

Delegated Report		Analysis sheet	Expiry Date:	07/04/2022
		N/A	Consultation Expiry Date:	18/05/2022
Officer			Application Number(s)	
Edward Hodgson			2022/0524/P	
Application Address			Drawing Numbers	
23 A Great Queen Street London WC2B 5BB			See draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Change of use from office (Class E) to single family dwelling house (Class C3) and erection of an additional storey, installation of rooflights and creation of terrace				
Recommendation(s):	Refuse Planning Permission			
Application Type:	Full Planning Application			

Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	01	No. of objections	01
Summary of consultation responses:	<p>Site notices were displayed 16/03/2022 which expired 09/04/2022.</p> <p>Press notice was published 17/03/2022 which expired 10/04/2022.</p> <p>One comment was received from the Bloomsbury Conservation Area Advisory Committee. Their comments can be summarised as below:</p> <ul style="list-style-type: none">• No objection in principle in heritage terms.• Potential impacts from light pollution on neighbouring occupiers• Potential overlooking into neighbouring properties• Detailed design should be more modern in appearance <p><u>Officer's response:</u></p> <ul style="list-style-type: none">• <i>Design is a material planning consideration and is addressed in section 2 of the report</i>• <i>Amenity is a material planning consideration and is addressed in section 3 of the report</i>			

Site Description

The application site a four-storey mid-terrace property constructed with brick with brick and timber windows. It is currently in use as Class E. It is located to the rear of 23 Great Queen Street within a small courtyard area. It is accessed through an entrance door at ground floor on the front elevation at 23 Great Queen Street. The site lies within the Seven Dials Conservation Area. The building is not a listed building.

Relevant History

Application Site:

8401792 - Change of use from warehouse to light industrial and conversion and extension of the existing building. ^ (As shown on drawing nos.: AMCO/3/OD1A-OD4A & AMCO/3/X1-X5 revised 19th December 1984). **Granted - 06/02/1985**

23 Great Queen Street:

8401610 – Offices. **Certificate of lawfulness granted - 24/10/1984**

Other Sites:

1 - 6 Speedy Place WC1H 8BU:

2022/0265/P - Change of use of the existing commercial unit (Class E) to four residential units on the ground and first floors and associated internal alterations. New windows, new entrance doors, cycle spaces and waste storage. **Refused - 07/07/2022**

Reasons for refusal:

- 1) *The proposed development would result in substandard units of accommodation, providing insufficient and unsuitable amenity space and secure cycle parking; undersized units; poor quality of light, outlook, natural ventilation; refuse storage location and significant lack of privacy and defensible space. The proposal would therefore be contrary to D1 (Design) and H6 (Housing Choice and Mix) of the Camden Local Plan 2017.*
- 2) *The applicant has failed to demonstrate that the site is no longer suitable for business use and so the proposal would result in the loss of a business use contrary to policy E2 (Employment premises and sites) of the Camden Local Plan 2017.*
- 3) *The proposed development, in the absence of a legal agreement securing an affordable housing contribution, would fail to maximise the supply of affordable to meet the needs of households unable to access market housing, contrary to policy H4 (Maximising the supply of affordable housing) of the Camden Local Plan 2017.*
- 4) *The proposed development, in the absence of a legal agreement securing car-free housing, would contribute unacceptably to parking stress and congestion in the surrounding area and fail to promote more sustainable and efficient forms of transport and active lifestyles, contrary to policies T2 (Parking and car-free development) and DM1 (Delivery and monitoring) of the Camden Local Plan 2017.*
- 5) *The proposed development, in the absence of a legal agreement securing a Construction Management Plan (CMP) and associated contributions to support the implementation of the CMP, would be likely to give rise to conflicts with other road users and be detrimental to the amenities of the area generally, contrary to policies A1 (Managing the impact of development), T4 (Sustainable movement of goods and materials) and DM1 (Delivery and monitoring) of the Camden Local Plan 2017.*
- 6) *The proposed development, in the absence of a legal agreement securing the carbon reduction targets of Part L1B of Building Regulations for retained thermal through the application of the energy hierarchy, would fail to ensure proper standards of sustainability in the development, contrary to policy CC1 (Climate change mitigation) of the Camden Local Plan 2017*

