

Delegated Report		Analysis sheet		Expiry Date:		14/01/2025	
		N/A / attached		Consultation Expiry Date:		22/12/2024	
Officer				Application Number(s)			
Sofie Fieldsend				(i)2024/4841/P (ii) 2024/5069/L			
Application Address				Drawing Numbers			
47 Mount Pleasant London WC1X 0AE				See decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
i) Change of Use from Commercial (Class E use) to a 6bed House in Multiple Occupation (HMO) (Sui Generis use). Replacement front door.							
ii) Change of Use from Commercial (Class E use) to a 6bed House in Multiple Occupation (HMO) (Sui Generis use) and associated internal alterations. Replacement front door.							
Recommendation:		(i)Refuse planning permission (ii) Refuse Listed Building Consent					
Application Type:		(i)Full Planning Permission (ii) Listed building consent					
Conditions or Reasons for Refusal:		Refer to Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:				No. of responses		0	
						No. of objections	
						0	
						No. of comments	
						00	
Summary of consultation responses:		Site notices were displayed on the 22/11/2024 and the consultation period expired on the 16/12/2024. A press notice was advertised on 28/11/2024 and expired on 22/12/2024.					
		No objections were received during the consultation period.					

CAAC and other community groups

Site Description

The application site is located to the west of Mount Pleasant near the corner with Warner Street. The site building comprises four storeys and a basement floor. The site is in use as an office, however evidence has been submitted that the property is currently occupied by squatters.

The is Grade II and located within the Hatten Garden Conservation Area.

Listing:

“ Terrace of 6 houses. c1720, Nos 55 & 57 believed to be rebuilt later C19 in facsimile. No.47: brown brick with stucco 2nd floor band and parapet. Brick cornice below the parapet. Tiled roof with dormer. 3 storeys, attic and cellar. 3 windows. Later C19 shopfront with C20 door and fascia flanked by consoles. Gauged red brick segmental arches and dressings to flush frame sashes with exposed boxing. INTERIOR: not inspected but noted to retain stairs with turned balusters and column newels. No.49: brown brick with brick 2nd floor band and cornice below the parapet. Tiled mansard roof with dormers. 3 storeys, attic and cellar. 3 windows. C20 reproduction wooden shopfront with round-arched lights and panelled stallboard. Later C19 consoles flanking fascia. Gauged red brick segmental arches and dressings to flush frame sashes with exposed boxing having hinged sash supports. INTERIOR: not inspected but noted to be panelled. Nos 51 & 53: stuccoed fronts with rusticated ground floors and quoins. C20 tiled mansard roofs with dormers. 3 storeys, attics and basements. 3 windows each. Ground floors with C20 sashes and panelled doors. Upper floors with segmental-arched, architraved, recessed sashes with exposed boxing; 1st floor of No.51 and 1st & 2nd floors, No.53 with gated sashes. Parapets. INTERIORS: not inspected. Nos 55 & 57: red brick, No.55 painted. Tiled double pitched roofs. Brick cornices below parapets. C20 ground floor terrazzo betting Shop frontage but No.55 retaining wooden doorcase with pilasters and brackets carrying flat hood. Gauged brick segmental arches to recessed sashes with exposed boxing. At 1st floor level, centrally positioned tablet with moulded brick cornice inscribed "Dorrington Street 1720" not in situ. SUBSIDIARY FEATURES: attached cast-iron railings with urn finials to areas of Nos 51 & 53.”

Relevant History

Application site

None relevant

Relevant policies

National Planning Policy Framework (2024)

London Plan (2021)

Camden's Local Plan (2017)

- Policy G1 Delivery and location of growth
- Policy H1 Maximising housing supply
- Policy H2 Maximising the supply of self-contained housing from mixed-use schemes
- Policy H4 Maximising the supply of affordable housing
- Policy H6 Housing choice and mix

