

PLANNING and ACCESS CONSIDERATIONS STATEMENT

Basement floor,

24 HATTON GARDEN LONDON EC1N 8BQ

Change of use to dental surgery

Resubmission following withdrawal of previous application

1.0 Preamble

- 1.1 This statement accompanies a planning application proposing the change of use of the basement of 24 Hatton Garden.
- 1.2 This is a resubmission following the withdrawal of an earlier application. The application reference was 2011/5885/P
- 1.3 The premises have been vacant for several years. The previous use is believed to have been within Use Class B1, office or light industry.
- 1.4 The application does not involve any changes to the external appearance of the building
- 1.5 The premises are in the Hatton Garden conservation area but are not listed.
- 1.6 Section 42 of the Planning and Compulsory Purchase Act 2004 introduced a new section 62 to the Planning Act 1990 which requires that a statement covering design concepts and access issues is submitted with all applications for planning permissions except those proposing engineering, works to dwellings (outside of conservation areas) or change of use.
- 1.7 A design and access statement is therefore not statutorily required for this application.
- 1.8 The statement also reviews the relevant planning history and planning policies.

2.0 The location

- 2.1 Hatton Garden runs roughly north-south from Clerkenwell Road towards Holborn. It is not a designated shopping frontage but there are shops and service uses scattered along it.
- 2.2 The application premises are located on the east side about 15m south of the junction with Greville Street.

- 2.3 The premises are part of a terrace building of, probably first part of the C20th in date but possibly an older building refronted. It is a very narrow building, only 4 metres wide
- 2.4 The building comprises basement ground and 4 upper floors.
- 2.5 The basement as noted is currently vacant and has ben marketed since at least 2004. The ground floor comprises a shop unit – which is an exceptionally narrow unit – with entrance alongside giving access to the common stairs which provide access to all other levels. The upper floors are in use primarily for the jewellery trade. It is a multi-let building with generally 2 tenants per floor and they appear to primarily wholesalers or traders. The tenants do not appear to advertise their presence and most visits are by appointment.
- 2.6 The upper floors are unaffected by this proposal.
- 2.7 Access to the application premises is by the common door from the street and then descending a stair to the basement. The basement is full depth and extends into vaults under the pavement.

3.0 Previous Use

- 3.1 The premises have been vacant for at least 6 years. The freeholder advises that the previous tenant went into liquidation but he believes that the tenant was in the jewellery business – which is dominant in the area – either as a trader or as a workshop specialising in watches.
- 3.2 The owner of the property, who also occupies the ground floor shop unit and is now a jeweller, originally qualified as a Chartered Surveyor and therefore largely manages the building himself. He retains good contacts with local agents and within the jewellery trade and has been partly responsible for marketing the unit. He has displayed a board on the premises and promoted it to contacts within the area.

- 3.3 In view of the low rental value of the premises the owner did not consider it worthwhile investing in glossy brochures or appointing a major agency but appointed local agents with good contacts.
- 3.4 He has also pointed out that because of the restricted use of premises in the Hatton Garden area there is little point in advertising outside the area or outside the jewellery business. Few ordinary businesses would be interested in basement premises in such an area. There is therefore little point in national advertising.
- 3.5 The proposed use of the premises came about not as a result of marketing but personal contact between the freeholder and the applicant.
- 3.6 The letter attached at appendix A from Paul Estates Ltd confirms that they have sought a tenant for the premises since 2006. The property has been advertised in Estates Gazette and has been included on various websites.
- 3.7 The terms for the accommodation were negotiable and any reasonable offer would have been considered.
- 3.8 Other agents in the area would also have known of the availability of the premises and would have known that they could expect a finders fee if they successfully found a tenant. This is normal procedure among commercial agents.

4.0 **The proposal**

- 4.1 The proposal is to use the premises as dental surgery

5.0 **Accessibility by public transport.**

- 5.1 Public Transport Accessibility in London is generally measured in terms of the Public Transport Accessibility Level or PTAL. This is a simple methodology based on the walking time to available public transport routes and the frequency of the service. It therefore effectively measures average time from the site to boarding a train or bus.

