

<b>Address:</b>	<b>4 Wild Court London WC2B 4AU</b>	
<b>Application Number:</b>	2010/2282/P	<b>Officer: Katrina Christoforou</b>
<b>Ward:</b>	Holborn & Covent Garden	
<b>Date Received:</b>	<b>11/05/2010</b>	
<b>Proposal:</b> Change of use of education institute (Class D1), offices (Class B1) and ancillary cafe to provide 86 self contained units for student accommodation in association with the London School of Economics.		
<b>Drawing Numbers:</b> Existing Drawings:  EX001.0; EX002.0; EX003.0; EX004.0; EX005.0; EX006.0; EX007.0; EX008.0; EX009.0; EX010.0; EX011.0; EX012.0A; EX013.0A; EX001; 23.130.101; Existing Middle Yard Elevation; Existing Elevation A; Existing Elevation B; Existing Elevation C; 12222-100 P1; 1222-101 P1.  Proposed Drawings:  Lower Ground Floor Rev D; Upper Ground Floor Rev D; First Floor Rev D; Second Floor Rev D; Third Floor Rev D; Fourth Floor Rev D; Fifth Floor Rev D; Sixth Floor Rev D; Sixth & Roof Plan General Arrangement P1; Proposed Elevation Middle Yard; Proposed Courtyard Elevation; Proposed Front Elevation; Proposed Section A; Proposed Section B; Proposed Section C.  Reports:  Relocation of the Kensington College of Business to Birkbeck College and Objectives of the LSE; Internal Daylight Assessment (By GIA dated 18/06/2010); Crime Prevention Statement (PPA, dated 28/04/2010); Energy Statement (PPA, dated 29/04/2010); BREEAM Assessment (PPA, dated 14/09/2009); BREEAM Assessment (PPA, dated 29/03/2010); External Noise Assessment (W.A Hines & Partners, dated 03/07/2009); Marketing Statement (PPA, dated 28/04/2010); Student Management Plan (PPA, dated 30/04/2010); Draft Construction Management Plan (PPA, dated 28/04/2010); Affordable Housing Statement (PPA, dated 10/2009); Transport Statement (PPA, undated); Appendices Pack (1-13).		
<b>RECOMMENDATION SUMMARY:</b>		
<b>Applicant:</b>	<b>Agent:</b>	
Kensington School of Business and Kensington College 97 Lower Marsh London SE1 7AB	Peter Pendleton & Associates 97 Lower Marsh London SE1 7AB	

## ANALYSIS INFORMATION

### Land Use Details:

	Use Class	Use Description	Floorspace
Existing	<i>D1 Non-Residential Institution</i> <i>B1 Business</i>		<i>3201m<sup>2</sup></i> <i>237 m<sup>2</sup></i>
Proposed	<i>Sui Generis-</i>	<i>Student accommodation</i>	<i>3438m<sup>2</sup></i>

## **OFFICERS' REPORT**

**Reason for Referral to Committee:** This application is being reported to the Committee as it entails a Major development comprising a change of use of over 1000 sqm of floorspace (Clause 3i) and the requirement for a S106 legal agreement (Clause 3vi).

### **1. SITE**

- 1.1 The main entrance to the site is located on Wild Court, a narrow cul-de-sac turning off to the west of Kingsway within the Central London Area. The majority of the site is within the Kingsway Conservation Area but the building partially falls within the Seven Dials (Covent Garden) Conservation Area. The building to the opposite side of Wild Court at 65 Kingsway is grade II listed and the Freemasons Hall to the south west is grade II\* listed. The building is currently in D1 (Non-residential institution) use and is occupied by the Kensington School of Business/Kensington College of Business (KCB) with an internal café area and an area of vacant B1 office space at 1st floor level.
- 1.2 The 8 storey building has an attractive red brick façade facing onto Wild Court. To the north east the building partially adjoins the rear of numbers 67-75 Kingsway around a private courtyard area. To the north the building adjoins the Kingsway Hall Hotel. There is a secondary access from Great Queen Street at the rear (north) of the site via the private passage of Middle Yard. The passage runs between the Kingsway Hotel and the Connaught Rooms to the south west and terminates at the rear of 4 Wild Court.

### **2. THE PROPOSAL**

#### **Original**

- 2.1 The proposal is for the conversion of the building from D1 (non-residential institution) and B1 office into 86 self contained student accommodation rooms (sui generis) in association with the London School of Economics (LSE). The accommodation would include a reception office at entry level, shared common room/library/computer room facilities and a roof level amenity space with green roof and solar panels.