- Policy H7 Large and small homes
- Policy H10 Housing with shared facilities
- Policy C5 Safety and security
- Policy C6 Access for all
- Policy A1 Managing the impact of development
- Policy A3 Biodiversity
- Policy A4 Noise and vibration
- Policy CC1 Climate change mitigation
- Policy CC2 Adapting to climate change
- Policy CC3 Water and flooding
- Policy CC4 Air quality
- Policy CC5 Waste
- Policy D1 Design
- Policy D2 Heritage
- Policy E1 Economic development
- Policy E2 Employment premises and sites
- Policy T1 Prioritising walking, cycling and public transport
- Policy T2 Parking and car-free development
- Policy T3 Transport infrastructure
- Policy T4 Sustainable movement of goods and materials
- Policy DM1 Delivery and monitoring

Camden Planning Guidance

Adopted March 2019:

- CPG Developer contributions
- CPG Access for all

Adopted Jan 2021:

- CPG Air Quality
- CPG Amenity
- CPG Basements
- CPG Community uses, leisure facilities and pubs
- CPG Design
- CPG Energy efficiency and adaption
- CPG Housing
- CPG Transport
- CPG Water and flooding

Hatten Garden Conservation Area Appraisal and Management Strategy (2017)

HMO Standards: For houses and shared facilities

The council has published a new [Draft Camden Local Plan](#) (incorporating Site Allocations) for consultation (DCLP). The DCLP is a material consideration and can be taken into account in the determination of planning applications, but has limited weight at this stage. The weight that can be given to it will increase as it progresses towards adoption (anticipated 2026).

Assessment

1.0 Proposal

1.1 Planning permission is sought for the following:

- Change of Use from Commercial (Class E use) to a 6bed House in Multiple Occupation (HMO) (Sui Generis use).
- Replacement front door.

2.0 Assessment

2.1 The main considerations in relation to this proposal are:

- Land Use
- Affordable Housing
- Design and Heritage
- Quality of residential accommodation
- Impact on the amenity of neighbouring occupiers
- Transport

Background:

2.2 The applicant has provided a narrative that they cannot allow the Council to conduct a site visit to the property as it is currently occupied by squatters. In their email dated 22/11/24 to the Council they stated the following:

“As you may have noticed from the planning statement, drawing package and site photos we’ve submitted, the property has been occupied by squatters since mid-August 2024. Unfortunately, they have installed their own lock, and we are unable to enter the property (attempting to do so would apparently, breach the law).

We’ve already engaged a solicitor who is assisting us with Common Law Re-entry and Possession Proceedings. Hopefully, we can resolve this issue and regain possession of the property before Christmas.

Here’s a brief account of the situation:

At around 9:30am on Friday 13th September, I received a call from a fire brigade officer informing me that someone had broken into 47 Mount Pleasant and caused a electrical fire in the front room.

Initially, I didn’t have much information from the officer and assumed it was a straightforward break-in. Two hours after the phone call, I brought two builders with me to assess the damage and carry out repairs.

However, to our surprise, we discovered squatters living in the property. I spoke with three men inside, who informed me they had been there for about three weeks (since mid-August 2024).

I reported the incident to the police and provided further details. They also mentioned notifying Camden Council, and I was told someone from the council would be in touch soon. I further emphasised that damaging a Grade II listed building is a criminal offence under UK law, as such buildings are legally protected due to their historical or architectural significance. However, as the building is a commercial property, the police noted there was little they could do but advised me to contact a solicitor to resolve the matter.

The crime reference number is: CAD4031/13SEP24.”

3.0 Land Use

Loss of office (Class E) floorspace

- 3.1 Policy E1 of the Camden Local Plan 2017 seeks to secure a successful and inclusive economy in Camden by creating the conditions for economic growth and harnessing the benefits for local residents and businesses. The Council aims to support Camden's industries by safeguarding existing employment sites and premises in the borough that meet the needs of industry and other employers.
- 3.2 Policy E2 seeks to encourage the provision of employment premises and sites in the borough. We will protect premises or sites that are suitable for continued business use, in particular premises for small businesses, businesses and services.
- 3.3 The supporting text of Policy E2 sets out that when assessing proposals that involve the loss of a business use to a non-business use we will consider whether there is potential for that use to continue. In addition, 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.
- 3.4 A marketing report has been provided, which demonstrates that the subject property is no longer fit for purpose as an office and demonstrates that the proposal generally complies with Policy E2 of the Local Plan.
- 3.5 The building has been vacant since early 2021 and has been marketed on various platforms without a successful tenant taking the unit. The Council's Inclusive Economies Officer has confirmed the rental rate as being reasonable for the area. It is acknowledged that demand for offices in this area has fallen, and supply has increased. Given the above and its original use/layout as residential and the amount of floorspace, the loss of office space in this instance is considered acceptable in this instance and location.

