

Delegated Report		Analysis sheet		Expiry Date:		04/05/2020	
		N/A / attached		Consultation Expiry Date:		12/04/2020	
Officer				Application Number(s)			
Sofie Fieldsend				2020/0264/P			
Application Address				Drawing Numbers			
187 King's Cross Road London WC1X 9DB				See decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Change of use from Office (Class B1) to Nails and Beauty Salon (Sui Generis) at ground and basement floors.							
Recommendation(s):		Refuse planning permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	00	No. of responses	00	No. of objections	00
				No. electronic	00		
Summary of consultation responses:		A site notice was displayed on the 18/03/2020 and the consultation period expired on the 11/04/2020. A press notice was advertised on 19/03/2020 and expired on 12/04/2020. No responses.					

Site Description

The site is three storey with basement mid terrace property and is located along the southern side of Kings Cross Road. It is Class B1 (office use) at ground floor and basement with residential (C3 use) on the upper floors.

The building is not listed but is located within the Kings Cross/St Pancras Conservation Area.

Relevant History

Application site

2005/0710/P - Alterations to the existing shopfront comprising the installation of a second entrance door.- **Granted 03/05/2005**

Relevant policies

National Planning Policy Framework (2019)

London Plan (2016)

London Plan Intend to publish (2019)

Camden's Local Plan (2017)

- A1 - Managing the impact of development
- D1 - Design
- E1 - Economic development
- E2 - Employment premises and sites
- T1 - Prioritising walking, cycling and public transport
- T2 - Parking and car free development

Supplementary Guidance

- CPG Employment sites and business premises (2018)
- CPG Amenity (2018)

Assessment

1. Proposal

1.1 Planning permission is sought for: Change of use from Office (Class B1) to Nails and Beauty Salon (Sui Generis) at ground and basement floors. The total floorspace is 50sqm.

1.2 No external alterations are proposed.

2.0 Assessment

2.1 The main considerations in relation to this proposal are:

- Design
- Land use principle
- Impact on neighbours
- Transport

3.0 Design

3.1 As no external alterations are proposed, there are no design considerations in the determination of this application.

4.0 Land Use

4.1 Policy E2 of the Camden Local Plan states that the Council will: “resist development of business premises and sites for non-business use unless it is demonstrated to the Council’s satisfaction that: a. the site or building is no longer suitable for its existing business use; and b. that the possibility of retaining, reusing or redeveloping the site or building for similar or alternative type and size of business use has been fully explored over an appropriate period of time.”

4.2 A letter outlining the marketing from Mortimers Estate Agents and an advert was provided. Marketing was undertaken for less than a month between 27 November and 17 December 2019 and 6 enquiries were made for non-retail uses which included nail bar, D1 Therapist and a coffee shop. The reasoning for their rejection of these other interested tenants was given that ‘the quality of the tenants generally were poor, all either new start-ups or companies with very little history or credibility’.

4.3 Economic Development officers requested more information, given that the marketing period is much less than the minimum 2 years that would be typically expected for a loss of employment space. Further marketing information was requested to understand what efforts were made to attract office occupiers, any interest received and/or why that interest was not pursued. In essence, the applicants should provide a marketing report detailing each of the enquiries received from prospective tenants and, if not pursued further, why the space wasn’t suitable for them. This information was not provided following an extended period of grace.

4.4 In absence of sufficient marketing information, it is considered that the site is still suitable for its existing business use; its change of use is therefore contrary to policy E2 (a) of the Camden Local Plan.

4.5 It is noted that there are a number of similar units within Kings Cross Road which are successfully occupied, including the application site until recently. The applicant has failed to demonstrate that the space can no longer be retained for a business use, contrary to policy E2 (b) of the Camden Local Plan.

4.6 Policy E1 of the Camden Local Plan supports small businesses and start-ups as part of the Council’s strategy to support enterprise by providing a range of unit types and sizes. It is noted that the unit (50sqm) would be suitable for such businesses. The resultant development would have a GIA of 50sqm thereby removing the opportunity to support smaller business on this site. The loss of office floorspace is therefore contrary to policy E1 of Camden’s Local Plan.

4.7 Given the above, it is considered that the change of use is contrary to policies E1 and E2 of the Camden Local Plan and is unacceptable in land use terms. If such a change of use could be successfully justified to the Council’s satisfaction, then the proposed Sui Generis use as nail bar/ beauty salon is considered acceptable in itself as an appropriate town centre use.

5.0 Amenity

5.1 Local Plan Policy A1 seeks to ensure that the amenity of neighbours is protected including privacy, outlook, sunlight, daylight and overshadowing.

5.2 As no external alterations are proposed, the development is considered to be acceptable in respect of amenity impact on neighbouring amenities.

5.3 The unit is located directly below residential units (C3) on the upper floors and residential units are also found at the same level in the neighbouring buildings. The opening hours proposed at 9:30am-7:30pm Monday-Saturday and 10am-6:30pm on Sundays and Bank Holidays. These opening hours are not late at night and are similar to other similar uses in the area; thus it is not considered that its use would have a detrimental impact in terms of noise and disturbance on the amenity of neighbouring residential units.

6.0 Transport

6.1 Given that the floorspace involved in the change of use is only 50sqm, it falls below the threshold at which Policy T1 of the Camden Local Plan and table 6.3 of the London Plan require cycle facilities to be provided. No cycle parking is proposed.

4.2 No new or additional parking would be created as a result of the proposal which is compliant with Policy T2 of Camden's Local Plan.

4.3 The servicing of the unit would remain as existing and is unlikely to alter to a significant degree given the proposed use/scale of the unit.

7.0 Conclusion

7.1 The proposed development, in the absence of sufficient justification demonstrating that the premises is no longer suitable for continued business use, would fail to support economic activity in Camden and result in the loss of employment opportunities within the Borough contrary to policies E1 (Economic development) and E2 (Employment premises and sites) of the Camden Local Plan (2017).

8.0 Recommendation

8.1 Refuse planning permission.