#### **Revision**

- 2.2 The proposed internal layout has been revised over the course of the application and the number of student rooms proposed has increased from 75 to 86. The revised proposal includes additional rooms at ground and 1<sup>st</sup> floor levels facing onto the courtyard and other layout alterations. As revised, all rooms would include a kitchenette and shower room. The amendments are supported by a new version of the Daylight Report.

### **3. RELEVANT HISTORY**

- 3.1 2005/1737/P: Alterations to front elevation to enlarge windows at ground level and alterations to side courtyard to include new canopy and openings- Planning permission refused 11/07/2005.
- 3.2 2005/3159/P: Erection of glazed canopy to enclose internal courtyard and railings to ramp and restoration of window opening to east elevation- Planning permission granted 04/10/2005.
- 3.3 Planning application 2009/4434/P was submitted on the 18/09/2009 for the "Change of use of education institute (Class D1), offices (Class B1) and ancillary cafe (Class A3) to provide 97 self contained units for student accommodation for the London School of Economics." The proposals were an earlier version of the scheme now submitted. Concerns were raised at the time with regards to the quality of the student accommodation at the lower floors of the building in terms of daylight and outlook. The information provided in the submitted daylight report was fairly limited at the time and appeared to indicate that some of the rooms would experience levels of daylight below the minimum standards. Following discussion with officers the application was withdrawn to allow further information to be prepared. Officer's have been engaged in extensive discussions with the agent since this time and further daylight information and revised layouts have been considered. The current application is the revised version of the proposals.

#### **4. CONSULTATIONS**

##### **Advertising**

- 4.1 Site notice erected 21/05/2010.
- 4.2 Advertised in the Ham & High 27/05/2010.

##### **Statutory Consultees**

- 4.3 English Heritage (Greater London Archaeology Advisory Service)

As the property is within an Archaeological Priority Area, English Heritage GLAAS were consulted and responded stating that the proposals are not considered to have an affect on any significant archaeological remains and that no further assessment/evaluation is required.

- 4.4 City of Westminster

Given the site's proximity to the borough boundary the City of Westminster were consulted on the application but did not wish to comment.

##### **Conservation Area Advisory Committee**

- 4.5 Kingsway CAAC  
Consulted- no response.

- 4.6 Seven Dials (Covent Garden) CAAC  
Consulted- no response.

### **Local Groups**

- 4.7 Covent Garden Community Association  
Consulted- No comment.

### **Adjoining Occupiers**

	Original
<i>Number of letters sent</i>	98
<i>Total number of responses received</i>	1
<i>Number of electronic responses</i>	0
<i>Number in support</i>	0
<i>Number of objections</i>	0

## **5. POLICIES**

### **Replacement Unitary Development Plan 2006**

SD1- Quality of life  
SD2- Planning obligations  
SD6- Amenity for occupiers and neighbours  
SD7- Light, noise and vibration pollution  
SD8- Noise and disturbance  
SD9- Resources and energy  
H1- New housing  
H2- Affordable housing  
H7- Lifetime homes and wheelchair housing  
H8- Mix of units  
B1- General design principles  
B3- Alterations and extensions  
B6- Listed buildings  
B7- Conservation Areas  
B8- Archaeological sites and monuments  
E2- Retention of existing business uses  
C2- Protecting community uses  
T3- Pedestrians and Cycling  
T8 - Car free housing and car capped housing  
T9 - Impact of Parking  
T12- Works affecting highways  
E2- Retention of existing business uses  
C2- Protecting community uses  
N4- Providing public open space  
N5- Biodiversity

### **Supplementary Planning Guidance**

- Camden Planning Guidance 2006
- Kingsway Conservation Area Statement
- Seven Dials (Covent Garden) Conservation Area Statement

### **LDF Core Strategy and Development Policies**

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.

- CS1- Distribution of growth
- CS6- Providing quality homes
- CS5- Managing the impact of growth and development
- CS8- Promoting a successful and inclusive Camden economy
- CS10- Supporting community facilities and services
- CS11- Promoting sustainable and efficient travel
- CS13- Tackling climate change through promoting higher environmental standards
- CS14- Promoting high quality places and conserving Camden's heritage
- CS15- Protecting and improving our parks and open spaces and encouraging biodiversity
- CS16- Improving Camden's Health and well being
- CS17- Making Camden a safer place
- CS19- Delivering and monitoring core strategy
- DP2- Making full use of Camden's capacity for housing
- DP5- Housing size mix
- DP6- Lifetime homes and wheelchair homes
- DP9- Student housing, bedsits and other housing with shared facilities
- DP13- Employment sites and premises
- DP16- 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
- 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
- DP29- Improving access

