

Delegated Report		Analysis sheet		Expiry Date:		13/08/2010	
		N/A		Consultation Expiry Date:		01/07/2010	
Officer				Application Number(s)			
Eimear Heavey				2010/2701/P			
Application Address				Drawing Numbers			
70-72 Guilford Street London WC1N 1DF				Refer to draft decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Retention of change of use from vacant nurses hostel (Sui Generis) to backpackers hostel (Sui Generis).							
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	75	No. of responses No. electronic	06 03	No. of objections	0 4
Summary of consultation responses:		<p>A site notice was displayed from 10/06/2010 until 01/07/2010 and the application was advertised in the Ham and High from 04/06/2010 until 25/06/2010.</p> <p>Adjoining occupiers/owners A letter of support was received from the occupants of 18 Queen Court.</p> <p>Letters of objection were received from the occupants of 14 Queen Court, Flats A, C and G, Guilford Court, 51 Guilford St. The objections raised were as follows:</p> <ul style="list-style-type: none"> Noise pollution from crowds outside the hostel; Coaches still pulling up in front of the hostel, illegal parking and pollution; No planning permission received for the use, owners acting illegally; The area needs affordable housing for key personnel for those who work with the nearby services especially the hospitals; The current use has brought down the appearance of the street by having washing out the windows and residents who can appear threatening. <p><u>Response:</u> Please see assessment section of report for further comment.</p>					

CAAC/Local groups* comments:
*Please Specify

Bloomsbury CAAC

Commented in association with application ref: 2010/2704/P and state that they are concerned about the potential impact on residential amenity in the immediate vicinity and the appearance of the building.

Queens Court Residents Association

Support the application on the grounds that the owners continue to employ security to patrol the outside of the building from 9pm to 5am every night; coaches must be required to park at the far end of Guilford St, away from the pedestrian crossing and there should be no deliveries between 11pm and 8am and no checking in between 11pm and 8am.

Site Description

The application site comprises an existing mid terrace property situated on the northern side of Guilford St, close to its junction with Russell Square. The property covers basement, ground and three storeys, is Grade II listed and is located within Bloomsbury Conservation Area. The site is also located within the Central London Area.

The property was previously used as nurse's accommodation, offices and storage and lay vacant for some time prior to it being occupied by Smart Backpackers hostel in 2008/2009.

The site has a Public Transport Accessibility Level (PTAL) of 6b (excellent) and is within a controlled parking zone. There is currently no vehicular access to the application site and none is proposed.

Relevant History

PSX0104937: An application for planning permission was submitted on 27/08/2002 for the refurbishment and change of use of 66-67, 70-72, 75-82 Guilford Street from a mix use of nurses accommodation and offices associated with a hospital use to self-contained residential accommodation for hospital staff (Class C3 or shared accommodation in large cluster units) and together with physical alteration involving the demolition of ad-hoc existing rear extensions and their replacement with modern 2 storey extensions. The conversion of the roof of no. 66 Guilford Street to include additional habitable accommodation for hospital staff plus the redevelopment of nos. 11-17 Colonnade and façade retention of nos. 19-23 Colonnade to provide basement and 3 storey buildings for use as self contained residential flats (class C3) for key workers and nurses. The application was **withdrawn** on 25/09/2005.

PSX0204022 / LSX0204023: An application for planning permission and listed building consent was submitted on 03/01/02 for change of use and refurbishment of Nos. 66-67, 70-72 & 75-82 Guilford Street to residential flats (Class C3); demolition of 74 Guilford Street and rebuilding of 73-74 Guilford Street for use as offices associated with Great Ormond Street Hospital (Class C2); demolition of 11-23 (odd) Colonnade and replacement with new buildings for use as residential for use as residential flats (Class C3). The application was **withdrawn** on 25/09/04

It appears that a resolution was passed by the DC Committee in 2004 to grant planning permission subject to the completion of a legal agreement securing key worker housing, highway works, car-free development and security matters. A legal agreement was never completed and consequently the applications were withdrawn by the Council.

