

Delegated Report		Analysis sheet		Expiry Date:		18/11/2011	
(Members Briefing)		N/A / attached		Consultation Expiry Date:		20/10/2011	
Officer				Application Number(s)			
Lauren McMahon				2011/4508/P			
Application Address				Drawing Numbers			
Holborn Chambers 6 Gate Street LONDON WC2A 3HP				Please refer to draft decision notice.			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Change of use from legal chambers (Class B1a) to retail (Class A1) at basement and ground floor levels and to residential use (Class C3) to create 2 x one bedroom units at third and fourth floor levels, 1 x two bedroom unit at fifth and sixth floor level; retention of office use (Class B1a) at first and second floor levels, associated alterations to fenestration, creation of bin store at front ground floor front elevation and installation of extract/ducting units.							
Recommendation(s):		Grant full 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	12	No. of responses	02	No. of objections	01
				No. Electronic	00		
Summary of consultation responses:		<p>Ham & High 06/010/11 – 27/10/11 Site Notice 28/09/11 – 19/10/11</p> <p>Objection from the occupiers of No. 71 Lincolns Inn Fields The occupiers of No. 71 Lincolns Inn Fields support the change of use to the upper floors to residential and A1 use on the ground and basement only if there is no need for the existing office space any more.</p> <p>The objectors raised concerns about the A1 use and requested for the shop not to trade past 8pm nor have costumers drinking or smoking on the street. Any waste should be stored inside the shop and no deliveries before 8am in the morning via Gate Street.</p> <p>The objectors, state that Camden Council need to consider the problems from surrounding residential properties before allowing additional residential units. The current residents suffer from deliveries 6 days per week from as early as 4:30am and uncontrolled street drinking, as well as the negative flow on effect from all the soup kitchen's on Lincoln Inn Fields.</p> <p><i>(Officers response: opening hours - paragraph 3.3; waste – paragraph 3.5; and deliveries – paragraphs 3.4 and 6.2.)</i></p>					
CAAC/Local groups comments:		<p>Bloomsbury CAAC – no response. Covent Garden Community Association – no objection</p>					

Site Description

The application site comprises an eight storey terraced building, including a basement level and mansard roof. The property fronts Gate Street a narrow pedestrian through-route and 'cul de sac' for vehicles, in-between Holborn tube station to the north and Lincolns Inn Fields to the south. The building is located in the Central London Area and is noted as making a positive contribution to the Bloomsbury Conservation Area. On the opposite side of Gate Street is an office building known as 'Africa House' which is currently undergoing refurbishment and extension.

The existing building is occupied in B1a Office use by Holborn Chambers a firm of solicitors. The building has been occupied by a firm of barristers since approximately 1994, currently the building is mostly vacant although the first and second floors are occupied by clerks.

The site has no parking and vehicular access is only available from Gate Street. The property is a single aspect building with windows fronting Gate Street. The property has no windows on the rear elevation, apart from the rear windows at mansard roof level.

Relevant History

2011/1838/P - Change of use of offices (Class B1) to drinking establishment (Class A4) at basement and ground floor levels and 3 x self contained flats (Class C3) at 3rd, 4th, 5th & 6th floor levels and associated alterations to fenestration, creation of bin store at front ground floor elevation and installation of extract/ducting units – withdrawn

2011/0113/P - Change of use of office building (class B1) to A4 use at basement and ground floor level and to 4 x self contained flats (class C3) at 3rd,4th,5th & 6th floor level – withdrawn

9400653 - Conversion of upper floors (1st-5th floors) and a mansard extension to provide 6 residential units - withdrawn

Relevant policies

LDF Core Strategy

- CS1 Distribution of growth
- CS3 Other highly accessible areas
- 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 promoting higher environmental standards
- CS14 Promoting high quality places and conserving our heritage
- CS15 Protecting and improving our parks and open spaces & encouraging biodiversity
- CS16 Improving Camden's health and well-being
- CS17 Making Camden a safer place
- CS18 Dealing with our waste and encouraging recycling
- CS19 Delivering and monitoring the Core Strategy

