

Application ref: 2023/4284/PRE
Contact: Ewan Campbell
Tel: +44 20 7974 5458
Email: Ewan.Campbell@camden.gov.uk
Date: 13/11/2023

Development Management
Regeneration and Planning
London Borough of Camden
old address

Phone: 020 7974 4444

planning@camden.gov.uk

www.planning@camden.gov.uk

Ashley Wynn
Greenhayes Studio
106 Hastings Road
Battle
TN33 0TW

Dear Sir/Madam

Pre-application Medium Development Pre-application Advice Issued

Address:

Ground floor
16 Rochester Mews
London
NW1 9JB

Proposal: Change of use of the ground floor from Class E to Flats (C3)

Site constraints

- Article 4 Basements
- Strategic View Wider Setting – Parliament Hill to St. Pauls

(Adjacent to Rochester CA)

Relevant planning history

2014/5510/P - Demolition of existing Class B1/B8 unit and erection of a 4 storey building containing replacement business space (Class B1/B8) on ground floor and five self-contained flats (Class C3) plus balconies on 1st-3rd floors. **Granted Subject to a Section 106 Legal Agreement 30-03-2015**

Relevant policies and guidance

National Planning Policy Framework (NPPF) 2023

The London Plan 2021

Camden Local Plan 2017

Policy A1 Managing the impact of development
Policy A3 Biodiversity
Policy A4 Noise and vibration
Policy D1 Design
Policy D2 Heritage
Policy G1 Delivery and location of growth
Policy H1 Maximising housing supply
Policy H7 Large and small homes
Policy H4 Maximising contribution to affordable housing
Policy H6 Housing choice and mix
Policy C6 Access for all
Policy E2 Employment premises and sites
Policy CC1 Climate Change Mitigation
Policy CC2 Adapting to Climate Change
Policy CC3 Water and flooding
Policy CC4 Air Quality
Policy CC5 Waste
Policy T1 Prioritising walking, cycling and public transport
Policy T2 Parking and car-free development
Policy DM1 Delivery and monitoring

Camden Planning Guidance:

Amenity CPG 2021
Design CPG 2021
Developer Contribution CPG 2021
Energy efficiency and adaptation CPG 2021
Employment Sites and Business premises CPG 2021
Housing CPG
Transport CPG 2021
Water and Flooding CPG

Site and surroundings

The property is situated on the corner of Rochester Place and Rochester Mews, situated within close proximity to Camden Road, St Pancras Way and Kentish Town Road, and within easy reach of many transport facilities, in this predominantly residential street.

The application site is located directly opposite the boundary of Rochester Conservation area. The distinct quality of Rochester is that it largely retains its homogenous mid-19th century architectural character. For this reason, most of the buildings make a positive contribution to the character and appearance of the Conservation Area.

Rochester Mews contains a mix of uses including residential and commercial. The surrounding area is predominantly residential however the site is within close proximity to Rochester Road which contains a mix of uses.

ASSESSMENT

The principal planning considerations are the following:

1. Change of Use principle

2. Design and Heritage
3. Quality of Accommodation
4. Unit Mix
5. Affordable Housing
6. Neighbouring amenity
7. Transport
8. Energy and sustainability
9. Air quality
10. Community Infrastructure Levy

1. Change of Use Principle

The previous application on site (2014/5510/P) demolished the existing building but retained the commercial on site. The committee report states that:

The new unit is considered still capable of being flexibly used by a variety of business uses, including B8 storage, and indeed the applicant has confirmed that the current business intends to continue here once the development has been completed. The headroom is similar to other commercial uses allowed nearby and is above the minimum of 3m expected for category 2 industrial premises. The unit has an internal area capable of accommodating a large Transit-type van, and the loading entrance is wide and high enough to allow access for this. The new unit has adequate daylight provided by a large glazed roof on the single storey element at the rear and by high level strip windows along the southern flank wall. It is thus concluded that the new unit, although slightly smaller than existing, provides an equally viable and attractive, if not better, space for a variety of businesses

The re-provision of a commercial unit in this location and on site was considered to be a benefit of the approved scheme.