2008/0949/L: Listed Building Consent was **granted** in June 2008 for works of repair and structural strengthening, the works approved here also appear to have included internal alterations.

The buildings had been on English Heritage's Building at risk register and lay empty and neglected for some time, hence significant stress occurred to the timber structure of the building and LB consent was granted for such works.

2010/0395/P: Application for retention of change of use from vacant nurses hostel (Sui Generis) to backpackers hostel (Sui generis) was **refused** on 21/04/2010. The main reasons for refusal were as follows:

- *In the absence of sufficient evidence and justification to demonstrate that the previous use as nurses' accommodation was surplus to requirements or has been re-provided elsewhere, use of the site as a*

backpackers hostel is considered to be contrary to the principle aim of Policy H4 (Protecting affordable housing) of the London Borough of Camden Replacement Unitary Development Plan (2006) and policies Policy 3A.15 (Loss of housing and affordable housing) and 3A.16 (Loss of hostels, staff accommodation and shared accommodation) of the London Plan [Consolidated with Alterations since 2004] February 2008.

- *By failing to provide permanent residential accommodation on the site the proposal is considered to be contrary Policies H1 (New housing) and SD3 (Mixed use development) of the London Borough of Camden Replacement Unitary Development Plan (2006).*
- *By failing to contribute to the provision of affordable housing in the Borough, for which there is a demonstrable need, the development would be contrary to Policy H2 (Affordable Housing) of the London Borough of Camden Replacement Unitary Development Plan (2006) and Policy 3A.11 of the London Plan [Consolidated with Alterations since 2004] February 2008.*

An enforcement notice **EN10/0486** was served on 29/06/2010, following the refusal of the application and is currently being appealed.

2010/2704/P: An application for retention of change of use from vacant nurses hostel (Sui Generis) to backpackers hostel (Sui Generis) until 30th November 2012 is currently being assessed and the decision date is 17/08/2010.

Relevant policies

Set out below are the UDP policies that the proposals have primarily been assessed against. However, it should be noted that recommendations are based on assessment of the proposals against the development plan taken as a whole together with other material considerations.

London Borough of Camden replacement Unitary Development Plan 2006

SD1 Quality of Life
SD2 Planning Obligations
SD3 Mixed Use development
SD6 Amenity for occupiers and neighbours
SD8 Disturbance
SD9 Resources and energy
SD12 Development and construction waste
H1 New Housing
H2 Affordable housing
H4 Protecting Affordable housing
H5 – Conversion to short stay accommodation
H9 Hostels
C5 Tourism Uses (hotels, B&B's and youth hostels)
B1 General design principles
B6 Listed Buildings
E2 Retention of existing business uses
N4 Providing public open space
T1 Sustainable Transport
T3 Pedestrians and cycling
T7 Off-street parking, city car clubs and city bike schemes
T8 Car free housing and car capped housing
T9 Impact of parking
T12 Works affecting highways

Camden Planning Guidance 2006

Bloomsbury Conservation Area Statement

London Plan [Consolidated with Alterations since 2004] February 2008

Policy 3A.11 Affordable housing thresholds
Policy 3A.15: Loss of housing and affordable housing
Policy 3A.16 Loss of hostels, staff accommodation and shared accommodation

PPG18 – Enforcing Planning Control

LDF Core Strategy and Development Policies

Core Strategy Proposed Submission

CS6 – Providing quality homes
CS8 – Promoting a successful and inclusive Camden Economy
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
CS19 – Delivering and monitoring the core strategy
CS1 – Distribution of growth
CS5 – Managing the impact of growth and development

Core Development Policies Proposed Submission

DP1 – Mixed use development
DP2 – Making use of Camden's capacity for housing
DP3 – Contributions to the supply of affordable housing
DP4 – Minimising the loss of affordable homes
DP5 – Homes of different sizes
DP6 – Lifetime homes and wheelchair housing
DP12 – Supporting strong centres
DP14 – Tourism development and visitor accommodation
DP16 – The Transport implications of development
DP17 – Walking, cycling and public transport
DP18 – Parking standards and limiting the availability of car parking
DP19 - Managing the impact of parking
DP21 - Development connecting to the highway network
DP22 – Promoting sustainable design and construction
DP23 - Water
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

As the draft LDF Core Strategy and Development Policies documents have now been published, they are material planning considerations. However, as a matter of law, limited weight should be attached to them at this stage.