Relevant policies

National Planning Policy Framework 2021

The London Plan 2021

Camden Local Plan 2017

D1 - Design

D2 – Heritage

A1 – Managing the impact of development

A4 – Noise and vibration

E1 – Economic Development

E2 – Employment premises and sites

H1 – Maximising Housing Supply

H4 - Maximising the supply of affordable housing

T1 - Prioritising walking, cycling and public transport

T2 – Parking and car-free development

DM1 - Delivery and Monitoring

Camden Planning Guidance

CPG Design (2021)

CPG Amenity (2021)

CPG Employment sites and business premises (2021)

CPG Housing (January 2021)

CPG Transport (January 2021)

CPG Developer Contribution (March 2019)

Seven Dials Conservation Area Appraisal and Management Plan (1998)

Assessment

1.0. Proposal

1.1 Planning permission is sought for the change of use of the existing building from business use (Class E) to a single family dwellinghouse (Class C3), which would thus involve the loss of a business premise. It is also proposed to erect a single storey upwards extension above the existing building, to install rooflights at ground floor level and to create a new terrace at fourth floor level.

1.2 The material consideration for this application are as follows:

- Land Use
- Design and Heritage
- Amenity
- Housing
- Transport
- S106/CIL

2.0. Land Use

2.1 Policy E2 of the Camden Local Plan states that the Council will resist the 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. Policy E1 states that the Council will support businesses of all sizes, maintain a stock of premises that are suitable for a variety of business activities, and safeguard existing employment sites and premises in the borough.

2.2 CPG Employment Sites and Business Premises states that the Council will require evidence of a marketing exercise to support any application involving the loss of employment uses. The minimum expectation for marketing exercises includes the use of a reputable agent, a visible letting board, marketing material published on the internet on popular online property websites, the lawful existing use featuring on any material, continuous marketing over a 2-year period, reasonable advertised rents for the local market and reasonable lease terms. In addition, a commentary on the number and details of enquiries received, including viewings and details of why the interest was not pursued should be provided. Some marketing material has been provided as part of the application. One appendix is a sales document that relates to 23 Great Queen Street, and although it contains information regarding rents, it does not relate specifically to the application property. The second appendix describes other premises for rent within the same postcode area. Although it is acknowledged that there is a variety of premises available, no

information or evidence has been submitted with regards to the level of interest and demand for these neighbouring sites and why any interest was not followed up. In addition, no material has been submitted with specific regards to any marketing being undertaken at the application site. The minimum requirements for the marketing exercise as set out in CPG Employment Sites and Business Premises have therefore not been met. Because the application is not supported by any such evidence, it is not possible for the Council to determine if there is a realistic prospect of demand to use the site for an employment use. The Council therefore cannot be satisfied that the site could not be retained for its business use contrary to Policy E2.

3.0. Amenity

- 3.1 Policy A1 seeks to ensure that the amenity of neighbouring properties is protected. It states that planning permission will not be granted for development that causes harm to the amenity of occupiers and neighbours in terms of loss of daylight, sunlight, outlook and privacy. Policy A4 seeks to ensure that no unacceptable levels of noise and vibration result from new development.
- 3.2 The application site is located within a dense courtyard area with 23 Great Queen Street located directly to the south (approx. 2.5m measured at ground floor level). The existing property has a terrace in use at second floor level. The additionally proposed terrace at fourth floor level would be set back further from the front elevation than the existing second floor terrace. It is considered that there is sufficient distance between the proposed fourth-floor terrace and the rear elevation windows at 23 Great Queen Street, that it would not lead to increased adverse overlooking into the neighbouring windows. The proposed extension would be below the 25-degree line taken from the top window at no. 23 Great Queen Street and would be below the height of the roof extension directly to the rear. Given the scale and location of the extension and the relative height of neighbouring buildings, the proposed additional storey would not result in undue loss of daylight and sunlight at neighbouring properties. The proposed rooflights would not result in undue light pollution at neighbouring occupiers by virtue of their size and scale.
- 3.3 The proposed terrace would not be large enough to host large gatherings that would cause adverse noise pollution at neighbouring occupiers and the proposal would thus be in accordance with Policy A4.