- 5.2 No formal PTAL assessment has been done in relation to this site but the site is within easy walking distance of tube and rail services and the location is well served by public transport.
- 5.3 The site is only 250m from Farringdon station, which offers Network Rail and London Underground services (including the Thameslink rail service) both of which are at high frequency.
- 5.4 The site is only 360 metres from Chancery Lane tube station
- 5.5 The nearest bus stops are in Holborn at about 220 – 240 metres (two separate stops) and served by routes 8, 17, 24, 45, 46, 242, and 341.
- 5.6 There are further stops in Farringdon Road 260 metres (route 63) and Clerkenwell Road at 350 metres (route 15, 2430).
- 5.7 These routes are all within the reckonable distance for PTAL calculations and show that the site is readily accessible.
- 5.8 In addition there are Barclays Transport for London cycle hire points in Hatton Garden

6.0 Planning policy considerations

- 6.1 The Planning Acts requires that applications for planning permission be decided in accordance with the development plan unless the development plan is outweighed by other material considerations.
- 6.2 The Camden Core Strategy was adopted in November 2010 alongside the Development Policies Development Plan Document.
- 6.3 The site is shown as within 'Central London' and within the Hatton Garden area.
- 6.4 The Core Strategy notes that Hatton Garden is within the Farringdon/Smithfield intensification area where new homes and new jobs will be encouraged.

- 6.5 Core Strategy policy CS7 advises that the Borough will support specialist shopping in Hatton Garden.
- 6.6 Core Strategy policy CS8 advises that the council will secure a strong economy in Camden. It advises it will achieve this through, inter alia, encouraging a mix of employment facilities. It identifies Hatton Garden as an area where the Council will work to promote and protect promoting and protect the jewellery industry.
- 6.7 Para 8.19 of the Core Strategy explains Hatton Garden has been an established centre for the jewellery industry since the 19th Century. It advises that the Council will seek to secure and retain premises suitable for use as jewellery workshops and related uses. It continues that the Council's approach to the conversion of premises in Hatton Garden is set out in Camden Development Policies DP13 – Employment sites and premises.
- 6.8 Development Policies DPD policy DP13 advises that the Council will retain land and buildings that are suitable for continued business use and will resist a change to non-business uses. unless:
- a) it can be demonstrated to the Council's satisfaction that a site or building is no longer suitable for its existing business use; and
 - b) there is evidence that the possibility of retaining, reusing or redeveloping the site or building for similar or alternative business use has been fully explored over an appropriate period of time.
- 6.9 The policy continues that when it can be demonstrated that a site is not suitable for any business use other than B1(a) offices, the Council may allow a change to permanent residential uses or community uses. It then advises 'except in Hatton Garden where we will expect mixed use developments that include light industrial premises suitable for use as jewellery workshops.'
- 6.10 The accompanying paragraph 13.3 advises that in assessing proposals that involve the loss of a business use the Council will consider whether there is potential for that use to continue, taking into account amongst other considerations the servicing and condition of the property and relationship to neighbouring properties.

6.11 Para 13.5 advises that in addition to the considerations above, 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. It continues that the applicant must submit evidence of a thorough marketing exercise, sustained over at least two years. The property should be marketed at realistic prices, and include a consideration of alternative business uses and layouts and marketing strategies, including management of the space by specialist third party providers.

6.12 Medical uses are included under Policy DPD15 on community uses. The policy advises that New community and leisure uses must be:

- g) close or accessible to the community they serve;
- h) accessible by a range of transport modes, in particular walking, cycling and public transport;
- i) located in the Central London Area or in the Town Centres of Camden Town, Swiss Cottage/Finchley Road, Kilburn, West Hampstead or Kentish Town if they are expected to attract larger numbers of visitors.

7.0 Design principles.

7.1 The application does not propose any changes to the exterior of the building.

7.2 The issues specified in the Order to be addressed in a design statement - amount, layout, scale, landscaping and appearance – do not apply.

8.0 Considerations

8.1 This is a very minor application for a small unit of accommodation of less than 60m² useable area. It is in relatively poor condition and has no natural light.