Assessment

Proposal

Retrospective planning permission is sought for the change of use of approximately 2000sqm from vacant nurses hostel (Sui Generis) to backpackers hostel. The applicants have stated on their application form that the hostel use began in April 2008, listed building consent was granted in June 2008 for internal works to the property.

Differences between this application and previous application

A previous application (Ref: 2010/0395/P) for retention of the backpackers hostel was refused in April 2010, and, as a result of that refusal, an enforcement notice was served. The enforcement notice is currently being appealed by the applicants.

In this current application the applicant has provided additional information to demonstrate that the nurses accommodation which previously existed on site has been re-provided elsewhere. It is noted that no further justification has been received, over and above what was submitted in the previous scheme, in respect of the failure of the scheme to provide permanent residential accommodation or affordable housing on or off site. Furthermore, the applicants have not provided any evidence to demonstrate that the development can be implemented with sustainability methods in mind.

Background

The planning history of the site suggests that the properties appear to have been in use as storage, hospital offices and staff residential and, given that they are joined laterally, this is likely to have been the case. It is

understood that the staff residential accommodation was in the form of hostel accommodation for nurses, where they would live for the duration of their nursing course and also whilst they underwent their nursing practical period at the hospital; therefore living in the area for an extended period of time. Consequently, it is considered that the accommodation was a type of intermediate or key worker housing. It is noted that student housing is considered a permanent form of housing, on the basis that students would stay in the accommodation for at least a 90 days.

Definition of a Hostel

A hostel does not fall within a Class defined by the Town and Country Planning (Use Classes Order) 2006, and is described as a 'sui generis' use. Hostels can operate in many different forms and hence a change of use from a nurse's hostel to a backpackers hostel with 298 bed spaces results in a material change of use.

The current unlawful use is as a commercial backpackers hostel, providing short duration (often overnight) accommodation for visitors and travellers. Given the form of the backpackers hostel use and the nature of the client group who use it this form of hostel is considered to fulfil a role comparable to a hotel where the priority is for accommodation which is generally on a nightly basis.

Principle of the change of use

Information supplied by the applicants, based on an application submitted to the Council in 2000 states that just over half of the floorspace was hostel accommodation whilst the remainder was in office accommodation. From the planning history it can be ascertained that the residential parts were previously used as key-worker accommodation for nurses. The proposal involves the loss of permanent affordable housing and its replacement with accommodation for visitors and travellers. UDP policies seek to:

- protect affordable housing and permanent housing;
- secure the fullest possible residential use of vacant and underused sites, including a proportion of housing; and
- guide hotels, B&Bs and youth hostels to appropriate locations.

Loss of affordable nurses accommodation

Policy H4 of the UDP (2006) resists the net loss of affordable housing and supporting paragraph 2.38 discusses the role of nurses' accommodation as making an important contribution to the stock of affordable housing in the Borough. Policy H9 of the UDP (2006) states that the Council will not grant planning permission for the loss, without adequate replacement, of hostel accommodation. Paras 2.65-2.66 supporting policy H9 indicate that hostels include short-term accommodation for people who are homeless or on low incomes as well as staff accommodation for those who need to be near their place of work. In this case Policy H4 is more relevant because of the previous use for nurses, who are considered to be essential workers.

Therefore the previous use can be protected as affordable accommodation under Policy H4. Policy H4 seeks to resist proposals that involve the loss of affordable housing, whilst the supporting text of the Policy (para. 2.38) states that where affordable housing is replaced the new accommodation should be better quality and provide at least as much floorspace. London Plan Policies 3A.15 and 16 reinforce the Council's position on seeking to prevent the loss of affordable housing (3A.15) and in particular hostels and staff accommodation which meets an identified housing need (3A.16).