Development Policies

- DP1 Mixed use development
- DP2 Making full use of Camden's capacity for housing
- DP5 Homes of different sizes
- 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 car 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
- DP29 Improving access
- DP30 Shopfronts
- DP31 Provision of, and improvements to public open space and outdoor sport and recreation facilities
- DP32 Air quality and Camden's Clear Zone

Bloomsbury Conservation Area Statement
Camden Planning Guidance 2011

Assessment

1.0 Proposal

- 1.1 This application seeks permission to change the use of the basement and ground floor levels from B1a Office use to A1 shop use. The shop would be accessed from a new door on the front elevation providing ground floor access from Gate Street. A new staircase at ground floor level would provide internal access to the basement level of the shop. A staff room, toilets and storage room ancillary to the shop would be located at basement level. The total floorspace of the A1 use would be 121 sqm.
- 1.2 The first and second floors would remain as office use. This would be accessed via the existing ground floor entrance and would have a separate security door to each office floorplate. The office units would be accessed from the main stairwell and lift of the building. The existing ground floor entrance and main staircase would provide access to the office and residential uses.
- 1.3 The third, fourth, fifth and sixth floors would be converted to C3 residential use. The third and fourth floors would provide x 2 self contained 1 bedroom units. The fifth and sixth floors would provide a two bedroom maisonette. The living room and kitchen would be on the sixth floor and the two bedrooms on the fifth floor. All habitable room windows would be on the front elevation facing Gate Street, apart from the living room within the mansard roof which would utilise the existing windows on the front and rear elevations. The residential units would be accessed from the ground floor entrance, using the central staircase and lift to the upper residential levels. Three cycle parking spaces would be included on the ground floor in the entrance lobby for the residential units.

2.0 Loss of employment use

- 2.1 The proposal seeks to change the use at the basement and ground floors from B1a Office use to A1 Shop use and the third-sixth floors would be converted from B1a Office use to C3 residential. The first and second floors will be retained as B1a Office use. Therefore the considerations are the loss of the office floor space and the viability of the remaining office floor space.
- 2.2 Policy DP13 states that where it can be demonstrated that a site is not suitable for any business use other than B1a (offices), the council may allow a change of use to permanent residential or community uses.
- 2.3 When assessing applications for a change of use the Council will consider whether there is potential for that use to continue. The existing site is not located in a Industry Area, the area is not considered to be suitable for a mix of uses including light industry and local distribution warehousing, it is not possible to be serviced by means other than a car, it does not have particularly good servicing access and it is not close to other noise generating uses. The building needs refurbishment to allow a B1a use to continue. Considering the substandard vehicular access and the small floor plates it is not considered that the building could be used for flexible employment uses such as B1c light industry or B8 storage/warehousing uses.
- 2.4 The site is not located within the Inns of Court Special Policy Area, which seeks to protect legal uses within the Grays Inn area and Lincolns Inn Fields areas. The applicant has submitted evidence that there is no demand to use the site for an employment use. Holborn Chambers (the current occupier) was established in 1994 as legal chambers, servicing 23 barristers. Changes in technology and the introduction of new working practices have greatly affected the building. Traditionally, each barrister would retain their own desk and share the services of a clerk, this has now changed. The clerks remain, however the barristers have left, working from home accessing files remotely via the internet. The office is only needed for the clerks filing, client meetings and as a base to provide hot desking when attending the nearby courts. Only two floors are required to meet this need.
- 2.5 Since 2000 and increasingly in recent years, the current owner has contacted Chesterton/Fairbrothers and several other commercial letting agencies. The response to the marketing exercise has been negative. The applicant has stated that the current losses on maintaining the building are unsustainable and the current empty floor space doesn't meet the modern need for flexible, open plan space with full integration of IT. The existing building can not compete with purpose built, fully serviced office space that is now widely available locally. The proposal would retain two floors of office floorspace this is welcomed by the Council. It will have an entrance at ground floor level with stair/lift access to the first and second floor office space.
- 2.6 As discussed above the building is not considered appropriate for flexible employment uses. Considering that the building is not located within the Inns of Court special policy area and that the marketing exercise has been negative, it is considered acceptable to convert the building from office uses.
- 2.7 Where it is proposed to redevelop employment land for another business use, including office (in this case on the first and second floors) any typical design features that the building has which would allow the future occupation of business uses including offices should be retained. The first and second floor levels of the application site would retain the existing partitions however these could be removed in the future to allow for larger floorplates, the floor to ceiling heights, doorway/corridor widths and amount of light would all remain as existing. Therefore the physical features of the premises at first and second floors would be retained.
- 2.8 The ground floor is only suitable for B1a office use. It is a smaller floor plate than the upper levels as the entrance lobby is located on the ground floor. The basement floor level is not suitable for B1a Office use as it has limited natural daylight and ventilation. The ground floor fronts onto Gate Street, a busy pedestrian route and is adjacent to and opposite commercial properties. This location is not considered to be desirable for office users. It is considered

