

Delegated Report		Analysis sheet		Expiry Date:		27/12/2012	
		N/A / attached		Consultation Expiry Date:		29/11/2012	
Officer				Application Number(s)			
Hugh Miller				2012/5891/P			
Application Address				Drawing Numbers			
23-27 Hatton Wall London EC1N 8JJ				See draft decision			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Change of use at second and third floors from one 3 x bedroom flat to create two 1 x bedroom and one 2 x bedroom flats (Class C3)							
Recommendation(s):		Grant planning permission subject to s106 legal agreement					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	15	No. of responses	00	No. of objections	00
				No. electronic	00		
Summary of consultation responses:		Advertised I Ham & High 22/11/2012, expires 13/12/2012. Site Notice displayed 14/11/2012, expires 5/12/2012. No responses were received.					
CAAC/Local groups* comments: <small>*Please Specify</small>		N/A. No CAAC:					

Site Description

The application site is a 4 storey mixed use building located east of Leather Lane, mid-way along Hatton Wall, close to the junction with Hatton Garden.

At basement and ground floor levels, the premises lawful uses are as a bar and restaurant (Class A3/A4). At first floor level, the lawful use is as exhibition space, meeting areas with bar for use in the jewellery trade (sui generis) – [See history section below]. At second and third floor levels, the property is in use as a 3 bedroom self contained flat (Class C3).

The building is situated within the Hatton Garden Area (which has been designated as an established centre for the jewellery industry), the Hatton Garden Conservation Area, and within the protected site line from Kenwood viewing gazebo to St Paul's Cathedral. It has been included in the (Conservation Area Statement) list of unlisted buildings that make a positive contribution to the special character and appearance of the area. The premises are not included in any designated retail or service frontage.

Relevant History

2012/5417/P – PP Granted - Change of use of ground floor and basement levels from A3/A4 use to B1 office use, and of first floor from sui-generis to B1 office use.

2012/3341/P (21/08/2012) – PP Granted - Change of use from exhibition space, meeting areas with bar (sui generis) to business use (Class B1) at first floor level.

2012/0566/P (02/02/2012) – Withdrawn - Change of use from restaurant (Class A4) to residential (Class C3) to create 1 x one bedroom self contained flat at first floor level.

2005/0927/P (18/07/2005) – PP Granted for a change of use of the first floor from business use (Use Class B1) to exhibition space, meeting areas with bar (sui generis).

2005/2767/P (15/07/2005) – PP Granted - Variation of condition 4 attached to the planning permission granted on 12th August 1996 (ref: 9501754) for the use of the ground and basement floors as a cafe/bar to allow the use to operate between the hours of 7am and midnight on Sundays to Wednesdays and 7am to 2am on Thursday to Saturdays.

2005/0930/P (09/05/2005) – PP Granted - the installation of a new shop front and entrance doors and new timber panels applied to the lower section of the first floor loading bay door that would remain closed.

PS9804393R1 (09/06/1998) – PP Refused - the change of use and conversion of the 1st, 2nd floors and attic from B1 use to use as: residential on 1st floor (ancillary to the retail use of the ground floor and basement) together with two flats on the 2nd floor and attic. Including new dormer windows and rear extension at roof level.

PS9704607 (23/06/1997) – PP Refused - the change of use to residential on 1st, 2nd & 3rd floors and roof extension to 3rd floor.

9501754 (12/8/1996) – PP Granted - Change of use of ground and lower ground floors from B1 to cafe/bar or other use falling within A3,

Relevant policies

LDF Core Strategy and Development Policies

CS1 – (Distribution of growth)

CS5 – (Managing the impact of growth and development)

CS6 – (Providing quality homes)

CS8 – (Promoting a successful and inclusive Camden economy)

CS11 – (Promoting sustainable and efficient travel)

CS14 – (Promoting high quality places and conserving heritage / conservation areas)

LDF Development Policies

DP2 – (Making full use of Camden's capacity for housing)

DP5 – (Homes of different sizes)

DP6 – (Lifetimes homes and wheelchair housing)

DP16 - (The transport implications of development)

DP17 – (Walking, cycling and public transport)

DP18 – (Parking standards and limiting the availability of car parking)

DP19 - (Managing the impact of parking)

DP24 – (Securing high quality design)

DP25 – (Conserving Camden's heritage / conservation areas)

DP26 – (Managing the impact of development on occupiers and neighbours)

CPG 2011:

CPG1 – Design (Extensions, alterations and conservatories)

CPG2 (Housing): Section 4: Residential space standards, Section 5: Lifetimes Homes

CPG6 (Amenity)

CPG7 (Transport)

Hatton Gardens Conservation Area Appraisal and Management Strategy 1999.**The London Plan 2011****NPPF 2012.**

Assessment

Proposal

- ✓ Change of use at second and third floors from one 3 x bedroom flat to create two 1 x bedroom and one 2 x bedroom flats (Class C3), and associated alterations to shopfront to provide a separate entrance.

The main issues are: 1] the change of use & loss of large residential flat/ floorspace; 2] the standard of residential accommodation, 3] design, 4] residential amenity and 5] transport.

