

Delegated Report		Analysis sheet		Expiry Date:	02/06/2011
		N/A		Consultation Expiry Date:	12/05/2011
Officer			Application Number(s)		
Nicola Tulley			2011/1542/P		
Application Address			Drawing Numbers		
2 Tavistock Place London WC1H 9RX			Site location plan 1:1250, Proposed front and rear elevations, Proposed fifth floor & roof plan, Proposed third & fourth floor plan, Proposed first & second floor plan, Proposed ground floor & basement plan, Proposed section AA Site location plan 1:500, Photosheet, Photosheet No. 2 Approved ground floor & basement plan, Approved first & second floor plan, Approved third & fourth floor plan, Approved fifth floor & roof plan, Approved section AA, Approved section BB, Approved front & rear elevations		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Change of use of 9 x existing self-contained flats of permanent residential accommodation (Class C3) to enable of these 9 flats as alternative uses as either permanent self-contained flats (Class C3) or short stay accommodation (Class C1).					
Recommendation(s):		Refuse planning permission			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	06	No. of responses	03	No. of objections	02
			No. Electronic	00		
Summary of consultation responses:	<p>A site notice was displayed from 13/04/2011 to 04/05/2011.</p> <p>Press notice of the application was advertised on 21/04/2011.</p> <p>One letter of objection was received from the Marchmont Association, the following issues were raised:</p> <ul style="list-style-type: none"> • The previous application for permanent residential accommodation was welcomed. • A condition limiting the short stay accommodation to a period of 2-3 weeks would be difficult for the council to monitor. • The proposal would result in increased pressure on local infrastructure and problems with anti-social behaviour. <p>One letter of comment was received from Councillor Harrison, the following points were raised:</p> <ul style="list-style-type: none"> • The proposal threatens to overwhelm the local area which is already feeling the effects of a large number of short stay visitors, which have increased. This puts additional pressures on local infrastructure and residential amenity. 					
CAAC/Local groups* comments: *Please Specify	Bloomsbury CAAC has not raised any comments in relation to this application.					

Site Description

The subject site is a four storey building plus basement located on Tavistock Place with similar terraced properties, located east of Tavistock Square. The site is located within Bloomsbury Conservation Area and is Grade II Listed Building rebuilt in the late 20th Century.

Relevant History

2011/1066: Withdrawn, Amendments to change the use to alternatives uses as residential (Class C3) and/or short-stay residential accommodation (Class C1) to planning permission dated 11/12/2008 (ref. 2007/6132/P) and as amended 20/8/2010 (ref. 2010/0543/P) (for change of use and works of conversion from office use to residential use (Class C3).

2010/0543/P: Planning permission granted for, Amendments to planning permission 2007/6132/P granted on 11/12/2008 for "change of use and works of conversion from office use (Class B1) to residential use (Class C3) to create nine self contained flats (3 x 1-bed, 4 x 2-bed and 2 x 3-bed), erection of full-width extension at rear basement and ground floor level, part width extension at rear third, fourth and fifth floor level, and extension of existing roof to full-width of building", to include further enlargement of the approved roof extension.

2008/0910/L: Listed Building consent granted for, Erection of full-width extension at rear basement and ground floor level, part width extension at rear third, fourth and fifth floor level, extension of existing roof to full-width of building and internal alterations all in connection with change of use and works of conversion from office use (Class B1) to residential use (Class C3) to create nine self contained flats (3 x 1-bed, 4 x 2-bed and 2 x 3-bed).

2007/6132/P: Planning permission granted for, Change of use and works of conversion from office use (Class B1) to residential use (Class C3) to create nine self contained flats (3 x 1-bed, 4 x 2-bed and 2 x 3-bed), erection of full-width extension at rear basement and ground floor level, part width extension at rear third, fourth and fifth floor level, and extension of existing roof to full-width of building.

