

Delegated Report		Analysis sheet		Expiry Date:		14/04/2017	
		N/A		Consultation Expiry Date:		16/03/2017	
Officer				Application Number(s)			
Evelyn Jones				1. 2017/0352/P 2. 2017/4535/A			
Application Address				Drawing Numbers			
178-182 Camden High Street London NW1 8QP				See Decision Notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Planning permission - Change of use from of 3 x units (102, 103 and 104) from retail (Class A1) to hot food takeaway (Class A5), replacement doors to existing shopfronts, installation of an awning and six extraction vents into the shopfront. Advertisement Consent – Display of a externally illuminated fascia sign on the front elevation.							
Recommendation(s):		1. Refuse Planning Permission 2. Refuse advert consent					
Application Type:		1. Full Planning Permission 2. Advertisement consent					
Conditions or Reasons for Refusal:		Refer to Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	00	No. of responses	00	No. of objections No. of support	00 00
Summary of consultation responses:		A site notice was erected 22/02/2017 (consultation end date 15/03/2017) A press notice was released 23/02/2017 (consultation end date 16/03/2017) No comments were received.					
Camden Town CAAC		No objection to the application.					

Site Description

The application site is a TFL-owned electricity substation building with a mixture of retail (Class A1) and hot food takeaway (Class A5) commercial uses at ground floor level, fronting onto Camden High Street. The application site is located on the east of Camden High street adjacent to Camden Town underground station.

The ground floor of this building is currently split into 4 units, one of which (104) is a very small unit (2.2 sqm)

The application site is within the Camden Town Conservation Area and the building has been identified as a negative building within the conservation area. The site also lies within the Camden Town centre.

Relevant History

CA/4342/82 – The erection of three internally illuminated fascia signs. **Granted 26/06/1975**

20633 – The installation of a new shopfront. **Granted 30/06/1975**

PEX0000002 – Certificate of Lawfulness for the existing use as a hot food takeaway within Class A3. **Granted 21/03/2000**

NB. This authorised use was assessed before the 2005 amendment of the Town & Country Planning (Use Classes) Order 1987 and therefore has not been formally recognised within Class A5.

2013/2976/P – Change of use of part of ground floor from retail (Class A1) to mini-cab office (B1). **Granted 05/08/2013**

2014/7092/A – Display of 1 illuminated and 2 non illuminated shroud signs. **Refused 01/12/2014**

2016/3005/A – Display of internally illuminated LED digital display sign and mural surround. **Refused 15/08/2016**

2016/5240/P - The installation of 6 No. face mounted antennas at roof level. **Refused 29/12/2016**

Relevant policies

London Borough of Camden Local Plan 2017

E1 – Promoting a successful and inclusive Camden economy

A1 – Managing the impact of development

D1 - Design

D2 – Heritage

D4 - Advertisements

CC5 – Waste

TC1 – Quantity and location of retail development

TC2 – Protecting and enhancing Camden's centres and other shopping areas

TC4 – Food, drink, entertainment and other town centre uses

Camden Planning Guidance

CPG1 Design (2015)

CPG5 Town Centres, Retail and Employment (2013)

CPG6 Amenity (2011)

Camden Town Conservation Area Appraisal and Management Strategy 2007

Assessment

1. Proposal:

1.1 Planning permission is sought for:

- The change of use of three of the four existing units from retail use (Class A1) to fast food takeaway (Class A5). The site is currently formed of one A5 unit and three A1 units (permission 2013/2976/P for the change of use from A1 to B1a was never implemented).
- The applicant had identified unit 101 as the existing hot food takeaway and seeks permission to change units 102 and 103 to A5 use and to enlarge unit 104 to create a single hot food takeaway unit.
- The installation six extraction vents to the front elevation of the property.

1.2 Advertisement consent is sought for:

- Display of a externally lit fascia board displaying 'Camden Food Market' measuring 13m wide and 0.6m high
- The lettering would project from the shopfront by 0.23m and would measure 0.6m in height.

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

- Land use
- Design
- Residential amenity
- Plant/extraction equipment
- Waste and refuse

2. Land use

2.1 Policy TC2 seeks to protect and enhance Camden's existing centres, and in the case of Town Centres, seeks to resist development that would harm their primary role in providing local people's day-to-day needs and ensuring that new development is of an appropriate scale and character for the centre in which it is located. TC2 states that Camden will pursue the individual planning objectives for each centre, as set out in supplementary planning document Camden Planning Guidance on town centres, retail and employment, and through the delivery of environmental, design, transport and public safety measures.