In order to accord with policy H4 the applicants would be required to justify the change of use away from long term key-worker accommodation. In instances where key worker accommodation has become genuinely surplus to requirements, the Council has in the past asked applicants to show either that the key-worker accommodation is no longer required, or that it has been provided elsewhere. Additional information is now available that was not included in the previous application (ref: 2010/0395/P), partly submitted by the applicant, and partly submitted by the applicant on an adjacent site.

The applicant has stated in their design and access statement that Great Ormond Street hospital and UCLH redeveloped purpose built accommodation in conjunction with Genesis Housing Group which offers accommodation to 950 hospital staff. The applicant has also taken extracts from the Pathmeads website (part of Genesis) to indicate where the hospital staff accommodation is located. Although it is acknowledged that the information which the applicant has supplied is not very detailed, in that no statement from the operators of such accommodation has been received, nor have detailed floorspace comparisons between the sites been provided, the Council accepts that there has been some replacement nurses accommodation re-provided elsewhere.

The suggestion that the nurses accommodation has been re-provided elsewhere was outlined in detail in

information submitted to the Council in support of an application for the change of use of 74-76 Guilford St to permanent student accommodation (Ref: 2010/0885/P granted on 22/06/2010). In addition, trainee nurses now study full time as undergraduates and are not employed by Hospital Trusts, and so would seek student/University accommodation rather than staff housing. Overall, the evidence which has now come to light in respect of the re-provision of the replacement nurses' accommodation is considered to show that the nurses accommodation does not need to be re-provided on this site, and the proposal complies with Policy H4 of the UDP (2006).

Loss of permanent residential accommodation

Given that housing is the priority use of the UDP under Policy S4, UDP Policy H3 resists the net loss of residential floorspace. Additionally, use of the site as a backpackers hostel is considered as a change to short stay accommodation contrary to the underlying aims of Policy H5. This policy states that the Council will not grant planning permission for the conversion of permanent residential accommodation into short stay accommodation intended for 90 days or less. This is also reinforced by London Plan Policy 3A.16. Supporting paragraph 3.74 in the London Plan notes that a change of use to provide holiday lets of less than 90 days requires planning permission under the GLC (General Powers) Acts 1973 and 1983.

In this instance, the hostel type accommodation which existed on site was a more permanent form of housing for the nurses and although it is accepted that this does not need to be re-provided on site, it is still considered to be a loss of permanent residential accommodation. Given that the backpackers hostel offers accommodation on a short-term basis, often nightly, it results in the loss of permanent residential accommodation for the Borough, contrary to policies H3 and H5.

Proposed land use: Housing potential

The Council now accepts that there is no longer a need to maintain the previous nurses accommodation use on site in accordance with policy H4, however, a further justification for the proposed 'hotel type use' in this location is required. Policy H1 of the UDP (2006) states that the Council will seek to secure the fullest possible residential use of vacant and underused sites and buildings. Given that the properties had been vacant and underused for quite some time prior to their occupation by 'Smart Space UK', Policy H1 is relevant to this application. Housing is the priority use of the UDP (Policy S4) and as such the Council will look favourably on schemes for new residential development, new build, conversions and extensions that provide accommodation to an acceptable standard. However, a backpackers hostel, which offers short-term accommodation, often on a nightly basis is not permanent residential accommodation and is considered to be a form of hotel-style commercial accommodation for the purposes of assessment under the UDP 2006, as indicated in UDP paras 2.1 and 8.47.

Whilst a key aim of the UDP is to maximise the provision of housing in line with strategic housing targets the Council accepts that some locations may also be suitable for other uses. Policy SD3 seeks a mix of uses including housing in development unless there are site characteristics which would make housing inappropriate. In this instance the previous use of the site was as housing and Guilford Street is considered a suitable location for expanding the provision of permanent housing in the borough.