4.0. Design

- 4.1 Camden Local Plan policies D1 (Design) and D2 (Heritage) are aimed at achieving the highest standard of design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area; and Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings.
- 4.2 The proposed upwards extension would be set back from the front elevation and would read as subordinate to the host building. The fenestration, following officer advice, was amended so that the proposed doors would be the same width as the windows at lower levels. The proposed doors would thus follow the hierarchy of windows on the host building. The proposed materials, namely the use of brick slips, timber framed doors and aluminium rainwater goods, would be sympathetic to the host building and wider conservation area. The pitched rooflights at ground floor level would help to provide more natural light to the kitchen/diner area and would represent minor alterations that would not detract from the overall character and appearance of the host

property. There is no objection to the proposal in terms of design and heritage and the proposal is thus in accordance with policies D1 and D2 of the Camden Local Plan 2017.

5. Housing

- 5.1 Policy H6 seeks to provide new housing that is high quality, functional, adaptable and accessible, and meets space standards.
- 5.2 The proposed GIA would be 141sqm across four storeys with the proposed bedrooms meeting the Nationally Described Space Standards and are therefore acceptable. An internal daylight report has been submitted in support of the application. The report states that the kitchen/dining room at ground floor, and the first and second floor bedrooms would fail to meet the required lux levels in 50% of the floorspace as recommended by the BRE. However, it is considered that due to the constraints of the site being located within a dense urban area, and the proposed property being a single dwelling unit, that the proposed property would have an acceptable standard of living accommodation with regards to internal daylight and sunlight levels. Further, the rooms at third and fourth floor would exceed the 50% area meeting the required lux levels.
- 5.3 Policy H4 seeks to maximise the provision of affordable housing. Any development with an uplift of 100sqm GIA or more will be expected to provide an affordable housing contribution. A sliding scale target applies to developments that provide one or more additional homes and have capacity for fewer than 25 additional homes, starting at 2% for one home at a rate of £5,000 per sqm of new floorspace. The GIA uplift is 141sqm with one additional unit provided (2%) and multiplied by 5,000. ($2\% \text{ of } 141 = 2.82 \times 5,000$). The total payment-in-lieu contribution therefore equates to £14,100.
- 5.4 This is based on measurements taken from the submitted plans by the applicant. This payment would be secured through a S.106 legal agreement if the proposals were considered acceptable in all other regards. The failure to grant planning permission and therefore enter into a S.106 legal agreement to secure payment in lieu of affordable housing also forms a reason for refusal.

6 Transport

- 6.1 Policy T1 aims to promote sustainable transport by prioritising walking cycling and public transport. This is achieved by improving pedestrian friendly public realm, road safety and crossings, contributing to the cycle networks and facilities and finally improving links with public transport. All these measures are in place to ensure the Council meets their zero carbon targets. The proposal would include two cycle parking spaces which would be safe and secure and in accordance with Policy T1 and CPG Transport.
- 6.2 Policy T2 limits the availability of parking in the borough and requires all new developments in the borough to be car free. This will be done through not issuing parking permits, resisting development of boundary treatments and using legal agreements to secure these actions. The new unit would be car-free to limit the availability of both off-street and on-street parking. This would be secured by a S.106 legal agreement if planning permission is granted and would prevent future occupiers from obtaining on-street parking permits. In the absence of a S.106 legal agreement forms a reason for refusal.

7. S106/CIL

7.1 If the proposals were supported, the following heads of terms would need to be secured by S106 Legal Agreement:

- Affordable Housing Contribution
- Car-free development

7.2 The proposal would be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL as it involves the creation of a new residential floorspace.

8. Recommendation

Refuse planning permission for the following reasons:

8.1 The change of use, in the absence of sufficient justification demonstrating that the premise 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 London Borough of Camden Local Plan 2017.

8.2. The proposed development, in the absence of a legal agreement securing an affordable housing contribution, would fail to maximise the supply of affordable housing to meet the needs of households unable to access market housing, contrary to Policy H4 (Maximising the supply of affordable housing) of the Camden Local Plan 2017.

8.3 The proposed development, in the absence of a legal agreement securing car-free housing, would contribute unacceptably to parking stress and congestion in the surrounding area and fail to promote more sustainable and efficient forms of transport and active lifestyles, contrary to Policies T2 (Parking and car-free development) and DM1 (Delivery and monitoring) of the Camden Local Plan 2017.