2.2 Within CPG5, Camden Town has been identified as an internationally famous vibrant centre famous for its markets and independent shops. TC2 outlines that the Council will protect the primary frontages as locations with a high proportion of shops (A1) in order to maintain the retail function of the centre. Camden Town has also been identified as a major centre within The London Plan.

2.3 Policy TC4 states that the Council will consider the impact of food and drink related uses on nearby residential uses and amenity and noise and vibration generated inside or outside the site. In order to manage the potential harm to amenity or the local area, appropriate conditions would be attached to any approval granted in regards to noise, hours of operation and the siting of plant and machinery

2.4 CPG5 'Town Centres Retail and Employment' breaks down the town centre of Camden Town into three categories:

- Core shopping frontages
- Secondary frontages and areas
- Sensitive frontages

The application site is within one of the core shopping frontages within Camden Town centre and there is a presumption against the loss of any retail uses within this area. CPG5 also states that

permission will not be granted for development which would result in the number of ground floor premises in retail use falling below 75%.

<u>Occupants</u>	<u>Address</u>	<u>Use Class</u>
Camden Market	192-200 Camden High Street	A1
Punkyfish	190 Camden High Street	A1
Tattoo and Piercing	188 Camden High Street	A1
Tights4U	186 Camden High Street	A1
Electric Ballroom	184 Camden High Street	Sui Generis
Vacant	182 Camden High Street	A1
Vacant	180 Camden High Street	A1
Café Metro	178 Camden High Street	A5
Vacant	178 Camden High Street	A1
Camden Town Station	Camden Town Station	Sui Generis
HSBC	176 Camden High Street	A2

2.5 The site is located in the primary (south) shopping frontage of Camden High Street within a frontage of 11 properties. As shown above, of these 11 properties, seven are currently in retail use (63.6%) with the combining of 178-182 Camden high Street this would reduce the number of units in the frontage to eight. With the number of A1 units reducing to four, the percentage of A1 units within this frontage would drop to 50%. This figure already falls below the permissible 75% of the total number of frontages and the further reduction detrimentally impacts the retail provision within the parade.

2.6 CPG5 discusses the need to strike the balance between retail and food and drink outlets, particularly in Camden where the vibrancy of the area naturally lends itself to evening entertainment uses. It is stated to protect the retail frontage and the primary purpose of this area that no more than 20% of the street frontage may be food, drink or entertainment venues. It is also stated that no more than two non-retail uses (including restaurants) shall be permitted within the frontage to avoid excessive fragmentation of the centre. The proposal would result in three consecutive hot food takeaway units and is therefore considered unacceptable.

2.7 Currently of the 11 properties within the frontage, one is currently in food drink and entertainment usage and therefore does not exceed the permitted 20% of the frontage. The proposed conversion and combining of the three A1 units into the existing A5 would reduce the number of units within the frontage to eight. Therefore the number of A5 units would remain at one and the percentage would decrease to 12.5%.

2.8 While it is stated in CPG5 that there may be instances where the Council grants permission for the loss of retail (Class A1) within Camden Town centre, this is subject to the Council taking the view that the loss of retail floorspace will not cause harm to the character, function, vitality and viability of the centre. In this instance, given the proximity of the site to Camden Town Underground Station with the large numbers of visitors passing through and the numerous other food and drink outlets within the surrounding area, it is considered that the loss of further retail space would in fact be detrimental to the character, function, vitality and viability of the Camden Town Centre. Furthermore, the loss of three A1 units would erode the unique fabric of Camden Town centre and the vibrancy of the market stall and independent shop culture found in the area.

2.9 Policy TC2 states that the Council will ensure that other town centre uses do not have a harmful impact on residents and the local area. This is expanded upon in policy TC4 which states that new food drink and entertainment uses can have further implications for existing retail uses by diverting trade and if it is considered to have a negative impact on the viability, vibrancy and character of a retail frontage permission will not be granted.

2.10 In this instance, it is considered that the addition of two new hot food takeaway units would have a detrimental impact on the vibrancy of the frontage. Within this primary frontage in the Camden Town

Centre, food drink and entertainment uses have already exceeded the maximum quota of 20% and therefore two additional hot food takeaway units would be contrary to policy.