The provision of a new and wholly commercial use, such as a hostel of this scale which predominantly operates to meet the needs of tourists and travellers, requires to be assessed under policy SD3. In this instance the full extent of the floorspace (approx 2000sqm) is a new commercial use and there is no housing or mix of uses within the development.

In sum, the Council would require this site to provide contribute either primarily or wholly towards permanent residential uses. The applicant has failed to provide any permanent residential uses on site and furthermore has failed to provide any justification as to why this has not been achieved, contrary to policies H1 and SD3. This suitability of this site for housing and the need to meet the Council's strategic housing targets are considered to be fundamental in setting the policy objectives for this site and need to be fully addressed prior to a complete assessment of a new hostel use on the application site.

Proposed land use: New backpackers hostel

Policy C5 of the UDP (2006) states that the Council will only grant planning permission for development of hotels/youth hostels provided that the proposal provides any necessary off-highway pick up and set down points for taxis and coaches, provided it is located in an appropriate location (including the Central London Area) and provided that other criteria relating to amenity, the environment and transport are met. The site is considered to be suitable for a hotel-type use in terms of its Central London Location and public transport accessibility, so long as appropriate management measures are secured for picking up and setting down (coaches can drop off and pick up at off-highway locations). The applicant's Transport Statement has set out

that coach drop-off and pick-up occurs via Montague Place, Russell Square or Herbrand Street. While these claims are unqualified, it is considered that the practical potential exists for limited coach pick-up and drop-off to be accommodated within local highway arrangements. However such measures would need to be secured by way of a Service Management Plan (SMP), covering service and deliveries to the development as well as coach drop-off and pick-up. The SMP would need to be secured by S106 legal agreement. It is considered therefore that should an SMP be secured, the principles of policy C5, with respect to the impact of location on transport and the environment would be met. However in the absence of such an agreement the proposals are unacceptable.

Affordable housing

In the event that the policy objections of H1, H5 and SD3 were overcome by inclusion of housing in the scheme, the provision of affordable housing on the site would need to be addressed in accordance with policy H2.

Moreover, Policy H2 of the Unitary Development Plan (2006) seeks to ensure 50% of affordable housing from all residential development which crosses the relevant thresholds (as a result of the Further Alterations to the London Plan, which were published by the Mayor on 19 February 2008). London Plan Policy 3A.11 expects that affordable housing be provided on sites with a capacity to provide 10 or more units. The Councils established position on this threshold is that 1000sqm is the equivalent capacity threshold for 10 units. Given that the application site is almost 2,000sq metres in size and the fact that no justification has been received as to the preference for hotel use over permanent residential, Policy H2 is relevant to this application.

The applicant was asked during the process of the previous application to provide a justification as to why no affordable housing was being proposed given the size of the site; furthermore, the failure of the scheme to provide affordable housing was also outlined as a reason for refusal in the previous application but has still not been addressed in this application. The applicant argues that the configuration of the property does not lend itself for easy conversion into flats, and that the provision of residential accommodation would be in direct conflict of policy B6. The applicant has stated in their design and access statement that they have expended in excess of £1,000,000 in the restoration of the building under the guidance and inspection of both listed buildings and building control officers. Although it is accepted that the buildings were on the Buildings at Risk register, this is not a solid justification as to explaining why no affordable housing is proposed and should not be used to evade the need for affordable housing on a site of this size.

A previous application for affordable housing development of 66 - 67, 70 - 82 Guilford Street and 11- 23 Colonnade (PSX0104937) was approved under the Camden UDP 2000. The 2000 Camden UDP had a Borough-wide affordable housing target of 25%, notwithstanding this, a resolution was passed by the DC Committee in 2004 to grant planning permission subject to the completion of a legal agreement for the above application which required key worker accommodation for staff and students of Great Ormond Street Hospital and, a clause which stated that any surplus units to be 100% affordable housing. However, this legal agreement was never completed and consequently the application was withdrawn by the Council.

The current applicant has not provided a sound financial justification as to why no affordable housing is being provided either on or off site as part of this application and as such is contrary to the provisions of Policy H2 of the London Borough of Camden Replacement Unitary Development Plan (2006).

