

Delegated Report		Analysis sheet		Expiry Date:		16/07/2009	
		N/A		Consultation Expiry Date:		08/07/2009	
Officer				Application Number(s)			
Elaine Quigley				2009/2366/P			
Application Address				Drawing Numbers			
4 Field Court London WC1R 5EF				Refer to draft decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Change of use of part third floor level from residential accommodation to office use (Class B1).							
Recommendation(s):		Grant permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	03	No. of responses	00	No. of objections	00
				No. electronic	00		
Summary of consultation responses:		A site notice was displayed from 17/06/2009 to 08/07/2009. No representations have been received.					
CAAC comments:		Bloomsbury CAAC: No response received.					
Site Description							
The application site is a four storey building with additional basement accommodation located on the northern side of Field Court, within the Inn's of Court, which is part of the Central London legal area. The building is not listed, however it is identified as making a positive contribution to the character and appearance of the Bloomsbury Conservation Area in which it is located.							
Relevant History							
PSX0004256 – A planning application for the change of use and works of conversion of third floor residential flat to barristers' chambers was refused in April 2000 for the reason that the proposed development involves the loss of existing residential accommodation contrary to the policy of safeguarding the accommodation.							
Relevant policies							
London Borough of Camden Replacement Unitary Development Plan 2006 (UDP) SD6 Amenity for occupiers and neighbours H3 Protecting existing housing B7 Conservation areas E1 Location of business uses							
Camden Planning Guidance 2006 (CPG) Revised Planning Guidance for Central London: Food, drink and Entertainment, Specialist and Retail Uses 2007 (RPG)							

Assessment

Proposal

The proposal relates to an existing Barristers Chambers comprising office rooms at ground, first, second and part third floor level (Class B1). The premises has some 'residential' accommodation, as is often the case with Barristers Chambers, which is located at third floor level and is used exclusively by staff at the Chambers. The layout of the building is such that the residential element is intrinsically linked to the offices, has no self-contained access, and functions as an ancillary use to the Barristers Chambers. Permission is sought to convert this residential accommodation to offices for use by the Chambers.

Additional information to justify loss of residential unit

Following discussions with the Council, the applicant submitted additional information in the form of a letter and photos on 11/09/2009 in support of the application for the change of use. The letter reiterates that the small residential flat is unused by the Chambers in the building (Stone Chambers). The letter advises that the entire building is occupied under a single lease by the applicant. No other interest (other than the freeholder) exists. The lease structure prevents the space being let on the open market. The ground floor of the building comprises the main reception of for the Chambers and bespoke conference rooms and mediation/arbitration suites. The existing residential unit is only accessible from a single staircase leading from the ground level to the third floor. It has been used by the Chambers on an ad hoc basis for overnight stays. However the demand for such space by staff and members has greatly diminished due to increased home working that has resulted in the lack of need to stay overnight at the Chambers. The current office space is insufficient due to an increase in the growth in the Chambers occupancy level therefore the additional space is required for office purposes.

The applicant has advised that the suggestion to undertake a land use swap of office space for a replacement residential use within another property within Gray's Inn Road is not possible as the applicant has no other property to offer such a swap.

In normal circumstances the conversion of a residential unit to offices would be contrary to Policy H3 and would be unacceptable in principle. However, in this case consideration must be given to the nature of the residential use on this site. The flat is located at third floor level, above the existing office premises. The flat does not have self-contained access, and has to be accessed via the offices on the lower floors. The residential accommodation is not privately let, and was only occasionally used by staff at the Chambers to stay as overnight accommodation. As the accommodation would not be available to the general public to provide residential accommodation it is therefore considered that in this instance, particularly the ancillary nature of the use, that the change of use is acceptable.

In terms of the proposed use as offices associated with the Chambers, the use is supported in policy terms within this Central London legal area as outlined in the RPG. The use is therefore in accordance with policy E1.

There are no external alterations proposed, and there are no resulting amenity issues.

It is noted that an application was refused in 2000 for the change of use from residential accommodation to office use for the reason that the loss of residential accommodation would result in the loss of permanent residential accommodation. It is now however considered that given the residential use does not have independent access and does not function as permanent housing (i.e. has not been privately let for a considerable period of time), that the use is ancillary to the dominant use on the site (Barristers Chambers), and that it would no longer be possible to sustain this reason for refusal.

Recommendation: Grant planning permission.

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