Relevant policies

The London Plan: Spatial Development Strategy for Greater London: 2011

LDF Core Strategy 2010

CS5 Managing the impact of growth and development

CS11 Promoting sustainable and efficient travel

CS14 Promoting high quality places and conserving our heritage

Development Policies 2010

DP2 Making full use of Camden's capacity for housing

DP9 Student housing, bedsits and other housing with shared facilities

DP13 Employment sites and premises

DP14 Tourism development and visitor accommodation

DP17 Walking, cycling and public transport

DP26 Managing the impact of development on occupiers and neighbours

Camden Planning Guidance 2011

CPG2 Housing

CPG5 Town centres, retail and employment

Bloomsbury Conservation Area Appraisal and Management Strategy (April 2011)

Assessment

The works in relation to planning permission reference 2007/6132/P and amendments 2010/0543/P were near completion and confirmed on a site visit undertaken on the 11th November 2011. The residential units were fitted with kitchens and bathrooms and therefore considered ready for occupation; as such the approved change of use into permanent residential accommodation has come into affect.

This decision can be justified by a recent decision by the House of Lords in Sage whereby a dwelling-house can only be said to be substantially completed when it is capable of being occupied. In addition the decision by *Gravesham BC v. SSE* where it was found that a change of use occurs when a building has all the amenities required for normal domestic life, which would indicate that actual occupation is not necessary; it is the substantial completion of all necessary building operations to adapt the building for residential occupation that would be the trigger.

Amendments:

In view of the above the description of the proposal has been altered from:

“Amendments, namely the alternative use as self contained flats [class C3] or short stay accommodation to planning permission dated 11/12/08 (ref. 2007/6132/P) as amended by 20/8/2010 (ref. 2010/0543/P) for change of use and works of conversion from office use to residential use (Class C3)”

To “Change of use of 9 x existing self-contained flats of permanent residential accommodation (Class C3) to enable of these 9 flats as alternative uses as either permanent self-contained flats (Class C3) or short stay accommodation (Class C1).”

The proposed amendment related to planning reference 2007/6132 for extensions to the existing building and its conversion to 9 self contained residential units. Amendments have previously been sought for the enlargement of the roof extension, planning reference 2010/0543. The approved amendment for the roof enlargement has altered the bedroom mix to: 2x 1 bedroom; 4x 2 bedroom; 3x 3 bedroom units.

Proposal:

The applicant is currently seeking permission for the alternative use of the self contained flats, to a mix of short term accommodation. The statement provided by the agent states that the area is well suited to this form of accommodation due to its proximity to the City of London, good transport links, with Colleges and Universities in close proximity. The accommodation proposed would be letted for a period of 90 days (plus or minus) and would be self catered.

Policy context:

The Council recognises that there is demand for short term and temporary accommodation in the borough however, this accommodation falls outside the Council's land-use priority for permanent housing and thus such proposals will be resisted under Development Policy DP2.

The statement provided within the planning application used to justify the proposed change of use of planning permission reference 2007/6132/P (and amendments 2010/0543/P), states that the change of use has not yet occurred. If that were the case policy DP13 would apply, where the proposed change of use from office (Class B1) to short stay accommodation (Class C3) would be assessed. Whilst this is not a consideration, it should be noted that policy DP13 states that where it can be demonstrated that a site is no longer suitable for its employment use the Council may only consider a change of use to permanent residential or community uses.

Development Policy DP14 seeks to support tourism and development and visitor accommodation. The policy states that accommodation must: be easily reached by public transport; provide any necessary off-highway pickup and set down points for taxis and coaches; and not harm the balance and mix of uses in the area. The subject site is located in a central area well served by public transport however; in view that the proposal would result in the loss of permanent residential accommodation the change of use is deemed unacceptable in relation to policy DP2.

Conclusion:

Although the applicant is seeking planning permission for a dual use of permanent residential (Class C3) and short stay accommodation (Class C1) the short stay accommodation proposed does not meet Council objectives for the Borough in this case and is thus contrary to DP2 of Camden's LDF.

Recommendation:

Refuse planning permission.

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