

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	14/12/2011
		N/A / attached		Consultation Expiry Date:	24/11/2011
Officer			Application Number(s)		
Elizabeth Beaumont			2011/5003/P & 2011/5036/L		
Application Address			Drawing Numbers		
7 Upper St Martin's Lane LONDON, WC2H 9DL			Please refer to decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
<p>Planning permission - Change of use from offices (Class B1) at first, second, third and fourth floor level and residential (Class C3) at fifth floor level to residential (Class C3) to provide 3 x 2 bedroom and 1 x 3 bedroom self contained flats, use of the ground and basement floor as flexible Class A1/A2 use and associated works to include the reconstruction of the rear elevation wall of the northern wing with new plant platforms with balustrade, a terrace at fifth floor level, rebuilding of the roof to existing rear extension at ground floor level and alterations to the shopfront to include new residential access door.</p> <p>Listed building consent - Internal and external alterations to include part demolition of internal party walls, the reconstruction of the rear elevation wall of the northern wing with new windows and new plant platforms with balustrade, rebuilding of the roof to existing rear extension at ground floor level, new entrance door in shopfront in connection with change of use from offices (Class B1) at first, second, third and fourth floor level and residential (Class C3) at fifth floor level to residential (Class C3) to provide 3 x two bedroom and 1 x three bedroom self contained flats and use of the ground and basement floor as flexible Class A1/A2 use.</p>					
Recommendation(s):		Grant planning permission subject to a S106 Legal Agreement Grant listed building consent			
Application Type:		Full Planning Permission Listed building consent			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	10	No. of responses	02	No. of objections	02
			No. Electronic	00		
Summary of consultation responses:	<p>Site notice displayed on the 26/10/2011 allowing comment until the 016/11/2011 & a press notice was displayed in the Ham&High allowing comment until the 24/11/2011</p> <p>2 X letters - Guild House, Upper St Martins Lane – Objects for the following reasons;</p> <ol style="list-style-type: none"> 1. We feel that an increase in the amount of residential units will conflict with the existing business premises. An example of which is the ambient noise created by Equity A/C plant (amongst others) which has already been identified as an issue in the application documents. <u>(Please refer to 4.5 & officer's comments below)</u> 2. Risk to business continuity - There is large scope for mishap and the potential for damage occurring to Equity property, pest control netting and plant currently residing in the light well - this plant provides cooling to the Equity computer system and if damaged Equity would be unable to operate as a business. <u>(see below)</u> 3. Environmental disturbance during works - The works are extensive and noise and dust generated will be significant. <u>(see below)</u> 4. Noise Nuisance - Equity relies on contacting our members by telephone for a large part of our business activities, this will be severely hampered whilst works take place (see below) <p><i>Officer's comments – Any additional plant would need to meet the Council's noise standards for noise sensitive windows. This would apply to office and residential windows therefore the addition of further plant for other commercial uses would still need to meet Camden's noise standards. Any issue of damage to neighbouring properties during construction is a civil matter between the relevant parties. In response to the concerns regarding noise, an informative is recommended regarding hours of construction and noise.</i></p>					
CAAC/Local groups comments:	<p>Covent Garden Community Association - The CGCA does not object to this application, provided that it is a condition of use that the hours for any ground-level Class A1 or Class A2 use is limited to 08:00 to 20:00. Limiting use of hours will help ensure that the amenity of nearby residents (including the residents of the new flats of this building) is not disturbed. The CGCA objects to permission for Class D1 use, as there is already a surplus of such facilities in the area. <u>(Please refer to 4.2 and paragraph 2.1)</u></p> <p><u>Covent Garden CAAC – Comments as follows:</u></p> <ul style="list-style-type: none"> • The existing subdivision as shown on survey drawings to the windows should be retained. It is not clear from the drawings whether or not this is proposed. Also windows should be replaced in timber. <p><i>Officer's comments – the proposals to replace the windows have been omitted as the secondary glazing will be retained. A future application is proposed for any shopfront alterations.</i></p> <p>Thames Water – comments as follows - we would not have any objection to the above planning application. Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.</p> <p>English Heritage – Comments as follows - The Council are authorised to determine the application for listed building consent as you think fit. In so doing English Heritage would stress that it is not expressing any views on the merits of the proposals which are the subject of the application.</p>					

Site Description

The site is located on the west side of Upper St. Martins Lane on the corner with Tower Street opposite the junction with Monmouth Street. The site formed of two grade II listed buildings located within the Seven Dials Conservation Area.