2.11 It is also considered that the loss of three A1 units in this location is unacceptable. The applicant has not provided sufficient evidence to prove that the existing A1 units are no longer viable and suitable for continued use and therefore the loss of two A1 units is considered detrimental to the function of the retail area and unacceptable. The applicant has not demonstrated any marketing evidence in support of their argument that the site is no longer viable for A1 use and that the site is no longer attractive to potential tenants. This point has been exemplified by the applicant stating in the design and access statement that the units have been occupied on an ad-hoc basis. As the units have recently housed many retail units, it can be considered that the site is still suitable for the use as a retail frontage.

3. Design

3.1 The Council's design policies are aimed at achieving the highest standard of design in all developments. Policy D1 requires development that is attractive and of the highest standard and that respects local context and character. CPG1 Design advises (para 7.12 page 65):

- The fascia should be of a suitable size and proportion in relation to the building and should not normally extend above the cornice or below the capital as it would upset the overall balance and proportions of a shopfront or parade;

3.2 With regards to the proposed shopfront, a large fascia displaying the title 'Camden Food Court' would be positioned at fascia level. The fascia would be externally illuminated by a trough light and would span the width of the unit measuring 13m in length and would be 0.48m in height and the lettering would be 0.47m high. CPG1 advises that generally, the internal illumination of individual letters, rather than the whole fascia or projecting sign on a shopfront, will be more appropriate. Whilst there are examples of a variety of types of advertisements within the wider area, the predominant pattern within this section of the street is signage where only the lettering is illuminated. In this case, the projecting lettering across the full width of the building would be prominent and have a detrimental impact on the host building and the wider conservation area.

3.3 The existing shopfront comprises of three rolled steel shutters and one fascia sign above the existing A5 unit. This would be replaced with three polyester powder coated grey aluminium shopfronts, these would have clear toughened glass doors with parliament hinges. The grey aluminium shopfront would align with the design of the fascia board above creating a consistency and allowing the unit to be read as one. The existing roller shutters are not to be retained allowing the new shopfront to be visible even when the unit is not operating making for a more attractive streetscene. The proposed alterations to the shopfront would be acceptable in this location and would be in keeping with the style of shopfronts on Camden High Street. c

3.4 Six vents have been proposed to the front elevation at fascia level set behind the fascia sign. The addition would add unattractive clutter to the shopfront to the detriment of the host building and the wider area.

3.5 The applicant has proposed one full width retractable awning 2.8m above ground level, this would exceed the minimum height of 2.3m set out in CPG1. The design would be minimalistic and sympathetic to the conservation area.

4. Residential amenity

4.1 Policy A1 states that the Council will consider the impact of food and drink related uses on nearby residential uses and amenity and noise and vibration generated inside or outside the site. In order to manage the potential harm to amenity and the local area, the council will use planning conditions to control hours of operation, noise and vibration and the siting of plant and machinery

4.2 There are no residential units within a close proximity to the site and therefore it is not considered that harm to any neighbouring occupiers would arise as a result of this application. However the

opening hours suggested of 07.00 – 00.00 everyday are inappropriate and would be excessive in the context of hot food takeaways. Other hot food takeaways in the vicinity of the site have opening hours of 11.00 – 00.00 and as such, if permission were to be granted, reduced opening hours to this timescale would be controlled by way of condition.

5. Plant/extraction equipment

5.1 The applicant has not provided an acoustic report or sufficient information regarding the proposed ventilation equipment. Without having this information available it is not possible to assess the impact the proposed extraction equipment may have on the surrounding area.

6. Waste and refuse

6.1 Policy CC5 seeks to ensure developments include facilities for storage and collection of waste and recycling. Though an area has been highlighted on the proposed drawings for waste disposal, it is considered this space would be insufficient to accommodate the necessary refuse/recycling storage requirements.

7. Highways issues

7.1 Given the location of the signage at fascia level there is considered to be no impact on highways or public safety as a result of the proposed advertisements. Therefore this element of the advertisement is in accordance with policy D4 of the Local Plan.

7.2 The proposed awning would project 1.5m from the fascia and would be 2.8m above ground level. The Council's transport planners have assessed the application and have concluded there would be no impact on the highways or vehicle or pedestrian safety as a result of the proposal.

Recommendation:

1. Refuse Planning Permission
2. Refuse advertisement consent