## **6. ASSESSMENT**

6.1 The principal consideration material to the determination of this application are summarised as follows:

- The principle of the change of use including the loss of the D1 non-residential institution and B1 office uses on site and the replacement with student housing.
- The quality of the student accommodation provided including space standards, facilities, daylight, outlook, overlooking and noise.
- Design and appearance
- Access

- Sustainability
- Transport
- Planning obligations

## **Change of use**

### **Background**

- 6.2 As existing, the building is predominantly in D1 non-residential institution use with an ancillary café in the basement and an area of disused B1 office space at 1<sup>st</sup> floor level which was vacated approximately 4 years ago. The building is currently occupied by the Kensington College of Business (KCB) although only around half the building is in active use.
- 6.3 The proposal is for the KBC to move their educational operations to an alternative location within the Birkbeck College site at Russell Square and for their administrative functions to be moved to an alternative unspecified location. The building at 4 Wild Court would then be converted into student accommodation in association with the new proposed occupier the London School of Economics (LSE). The LSE and the KCB have made an agreement for a 25 year lease of the building subject to planning permission.
- 6.4 Policy C2 (protecting community uses) has a general presumption against the loss of educational facilities, which are considered under the broad umbrella of community facilities for the purpose of the UDP. It states that the Council will only allow the loss of such facilities where it can be demonstrated that an adequate replacement facility has been provided in a location accessible to the users of the facility, or the specific community use is no longer required.
- 6.5 Policy E2 (Retention of existing business uses) has a general presumption against the loss of employment floorspace where there is potential for that use to continue. The policy specifically relates to those sites that are capable of being used flexibly for a range of employment uses within both the B1 (Office) use class and B2 (General industry) and B8 (Storage and distribution). Policy E2 requires the applicant to provide adequate justification if a business use is to be lost. The applicants have submitted evidence to support the change of use in the light of policies C2 and E2 as outlined below.

### **Marketing Statement**

- 6.6 A Marketing Statement has been submitted with the application. The statement explains that despite marketing efforts dating as far back as 2001, there have been no viable offers for the full or partial occupation of the building for D1 educational, B1 office uses or occupiers of any other use subject to planning permission. The main reasons cited for the lack of interest are:
- Lack of appropriate entrance- side street location, intended to be a service entrance, narrow access.
  - Poor layout causing operational and security issues.
  - Relatively small area of accommodation spread over 8 floors.

- B1 occupiers put off by being located within a predominantly educational building.
- Dated accommodation does not meet with modern requirements.
- Poor disabled access.
- Poor servicing access.

6.7 With specific regard to the 237 sq m of B1 office space at 1<sup>st</sup> floor level the space is not considered to be suitable for alternative business uses for the following reasons:

- Small floor area located at first floor level
- It is located within a building largely in D1 use
- Could create conflict with other users of the building and of neighbouring buildings
- It is located on a narrow cul-de-sac with poor vehicle access
- Unsuitable layout, lift facilities, loading bay etc. for flexible employment use.

#### Relocation of the KCB

6.8 The KCB makes full use of approximately 4 floors within the 8 storey building at 4 Wild Court. The quality of the accommodation is described as being inadequate for modern teaching methods, which has resulted in the college having to hold examinations at alternative locations. Hence, the KCB proposes to relocate to alternative facilities within the Birkbeck College Campus at nearby Russell Square. The KCB caters for approximately 750 students and it is anticipated that this will remain the same at the new location. Birkbeck College is the main provider of evening degree courses within the University of London. The KCB specialises in daytime degree courses. It is therefore proposed that the two schools can be accommodated on the Birkbeck College Site without the displacement of students from either institution. The move would allow students of the KCB access to the higher quality of facilities already available at the Birkbeck College site such as the library, ITC and access to online resources.

#### D1 space provision by LSE

6.9 The supplementary information submitted as part of the application states that as part of the wider LSE programme of expansion the university have recently significantly expanded their educational facilities in the local area. This includes the recent acquisition of the New Academic Building, which is within a short walking distance of the application site. The Relocation Statement argues that the LSE's creation of additional high quality D1 facilities at nearby sites within the borough more than outweighs the loss of the sub-standard and partially vacant facilities at Wild Court.

#### Loss of the A3 cafe

6.10 The existing café use on site is considered to be ancillary to the D1 use. It is internal to the building and is not located on a street frontage. The Council does not therefore have any policies that would seek to protect this use.