The buildings are independently listed and differ in age but they are joined at all levels to create a single floor plate internally. The buildings appear to have been extensively modified. They both contain a double mansard and all the historic partitions have been removed internally. 18 Tower Street has virtually no historic value internally. All features have been removed and a new stair and lift inserted. On close inspection it would suggest all the floor have been replaced. This work presumably took place in the 1990's when permission was given to extensively remodel and connect the buildings for use as offices. The buildings are linked through an opening in the party-wall spanning between the chimney breasts.

In this regard the significance of each building is considered to lie largely with their external appearance. Internally the party wall and chimney breasts are still largely retained and historic plan form of 7 Upper Saint Martins Lane (USML) is still discernable, particularly with regard to the position of the stair within the rear closet.

Relevant History

11/03/1994 – **p.p. granted (9301634)** for the Change of use of basement ground and first to fourth floors from Class B1 office use to mixed Class A1/A2/B1 use

Relevant policies

LDF Core Strategy and Development Policies

Core strategy

CS1 (Distribution of growth), CS5 (Managing the impact of growth and development), CS6 (Providing quality homes), CS7 (Promoting Camden's centres and shops), CS8 (Promoting a successful and inclusive Camden economy), CS9 (Achieving a successful Central London), CS11 (Promoting sustainable and efficient travel), CS13 (Tackling climate change through providing higher environmental standards), CS14 (Promoting high quality places and conserving our heritage), CS18 (Dealing with our waste and encouraging recycling), CS19 (Delivering and monitoring the Core Strategy).

Development policies

DP2 (Making full use of Camden's capacity for housing), DP5 (Housing size mix), DP6 (Lifetime homes and wheelchair homes), DP12 (Supporting strong centres and managing the impact of food drink) entertainment and other town centre uses), DP13 (Employment sites and premises), DP16 (The transport implications of development), DP17 (Walking, cycling and public transport), DP18 (Parking standards and the availability of parking), DP19 (Managing the impact of parking), DP20 (Movement of goods and materials), DP21 (Development connecting to the highway network), DP22 (Promoting sustainable design and construction), DP24 (Securing high quality design), DP25 (Conserving Camden's heritage), DP26 (Managing the impact of development on occupiers and neighbours), DP28 (Noise and vibration)

Camden Planning Guidance 2011

Covent Garden (Seven Dials) Conservation Area Statement

Assessment

1. Proposal

1.1 Planning permission and listed building consent are sought for the following;

- Change of use of the upper floors from Class B1 office at first to fourth and residential at fifth floor level to residential comprising 3 x two bedroom units and 1 x three bedroom flats.
- Alterations to the rear including the removal of the metal clad rear addition to be reconstructed in brick with windows to match existing, the addition of new plant platforms and rebuilding the roof of the ground floor extension.
- Removal of existing plant and addition of 4 units on plant platforms on the rear elevation.
- Replacement of existing internal secondary glazing.
- Shopfront alterations to create new residential entrance
- The use of the basement and ground floor as flexible A1/A2 use.

2. Revisions

2.1 The proposal was revised during the course of the application to retain the existing opening spaces between the chimney breast on each floor with a greater nib and downstand at ground floor level to allow the sites to be distinguished as individual buildings. The scheme was also revised to ensure the retention of the existing staircase and the use of improved secondary glazing in place of proposed double glazed units. The proposed use of the ground and basement floor as Class D1 was also omitted from the proposed development.

3. Principle of loss of office accommodation

3.1 The upper levels of the existing building have been used as office accommodation and are currently unoccupied. Policy DP13 states that the Council retain land and buildings that are suitable for continued business use and will resist a change to non-business unless it can be demonstrated that a building is no longer suitable for its existing business use and there is evidence that retaining, reusing or redeveloping the building for a similar or alternative business use has been explored.

