building at ground floor level is Class B1a.

The application site lies within the Camden Town Conservation Area and has been identified within the conservation area statement as a positive contributor to the Conservation Area but is not listed. The site also falls within the designated Camden Town Centre.

### **Relevant History**

**2015/6680/P** – Partial change of use from shop to office at the rear of the ground floor, and the erection of a single storey side/rear ground floor extension. **Granted 04/02/2016**

**2014/2499/P** – Conversion of existing 2-bed flat into two 1-bed flats with first floor rear extension and mansard rear extension. **Granted subject to a Section 106 Legal Agreement 28/10/2015**

**2006/2135/P** – Erection of a timber shed in the rear yard area for ancillary storage purposes to the existing ground floor retail unit (Class A1). **Granted 03/07/2006**

**2006/0206/P** – Erection of a timber shed within the rear yard area for ancillary storage purposes to the existing ground floor retail unit (Class A1). **Refused 10/03/2006**

**2005/2261/P** – Installation of a new shop front. **Granted 15/08/2005**

### **Relevant policies**

#### **National Planning Policy Framework (2012)**

#### **London Plan (2016)**

#### **LDF Core Strategy and Development Policies (2010)**

CS3 – Other highly accessible areas

CS5 - Managing the impact of growth and development

CS6 – Providing quality homes

CS8 - Promoting Camden's centres and shops

CS11 – Promoting sustainable and efficient travel

CS14 – Promoting high quality places and conserving our heritage

DP2 – Making full use of Camden's capacity for housing

DP5 – Homes of different sizes

DP13 – Employment premises and sites

DP16 – The transport implications of development

DP17 – Walking, cycling and public transport

DP18 – Parking standards and limiting the availability of car parking

DP19 – Managing the impact of parking

DP22 - Promoting sustainable design and construction

DP24 - Securing high quality design

DP25 – Conserving Camden's heritage

DP26 - Managing the impact of development on occupiers and neighbours

DP28 - Noise and vibration

#### **Camden Planning Guidance**

CPG1 Design (2015)

CPG2 Housing (2015)  
CPG5 Town Centres, Retail and Employment (2013)  
CPG6 Amenity (2011)  
CPG7 Transport (2011)  
CPG8 Planning obligations (2015)

### **Camden Town Conservation Area Appraisal and management Strategy (2007)**

### **Camden Local Plan Submission Draft 2016**

Last summer, the Camden Local Plan was formally submitted to the government for public examination. Following the public hearings, the Council consulted on Main Modifications to the Local Plan. Following the Inspector's report into the examination, policies in the Local Plan should be given substantial weight. Adoption of the Local Plan by the Council is anticipated in June. At that point the Local Plan will become a formal part of Camden's development plan, fully superseding the Core Strategy and Development Policies, and having full weight in planning decisions.

The following policies are considered to be relevant:

H1 – Maximising housing supply  
H6 – Housing choice and mix  
H7 – Large and small homes  
E2 – Employment sites and premises  
A1 – Managing the impact of development  
A4 – Noise and vibration  
D1 – Design  
CC1 – Climate change mitigation  
CC2 – Adapting to climate change  
CC3 – Water and flooding  
CC5 – Waste  
D2 – Heritage  
TC2 – Protecting and enhancing Camden's centres and other shopping areas  
T1 – Prioritising walking, cycling and public transport  
T2 – Car-free development and limiting the availability of parking

## Assessment

### 1. Proposal:

1.1 The application proposes:

- The change of use of part of the ground floor from office (Class B1a) to residential (Class C3) to create 1x 1-bed self-contained flat.
- The installation of 1x cycle parking space in the rear garden.

1.2 No external alterations are sought as part of this application.

1.3 The principal considerations material to the determination of this application are summarised as follows:

- Land use
- Living standards for future occupiers
- Impact on the visual and residential amenities of the neighbouring properties
- Transport

### 2. Land use

2.1 The site is located within the designated Camden Town Centre. Parkway has been identified as a sensitive frontage given the prevalence of residential properties on the upper floors of the buildings and therefore some uses and opening hours are restricted to accommodate the needs of the occupiers of the residential properties. This application relates to the rear of the ground floor of number 58.

2.2 Application reference 2015/6680/P included the change of use from retail (Class A1) to business (Class B1) and the erection of a side/rear extension. The loss of retail space was justified through the retention of employment space at the site in accordance with Policy DP13.

2.3 Policy DP13 resists the loss of employment space within the borough unless it can be demonstrated that the site is no longer suitable for its existing business use and there is evidence that the possibility of retaining, reusing or redeveloping the site or building for similar or alternative business use has been fully explored over an appropriate period of time. Where a change of use has been justified to the Council's satisfaction, the Council will seek to maintain some business use on site, with a higher priority for retaining flexible space that is suitable for a variety of business uses. Only when it can be demonstrated that a site is not suitable for any business use other than B1(a) offices, will the Council allow a change to permanent residential use.