Creation of new residential (Class C4) floorspace

- 3.6 Policy H10 (Housing with shared facilities) of the Camden Local Plan states that the Council will support the development of housing with shared facilities which meet the needs of small households with limited incomes and modest space requirements. This is provided that the development:
- a) will not involve the loss of two or more self-contained homes;
 - b) will not involve a site identified for self-contained housing through a current planning permission or a development plan document, unless it is shown that the site is no longer developable for self-contained housing;
 - c) complies with any relevant standards for houses in multiple occupation;
 - d) contributes to creating a mixed, inclusive, and sustainable community;
 - e) does not create a harmful concentration of such a use in the local area or cause harm to nearby residential amenity; and
 - f) is secured as a long-term addition to the supply of low cost housing, or otherwise provides an appropriate amount of affordable housing, having regard to Policy H4.
- 3.7 While the proposal largely complies with the above criteria in terms of room sizes and facilities, but it fails part c and f outlined above. The top floor unit is unacceptable in terms of fire safety, one of the lower rooms in terms of amenity and a lack of affordable housing is secured by a S106 agreement which are discussed in more detail in the relevant sections below. Therefore it is considered the overall the development does not comply with Policy H10.

3.8 Although housing is the Council's priority land use, residential accommodation could only be supported on this site subject to policy compliance in all other respects.

4.0 Affordable Housing

4.1 In line with Policy H10, the proposal would need to secure long-term additions to the supply of low-cost housing. In order to meet this requirement, the applicant would have to either agree to a payment in lieu of affordable housing or the securing of units in the property as 20% less than the cost of a studio flat, either of which would be secured by Section 106 legal agreement.

4.2 Taking the government's definition and the London Rents Map data into account, the Council considers that rooms in HMO accommodation in Camden can reasonably be considered to be low cost housing if they cost no more than 80% of median rent for a studio flat in the borough. As such, a legal agreement would secure all rooms in the property as no greater than 80% of the median rent for a studio flat in the borough, based on data for the most recent financial year available from the Office for National Statistics on the date of a room being let or a new rent being set. Currently, data from the Office of National Statistics and The London Rents Map suggests that the median rent for a studio flat in the Borough of Camden for October 2022 to September 2023 (the most recent period for which data is available) was £1750 per calendar month. As such, rents in the property would be secured as no greater than £1400.00 per calendar month, which would be secured by Section 106 legal agreement if the development were acceptable.

4.3 The applicant could instead make a payment in lieu of affordable housing in order to comply with f) of Policy H10, having regard to Policy H4 (Maximising the supply of affordable housing) of the Local Plan. Policy H10 triggers this requirement for affordable housing (or low cost accommodation covered above) but regard is had to Policy H4 when calculating the amount to be contributed to affordable housing. This is so that the residential units provided by a new HMO are secured as long-term additions to the supply of low cost housing (through the aforementioned mechanism) or failing this, an appropriate amount of affordable housing is provided. The appropriate amount of affordable housing that will be sought is calculated with regard to Policy H4 – that is, using the formula set out in H4 to determine affordable housing contributions. Whilst the trigger for each Policy is different, H10 is clear that H4 is to be referred to.

4.4 As such, Policy H10 triggers the requirement for affordable (or low cost) housing. The appropriate amount of affordable housing is then calculated with regard to H4. As such, the total gross internal area (GIA) of the proposed HMO is 347 sqm, which would be used to calculate the affordable housing formula. Policy H4 states that for schemes of less than 25 additional homes, a sliding scale will be applied to calculate the expected provision as a percentage of the overall residential uplift, with a 2% contribution per additional home added to capacity. Capacity for 1 home is 100sqm. Following the sliding scale in Policy H4, 347 sqm represents capacity for 3 homes, so the affordable housing percentage target is 6%. The proposal would therefore be required to make an affordable housing contribution in line with the following formula:

$$\text{Floorspace target is } 6\% \times 347 \text{ sqm} = 20.82 \text{ sqm.}$$

$$\text{£5,000 per sqm (x 20.82 sqm) = £104,100.}$$

4.5 Therefore, if the applicant were to secure long-term additions to the supply of low-cost housing by way of a payment in lieu towards the provision of affordable housing, an affordable housing contribution of £104,100.00 would be required for the development, which would be secured by

Section 106 legal agreement. The applicant has also confirmed that they would not be willing to provide an affordable housing contribution, as required by f) of Policy H10.