#### Replacement with student accommodation



- 6.11 The supporting text to this policy C2 states that in instances where a community use ceases on site, the Councils priority is for the provision of housing, and affordable housing in particular. Although not considered to be affordable housing in the sense that it contributes to the Councils housing targets, student housing is considered a form of low cost accommodation.
- 6.12 It should be acknowledged that these proposals are not being put forward by a private developer proposing student accommodation in preference to C3 permanent housing. The intention is that the premises would be owned, managed and run by LSE with the intention of addressing their shortfall in bed spaces available to their own students. It is recommended that a head of term be included in the section 106 agreement to ensure that the student accommodation is linked to the named institution. The close proximity of Wild Court to the main teaching buildings of LSE make the site particularly suitable in terms of location and minimising travel demands. It should be acknowledged that in releasing sites in suitable locations for student housing, the future demand for student accommodation should be reduced in less appropriate locations within the borough and thereby forms an important part of managing the demand for student accommodation across the borough.
- 6.13 This proposal is for a relatively small number of student units and involves the conversion of an existing building arranged over 8 floors. Division of the building between student and affordable housing components is not considered to be practical. In addition, the proposal is designed to meet the LSE's specific post graduate student housing need. Given these circumstances it is not considered appropriate to require the development to provide affordable housing.

#### Student management plan

- 6.14 A Student Management Plan has been submitted with the application. The plan explains Wild Court would be joint managed by the LSE team at nearby Grosvenor House on Drury Lane. Grosvenor House is also a student hall of residence for post graduates arranged as self contained rooms. Joint management is therefore considered to be appropriate. A duty manager for both residences would be on call 7 days a week, a caretaker can be contacted for repairs and a receptionist would be on site during normal working hours Monday-Friday.
- 6.15 A copy of the LSE Student Halls Hand Book (2008/09) including a 'code of conduct' in line with the provisions of the 2004 Housing Act has been included in the appendices to the submission. This includes details on health and safety standards and procedures; maintenance and repairs; environmental quality; landlord and tenant relationship; student welfare; anti-social behaviour and disciplinary procedures; and administration, accreditation and compliance procedures. A draft student contract/tenancy agreement has been submitted.
- 6.16 It is recommended that the details of the student management plan, including restriction of the building to occupation by students of the LSE, be secured through a section 106 agreement to ensure appropriate management of the site and use by the named institution.

### Principle of the change of use

- 6.17 The proposal would technically result in the loss of 3201m of D1 educational floor space. However, for a number of years only half of this space has been occupied despite reasonable marketing efforts. The quality of the accommodation is dated and does not meet current requirements that would attract a D1 occupant. The existing occupier has found an alternative premises at the Birkbeck College site, which is more suitable and is within walking distance of the current site. The Birkbeck College Campus will offer the college a higher quality and range of educational facilities. Evidence indicates that Birkbeck College has the capacity to accommodate the KBC without the displacement of students from either institution.
- 6.18 It is proposed that the building would be occupied by higher education institution the LSE but used as student accommodation. As part of the LSE's wider programme of estates management and expansion, it has created significant additional high quality D1 floor space within the borough. The loss of the less viable accommodation at Wild Court would therefore be outweighed by the overall expansion of D1 space provided by the LSE as a whole.
- 6.19 The B1 floor space has been vacant since 2004. Again despite reasonable marketing no occupant has been found which is considered to be the result of the relatively poor quality of the space provided and its location on the 1<sup>st</sup> floor within a building that is primarily in educational use. The premises is not considered to be suitable for alternative business uses.
- 6.20 The building is in principle considered to be in a suitable location for student housing given its close proximity to LSE which the building would serve. The accommodation would meet the LSE's need for student accommodation and would reduce pressure for speculative student housing developments in less suitable parts of the borough.
- 6.21 On the basis of the above it is considered that change of use is acceptable in principle in accordance with policies C2 and E2.

### Quality of the proposed student accommodation

- 6.22 As amended the student units will be arranged as self-contained bedsits each with its own internal; kitchenette and shower room facility. The units would range in size from 15 sq m to 35 sq m. The reception area and office would be located at lower ground floor level by the main student entrance from Wild Court. Communal facilities including a TV room, gym, laundry, storage, cycle parking and a refuse store would be provided at lower ground level.
- 6.23 The Council's emerging LDF policy DP9 relates to student housing and specifies that development should include a mix of unit types including those with shared facilities. The size of the proposed units is considered to provide an adequate level of amenity for the type of accommodation being provided; however, as revised all rooms are to be self-contained. The justification provided for this is that the accommodation is intended for use by post graduate students only. The LSE have

indicated that post graduate students have a preference for self-contained accommodation and note that a common room, gym and shared laundry facilities have been provided. Other kinds of accommodation are offered by LSE at other halls of residence. As the facility would be owned and run by the LSE, pressure for conversion into permanent residential accommodation is considered to be unlikely and the building is unlikely to be considered suitable for such a change of use due to the limited levels of daylight and outlook. Retaining flexibility through a cluster unit layout is not therefore considered to be relevant in this case. Given that LSE are catering for the needs of their own students the lack of mix in the types of student accommodation proposed are not considered to be justification for refusal of the application in this case.