2.4 The applicant has stated that the viability of the retail unit will not be affected by the loss of the office space to the rear and there would be no loss of employment space as a result of the proposal. While the use of the site as office space was not granted as ancillary to the retail unit at the front of the building, the applicant suggests that this would have been the case and that the loss of the commercial space would be outweighed for the need to provide housing within the borough. It has been stated that there is no need to submit marketing information for the site as the business use (Class B1) has not been implemented. The council takes a different view as when a site visit was conducted there was building work taking place to implement the previously approved application reference 2015/6680/P for partial change of use from shop to office at the rear of the ground floor, and the erection of a single storey side/rear ground floor extension. Although the extension has been constructed, there are not currently tenants at the site that would need to relocate.

2.5 Loss of employment space must meet the requirements of policy DP13 which states that the applicant must prove that the space is no longer viable for business use or that marketing

information has been submitted demonstrating that the space has been advertised and is not viable for potential future occupiers. No evidence has been provided to demonstrate that the possibility of retaining, reusing or redeveloping the site for business use has been explored over an appropriate period of time; and the Council does not accept that there is a lack of demand for appropriately priced, sympathetically furnished office space in Camden Town. In particular in this case, the space was originally designed specifically to be office accommodation so should therefore be fit for purpose.

2.6 The application is recommended for refusal on this basis.

2.7 If the loss of the employment space was considered to be acceptable, there is a presumption in the LDF for the creation of new housing in the borough. Policy CS6 of the Core Strategy states that the priority within the borough is creating good quality homes. Currently, of high priority are 2 bedroom properties, with 1 bedroom or studios being identified as a low priority within the borough. As such, the creation of the new residential unit does not outweigh the harm caused by the loss of employment space.

### **3. Living standards for future occupiers**

3.1 Paragraph 26.11 of the LDF Development Policies, which accompanies policy DP26, states that the size of a dwelling and its rooms as well as its layout will have an impact on the amenity of its occupiers. As such new residential units must comply with national technical housing standards. The proposed studio flat would be 39.4 sqm and would therefore comply with the minimum internal standards for a 1 person studio flat and would exceed the minimum ceiling height of 2.3 metres.

3.2 CPG2 (Housing) states that all rooms in self-contained units should lead off a hallway or lobby so it is possible to access any habitable room without passing through another habitable room. In this case, the unit comprises one main room and a separate shower room, which is considered to be acceptable given the size constraints.

3.3 While there is only 1x (2 paned) north-west facing window proposed and a single door providing access to the garden, it is considered that given the size of the unit the property would receive adequate levels of daylight. The proposed unit would have sole access to the 29 sqm garden which would provide a pleasant outlook for future residents.

3.4 The applicant has submitted an assessment using Average Daylight Factor which should quantify the levels of daylight within the studio flat to determine whether or not the flat would benefit from natural lighting. The information provided states that the flat will receive sufficient levels of daylight achieving an average daylight factor of 2.4%.

3.5 The proposed development is therefore considered acceptable in terms of living standards.

### **4. Impact on the visual and residential amenities of the neighbouring properties**

4.1 Policy DP26 notes 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.

4.2 The proposal is not considered to cause undue harm to the visual and residential amenities of nearby and neighbouring residential properties by way of visual privacy and overlooking, overshadowing or outlook, sunlight/daylight.

4.3 Overall, the proposal is considered to be acceptable in this respect.

## **5. Transport**

5.1 The site has a PTAL rating of 6b which indicates that there is an excellent level of public transport accessibility at the site. Policy DP18 expects development to be car free in areas within CPZs that are easily accessible by public transport. The provision of any parking permits to future occupants would put pressure on the availability of on-street parking in the vicinity of the site and have associated traffic impacts with vehicles searching for spaces.

5.2 Subject to a Section 106 legal agreement designating the development as 'car free', the proposal would be considered to have an acceptable impact on the highway network. However, the applicant has failed to enter into a Section 106 legal agreement and therefore the application is recommended for refusal on this basis also.

5.3 Policy DP18 requires developments to provide cycle parking facilities for new dwellings created. As there would be 1x 1-bedroom unit 1x cycle parking space is required. After requesting amendments the applicant provided revised drawings showing the provision of cycle parking contained within the rear garden. However, the drawings were not detailed enough to ascertain whether or not the cycle parking space provided would comply with the standards required by CPG7. If the application was otherwise considered to be acceptable, a condition could require the submission and approval of full details of the cycle parking to serve the new residential unit.

**Recommendation:** Refuse Planning Permission