Loss of office accommodation/storage

With regards to the loss of office accommodation and storage areas at the application site, it is considered that the Council would accept their loss given that the properties were not originally designed for office space and are restricted in their flexibility due to them being listed buildings.

In light of the above, the change of use from nurse's accommodation to a backpackers hostel has not been fully justified and is considered to be contrary to the provisions of Policies H1, H5, SD3 and H2.

Amenity Issues

Policy SD6 seeks to ensure that the amenity of occupiers of neighbouring properties is protected. It states that planning permission will not be granted for development that causes harm to the amenity of occupiers and neighbours in terms of noise levels, loss of daylight, sunlight and outlook.

It is noted that the vast majority of objections received from neighbouring properties concerned issues regarding noise and disturbance, however it is accepted that measures have been taken by the applicants to address this by employing 24 hr security at the hostel and preventing coaches from dropping people off

outside the hostel. Some objections have also alluded to the fact that the backpackers hostel brings down the tone of the area as groups of noisy people together can appear threatening. Given that the hostel has employed 24 hour security to prevent people hanging around outside the hostel causing disturbance, this situation is considered to have improved over the past few months and the Council's Environmental Health department last received a complaint regarding noise disturbance from the Hostel on March 22nd 2010.

Given that the buildings have been brought back into use and no extensions have been added, no issues in terms of overlooking, loss of privacy or loss of sunlight or daylight, over and above what was already possible when the buildings were last used, arise.

The applicants have also submitted a noise impact assessment which was undertaken by Stinton Jones Consulting Engineers LLP. This document concludes that the street noise levels are such that the building should be placed in NEC Category C as defined in PPG24, within this category it is recommended that any developments for residential accommodation should incorporate noise reduction measures at the windows, being the sensitive facades facing the noise source. The Council's Environmental Health Officer has considered the data set out in this report and no objection has been raised to the principle of such measures. The proposals are therefore considered to be compliant with policies SD6 and C5 (in respect of the impact of the new hotel on residential amenity).

No information has been provided on the form or type of such measures, and while the principle may be acceptable the insertion of noise reduction measures to the front elevation of the building would likely require Listed Building consent.

Transport Issues

The application site is located on Guilford street which is considered to be a busy one way westbound road. The site frontage has a zebra crossing across its entire length but the site itself currently has no vehicular access and none is proposed. Furthermore, the site is considered to have a Public Transport Accessibility Level (PTAL) of 6b (excellent).

Cycle parking

Policy T3 states that the Council will only grant permission for development that it considers to make satisfactory provision for pedestrians and cyclists. Camden's Parking Standards for cycles (*Appendix 6 of the Unitary Development Plan*), states that for hostels from a threshold of 500sqm 1 space is required for staff per 250sqm (6 spaces in total) and the same for visitors giving 12 cycle spaces in total. The applicant has not included provision for the required amount of cycle storage/parking in the proposed design. While no alterations are proposed to the ground floor access and the works are retrospective this is not considered to be a sufficient response to the need to provide for sustainable transport means on site. While the lack of cycle spaces is not considered sufficient reason for refusal any future planning application relating to the site would be expected to meet the Council's cycle parking standards.

Car free development

Policy T8 (UDP) seeks for car-free developments in the Central London Area, The King's Cross Opportunity Area; Town Centres; and in other areas within Controlled Parking Zones that are easily accessible by public transport. Policy T9 (UDP) states that the Council will not grant planning permission for development that would harm on-street parking conditions or add to on-street parking where existing on-street parking spaces cannot meet demand. Therefore, this development would require a Section 106 planning obligation for a car-free development for the following reasons:

- The site has a Public Transport Accessibility Level of (PTAL) of 6b (excellent) and is within a Controlled Parking Zone.
- The site is within the "Clear Zone Region", for which the whole area is considered to suffer from parking stress.
- Not making the development car-free would increase demand for on-street parking in the Controlled Parking Zone (CPZ) the site is within. Kings Cross (CA-D) CPZ operates Mon-Fri 08:30-18:30, Sat 08:30-13:30, and has a ratio of parking permits to available parking bays of 1.17. This means that more parking permits have been issued than spaces available.