Policy E1 aims to secure a successful and inclusive economy in Camden by creating the conditions for economic growth to support residents and local businesses. This is achieved through maintaining premises that are suitable for a variety of businesses, supporting local enterprise and business, promoting Knowledge Quarter as a location and directing new offices to growth areas

Policy E2 is clear that the Council will resist the loss of a business use to a non-business use unless it has been thoroughly explored whether there is possibility for that use to continue. The Council will consider the suitability of the location for business use; whether the premises are in a reasonable condition to allow the use to continue; the range of unit sizes; and whether the business use is well related to nearby land uses (para. 5.37). Where a change of use to a non-business use is proposed, the applicant must demonstrate to the Council's satisfaction that there is no realistic prospect of demand to use the site for an employment use. The applicant must submit evidence of a thorough marketing exercise, sustained over at least two years. The premises should be marketed at realistic prices, include a consideration of alternative business uses and layouts and marketing strategies, including management of the space by specialist third party providers (para. 5.39).

The pre-application documents include a property report and cover letter which claim a marketing exercise has been undertaken from April 2021 and that the requirements within policy E2 have been met. Upon a site visit the applicant claimed this exercise had begun over 3 years ago – if so this should be evidenced.

The report describes the commercial unit, as high quality and fitted out to a high specification by including:

automated sensor lighting, new toilets and a kitchenette, double glazed windows, and exterior electric windows. The property benefits from an abundance of natural light due to the installation of roof lights to the rear of the ground floor and windows on the side elevation of the premises.

The report describes the area of in and around Camden as having an oversupply of office space and the market conditions as challenging however there is no evidence to back this up. Tenants that are seeking space between 500sqf -2000sqf are not wanting to commit long term and therefore using commercial units which do not require these type of contracts or commitments like co-working spaces. It is important to note that this space is slightly larger than 2000sqf.

In relation to the marketing exercise, from an online search it is clear the site has been marketed for sale and for rent on various websites. The prices are listed below:

Rightmove - £55,000pa (£27.03 per sqf)
Nova Loca - £55,000pa (£27.03 per sqf)
Loopnet - £55,000pa (£27.03 per sqf)
Real Estate - £1,250,000 (£614.25 per sqf) for sale
Prime Location - £1,250,000 (£614.25 per sqf) for sale

The report claims that the various enquires had been made during this time however several issues came up which stopped a sale/lease. These included

- Limited parking
- Road too narrow for deliveries/ rubbish collection
- Layout of space not suitable
- Few local facilities for staff
- Residential environment unappealing
- Very high business rates

It is appreciated that the comments above appear to be legitimate concerns however there is some contradiction in these concerns compared with the site itself. Firstly the report itself states that:

This mews house is ideally placed for access to both the very vibrant Camden and Kentish Town.

Rochester Mews is a peaceful and quiet location whilst being close to all the major traffic routes in North London, with both Camden Underground (10 minutes' walk) and Camden Road Overground (6 minutes' walk) Stations being close by. Less than a mile away is Kings Cross, St Pancras International (Eurostar) and the excellent facilities at Granary Square and the newly refurbished Coal Drops Yard

This discounts concerns over few facilities for staff as clearly there are multiple within close proximity. Furthermore there are commercial units within and near Rochester Mews as well so this is not a purely residential setting. Lastly the site did use to be a garage so vehicle access for the site should not be counted as an issue; the road is clearly wide enough for vehicles and would be used for rubbish collection by other users in the mews.

Whilst the report does suggest that the unit may not be viable as a commercial unit, the Council would still need more information in order for it to be satisfied the option of use the unit commercially has been explored.

First of all the report only states that the site has been advertised since April 2021 however there is no evidence of this. The report should have a timeline of when the unit was advertised, when there were enquiries and what they said and what the applicant has done in an attempt to help garner interest. For example rent free or discounted rent periods.

The report said that interest has only come from short leases – this should be evidenced and considered as a realistic way to lease the property. The Council would not accept a change of use to residential being a suitable course of action just because the applicant did not want to take up short leases, as this would still suggest that the unit is still viable commercially.

Furthermore an analysis of rental conditions for similar commercial units in the area should be undertaken to demonstrate what the average rent is in the area and whether this conforms to the advertised price of this.