8.2 Although previously used by a business in some way connected to the jewellery trade that dominates the Hatton Garden area, the premises have been vacant for at least 6 years. The building is otherwise fully let and the owner is clearly not over anxious to find a tenant for the basement premises. Any tenant must be of a nature

suited to the remainder of the building and the owner would not want a tenant in direct competition with another occupier

- 8.3 Nevertheless the property has been widely marketed within the jewellery trade. The jewellery business in London is a fairly small community and the freeholder and the agents acting for him would have ensured that the availability of the premises was widely known.
- 8.4 Most agents now work by posting the availability of property on the internet but also by direct marketing to people known to be looking for the type of property on offer.
- 8.5 Obviously in this case, where the premises are in poor condition and the rental value is low, there is little point in producing expensive glossy brochures and it is understood that none were sent out. Similarly, the property is not of a type that would benefit from marketing by a national agency.
- 8.6 The marketing has therefore been commensurate with the property.
- 8.7 Nevertheless the property has been on the market for over 6 years and the property is likely to remain vacant. The freeholder has little direct incentive to let the space and is not going to change his marketing approach. The building is, as noted, otherwise fully let and the basement would not add significantly to the yield. He is also cautious about letting to a use that may concern the other occupiers of the building.
- 8.8 The offer of the use of the basement for a dental surgery has arisen as a result of personal contact over a long period between the applicant and the freeholder. The freeholder is helping the applicant by offering premises that might not otherwise be available.
- 8.9 The refusal of the application is not therefore likely to result in the premises being re-marketed for B1 use.
- 8.10 The other considerations under policy DP13 that the marketing should include consideration of the redevelopment options and alternative layouts and marketing

strategies, including management of the space by specialist third party providers is not applicable to a basement in an otherwise fully let building.

8.11 With regard to the specific policies for Hatton Garden, the freeholder – who is experienced in the jewellery business - advises that they do not consider it suitable for jewellery. There is no natural light – jewellers evidently prefer to view gems in natural light as well as artificial light – and the premises would need total refurbishment which jewellery tenants are unlikely to undertake when there are other better suited premises available.

8.12 It should also be noted that the premises do not have a display window.

8.13 The change of use would therefore accord with policy DP 13 in that the premises are not suitable for the business use and have been marketed for a period of around 6 years.

8.14 The proposed use of the premises for D1 healthcare accords with the locational criteria of policy DPD15. The premises are in Central London and are readily accessible by means other than the private car.

8.15 The premises will accommodate 2 treatment rooms and the practice will serve the local employed population. This is an important supporting activity for Central London as office and similar employees can make a visit to the dentist and return to work rather than taking much of the day off.

8.16 The provision of supporting facilities for the working population is a recognised objective of planning in central London.

8.17 The accommodation will employ about x staff in total (receptionist?, technician? nursing assistants? and dentists?).

9.0 Conclusion

9.1 This is a minor proposal which accords with the Council's planning policies.

- 9.2 The change of use is of minimal consequence. The existing B1 use is small scale and the loss of employment is negligible.
- 9.3 Although in the Hatton Garden area the premises are not considered suitable for the jewellery trade and have been vacant for several years. They have been widely marketed.

PAUL ESTATES LTD Appendix A

RESIDENTIAL LETTINGS AND PROPERTY MANAGMENT

TEL NO-0207 430 2330
FAX NO-0207 242 9240
E MAIL- paulestates@aol.com

41 Greville Street
Farringdon
London
EC1N 8PJ

Mr Clifford Rance
21 Odell Close,
Reading
GG6 4DU

21ST February 2012

Re Lower Ground Floor, 24 Hatton Garden, London, EC1N 8BQ

Dear Mr Rance,

We were instructed to let the above premises on June 8th 2006.

We have listed these premises on the Rightmove and Gumtree websites and in the Estates Gazette and the details of the premises have been sent to any other parties that may be interested.

We have had no response from anyone suitable for taking these premises for Jewellery purposes. A) because they were not able to get a safe down to it and B) they all needed natural light to work in, these premises are totally unsuitable for the Jewellery trade for these reasons.

The premises were advertised with the following terms-

Negotiable rent to be agreed with the tenant
Premium- No premium asked
Lease period- by arrangement (3-5 years)

Yours Sincerely



Paul Wheeler
Director