- 4.6 In absence of a signed S106 securing the housing with shared facilities as a long-term addition to the supply of low cost housing, or an appropriate contribution to affordable housing, the proposal would not comply with Policy H10 of the Local Plan. As such, the proposal would fail to create a mixed, inclusive, and sustainable community, so the proposed change of use would not be acceptable in land use terms, conflicting with the development plan as a whole. The failure to secure the units at an affordable rate would mean that it does not satisfy all criteria set out in Policy H10 of the Local Plan. As such, this would constitute a reason for refusal.
- 4.7 Therefore, in this instance a full policy-compliant contribution of £104,100 would be required. In the absence of an acceptable scheme, and hence no S106 agreement, this forms a reason for refusal.

5.0 Design and Heritage

Policy

- 5.1 Policy D1 of Camden's Local Plan outlines that the Council will require all developments to be of the highest standard of design and will expect developments to consider character, setting, context and the form and scale of neighbouring buildings and the character and proportion of the existing building. In addition, development should integrate well with the surrounding streets and contribute positively to the street frontage. Policy D2 states that Council will only permit development within conservation areas that preserves and enhances the character and appearance of the area. Camden Planning Guidance (CPG) document 'Design' is also relevant.
- 5.2 CPG Design advises that development should respond positively and sensitively to the existing context and integrate well with the existing character of a place, building and its surroundings. It further adds that good design should respond appropriately to the existing context by:
- ensuring the scale of the proposal overall integrates well with the surrounding area
 - carefully responding to the scale, massing and height of adjoining buildings, the general pattern of heights in the surrounding area; and
 - positively integrating with and enhancing the character, history, archaeology and nature of existing buildings on the site and other buildings immediately adjacent and in the surrounding area, and any strategic or local views, vistas and landmarks. This is particularly important in conservation areas.
- 5.3 As the application site is situated within a Conservation Area and the building is Grade II listed, the following statutory provisions are relevant to the determination of these applications are Section 16, 72 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.
- 5.4 Section 16 requires that in considering whether to grant listed building consent for development which affects a listed building, the local planning authority shall have special regard to the desirability of preserving the listed building, its setting and its features of special architectural or historic interest.
- 5.5 Section 66 of the Act requires that in considering whether to grant planning permission for development which affects a listed building, the local planning authority shall have special regard to the desirability of preserving the listed building, its setting and its features of special architectural or historic interest.

- 5.6 The NPPF terms listed buildings designated heritage assets. Section 16 of the NPPF provides guidance on managing change to designated heritage assets through the planning system, including avoiding or justifying harm to the special architectural or historic interest of listed buildings. Paragraph 215 states that “less-than-substantial harm” to a designated heritage asset must be outweighed by the public benefits secured by the proposals, including heritage benefits to the assets.

Designations

- 5.7 No.47 is one of a terrace of 6 residential properties that together with the public house adjacent are listed Grade II. The building is constructed in brown brick with gauged red brick segmental arches and dressings to the window openings. This short row of houses, the last substantial remnant of the original Baynes—Warner estate development, was coincidentally the first part to be built, in 1719–20.
- 5.8 When listed in 1974 the property had a late nineteenth century shopfront. The interior of the property was not inspected directly, but it was noted that the building retained an historic set of stairs with turned balusters and column newel posts.
- 5.9 The significance of the building includes its architectural design and materials, floorplan, townscape value and its evidential value as an early eighteenth-century terraced building, converted to commercial use at ground/lower ground floor during the nineteenth century. The Council has a statutory obligation to preserve or enhance the character and appearance of the conservation area, to which the subject site makes a strongly positive contribution.