Street view imagery indicates the unit has had an occupier in the ‘the electric vehicle company’



Figure 1: Ground floor unit of 16 Rochester Mews

The ‘Electric Vehicle Company’ appears to be a used car dealership dedicated to electric cars and still have the site listed as their address. This would suggest that there has been an occupier during the time of the apparent marketing exercise. More information is required into their lease and whether or not they are still a functioning business. Upon a site visit, the unit was empty and there was no user present in the commercial unit and only the applicant/building owner is using one of the rooms as their office as no tenant can be found. However notwithstanding this, the Council does need clarity on this point and should be made clear in any marketing report.

Overall, 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. In the absence of the information mentioned above, unless it can be provided and was missed off the submission, the proposals would be contrary to policy E2.

2. Design and Heritage

The external alterations appear to be small and limited to altering the front door on the ground floor, replacing this with a sliding door and glass balustrade for amenity space, the same to the side and creating an opening for another sliding door to the rear to also create amenity space.

The principles of these alterations are acceptable. The balustrading to the front could be changed – glass is unlikely to be suitable at ground floor as it is not robust – but these can be discussed during any further pre-app or formal submission.

Whilst amenity space will be discussed in the section below, the principle of amenity space to the front needs to be explored further – the amount created would be very small, particularly for a family-sized dwelling, and the space does not feel like meaningful amenity space as a result. Providing a much better ground floor façade treatment or incorporating this space into the unit might be a better idea to consider.

3. Quality of Accommodation

All units would exceed the national space standards in terms of overall GIA. Below a table shows the GIA of each flat, with the nationally described space standards (NDSS).

Flat Number	National Standard	Space	Overall GIA
Unit 1 (front) (2b3p)	61sqm		63.2sqm
Unit 2 (middle) (2b3p)	61sqm		74.3sqm
Unit 3 (rear) (2b3p)	61sqm		62.8sqm

As demonstrated above all the new units meet the requirements as set out in the national space standards which is welcomed. All bedrooms, single and double, also meet the requirements as set out in the NDSS. The layouts of the units all appear functional as well.

In relation to outlook and daylight/sunlight, there is significant concern the units fail to provide a good standard of outlook. With the front unit this is technically dual aspect however the side windows will presumably have to be obscure glazed due to their proximity to the access road. There is a roof light to the front but overall the outlook and daylight is not great. The middle unit is single aspect and has a poor level of outlook. The kitchen area will also have very limited daylight/sunlight. The unit also has no roof lights and therefore will be very dark most of the time.

Furthermore the lack of defensible space, especially for the front and middle unit is concerning. Currently the main sources of outlook, daylight/sunlight all face right onto roads or public highways and the lack of privacy or the perception of overlooking that occupants might feel in these units is considerable.

The minimum requirement for amenity space for the units is 5sqm. Whilst an amenity space is proposed for all three of the units, all of the amenity space appears to be substandard. To the front 2.1sqm is not useable amenity space and is not especially private due to its location at the front which is directly onto a public street. With the middle unit, there is a higher degree of privacy (and the amenity area is bigger) but there is concern this amenity space might be dark and of poor quality. It is also not clear how this amenity area can be created and the rest of the dimensions of the building stay the same. With the rear unit, whilst there is over 10sqm, it is only 1.1m wide and therefore there is a concern this also of poor quality and in fact not useable due to its extremely narrow layout.

In terms of waste storage and collection, the details are listed below:

Waste collection in Camden

- 8.10 The Council currently offers waste collection of the following minimum volumes per dwelling with three bedrooms or less, per week:
- 120 litres of bin, box or sack volume for general waste or 'refuse'
 - 140 litres of mixed dry recycling
 - 23 litres of food waste

These standards need to be incorporated into both the residential and retail elements.

4. Unit Mix

Policy H7 of the Local Plan aims to secure a range of homes of different sizes that will contribute to the creation of mixed, inclusive and sustainable communities and reduce mismatches between housing needs and existing supply. The policy requires that all housing development, including conversion or extension of existing homes and non-residential properties contributes to meeting the priorities set out in the Dwelling Size Priorities Table (DSPT) (see below); and includes a mix of large (3 or more bedrooms) and small homes.