#### Daylight and outlook

- 6.24 The students units will be located at ground to sixth floor levels. Each unit will have at least one window facing out onto Wild Court or one of the two courtyard areas identified on the plans as 'Courtyard' and 'Middle Yard'.
- 6.25 Various version of the daylight study have been produced in respect of revised layouts since the time of the previously withdrawn application 2009/4434/P. A new version of the daylight study has now been produced by GIA in association with the final set of plans. The Average Daylight Factor (ADF) has been calculated for each of the student rooms. The BRE standards state that the minimum standards for ADF for permanent residential accommodation are 2% for kitchens, 1.5% for living rooms and 1% for bedrooms. The standards do not directly apply to student housing and it is noted that the accommodation is not permanent and would only be occupied for 30 weeks of the year on a temporary basis. However, student housing is still a form of residential accommodation and it is therefore considered reasonable to expect a satisfactory degree of daylight.
- 6.26 Previous layouts, particularly that submitted at the time of the previous application 2009/4434/P included student rooms at basement and mezzanine levels (with the large windows dissected by the floor level). The daylight study contained errors and limited information and indicated that a number of the rooms would fall below the recommended minimum standards of daylight for a bedroom. This would have been combined with poor outlook with many of the rooms having only the existing obscure glazing. The inclusion of rooms at the mezzanine level resulted in the window being dissected at the mid point by the floor level which would have seriously restricted opportunities for daylight and outlook.
- 6.27 The revised scheme replaces the proposed student rooms at basement level with communal facilities and the mezzanine has been removed. All obscure glazing is now to be replaced with clear glazing with like for like glazing bar details to preserve the overall appearance of the building whilst allowing for additional daylight and outlook.
- 6.28 The revised daylight study indicates that all the student rooms will now meet the minimum ADF requirement for bedrooms of 1%. Whilst higher ADF values may be desirable the site is constrained by the density of its central London location. Limited daylight is a limitation of the building and there is no realistic way in which

the situation could be improved. The calculations apply a high value on the reflectance of the internal surfaces. Whilst legislation cannot cover the internal finish of the walls in this case, the LSE would have control and are likely to paint the rooms a uniform light colour which the students would not be able to permanently alter. In addition, attention has been given to the way in which the student rooms are likely to be used. All units have been arranged so that the desk space can be accommodated by the window where the highest levels of natural light are available. Outlook would be limited by the narrowness of the courtyards but has been improved since the previous application with the replacement of obscure glazing with clear.

- 6.29 Whilst the levels of amenity in terms of daylight and outlook would be limited, the minimum standards would be achieved and the students would benefit from being within walking distance of the main LSE teaching buildings. On balance, the level of occupier amenity is considered to be acceptable for student accommodation in accordance with policy SD6.

#### Privacy and overlooking

- 6.30 The proposed student units would face onto the street of Wild Court or onto the Courtyard or Middle Yard spaces. The windows onto Wild Court would face onto the side elevation of the non-residential building at 65 Kingsway to the opposite side of the street. The windows to the opposing façade have a mirror like reflective surface and given the perceived division of the roadway it is considered that no unreasonable overlooking would occur. The student rooms at ground floor level would be raised from that of the street so direct overlooking by pedestrians would not occur.
- 6.31 The windows to the student rooms on the south side of the courtyard would face onto the rear of the building at 67 Kingsway. This building comprises an A3 unit at ground floor level and offices above. The distances between facing windows are fairly limited however, the majority of the windows on the rear of the Kingsway building are obscure glazed and serve fire lobby areas. It is considered that proposed student occupiers would perceive a degree of overlooking from the neighbouring non-residential building but given the uses this is not considered severe enough to warrant the refusal of the application.
- 6.32 The windows in the south west elevation of the building facing onto Middle Yard would have a view across to the Connaught Rooms at ground to third floor levels. Again most of these windows are obscure glazed and serve kitchens. The levels of privacy are considered to be acceptable.
- 6.33 Part of 4 Wild Court wraps around the corner of the courtyard. This means that units 8 and 11 at upper ground level within the development will have a windows facing directly onto one another. Each room has the benefit of two windows and it would be possible to completely mitigate the overlooking with the use of obscure glazing to one of the windows. This approach has been considered, however, as the rooms are at a low level within the building daylight and outlook are already limited it is considered preferable that suitable internal privacy screening is used.

