

Design, Access and Planning Statement

Change of Use from Clinic and Office (Class E) to Residential (Class C3)



Above Image: Homz 2024

Site Location:	32 Warren Street, London, W1T 5PG
Date:	16/09/2024
Planning Authority:	London Borough of Camden

Introduction

Homz (**The agent**) has been instructed by Mick Ruse (**The applicant**) to prepare and submit a planning application to the London Borough of Camden (**the Planning Authority**) for the conversion of Clinic and Office (Class E) to residential (Class C3) (**The proposal**) at 32 Warren Street, London, W1T 5PG (**the Site Location**). In support of this application, the following Design and Access Statement is submitted to demonstrate the need for the proposal and evaluate its accordance with national and local policies.

Site Description

The application site is located on the southern side of Warren Street and comprises a Grade II listed four storey plus basement level property. The ground floor is currently a clinic and basement is office (Class E) space. The upper floors are in residential use, with access from the ground floor and comprise 3 no. one bedroom flats. Access to the rear of the property is via an access road running adjacent to No. 32 under the adjacent terrace and leads to Warren Mews. There is an enclosed courtyard to the rear of the application property. The courtyard is splayed at the corner with a door accessing the property.

The site itself lies within Fitzroy Square Conservation Area. The site lies 150m east of Great Portland Street Underground station and 250 west of Warren Street Station and has a PTAL score of 6b.

Planning History

2009/4857/P 32 Warren Street W1T 5PG

Change of use of existing ground floor and part of lower ground floor from offices (Class B1) to dental practice (Class D1)

FINAL DECISION 23-10-2009 Granted

2008/2314/P 32 Warren Street London W1T 5PG

External alterations to rear of ground floor office (Class B1) involving replacement of existing single storey extension with new single storey extension to infill enclosed yard facing Warren Mews.

FINAL DECISION 29-05-2008 Granted

2008/1498/L 32 Warren Street London W1T 5PG

External alterations to rear of ground floor office involving replacement of existing single storey extension with new single storey extension to infill enclosed yard facing Warren Mews.

FINAL DECISION 29-05-2008 Granted

LS9704160 32 Warren Street, W1

Retention of new internal doors, as shown on letter dated 18th February 1997 and photographs.
FINAL DECISION 19-02-1997 Grant L B Consent with Conditions

LSX0204211: Reinstatement of lightwell and internal alterations, Granted 02/05/2002.

PSX0204210: Reinstatement of lightwell and internal alterations, Granted 02/05/2002.

PSX0005359: Certificate of Lawfulness for existing use as a self contained flat on the 3rd floor level. Granted 13/02/2001.

Proposed Development

The proposed development is for the change of use from a clinic and office (Class E) to residential (Class C3). The property would be a 2 bedroom property, with bedrooms in the basement and an open plan living room/ kitchen on the ground floor with a bathroom to the rear.

Relevant Planning Policy Considerations

The following local and national planning policy and guidance is relevant to this application:

National Planning Policy Framework (December 2023)

- Section 2 – Achieving sustainable development
- Section 4 – Decision making
- Section 6 – Building a strong, competitive economy
- Section 8 – Promoting healthy communities
- Section 11 – Making effective use of land
- Section 16 - Conserving and enhancing the historic environment

London Plan 2021

- Policy D3 Optimising site capacity through the design-led approach
- Policy D6 Housing quality and standards
- Policy D12 Fire safety
- Policy H1 Increasing housing supply
- Policy H2 Small sites
- Policy H10 Housing size mix
- Policy HC1 Heritage conservation and growth
- Policy SI 2 Minimising greenhouse gas emissions
- Policy SI 3 Energy infrastructure

- Policy SI 13 Sustainable drainage
- Policy T5 Cycling
- Policy T6 Car parking
- Policy T6.1 Residential parking

Camden Local Plan 2017

- A1 – Managing the impact of development
- D1 – Design
- D2 – Heritage
- E2 - Employment premises and site
- G1 – Delivery and location of growth
- H1 – Maximising housing supply
- H4 – Maximising the supply of affordable housing
- H6 – Housing choice and mix
- H7 – Large and small homes
- T1 – Prioritising walking, cycling and public transport
- T2 – Car-free development and limiting the availability of parking

Material Considerations

The planning assessment will cover the following issues:

- Principle of the Development – Provision of Housing and Loss of Employment Use
- Design/ Heritage
- Quality of Accommodation
- Impacts to Neighbouring Amenity
- Sustainable Transport
- Fire Safety
- Energy and Sustainability

Principle of the Development – Provision of Housing and Loss of Employment Use

At the national level, the NPPF recognises the need for new housing and for the housing supply to meet the needs of present and future generations and seeks to direct new development to the most sustainable locations.