Assessment

- 5.10 As highlighted in the background section above, the applicant would not allow the Council to conduct a site visit to the property. Therefore, the Council is unable to make a full assessment and to also understand if any additional damage has occurred to the fabric of the listed building due to occupation by squatters. The Council would require a site visit for a full assessment, the photographs included in the application provide no detail. It is therefore difficult to gauge the architectural significance of the joinery, windows, plaster among other special features including the significant historic stair mentioned in the listed but no photos were provided of this features.
- 5.11 Externally the alterations proposed relate to the replacement of the front door. This door is mentioned in the listing as being 20th Century, but no details of its condition or its replacement have been provided in the heritage statement for assessment. No justification for its replacement or a detailed assessment of its significance has been provided. This feature is considered to contribute to the significance of the building. Therefore its removal and replacement with a new door for which insufficient detail has been submitted, is considered that it will harm the significance of the listed building and this part of the Hatton Garden Conservation Area. This would form a reason for refusal.
- 5.12 It is noted that the site has a number of existing AC units at various levels of the property. However, there does not appear to be planning permission for these and it is unclear when they were installed. Nonetheless they are not considered under this application and this matter has been passed to the Council’s enforcement team.
- 5.13 Internal alterations are proposed to accommodate the change of use. As mentioned in the background section, the Council has requested a site visit to view the inside of the property however the applicant has denied assess and following assessment is made on limited information submitted.

- 5.14 Nonetheless, in terms of servicing required to convert the property, it is noted that the existing water supply to the property is limited to 3 locations adjacent to the south party wall. The HMO layout would require multiple sets of bathrooms and kitchen servicing.
- 5.15 It is considered that the proposed room arrangement will require extensive routing of services throughout the house which the Council's Conservation Officer considered to be harmful to the historic fabric.
- 5.16 In addition, the application does not mention of fire separation between floors. Such works are very often harmful to existing architectural decoration and/or the historic spatial qualities of the rooms. Detail of this would be required for a full assessment.
- 5.17 This property was built as a residential building and may still be appropriate for residential use, but the building needs to be sympathetically occupied to limit its impact on the building's special significance. It is considered that the proposed use as an HMO is likely to result in harm to the significance and fabric of the building.
- 5.18 As such, it is considered that the development fails to preserve the special character and appearance of the listed building or the Hatten Garden Conservation Area. This harm is considered to be less than substantial.
- 5.19 Paragraph 215 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. As mentioned above it may be possible to convert the building back to residential use with a lower occupancy which has potential to be its optimum viable use. Although this development would provide a mix of 6 HMO rooms of various sizes, the weight given to the creation of a limited number of residential units of a compromised standard would not outweigh the great weight given to the heritage harm identified. The proposals are therefore contrary to policies D1 and D2 of the Camden Local Plan 2017, and this forms a reason for refusal.

6.0 Quality of Accommodation

- 6.1 Local Policy H10 (Housing with shared facilities) states that development for HMOs complies with the relevant standards, including those within the Housing Act 2004. This means that all bedrooms, kitchens, and bathrooms should meet the required space standards for room sizes, and the property must be fit for human habitation, which is considered as part of the HMO licencing process.
- 6.2 The proposal will create a 6 bedroom HMO including 2 duplex self-contained units. A large kitchen/dining area and communal living room is provided at basement level. The rooms' size and layout would largely comply with HMO regulations with the exception of the top floor duplex unit on fire safety grounds, this is discussed in detail in the fire safety section below.
- 6.3 The site given it is a refurbishment and not a new build had a constrained nature does not benefit from any useable outdoor amenity space and options to introduce new amenity space would be limited with its listed status. But it is acknowledged that the site is within walking distance to a number of small parks. The lack of amenity space provision is regrettable but acceptable in this instance.
- 6.4 Policy A1 (Managing the impact of development) seeks to protect the quality of life of occupiers and neighbours by only granting permission for development that would not harm their amenity. This includes factors such as privacy, overlooking, outlook, implications on daylight

and sunlight, noise, and disturbance. The Council's guidance contained within CPG 'Amenity' provides specific guidance with regards to these aspects.