The student occupiers of the rooms would be aware of the level of privacy provided and would have the personal choice as to whether to take the room.

### Noise

- 6.34 The property is within the Central London Area and would be sensitive to the noise generated from the main road on Kingsway and the plant of surrounding premises located with the courtyard areas. An external noise assessment has been submitted with the application to explore whether the impact of noise levels on residential amenity in line with the standards outlined by PPG24, the World Health Organisation and the Council's own standards. The report recommends the replacement of windows with double glazing or the installation of secondary glazing. The agent has indicated that secondary internal glazing would be provided. It is recommended that a condition be attached to any permission requiring that secondary glazing in accordance with the submitted noise assessment be provided to each student room prior to the commencement of the use in accordance with policies SD6, SD7 and SD8.
- 6.35 Given the potential noise disturbance resulting when windows are open, the report also highlights the requirement under the Building Regulations to provide fresh air. It recommends the introduction of either a centralised attenuated fresh air ventilation system or alternatively an acoustic wall vent to the wall of each bedroom. Details of ventilation have not been included in the application but both of these options are likely to require planning permission. It is recommended that an informative be attached to any permission reminding the applicants of the need to comply with Building Regulations and that any ventilation equipment or plant proposed may require a separate planning consent.

### Crime prevention and community safety

- 6.36 A Crime Prevention Statement has been submitted with the application and the applicants have taken advice from the Crime Prevention Design Advisor at the Metropolitan Police. The statement outlines the existing nature of the site and access arrangements as well as additional security measures that would be put in place including:
- Existing Oak door maintained with access controlled security system.
  - Access to courtyard via security door with pin access and multiple lock system.
  - Entrance beside manned reception (9am-5pm).
  - Resident's access controls on each floor.
  - 24 Hour CCTV.
  - Lower ground floor windows non-openable with toughened glass.
  - Upper level windows restricted opening.
  - Student management.
- 6.37 It is considered that adequate safety and security measures have been incorporated into the scheme and the development would not be likely to result in an increase in crime. The proposed highways improvement works as outlined in the transport section of this report would further enhance the public environment around the site which would further improve safety in and around the development.

### **Design and appearance**

- 6.38 The only external alterations relate to the replacement of the obscure glazing with clear glass and the reinstatement of windows at 1<sup>st</sup> and 2<sup>nd</sup> floor level in the Courtyard elevation. The reinstatement of the windows was approved as part of permission 2005/3159/P which is still valid until 04/10/2010. The windows as existing are considered to add to the character of the property particularly on the Wild Court elevation. However, the applicants have agreed to replace all glazing bar details like for like and the only noticeable change will be the replacement of the obscured glazing with clear. The proposed new window openings would not be visible from the public realm and would follow the existing window pattern. The alterations are therefore considered to preserve the character and appearance of the host property and the conservation area in accordance with policies B1, B3 and B7.

### **Access**

- 6.39 As the proposals are for a change of use it is required that the Building be upgraded to be accessible under Part M of the Building Regulations. Two lifts are provided within the building. The main entrance from Wild Court is level however there are steps between the entrance and the front lift. An alternative entrance is therefore proposed through the Courtyard via a ramp and internal platform lifts have been suggested. The Council's Building control team have expressed concerns relating to the size of the lift and the practicality of the ramp and platform lifts. Accessibility is constrained by the existing building and its internal structure. However, this is something that the applicant's would have to address in order to meet Building Regulations Standards. It is recommended that an informative be attached advising of this.
- 6.40 Policy H7 requires that 10% of the rooms be wheel chair accessible. The drawings indicate that 9 of the rooms would be wheelchair accessible. The positioning and internal layout of these rooms could be improved as they are currently proposed to be located at the far end of the corridor from the lift and room 5 at each level includes limited turning space with recessed kitchens and little opportunity for low level storage. This is not considered to form adequate justification for the refusal of the proposals as the internal room layout could easily be adapted to provide a higher degree of wheelchair accessibility.

### **Sustainability**

- 6.41 BREEAM and Energy Statements have been submitted with the application. The BREEAM pre-assessment estimator indicates that the building would achieve a total score of 61.62% exceeding the 'Very Good' benchmark rating and meeting the Council's requirements as outlined in the CPG for a minimum of a 60% score in the energy and water categories and a 40% score in the materials category. This is welcomed. It is recommended that a clause be added to the section 106

agreement should be included to ensure submission of a full assessment which carries through the results of the pre-assessment toolkit.