The London Plan encourages intensification and optimising of land subject to justification within the local context. Policy 3.3 of the London Plan supports the need for additional

residential development within London and Policy 3.4 also encourages optimising the potential of brownfield sites for residential use.

Policy H2 states that small site housing developments will be the strategic priority (paragraph 4.2.1) to deliver housing. Part A of the policy states that “small sites should play a much greater role in housing delivery...” Part B, 1, recognises that planning decisions should accept that local character evolves over time and will need to change in appropriate locations to accommodate additional housing provision and increases in residential density through small housing developments. The policy also includes a new housing delivery target solely for the number of dwellings approved for applications of small sites. The provision of housing is therefore acceptable, in accordance with national and local policy.

Policy E2 (Employment premises and sites) seeks to protect employment premises or sites that are suitable for continued business use, in particular premises for small businesses, businesses and services that provide employment for Camden residents and those that support the functioning of the Central Activities Zone or the local economy. The policy 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:

- 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.

The evidence that has been provided by the applicant is:

- Rent evidence confirming lack of market demand
- Recent history of the commercial premises
- Description of development

These documents evidence that there has been no demand for businesses in the area, for the rent that is charged at £8,400 (ground floor) and £8,750 from 1st October 2024 (lower ground floor) per annum. The ground floor and lower ground floor came onto the market in 2006 and was tenanted by a specialist firm of estate agents. The documents identify that over time, a number of businesses have not been successful in occupying the unit, including the former estate agents, dentist and clinic, which defaulted on rent payments. There has been difficulty to find an office tenant. Since 2014, the ground floor has been let to Helix Clinic, who may decide to move on, with little to no demand for either floor.

As above, in line with Policy E2 of the Local Plan evidence has been demonstrated and therefore the loss of employment generating use should be accepted. On balance, the provision of housing would outweigh the minor harm of the loss of potential employment.

Design/ Heritage

Chapter 12 of the NPPF 2023 refers to achieving well-designed and beautiful places. Policy D4 and D5 of the London Plan refers to delivering good and inclusive design.

The key legislative requirements in respect to conservation areas is section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires that “In the exercise, with respect to any buildings or other land in a conservation area...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

Furthermore Chapters 12 and 16 of the NPPF require great weight be placed on design quality and the preservation of designated heritage assets including their setting. Chapter 16 of the NPPF clarifies that harmful proposals should only be approved where the harm caused would be clearly outweighed by the public benefits of the scheme, taking into account the statutory duty to have special regard or pay special attention, as relevant. This should also take into account the relative significance of the affected asset and the severity of the harm caused.

Policy HC1 of the London Plan relates to heritage conservation. This states that Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets’ significance and appreciation within their surroundings.

There would be no design changes to the property, therefore there would be no harm to the Fitzroy Conservation Area or to the Grade II Listed Building. The use as residential would be in keeping with the Listed Building and character of the area and other properties on this street, including nos. 24 and no. 31 Warren Street that have ground floor residential uses.

Quality of Accommodation

The National Planning Policy Framework pays specific regard to design being of high quality. Chapter 12 discusses how good quality design is instrumental amongst development proposals. Paragraph 131 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

The Nationally Described Space Standards (NDSS 2015) state that for a 2 storey, 2 bedroom 3 person dwelling, a minimum gross internal floor area (GIA) of 70sqm is required. The

dwelling would be 33.39sqm in the basement and 44.72sqm on the ground floor, resulting in a total GIA of 78.11sqm.

Both bedrooms meet the standards of 7.5sqm for a single bed and 11.5sqm for a double bed. The kitchen/ living room would be served by a 4 panel window provision sufficient daylight and outlook. The basement bedrooms would be served by windows within a lightwell and can be afforded less necessity for daylight given their uses would be more for evening use.