The second and attic floors of the application building are currently in use as a residential flat (maisonette). Whilst this use was unauthorised and the subject of recommended enforcement action at the time of the 1998 planning refusals (see relevant history section above), no enforcement notice was ever served and it was subsequently noted in the officer report for 2005/0927/P that the existing residential accommodation at second and third floor levels had become immune from enforcement action as it had existed for more than 4 years.

Conversion of upper maisonette into flats

Principle of conversion

The second and third floors comprise a 3x bedroom maisonette. The proposal would not result in the loss of residential use but would involve the conversion of the existing and provision of 2x 1 bedroom flats and 1 x 2bedroom self-contained flats.

LDF policy DP2 (f) seeks to maximise the supply of additional homes in the Borough. This application proposes no loss of residential accommodation rather the conversion of an existing unit to provide two additional flats and is therefore in accordance with this policy.

Policy DP5 states the Council expects a mix of large and small homes in all residential developments and will seek to ensure that all residential development contributes to meeting the priorities set out in the Dwelling Size Priorities Table. The Dwelling Size Priorities Table indicates that market housing with 2- bedroom units are the highest priority and most sought after unit size. Therefore on balance there would be no objection in principle to the mix proposed in this instance.

Lifetime homes

Under LDF Development Policy DP6, all new housing should be built to Lifetime Homes standards. The applicant has submitted a Lifetime Homes assessment alongside the application. This indicates that as 2nd & 3rd floor proposal the approaches to entrance criteria cannot be met. It also indicates that it is likely that the fitting of hoists and bedroom / bathroom could be implemented; Internal doorways and hallways; Circulation Space; Entrance level living space; Bathroom & WC walls to have disabled/ ambulant persons' handrails & wheelchair access; Potential for entrance level bed-space; Controls, fixtures & fittings. The remainder of the criteria would not be met (Entrance level living space; Stair Lift/ through Floor Lift; Window specifications - no alterations to windows). As 2nd & 3rd floor levels accommodation, it is considered that the lifetimes Homes criteria broadly reflects DP6 and is acceptable.

Development Policy DP26 (h) states that we will require developments to provide an acceptable standard of accommodation in terms of internal arrangements, dwelling and room sizes and amenity space.

Space standards

Development Policy DP26 (h) states that all developments will be required to provide an acceptable standard of accommodation in terms of internal arrangements, dwelling and room sizes and amenity space.

One bedroom flats are generally considered to be aimed for use by one person. The proposed 2x 1 bed flats would be located on the 2nd floor and the 1x 2-bedroom flat within the attic floor level which

comfortably meet the indicative minimum dwelling size standards set out in the Camden Planning Guidance SPD, providing 49.0sqm, 49.0sqm and 76.0sqm of accommodation respectively. The plans indicate that two of the proposed units would be in excess of the minimum 32 m² size for a one person unit, i.e. measuring approximately 49.0m². In terms of the 1bed flats, the annotated drawing indicate larger bedroom sizes by the inclusion of walk-in-wardrobes; with Flat A being a single bedroom (9.1sqm) with adjustment could be larger and Flat B bedroom measure 12.21sqm. Flat C, comprising two double bedrooms with a floor area of 76.0sqm indicate 4-persons accommodation. Generally the overall floorspaces provided would meet the indicative minimum sizes set out in the Camden Planning Guidance SPD.

The flats would be accessed via the existing entrance that serves the first floor and the existing residential flat.

Amenity

The existing use of the second and third floors of the host building is residential. The conversion works to form self-contained flats are internal only and this element of the proposal would therefore not have any material impact on the amenity of the occupiers of neighbouring properties.

Transport

The property currently comprises retail uses at ground floor and basement with (sui generis) to business use (Class B1) at first floor level. It is proposed that the second and third floors be converted to form 3 self contained flats. Policies CS11 and DP17 support cycle provision. Camden's parking standards for cycles states that one storage or parking space is required per residential unit. The proposal is for 2 new residential flats and therefore 2 cycle storage/parking spaces are required.

However, the proposals are to convert an existing constrained building and access to the street is via existing stairs, further it is considered that the new residential units are of sufficient size to accommodate cycle parking. It is therefore considered overly onerous to insist that cycle parking be included with the design and Camden's parking standards for cycles could be waived in this instance.

As required under Development Policy DP18, the additional units created in the development should be made car-free using a S.106 agreement. This is necessary because the site is in an area with a PTAL 6a (excellent); and is within a Controlled Parking Zone. The site is within the 'Clear Zone Region'. The proposal is for the provision of new self-contained flats and it is therefore considered that in accordance with policy the units should be designated as car-free through a S106 planning obligation. The applicant has indicated a willingness to enter the agreement.

Refuse storage

The proposal does not allow sufficient space for refuse storage to the front of the property. Therefore the existing storage practice would be carried out.

Conclusion

The proposed conversion is considered to comply with Camden's LDF policies, and the application is considered to be acceptable in relation to amenity and transport.

Recommend approval, subject to:

- a S.106 Agreement, securing two out of the three new units created at upper ground, first and second floors as car free;

Disclaimer

This is an internet copy for information purposes. If you require a copy of the signed original please telephone Contact Camden on (020) 7974 4444