- 6.5 Policy 3.5 of the London Plan makes clear that the quality of residential development applies to residential conversions. This is confirmed by the London Plan Guidance document 'Housing', which states that "housing standards apply to all new housing in London. This includes new-build dwellings, conversions and change of use schemes". As such, the standard and quality of the proposed residential accommodation is relevant to the determination of this application.
- 6.6 The development would fail to provide an adequate level of amenity for the occupants of the proposed HMO. This is specifically the case for the two bedrooms rooms facing onto the lightwell at ground floor. The only source of light and outlook for both these rooms would be to this lightwell and the main windows would directly face each other across the lightwell (as shown in figure 1 below). These windows are in very close proximity at only 2.5m apart. It is considered that this arrangement would result in overlooking and loss of privacy to these rooms as well as resulting in a poor quality outlook for the occupants.



Figure 1: Photo provided by the applicant looking from the rear ground floor room across the lightwell towards the front the property.

- 6.7 No assessment was submitted with the application to demonstrate that the internal light levels of daylight and sunlight within the two bedrooms would meet BRE minimum standards. Given the position and scale of the openings, location at the lower level within a narrow lightwell, it is unlikely that adequate levels of daylight and sunlight would reach these rooms. As previously mentioned access to the site was not permitted by the applicant for officers to assess the light levels in person.
- 6.8 It is noted that the proposed bathrooms facing the lightwell at 1st and 2nd floor each have a window that would directly face into the window of the separately occupied bedroom opposite. As currently proposed this would create issues of loss of privacy and overlooking. However, if the development were to be acceptable in all other aspects a condition could be attached requesting a reversible frosted film to be attached to the bathroom windows to help mitigate this issue.

- 6.9 As such, the proposed would fail to protect the amenity of occupying residents, specifically those in the sub-basement rooms. Therefore, the proposal would fail to comply with Policies A1, D1 and H10 of the Local Plan.
- 6.10 Overall, the proposal is considered to provide poor accommodation for future occupiers in terms of sunlight/daylight, privacy/overlooking and poor outlook for the future occupiers of the HMO bedrooms proposed at ground floor facing onto the lightwell would form a reason for refusal.

7.0 Impact on neighbouring amenity

- 7.1 Policy A1 seeks to protect the quality of life of occupiers by only granting permission for development that would not harm their amenity. The main factors which are considered to impact the amenity of neighbouring residents are overlooking, loss of outlook and sense of enclosure, implications on daylight, sunlight, light pollution and noise.
- 7.2 The only external alteration is the replacement front door and this alteration would not impact to the amenity of neighbouring properties in terms of privacy, overlooking, outlook, or daylight and sunlight.
- 7.3 The area itself is generally in residential and commercial use in a busy Central London location, and HMOs can have a greater impact on neighbouring amenity than a single family dwelling. However, this increase is not expected to result in harmful noise and nuisance to neighbouring amenity in this area. A management plan is also not considered appropriate in this instance.

8.0 Fire Safety

- 8.1 Policy D12 (Fire Safety) of the London Plan outlines that in the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety and ensure that they are constructed in an appropriate way to minimise the risk of fire spread and provide suitable and convenient means of escape. The supporting text adds that developments, their floor layouts and cores need to be planned around issues of fire safety and a robust strategy for evacuation from the outset.
- 8.2 The layout proposed for the top floor duplex flat is contrary to Policy D12 as the only means of escape from the living/dinning room (a habitable room) is through the kitchen to access the staircase down.

9.0 Transport

- 9.1 In line with Policy T2 (Parking and car-free development), the proposed HMO Sui Generis use would need to be secured as car-free development, under a Section 106 legal agreement. This would limit the availability of both off-street and on-street parking and would reduce the traffic pressure in the area and impact of traffic surrounding the site. The absence of such an agreement to secure the development as car-free would constitute a reason for refusal.
- 9.2 As the proposal would create residential units, cycle storage would be required to be provided on-site, in line with Policy T1 (Prioritising walking, cycling, and public transport) of the Local Plan, as well as the London Plan. No cycle parking is proposed. For 1 bedroom 2 person residential units, the requirement is for 1.5 spaces per unit, whilst for HMOs we expect 1 space per bedroom. This gives a requirement for 7 spaces for this development. Given the limited floor space at this property, it is acknowledged that it is difficult to provide the required cycle parking on site. In such circumstances, it is considered appropriate to seek a contribution towards the provision of off-site (on-street) cycle parking facilities in the form of a bike hangar.