that the loss of the ground floor as B1a Office floorspace would be acceptable in this instance. It is proposed that the ground and basement floors are converted to A1 use; this is discussed in more detail below.

- 2.9 The retained office floorspace on the first and second floor levels is considered to be well positioned in terms of daylight and ventilation and would have access from the ground floor entrance.

3.0 Principle and impact of new A1 Shop Use

- 3.1 The retail policies contained within the LDF in general encourage the provision of new retail floorspace in appropriate locations. Policy CS7 adopts a sequential approach and states that new retail floorspace should be located in Central London Frontages, Town Centres and Neighbourhood Centres. The Council would consider these sites before edge of the centre sites are considered for development. Although the policy does cover the whole of the borough, it is apparent that the intention was to ensure that retail uses are located in existing designated areas that have the greatest access to public transport and are less likely to harm neighbouring amenity or if they were of such a size that would harm those designated centres if located outside. In this case, the application site is located on Gate Street hosts various shops, restaurants and bars. Creating an active frontage in this area is encouraged and as the premises are small it is unlikely to attract a significant retail operator that would cause harm to the neighbouring centres.
- 3.2 Furthermore, policy DP12 states that new retail uses should not cause harm to the character, function, vitality and viability of an area or the amenity of neighbours. Gate Street is characterised by active frontages with various ground floor shops, restaurants and bars. The principle of an A1 shop use would be considered acceptable. In this location the shop would provide activity to the street and maintain the vitality and viability of the wider area.
- 3.3 The opening hours of the shop are to be 8am to 6pm Monday to Friday and 9am to 5pm on Saturday which are considered to be reasonable as to not cause harm to the amenity of the surrounding neighbours. A condition is recommended regarding hours of operation and because these include preparation and clearing up times and because it is a relatively small retail unit these cover 8am to 8pm Monday to Sunday. The use of the basement and ground floor as a shop would not generate a considerable amount of noise to cause concern for the surrounding neighbours.
- 3.4 The shop would be serviced from Gate Street and considering the narrow nature of Gate Street and that the unit would not have a large amount of storage space, a Servicing Management Plan (SMP) would be required. This would secure details of an acceptable servicing strategy for the shop use. The SMP would limit the hours of servicing and would itemise how many deliveries would occur in any given time. It is considered that details secured in the SMP would protect the amenities of existing and future occupants in the area.
- 3.5 The proposed ground floor includes a waste storage area at the front of the property available for the A1 use. This would be accessed from Gate Street. A condition would be attached to any permission granted requiring full details of waste and recyclable storage to be submitted and approved by the Council.