Table 1: Dwelling Size Priorities

	1-bedroom (or studio)	2-bedroom	3-bedroom	4-bedroom (or more)
Social-affordable rented	lower	high	high	medium
Intermediate affordable	high	medium	lower	lower
Market	lower	high	high	lower

The Council considers that each development should contribute to the creation of mixed and inclusive communities by containing a mix of large and small homes overall. In terms of policy H7, the application would provide three 2 bedroom units

It is appreciated that the scheme has to work with the existing building and as such the mix proposed is welcomed. The scheme provides three units which are of high priority.

However, considering the design issues as well as the significant concerns of the standard of accommodation within the pre-app proposal the Council would urge the applicant to explore an alternative mix. The problem this proposal has is that it is trying to fit large residential units within a dedicated commercial space – the units will need to be fully dual aspect and have a good level of amenity space at the least. New residential units must provide good quality accommodation. Therefore reducing the number of units down to only two and making them three bedroom might be a good idea that works better within the framework of the existing building. This could allow both units to be dual aspect, both benefit from roof lights and contain a generous GIA. It would also mean only two amenity spaces would have to be provided, potentially making good quality amenity areas easier to achieve.

5. Affordable Housing

Policy H4 aims to maximise the supply of affordable housing. The Council expects a contribution towards affordable housing from all developments that provide one or more additional homes and involve a total addition to residential floor space of 100sqm GIA or more

The Council will assess the capacity for additional homes on the basis of multiples of 100sqm GIA, rounding the additional residential floor space to the nearest 100sqm GIA so the assessed capacity will always be a whole number. 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 and increasing by 2% for each home or 100sqm added to capacity.

A contribution would be sought for any new residential accommodation on this site, and secured through legal agreement.

6. Neighbouring Amenity

Policy A1 of the Local Plan seeks to protect the quality of life of occupiers and neighbours. The factors to consider include visual privacy, outlook; sunlight, daylight, and overshadowing; artificial lighting levels; noise and vibration; odour, fumes, and dust; and impacts of the construction phase, including the use of Construction Management Plans.

In relation to the change of use, there is a strong prevailing existence of residential uses in the area and there is no evidence to suggest to the residential use in this location would cause any amenity impacts.

The external changes are also small in scale and therefore would not impact any of the neighbours. Where amenity spaces are proposed issues of overlooking and loss of privacy to nearby residential properties should be fully considered.

Construction Management Plans are discussed in the 'Transport' section.

7. Transport

The application building comprises a part 1 part 2 part 3 part 4 storey building which has a commercial unit on the ground floor and 5 flats above. The site was granted planning permission for this development on 30th March 2015 (ref. 2014/5510/P).

It is proposed that the ground floor be converted from a commercial unit to 3 x 2 bedroom flats. I note that the rear flat would be accessed from the rear of the site via a bedroom. It is unclear whether the building benefits from a right of way to use the side passageway to access the street from this location.

In line with Policy T1 of the Camden Local Plan, we expect cycle parking at developments to be provided in accordance with the standards set out in the London Plan. For residential units with 2 or more bedrooms the requirement is for 2 spaces per unit. There is an existing 5 space cycle store serving the residential units on the upper floors. This would be available for use by residents of the proposed new units as no new cycle parking is being proposed and there is no prospect of enlarging the existing cycle store. It is also considered that sufficient space exists within each of the new units to accommodate cycle parking if required. The provision of the 5 cycle parking spaces was previously secured under the original planning permission.

In accordance with Policy T2 of the Camden Local Plan, all 3 flats should be secured as on-street residents parking permit (car) free by means of a Section 106 Agreement. This will prevent the future occupants from adding to existing on-street parking pressure, traffic congestion and air pollution, whilst encouraging the use of more sustainable modes of transport such as walking, cycling and public transport. The existing flats were secured as car free by means of the S106 Agreement which accompanied the original planning permission.

The proposed works of conversion relate to the internal layout and the alteration of the single rear ground floor roof light to 3 separate roof lights. It is considered that these works can be carried out without recourse to a Construction Management Plan.

Whilst the applicant has suggested that the footway crossover at the front of the site could be removed and the footway reinstated, this is considered unnecessary as it provides level access to the building's bin, bike store and front entrance. As such a highways contribution is considered unnecessary at this point in time. T

8. Energy and Sustainability

The Council requires all development to minimise the effects of climate change and encourage all developments to meet the highest feasible environmental standards that are financially viable during construction and occupation. The Council promotes zero carbon development and requires all development to reduce carbon dioxide emissions through following the steps in the energy hierarchy; requires all major development to demonstrate how London Plan targets for carbon dioxide emissions have been met, including zero carbon development; and expects all developments to optimise resource efficiency. All major developments are required to assess the feasibility of connecting to an existing decentralised energy network, or where this is not possible, establishing a new network.