In this case, a Section 106 contribution of (£4,320/6 x 7=) £5,040 would be sought towards the provision of 7 spaces in a 6 space bike hangar to be provided within the vicinity of the site. The absence of such an agreement to secure the contribution would constitute a reason for refusal

10.0 Heads of terms

10.1 If the proposal was considered to be acceptable then permission would be subject to a Section 106 legal agreement. The obligations required have been discussed above and are included as reasons for refusal. Below is a summary of the heads of terms that would be sought if permission were to be granted:

- All units to be secured as car-free
- Cycle Parking Contribution of £5,040
- Affordable housing contribution of £104,100.

14.0 Community Infrastructure Levy

14.1 This site would be subject to CiL payments.

15.0 Conclusion

15.1 The proposed development fails to comply with the development plan as whole. The proposed residential use would be an acceptable land use in the area, however the failure to secure the HMO as a long-term addition to the supply of low cost housing within the borough (or otherwise provide an appropriate amount of affordable housing) would mean the development would not be in conflict with the policy and the development plan. Although most of the dwellings would provide an acceptable standard of accommodation, one ground floor bedroom would result in an unacceptable impact on the amenity of occupying residents and the top floor unit would raise fire safety concerns. The failure to secure the development as car-free and a contribution towards cycle parking would increase pressures on the borough's transport network, and as such is not acceptable. The proposal is therefore not compliant with the policies of the Local Plan, and the application should be refused.

16.0 Recommendation

16.1 Refuse Planning permission:

In absence of a site visit, detailed drawings and a comprehensive heritage statement it has not been adequately demonstrated that the proposed internal alterations and replacement of the front door would not harm the special architectural and historic interest of the Grade II listed building and the Hatton Garden Conservation Area contrary to policies D1 (Design) and D2 (Heritage) of the Camden Local Plan 2017

In absence of a comprehensive and adequate daylight and sunlight impact report to demonstrate otherwise, it is considered likely that the development would not be able to provide sufficient daylight to the proposed rear ground floor bedroom contrary to policies A1 (Managing the impact of development) and H10 (Housing with shared facilities) of the London Borough of Camden Local Plan 2017.

The proposed development, by reason of its layout would fail to provide an acceptable standard of accommodation for occupying residents in the proposed the top floor duplex unit in terms of fire safety, contrary to Policies A1 (Managing the impact of development), D1 (Design) and H10 (Housing with shared facilities) of the London Borough of Camden Local Plan 2017 and Policy D12 (Fire Safety) of the London Plan 2021.

The proposed development, in failing to be secured as a long-term addition to the supply of low cost housing or otherwise providing an appropriate amount of affordable housing, would fail to meet the needs of small households with limited incomes, contrary to Policy H4 (Affordable Housing) and H10 (Housing with shared facilities) of the London Borough of Camden Local Plan 2017.

The proposed development, in the absence of a legal agreement to secure the residential dwellings making up the house of multiple occupancy as car-free, would be likely to contribute to parking stress and congestion in the surrounding area, contrary to Policy T2 (Parking and car-free development) of the London Borough of Camden Local Plan 2017.

The proposed development, in the absence of a legal agreement securing a cycle parking would fail to make sufficient provision in a sustainable manner for the increased trips generated by the development thus causing a cumulative detrimental impact on the borough's transport network, contrary to policies A1 (Managing the impact of development) and T1 (Prioritising walking, cycling and public transport) of the London Borough of Camden Local Plan 2017.

16.2 Refuse Listed Building consent :

In absence of a site visit, detailed drawings and a comprehensive heritage statement it has not been adequately demonstrated that the proposed internal alterations and replacement of the front door would not harm the special architectural and historic interest of the Grade II listed building and the Hatton Garden Conservation Area contrary to policy D2 (Heritage) of the Camden Local Plan 2017.