In the absence of a S106 legal agreement securing a car free development, the proposal would not satisfy Policies T8 or T9 of the London Borough of Camden Replacement Unitary Development Plan 2006.

Servicing management plan

UDP Policy T12 seeks to protect the safety and operation of the highway network. As discussed above

details of how the site is serviced would be required through a Servicing Management Plan (SMP) secured via S106. The scale and kind of this development, the servicing vehicle trips that generates are such that a Servicing Management Plan is recommended in order to mitigate any adverse impacts.

In the absence of a S106 legal agreement securing a Servicing Management Plan, the proposed development would be contrary to Policy T12 of the London Borough of Camden Replacement Unitary Development Plan 2006.

Sustainability Issues

Policy SD9 of the UDP (2006) relates to all development schemes within the Borough, particularly those over 1000sq metres, and it states that the Council will seek to conserve energy and resources through designs for energy efficiency, renewable energy use, optimising energy supply and the use of recycled and renewable materials.

The applicants have not submitted details of any sustainability measures that can reasonably be undertaken in the context of a conversion of an existing building. As such and in the absence of a S106 legal agreement securing sustainability measures for this development, the proposal does not comply with Policy SD9 of the London Borough of Camden Replacement Unitary Development Plan 2006.

Listed Building Issues

The applicant has stated that Listed Building consent has been received for the works which have taken place however the Council's Listed Building officers have stated that the only Listed Building works approved (Ref: 2008/0949/L) at 790-72 Guilford St related to structural stability and strengthening along with some very minor internal alterations. Hence, a Listed Building application is required for the remainder of the alterations such as the wet rooms and new partitions.

2008/0949/L: Listed Building Consent was **granted** in June 2008 for works of repair and structural strengthening, the works approved here also appear to have included internal alterations.

Summary

To conclude, the application site is almost 2,000sq metres in size, is in the central London Area and previously provided permanent residential accommodation in the form of affordable key worker units for nurses. The application site is currently being used as a commercial backpackers hostel and has been operating as such since 2008 without the benefit of planning permission. It is accepted that recent changes to the operation of the hostel have overcome significant issues relating to local amenity of neighbours following the employment of a security firm and there have been no recent objections in relation to noise and disturbance. However the use of site as a backpackers hostel, without sufficient justification, results in the loss of permanent residential accommodation, which is priority of the UDP, and furthermore loss of the potential of the site to provide affordable housing.

Emerging Policies

As the draft LDF Core Strategy and Development Policies documents have now been published they are material planning considerations particularly where they directly stem from and accord with national policy. However as a matter of law limited weight should be attached to them at this stage because they cannot override the Council's legal duty to determine planning applications in accordance with its existing development plan unless material considerations indicate otherwise.

However by failing to provide housing on the site the proposals would fail to comply with emerging policies CS6 (Providing quality homes), DP1 (Mixed use development) DP2 (Making use of Camden's capacity for housing), DP3 (Contributions to the supply of affordable housing) and DP4 (Minimising the loss of affordable homes). Furthermore by failing to undertake a S106 legal agreement to provide for car-free housing on site and a Service Management Plan the proposals would be contrary to emerging policies CS11 (Promoting sustainable and efficient travel), DP18 (Parking standards and the availability of car parking), DP19 (Managing the impact of parking), DP16 (The Transport implications of development) and DP21 (Development connecting to the highway network). Finally in the absence of any sustainability measures to address use of energy and resources the proposals would be contrary to emerging policies CS13 (Tackling climate change through promoting higher environmental standards), CS16 (Improving Camden's health and well-being) and DP22 (Promoting sustainable design and construction).

Recommendation: Refuse Planning permission.

Disclaimer

This is an internet copy for information purposes. If you require a copy of the signed original please contact the Culture and Environment Department on (020) 7974 5613