Policy CC1 requires all development to reduce carbon dioxide emissions by following the steps in the energy hierarchy; supports and encourages sensitive energy efficiency improvements to existing buildings; and expects all developments to optimise resource efficiency.

Policy 5.2 of the London plan requires development to be designed in accordance with the energy hierarchy: be lean (use less energy), be clean (supply energy efficiently), be green (use renewable energy). In addition chapter 5 of the London Plan sets out the need for schemes to secure a minimum 35% reduction in regulated CO2 emissions below the maximum threshold allowed under Part L 2013. The Council expects zero carbon development, with at least 35% reduction to be made on-site. A carbon offset contribution would be required for the shortfall. This would be used to secure the delivery of carbon reduction measures elsewhere in the borough.

Policy CC2 requires all development to adopt appropriate climate change adaptation measures such as:

- A. the protection of existing green spaces and promoting new appropriate green infrastructure.
- B. not increasing, and wherever possible reducing, surface water runoff through increasing permeable surfaces and use of Sustainable Drainage Systems.
- C. incorporating bio-diverse roofs, combination green and blue roofs, and green walls where appropriate; and
- D. measures to reduce the impact of urban and dwelling overheating, including application of the cooling hierarchy.

No details of energy or sustainability measures have been provided as part of the pre-application documents.

The design of the building should limit overheating. The Council strongly discourages active cooling (air conditioning), and the cooling hierarchy should be applied with preferential use of passive design measures. It is expected that new residential units should not need active cooling nor would they be supported with active cooling included. The site and units can easily be designed to ensure active cooling would not be required.

Retrofitting the building with more energy efficient measures to minimise energy consumption (draught-proofing, thermally efficient windows and insulation) should be considered and involved as part of any refurbishment works. The use of air source heat pumps is also recommended.

The Council will also seek to ensure that development does not increase flood risk and reduces the risk of flooding where possible, through the incorporation of water efficiency measures (policy CC3).

Developments must be designed to be water efficient. This can be achieved through the installation of water efficient fittings and appliances (which can help reduce energy consumption as well as water consumption) and by capturing and re-using rain water and grey water on-site.

Policies D1 and CC2 of the Local Plan encourage sustainable urban drainage systems, green roofs and walls and high quality hard and soft landscaping.

9. Air Quality

The Council will take into account the impact of air quality when assessing development proposals, through the consideration of both the exposure of occupants to air pollution and the effect of the development on air quality.

Owing to the site's location on Camden High Street there is the possibility that new occupants will be exposed to poor air quality. Furthermore, the demolition and construction work could have a detrimental impact on local air quality. As such, a basic Air Quality Assessment should be submitted with an application. For more information, refer to CPG Air Quality

10. Community Infrastructure Levy

If the proposal was deemed acceptable it would be liable for both Mayoral and Camden CIL. This would be based on Mayor's CIL2 (MCIL2) and Camden's latest CIL charging schedule from 2020.

Officers note that the floor areas and calculations above are approximate and sums are indicative. Final payable contributions would be calculated (following any potential approval of the scheme) by the Council's CIL officers.

CONCLUSION

It is considered the principle of the change of use could be accepted. However before the Council fully supports this there needs to be an updated and thorough marketing exercise undertaken and clearly displayed and analysed information submitted support any formal submission. Furthermore, currently the standard of proposed residential accommodation is not acceptable. More information needs to be provided regarding energy and sustainability as well.

Given the sensitive nature of the site , it is recommended you begin early consultation and engagement with local resident groups, societies and the CAAC to ensure local residents are consulted

This document represents the Council's initial view of your proposals based on the information available to us at this stage. It should not be interpreted as formal confirmation that your application will be acceptable, nor can it be held to prejudice formal determination of any planning application we receive from you on this proposal.

If you have any queries about the above letter or the attached document, please do not hesitate to contact **Ewan Campbell**

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