

Delegated Report		Analysis sheet		Expiry Date:		09/01/2013	
		N/A / attached		Consultation Expiry Date:		12/12/2012	
Officer				Application Number(s)			
Hugh Miller				2012/5720/P			
Application Address				Drawing Numbers			
New House 67 Hatton Garden London EC1N 8JY				See draft decision			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Change of use of lower ground floor from office (class B1) to a jewellery tuition/training centre (class D1)							
Recommendation(s):		Grant Planning Permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	167	No. of responses	00	No. of objections	00
				No. electronic	00		
Summary of consultation responses:		Application advertised in Ham & High 06/12/2012, expires 27/12/2012. Site Notice displayed 23/11/2012, expires 14/12/2012. No responses were received.					
CAAC/Local groups* comments: *Please Specify		No CAAC.					

Site Description

The application building comprises part 6 storeys at the rear and part 7-storeys at the front and separated by light wells from the front but linked at every floor. The building is located on the west side of Hatton Garden, north of the junction with St. Cross Street and south of Hatton Wall. The building is not listed but it is located in Hatton Garden Conservation Area.

Relevant History

The application site and building has a long planning history for changes of use from B1 office to residential uses, telecommunication apparatuses.

February 1998 - PP Refused - Change of use and works of conversion to form 18 No. self contained flats; ref. PS9704381

May 1998 - Appeal dismissed.

Relevant policies

LDF Core Strategy and Development Policies

CS5 (Managing the impact of growth and development)

CS8 (Providing a successful and inclusive Camden Economy)

CS9 (Achieving a successful Central London)

CS10 (Supporting community facilities and services)

CS11 (Promoting sustainable and efficient travel)

DP13 (Employment premises and sites)

DP15 (Community and leisure uses)

DP17 (Walking, cycling and public transport)

DP18 (Parking standards and the availability of car parking)

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

Camden Planning Guidance 2011

Hatton Garden Conservation Area Statement (Designated 05/08/1999)

National Planning Policy Framework (Adopted March 2012)

Assessment

Proposal

- Change of use of lower ground floor from office (class B1) for use as tuition/training centre (class D1)

The principal considerations material to the determination of this application are summarised as follows:

- ✓ Land use considerations – loss of business accommodation / provision of Class D1 accommodation
- ✓ Amenity
- ✓ Transport

Land use considerations

The applicant Azura Silver is a company established 7 years ago and trades in the sale of silver and jewellery as well as providing jewellery making courses and tutoring. The company, which is currently based in Notting Hill and Totnes in Devon, are expanding the jewellery courses side of the business and consider Hatton Garden a suitable location to operate from.

The proposal involves the loss of 218sqm of business (Class B1) floorspace at basement floor level of the premises. In support of the loss of business floorspace the applicant has confirmed that the premises have been vacant for 24 months with no interest from prospective tenants for office use (additional information was requested).

The applicant also states that the basement floor requires a considerable amount of refurbishment before it can be put to any commercial use. It has been particularly difficult for to let due its location not having street frontage. The marketing information is not considered to be fully robust in the context of this site and the Council's policies; however similar basement floorspace has been granted approval for change of use by the Council. Moreover, at the site visit it was noticeable that the area lacked natural light and the internal headroom is lower due to the plant infrastructure attached to the ceiling and the suspended ceiling lights. Under the circumstances therefore the loss of B1 floorspace is considered acceptable in principle.

Policy CS8 at paragraph 8.8 indicates that the future supply of office accommodation in the borough can meet projected demand and therefore the Council will consider proposals for other uses of older office premises if they involve the provision of permanent housing or a community use. In addition, policy DP13 indicates circumstances under which the Council may not resist a change to non-business use. The policy states that where premises are not suitable for any other purpose other than Class B1(a) offices, the Council may allow change to residential or community use. There is an exception as it relates to the Hatton Garden area, where the Council will only permit the conversion of office premises where it can be demonstrated that they have been vacant and marketed for at least two years and are replaced by a mixed use development which includes residential and light industrial premises suitable for jewellery workshop space.

It is acknowledged that the space at basement floor level is not practically suitable for Class B1c jewellery related uses owing to the lack of access to natural light. Nor are the premises considered suitable for a Class B2 or B8 use in this location. Furthermore, it is also worthwhile confirming that the ground floors of the building are in active jewellery related uses. Given this context it is accepted that alternative business uses, including jewellery uses, are not appropriate at the site. Normally, a financial contribution in lieu of direct jewellery sector workshop space provision on site is considered appropriate and would be secured via s106. However, in this instance as the proposal is for an educational facility which would have a directly related supporting function to the jewellery businesses existing in the area it is considered that a financial contribution could be waived. A condition is recommended to be attached to retain the tuition centre exclusively. Similarly, an informative is attached to clarify the reason for an exception being made to the Council's normal policy approach under policies CS8/DP13.

Community and Education Use

The tuition / training centre is considered to align broadly with the policy aims of CS10/DP15. More specifically DP15g-i specifies that new community uses should be close to the community they serve, accessible by a range of transport modes and located in the Central London Area. The applicant has indicated that the proposed tuition / training centre would seek to cater for the local residents and workers and would be likely to employ at least 10 -12 tutors/teachers, 8-10 tutors/teachers employed on an ad-hoc basis; including 4 support administrative staffs. Furthermore the site is within a highly accessible location within Central London. Thus the principle of a tuition /training centre use at the basement floor level of the premises is considered to be acceptable.

Design / Impact on the conservation area

No external alterations are proposed and there are no design related considerations. In relation to the impact on the conservation area, it is considered that the change of use of this basement floor level of accommodation from business to tuition /training centre use would preserve and not harm the character of the area.

Amenity

In terms of the impact on existing occupiers of the application site building and neighbouring / nearby occupiers, the provision of a tuition / training centre is not envisaged to result in any significant loss of amenity. The basement area is fully enclosed with no openable windows and the level of activity / noise and disturbance at the site is not considered to any greater than that possible from the existing retail A1 use at the ground floor level. Moreover, owing to the change of use nature of the proposals, no overlooking, outlook or sunlight or daylight issues would arise as a result of the proposals.

The condition as recommended to restrict the use to a jewellery tuition centre would mean that other uses within the D1 Use Class, such as places of worship, would require an application to be submitted to the Council for planning permission giving the Council control over any future changes within the D1 Use Class, such as to a place of worship which might have an impact on amenity.

Transport

In terms of transport matters, the proposed change of use is not envisaged to result in a significant change in the number of trips to and from the site. Furthermore the site is located within a highly accessible location and has a Public Transport Accessibility Level rating of 6b (excellent). With regard to cycle parking, the provision is waived in this instance due to issues of impractical access and egress via stairs also lack of storage space at the basement floor area. As a result no transport related issues are raised.

Conclusion

It is acknowledged that the proposed change of use would result in the loss of Class B1 floorspace at basement floor level. However the applicant has satisfactorily demonstrated that the basement is not suitable for continued Class B1 use, partly as a result of marketing and the availability of alternative floorspace elsewhere in the immediate area. The proposal would bring into active use this part of the building with potential to serve the local community in a highly accessible location. It is acknowledged that jewellery sector workshop space is not secured as part of a mix of uses at this part of the building, but this is waived as a result of the tangible links between the proposal and the ongoing Jewel sector. Furthermore, the tuition / training centre is considered an advantage in this location and for this reason the normal financial contribution via s106 legal agreement is waived.

This proposal will not be liable for the Mayor of London's Community Infrastructure Levy (CIL) as no the additional floorspace is proposed.

Recommendation: Grant planning permission.

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