3.2 The application has been submitted with some marketing information relating to marketing by two independent agencies in 2010 and 2011 which states that there has been limited occupational demand for the property. To supplement the lack of detailed marketing a detailed assessment of the quality of the office accommodation was also

provided. This report states that the lack of circulation space, irregular layout, positioned above a retail frontage restricts the attractiveness of the building for office occupiers. Furthermore the building is not DDA compliant and the floor plate restricts the number of desks. There is also competition given the high number of modern purpose built office accommodation within close proximity to the site which further affects the attractiveness of the building.

3.3 Furthermore the existing building does not have adequate floor to ceiling height, wide corridors or doors, a range of unit sizes or space for servicing therefore it is not considered to be suitable for other business uses. The status as a listed building and the need to maintain the existing divisions restricted the potential redevelopment of the site. It is therefore considered that the site is no longer suitable for its existing business use or for any other business uses.

4. Principle of residential accommodation

4.1 Policy DP13 states that where it can be demonstrated that a site is not suitable for any business use other than B1 (A) offices then the Council may allow a change to permanent residential uses. The proposal to create 4 residential units complies with this policy.

4.2 The last known use of the ground floor was as an A2 Travel Agency. The planning history for the building confirms the last approved use of the site was as a flexible B1/A2/A1 space. Furthermore as there is a ground floor display window it would be possible to change the use of the unit to A1 without requiring planning permission. The site is located within a within the Covent Garden Area in the Central London Area adjacent to a frontage of retail units. The guidance for the Central London Area (2007) encourages the retention of retail uses therefore the provision for flexible A1/A2 space at ground floor level within this area, given the lack of interest in the use of the building for office accommodation is considered acceptable. It is considered that as the ground and basement floor can already be used as either A1/A2 and there is no current restriction on operation hours it would be unreasonable to add any restrictions to operation hours at this point.

Residential Mix

4.3 The proposal includes a mix of 3 x 2 bedroom units and 1 x 3 bedroom family sized unit. Camden's Dwelling Size Priorities Tables specifies that the need for 2 bedroom units within the market sector is very high. Therefore the proposed mix which a predominance of 2 bedroom units would meet the priority need.

Residential standards

4.4 The proposed overall flat sizes, room sizes, layout and access to daylight and sunlight are considered to be acceptable. An Acoustic Report was submitted as part of the application which states that the unit would be a Noise C category due to road noise and plant noise to the rear. It is considered that although the building is located within the Central London Area the noise levels from traffic on this particular street would not be particularly detrimental, especially as there is a high number of other residential units within the surrounding area located at upper floors. The report concluded that insulation from the walls of the building combined with the secondary glazing would be sufficient to achieve suitable internal noise levels. Overall it is therefore considered that the residential standards of the unit would accord with Camden Planning Guidance 2011.

4.5 The Acoustic Report submitted with the scheme also assesses the impact of the 4 x air conditioning units proposed on each plant platform on the rear elevation. The report shows that following the removal of the existing air conditioning units in association with the existing office use that the addition of the 4 condenser units would meet Camden's Noise Criteria 1m away from the nearest noise sensitive windows without any screening and therefore would no harm the amenity of any future occupiers of the residential units. A condition is recommended regarding the maintenance of the units in accordance with Camden's noise standards.

4.6 It is proposed to locate the refuse internally at ground floor level. This is considered to be acceptable.

5. Design

External alterations

5.1 The proposal includes the removal of the existing metal clad extension and the metal balconies positioned to the north window of the building within the enclosed rear courtyard. The rear elevation of the host building is therefore not visible from the wider public realm. The extension will be rebuilt in materials to match the host building which is considered to be a welcomed improvement. The replacement extension is considered acceptable and will not harm the special character of the listed building or the wider conservation area. The proposed metal balconies will be positioned to the rear elevation of the main building to the side of the closet wing. The windows on the rear elevation will be removed and replaced with doors to allow maintenance of the units. The position and design of the platforms/balconies are considered acceptable. The proposed creation of a terrace for the maisonette with a brick balustrade is considered an appropriate addition which would not harm the special character of the listed building. The proposed alterations are considered to be acceptable in terms of scale, bulk and detailed design.