4.0 Impact on the Conservation Area

- 4.1 The application site is located within the Bloomsbury Conservation Area. The proposed external alterations would include a new shop front at ground floor level, including a new entrance to the A1 shop use. The lower level windows which currently allow light to the basement via a chamfered ceiling and the most southern chamfered ceiling would be removed and the ground floor level would be reinstated internally to allow direct access to the shop.
- 4.2 The proposed shop front would maintain symmetry to the building. The existing entrance to no. 6 and the new entrance to the proposed shop would be replaced as a matching pair. The existing entrance to no. 6 is not considered to be of high quality, therefore its replacement to match the proposed new shop front is considered acceptable. The new ground floor frontage has been designed to be a part of the whole building, it would relate to the scale, proportions and architectural style of the building and surrounding facades. The proposal is considered to preserve the character and appearance of the Conservation Area.
- 4.3 It is proposed to include a bin store accessed from Gate Street; this would repeat the pattern of glazing on the existing frontage and thus is considered to be acceptable.
- 4.4 The proposed roller shutter would only cover the new door way. This would prevent community safety issues at night by securing the recessed entrance to the proposed shop. The roller shutter is a discreet addition and would be the width of the door it is considered that this would preserve the character and appearance of the host building and the conservation area.
- 4.5 The air handling units and ventilation duct are all located internally within the building, and only the extraction grilles would be visible at 5th floor level to the rear. It is considered that the proposed extraction grille would preserve the character and appearance of the conservation area.
- 4.6 The proposal includes the installation of secondary glazing internal to the existing glazing. The secondary glazing would not be visible from external views. Therefore the character and appearance of the conservation area would be preserved.

5.0 Air conditioning units

- 5.1 The proposal seeks to install two air handling units on the ground and basement floors. These will service the A1 shop use. The outlets of both units will duct to a shared internal extraction flue, which will terminate at fifth floor level at a louvered grille. The closest noise sensitive window to the extract flue termination is a sixth floor window (on the rear elevation of the mansard roof), this window is proposed to serve a living room. This noise sensitive window is approximately 3m from the proposed termination grille.
- 5.2 A Noise Impact Assessment has been submitted, this states that mitigation measures have been specified in conjunction with the proposed plant units. These would include the use of EcoSmart silencers. The plant would operate at 47dB at the nearest receptor when the minimum background levels are 55dB between 07.00 and 23.00 hours. This would be in accordance with the noise standards laid out in the LDF. The background decreases after 23.00 hours to 50dB. The air handling units should operate a 5 dB below the background noise levels. Therefore after 23.00 the proposed air handling units would exceed the Camden noise standards by 2dB. Accordingly a condition would be attached to any permission granted requiring that a time clock condition should be attached to any permission granted requiring the air handling units to only be in operation between 07.00 and 23.00 hours. On this basis, it is not considered that the proposed air handling units would have any detrimental impacts upon the residential amenity of the surrounding area.

6.0 Standard of the proposed residential accommodation

- 6.1 The proposed residential accommodation would be located on the third floor and above. A plan showing the available light to the residential windows has been submitted. A 25 degree splay would not be maintained to the new residential windows. However the proposed extension at Africa House when completed will be stepped away from the proposed residential windows, this will allow light to permeate the building. The existing windows to the building are large and the floorplates of the units are relatively shallow. Therefore it is considered that an acceptable level of daylight and sunlight would be enjoyed by the future occupants.
- 5.3 The proposed residential units would exceed the standards laid out in the Camden Planning Guidance. The one bedroom units would exceed 32 sqm as a minimum floor space. The two bedroom/three person unit would exceed 61 sqm as a total floor space. All the proposed double bedrooms and single bedrooms would exceed 11 sqm and 6.5 sqm respectively. It is considered that the overall size and proportions of the bedrooms would provide an acceptable level of amenity for the proposed residential units.
- 5.4 The floor to ceiling heights would exceed 2.1m and the floor to ceiling height in the mansard roof would exceed 2.3m floor to ceiling height. Building regulations would ensure that the sound proofing between the units would be sufficient to protect the future occupant's residential amenities. However a condition would also be attached which would require levels of soundproofing to be submitted as the residential use would be adjacent to an office use. Two floors of office use would separate the proposed residential units and the A1 shop use.
- 5.5 The shop would be self contained on the ground and basement levels and the residential and office uses would share an entrance, stairwell and lift. This layout is considered acceptable and it would be possible for a further security door to be located at the second floor so that office occupiers could not access the upper residential levels.
- 5.6 All habitable rooms would have access to ventilation. Directly opposite the application site is an office building, considering the different uses it is not considered that any detrimental impacts of overlooking would occur upon the future occupants. The future occupants would not have access to any private amenity space; however Lincolns Inn Fields an area of public open space is within 400m from the application site. This is considered to be an appropriate walking distance from the application site to provide a good level of amenity space.
- 5.7 Lifetime homes have been considered as part of the proposal. As the proposal is a change of use it has not been possible to meet all of the 16 criteria. However where the criteria cannot be met a justification has been provided. In summary the proposed residential units are considered to provide an acceptable level of amenity to the future occupants.