The proposal would meet the principles of lifetime neighbourhoods, in order to achieve the highest practicable standards of accessibility and inclusivity. The proposal would comply with Building Control requirements including the relevant standards under Building Regulations Part M4(2).

The internal layout of the proposal and amenities provided is considered to constitute good quality accommodation in accordance with the Nationally Described Space Standards 2015. As such, the proposal would provide an acceptable quality of accommodation for the future occupiers, in accordance with the NPPF 2023 and NDSS 2015.

Impacts on neighbouring amenity

There are no external changes or extensions proposed, therefore there would be no overshadowing impacts. Regarding privacy, the front windows can be suitably screened with blinds or similar and are an appropriate size for the area.

This means therefore the proposal would have no demonstrable impact on neighbouring amenity.

Sustainable Transport

The NPPF recognises that sustainable transport has an important role to play in facilitating sustainable development but also contributing to wider health objectives. In particular it offers encouragement to developments which support reductions in greenhouse gas emissions and those which reduce congestion. The NPPF also outlines that developments which generate significant vehicle movements should be located where the need to travel will be minimised and the use of sustainable transport options can be maximised. It is also expected that new development will not give rise to the creation conflicts between vehicular traffic and pedestrians. Paragraph 115 of the NPPF 2023 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highways safety.

The site has a PTAL rating of 6b, with excellent access to public transport facilities (PTAL 6b), including two London Underground Stations in very close proximity (Great Portland Street 150m, and Warren Street 250m) as well as numerous bus routes, with one stop on Euston Road 70m away.

The development (which would result in the net increase of three residential units within the building) is proposed to be “car free and therefore would not require any parking.

The proposals do not, therefore, conflict with the requirements of Policy 37 nor the guidance set out at paragraph 115 of the NPPF.

Fire Safety

In March 2021 the Mayor of London published his Local Plan which now forms part of the Local Plan Framework, policy D12 deals with matters of Fire Safety. In addition to this on 1 August 2021 the NPPG ‘Fire Safety and High – Rise Residential Buildings was produced pursuant to the update of the Town and Country Planning (General Management and Procedure and Section 62A Applications) (England) (Amendment) Order 2021. This is referred to as ‘Gateway One’; Gateways Two and Three come at a Building Safety Regulator Stage.

Reasonable Exception Statement: The proposal is not a major development, and the building is not a ‘relevant application’ building as it contains only a single dwelling and is 2 storeys and does not exceed the height or storeys criteria. It is also not relating to a building that is within the curtilage of a relevant building. As the proposal is not a major development or a ‘relevant application’ building and there would be sufficient grounds for a ‘reasonable exception’ to the requirement of providing a fire statement.

Energy and Sustainability

Policies SI1 – SI13 of the London Plan relate to sustainable infrastructure including improving air quality, minimise greenhouse gas emissions, water infrastructure, waste capacity and sustainable drainage.

The new residential unit will be provided with water efficient fixtures and fittings to reduce water consumption. The WC, Showers and Kitchen facilities will be designed to reduce their water consumption to 105 litres of water per person per day. Potable water reduction measures such as flow restrictors and sensor activation or percussion taps and showers, and dual flush toilets will help reduce water consumption, place less of a burden on the freshwater infrastructure and reduce water bills for the property.

Policy SI2 of the 2021 London Plan states development should provide at least a 35% improvement in regulated CO2 over Part L of the Building Regulations 2021 through on-site measures & by following the energy hierarchy. These details will be met by passive design measures, low U-values, low air permeability and efficient heating design, for example air source heat pumps. Further details can be secured by condition if necessary.

Conclusion

This report has highlighted that the proposal, subject to this application, is in accordance with the Council's planning policies and national planning policy.

For the above reasons the development is sustainable development and is also in accordance with national policy and guidance. Therefore, in the absence of any other material considerations to justify otherwise, it is respectfully requested that development be considered as acceptable in principle.

Should the Planning Authority request any further information in order to process this request, please contact **Homz** (hello@homz.uk) directly as the acting agent and we will be more than happy to deliver any additional information as and when required.