5.2 The proposed air conditioning units would be positioned on the floor of the new balconies flush with the side elevation of the closet wing and would be screened by balustrade. These additions would be small in scale and would not be visible from the wider public realm. It is considered that these additions would not harm the special character of the listed building or the character and appearance of the wider conservation area.

5.3 The proposed alterations to the shopfront to create the residential entrance are considered acceptable. A separate

planning and listed building application is to be submitted for the replacement of the remainder of the shopfront.

Internal issues

- 5.4 The proposed extent of the internal alterations has been revised during the course of the application in order to retain the existing levels of interconnection between both buildings at the upper floors. This ensures that the ability to recognise and appreciate the original envelope of each building is maintained. At ground floor level a greater proportion of the nib and downstand is now proposed to be maintained which will aid with the appreciated of the historical separation of the two buildings.
- 5.5 It was originally proposed to remove the existing stair within no. 18 Tower Street. This has been revised as the staircase is considered to be an important piece of design within the building. These stairs will now form part of the entrance to the residential units and will ensure a significant element to the special character of the building is preserved.
- 5.6 The scheme has been revised to retain the existing windows and replace the existing secondary glazing with thicker glazing to ensure the amenity standards within the units are in accordance within guidance. Given there is existing secondary glazing in the building this proposal is considered acceptable.
- 5.7 It is considered that the remainder of the internal alterations for the subdivision to create the residential units would not have a detrimental impact on the special character of the listed building.

6. Sustainability

- 6.1 The application was submitted with a Code for Sustainable Homes pre-assessment which indicates that the new residential units would achieve a Level 3 rating with a score of over 40% in energy, 66% in water and 50% in materials in accordance with guidance. A post-assessment will be secured via S106 Legal Agreement to ensure the compliance with the assessment. An Energy Report was also submitted with in the application in accordance with the aim of 'Lean' (Passive), Clean, (Active), and Green (Renewable energy). It is proposed to improve the insulation to walls and windows, new condensing boilers, comfort cooling and heat recovery ventilation. These measures are welcomed additions to the scheme.

7. Lifetime Homes

- 7.1 A Lifetime Homes Assessment has been submitted as part of the application which shows the scheme will comply with the requirement of a Lifetime Homes, taking into account the limitation of the listed nature of the buildings.

8. Amenity

- 8.1 The nearest residential units are located on the opposite floors of the adjacent streets. The buildings to the rear with windows facing into the rear courtyard serve commercial uses including a theatre and other office buildings. It is therefore considered that the change of the upper floors to residential would not have detrimental impact on the amenity of any neighbouring occupiers in comparison to the existing situation.
- 8.2 It is proposed to create a small roof terrace at fifth floor level above the footprint of the existing extension. It is considered that as there are no residential properties in the immediate vicinity that the addition would not have a detrimental impact on the amenity of any other occupiers in terms of overlooking or loss of privacy. The plant platforms in association with each unit are not proposed to be used as additional amenity space. A condition restricting their use is not considered necessary given the lack of any residential habitable rooms that could be affected.

9. Transport

- 9.1 The site has a PTAL score of 6b, which indicates that it has an excellent level of accessibility by public transport. It is considered that given the location of the site in a highly accessible location that the new residential units should be designated as car free. This would be secured via a S106 Legal Agreement.
- 9.2 The applicant has identified the provision for 4 cycle parking space at ground floor level. The design shown identifies vertical store for cycles being proposed which are not considered to be the most appropriate form of storage and are normally discouraged by the Council. However as the building is listed with no external space the ability for the provision of additional space to provide the required number of Sheffield style stands is limited. Furthermore there are a high number of Sheffield stands in close promote to the site. Therefore in this case that the need for the provision of cycle stands could be waived therefore the provision of an appropriate number of cycle storage although not in accordance with Camden's guidance in this case is considered acceptable.
- 9.3 The site is located within the Clear Zone Region and a Conservation Area within a highly constrained road network. Therefore the construction of this development will have an impact on the surrounding road network. The submission of a Construction Management Plan in this case is considered appropriate and will be secured through a Section 106 agreement.

10. Recommendation – Grant planning permission subject to a S106 Legal Agreement for car free units, CMP and post

sustainability assessment and grant listed building consent.

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