6.0 Transport

- 6.1 The Public Transport Accessibility Level is 6b which is the highest rating; the application site is within walking distance of Holborn tube station and various bus routes accessible at Southampton Row. Accordingly the three new residential units, office and shop use should be secured as car free. This would be secured by a Section 106 legal agreement.
- 6.2 The shop and office uses would be serviced from Gate Street. Considering the narrow nature of the street and that it is almost a shared surface it is considered appropriate to secure a Servicing Management Plan (SMP) for the site. This would be secured by a Section 106 Legal agreement. The SMP would agree the servicing times as well as the method of servicing. This would ensure that servicing would only take place within appropriate hours in order to maintain the residential amenity of the area. If any detrimental impacts of noise or disturbance occur by reason of servicing to the site the SMP could be used as a tool to enforce the appropriate servicing times.
- 6.3 The application includes three cycle parking bays at ground floor level, one for each of the residential uses. A condition would be attached to any permission granted requiring further details of the cycle parking to be submitted. The office use and shop use would not have any cycle parking provided. This is acceptable considering that the

office space is existing and therefore it would be unreasonable to expect cycle parking to be provided. In addition in accordance with Appendix 2 of the Camden Development Policies only developments over 500sqm would meet the threshold to require cycle parking. The shop would be less than 500sqm therefore the threshold for cycle parking has not been triggered.

- 6.4 A construction management plan would not be required as no substantial changes to the existing building would occur.

7.0 Sustainability

- 7.1 The Councils Sustainability Camden Planning Guidance (2011) states that energy efficiency of existing buildings should make a contribution towards the boroughs reduction in carbon dioxide emissions. As a guide, at least 10% of the project cost should be spent on environmental improvements. The applicant has submitted a statement which confirms that in the process of fully complying with current building regulations in terms of the change of use to residential, the 10% target is exceeded. The floorspace of the various uses would not require a BREEAM assessment to be submitted.
- 7.2 As an indication various energy efficiency measures are proposed including, installation of secondary glazing to all existing windows, all new doors would be draught proofed, all lighting would be 100% energy efficient, the insulation of the external walls would be upgraded, the heating and hot water would be self contained for each flat and highly efficient with full thermostatic controls to all radiators/heat sources. The agent has confirmed that the energy efficiency proposals would constitute more than 65% of the total costs of the proposed works.
- 7.3 The applicants have considered renewable energy, namely solar panels and ground sourced energy. However, considering the tightly constrained nature of the site and the small roof footprint this has not been considered feasible at the site.

8.0 Access

- 8.1 A new door is proposed providing accessible entrance to the ground floor shop. A wheelchair lift is proposed which would provide access to the ground and basement shop areas. The detailed design of this new access and the wheelchair lift would be secured by a condition. It is considered that the principle of a ramp which would provide an accessible entrance would be acceptable in this location and would preserve the character and appearance of the conservation area.
- 8.2 The entrance to the office and residential uses on the upper floors would be replaced to match the new entrance to the shop. It not considered that the entrance would make access to the building any worse than existing.

9.0 Conclusion

- 9.1 The loss of B1(a) office is considered acceptable in this case due to its lack of suitable features for flexible business/industrial use, the length of vacancy and the level of works that would be required to bring the premises in line with current standards. The principle of a shop use is considered to be suitable in this location and subject to conditions would not result in any significant amenity concerns. The external alterations to the building are considered to preserve its character and appearance and that of the Bloomsbury Conservation Area of which it forms a part.
- 9.2 The application is accordingly recommended for approval, subject to suitably worded conditions to protect neighbour amenity and a S106 Legal Agreement with the following heads of terms:
- Car free development
 - Servicing Management Plan

DISCLAIMER

Decision route to be decided by nominated members on Monday 14th November 2011.

For further information see

<http://www.camden.gov.uk/ccm/navigation/environment/planning-and-built-environment/planning-applications/development-control-members-briefing/>