- 6.42 The submitted energy statement considers the Mayor's energy hierarchy and includes measures to improve the buildings efficiency such as improved insulation, secondary glazing, draft proofing, energy efficient lighting and controls, communal heat recovery ventilation system, provision of AAA rated domestic appliances.
- 6.43 A Combined Heat and Power (CHP) unit with high efficiency commercial range gas condensing boilers is proposed that would satisfy at least 25% of the building's annual energy demand and combined with other measures would reduce carbon emissions by 18.57%.
- 6.44 It is proposed to install solar panels to the roof area of the building. This would offset at least 10.87% of the buildings predicted energy requirements. Government targets as outlined in the updated London Plan seek to achieve a target of 20% where possible. The Energy Statement explains how other renewable energy methods such as wind turbines, biomass boilers, ground source heat pumps and solar hot water systems have been considered. However, as the proposals relate to an existing building within the central London area these options are not considered to be suitable or viable options in this case. It is recommended that a head of term be included in the Section 106 agreement securing the measures outlined in the Energy Statement. Overall the proposals are considered to achieve a very good level of efficiency and sustainability for a conversion in line with policy SD9.
- 6.45 It is proposed that a green roof be installed at roof level. This is welcomed in terms of policy N5 for increasing biodiversity. It is recommended that a condition be attached to any permission requiring the submission of details of the green roof.

## **Transport**

### **Transport Statement and Travel Plan**

- 6.46 A transport statement has been submitted with the application and essentially claims that the demands on the transport system from the existing D1 use are greater than those that would be expected from the proposed student accommodation use. It is considered that likely that the D1 use (currently serving 750 students) is likely to be a more intensive use in terms of impact upon the transport system than the proposed 86 student units, particular with the main LSE educational facilities being in such close proximity. It is therefore considered that the change of use would not result in a significant increase in demand on the local transport network and would encourage sustainable transportation such as walking and cycling. However, the change of use would alter the type and pattern of demand. The Agent has indicated that the applicant is willing to submit a travel plan that would link in to the wider Travel Plan for the whole of LSE. This is welcomed. It is therefore recommended that a Travel Plan be submitted to the Council and approved within 6 months of the occupation of the site. This should be secured through the section 106 agreement.

### Cycle Parking

- 6.47 UDP policy T3 requires development to sufficiently provide for the needs of cyclists, which includes cycle parking and UDP policy T7 states development must comply with Camden Parking standards. TfL's Parking Standards for cycles (*Appendix 6 of the Unitary Development Plan*), states that 1 storage or parking space is required per 2 student units. The proposal is for 86 student units and therefore 43 cycle storage/parking spaces are required. A sufficient number of cycle parking spaces have been included in the scheme at lower ground level. It is recommended that a condition be attached to any permission requiring the submission and approval of details of the cycle stands and for the provision of the approved facility in its entirety prior to the first occupation of the units.

### Off-street parking

- 6.48 The proposals do not include any provision for off street parking and within the application site there is little opportunity for this to be provided. The proposals include 9 disabled units and there may therefore be some demand for disabled parking spaces although the parking standards do not specifically provide for disabled parking for student units. There are two existing on-street disabled parking bays which are underutilised. It is considered that there is capacity with these spaces to facilitate the needs of disabled students requiring parking to a reasonable degree.

### Car-free and Car-capped Development

- 6.49 The application 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. This is considered unacceptable in CPZ's that are highly stressed where overnight demand exceeds 90%. Holborn (CA-C) CPZ operates Mon-Sat 08:30-18:30 (residents' bay 24hour) and 144 parking permits have been issued for every 100 estimated parking bays within the zone. This means that this CPZ is highly stressed. It is therefore recommended that the development be made car-free through a Section 106 agreement.

### Servicing Management Plan (SMP)

- 6.50 The level of servicing required by the proposed development is unlikely to impact heavily on the local road network compared to the existing use, but there is still some uncertainty at this stage as to the exact servicing arrangements, for example if laundering would occur on site or taken off site and returned etc. Whilst there is existing access from both Wild Court and Middle Yard other premises such as the neighbouring Connaught Rooms also use these limited access spaces for servicing. In addition, there are proposals for the potential pedestrianisation of Wild Court (please see paragraphs 6.52-6.53) which would require alternative arrangement to be made. It is therefore recommended that a Service Management



Plan be submitted and approved. This should be secured through the section 106 agreement.

#### Construction Management Plan (CMP)

- 6.51 The site is located within Central London which has very high levels of traffic movement. Therefore any works taking place within Central London have the potential to cause disruption which can be reduced through the use of a CMP. Vehicular access to the site would be Via Wild Court which is partially pedestrianised and can become congested at certain times when being used for the servicing of number 4 and the surrounding buildings. The submission includes a comprehensive framework CMP. It should be noted that noisy working hours will only be permitted between the hours of 08:00 – 18:00 Mon – Fri and Sat 08:00 - 13:00. So the finalised CMP will need to reflect this. It is recommended that a full CMP be submitted and approved before works start on site and this will need to be secured through the section 106 agreement.

#### Highways Works Immediately Surrounding the Site

- 6.52 One of the building's main limitations is its lack of a prominent entrance. The site is accessed from the narrow side street of Wild Court which has vehicular access from Kingsway to the north east but is pedestrianised to the south west towards the Connaught Rooms. To tie the development into the surrounding urban environment, the possibility of pedestrianising and enhancing the street scene outside the property on Wild Court was discussed. It has been suggested that the street could be pedestrianised between the southern end of Connaught Rooms and as far north as the eastern corner of the site. Other improvements such as enhanced street lighting could also be applied to improve visibility and safety down the narrow access way, increasing the amenity of future occupants of the building and users of the passage. An added benefit of the highways works is that damage caused to the highway in the area of the proposed highways works during construction can be repaired. Service access is still likely to be still need to be maintained to the rear of 1-10 Keeley St and the Connaught Rooms so it is recommended that a shared surface be provided to allow for deliveries when necessary. It should be noted that this work has been suggested and supported by the applicant and the applicant has offered a part contribution for these improvements around the development which would be of great benefit to Wild Court.
- 6.53 This work and any other work that needs to be undertaken within the highway reservation will need to be secured through a Section 106 (Town and Country Planning Act 1990) Agreement with the Council. The Council will undertake all works within the highway reservation, at the cost to the developer. An estimate for the cost of the part contribution has been calculated by the Council's Highways Engineering Team and has been estimated at £40,000 for a basic programme of works.

#### Planning obligations

- 6.54 The Council would seek a contribution towards community facilities if it is considered that the proposed development would increase demand for facilities in the area. However, this application includes a relatively low number of units and the scheme includes on site facilities including a common room and gym. Occupants would also have access to all the facilities provided within walking distance at LSE and the University of London. It is therefore unlikely that students living in the development will need to make much use of community facilities provided by the borough. It is not therefore considered appropriate to seek a contribution towards community facilities in this case.
- 6.55 Residents of the accommodation are likely to increase demand for local open space. It is therefore considered appropriate to seek a contribution towards open space from the developer to be secured through a section 106 agreement. Based upon the recommendations of the CPG and the number and type of units proposed an open space requirement of 774sqm would result. It is therefore recommended that a financial contribution of £60,759 towards open space be secured through the section 106 agreement.

## **7. CONCLUSION**

- 7.1 The building at 4 Wild Court is not currently being used efficiently with a significant proportion of vacancy. The current occupier has found an alternative and more suitable location within walking distance at Birkbeck College and therefore propose to vacate the property. The building is dated and constrained and is not considered to be particularly suitable in its current state for alternative D1 or business uses. The LSE seek to own, run and manage the proposed student housing, which is intended to meet their student housing demands following recent expansion. The site is within close proximity of the main LSE teaching buildings and would be bought back into full effective use. The level of amenity, onsite services and accessibility provided by the proposed student accommodation are considered to be adequate. The buildings efficiency and sustainability would be significantly enhanced and a green roof provided. The proposals would not adversely affect the local transport system.
- 7.2 Planning Permission is recommended subject to a S106 Legal Agreement covering the following Heads of Terms:-
- Car free
  - Travel Plan
  - CMP
  - Service Management Plan
  - Link to a HEFCE-funded institution, in this case the London School of Economics
  - BREEAM post construction review
  - Compliance with the submitted Energy Statement
  - Financial contribution of £60,759 towards the provision of public open space.
  - Student Management Plan
  - Financial contribution of £40,000 towards pedestrianising Wild Court

7.3 In the event that the S106 Legal Agreement referred to above has not been completed within 13 weeks of the date of the registration of the application, the Development Control Service Manager be given authority to refuse planning permission for the following reasons:-

- In the absence of a section 106 agreement securing the development with the following- Car free; Travel Plan; CMP; Service Management Plan; Linking the development to a HEFCE-funded institution, in this case the London School of Economics; a BREEAM post construction review; Compliance with the submitted Energy Statement; Financial contribution towards public open space; Student Management Plan; Financial contribution towards highways works

## **8. LEGAL COMMENTS**

8.1 Members are referred to the note from the Legal Division at the start of the Agenda.

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