

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	10/06/2014
		N/A	<b>Consultation Expiry Date:</b>	22/05/2014
<b>Officer</b>			<b>Application Number(s)</b>	
Rachel Miller			2014/2235/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
Flat 2 48 Parkhill Road London NW3 2YP			See decision	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
Change of use from residential (Class C3) at 1st floor level to office use (Class B1) for a temporary period of 15 months (retrospective)				
<b>Recommendation(s):</b>		a) Refuse planning permission b) Authorise an enforcement notice		
<b>Application Type:</b>		Full Planning Permission		

<b>Conditions or Reasons for Refusal:</b>	Refer to Draft Decision Notice					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>07</b>	No. of responses	<b>04</b>	No. of objections	<b>02</b>
			No. electronic	<b>00</b>		
<b>Summary of consultation responses:</b>	<p>Site notice displayed from 01/05/2014 until 22/05/2014  Press notice displayed from 01/05/2014 until 22/05/2014</p> <p>2 objections have been received with the following concerns:</p> <ul style="list-style-type: none"> <li>• Noise and disturbance from the office</li> <li>• Bicycles left in the common stairwell</li> <li>• Security of the building with the front door left unlocked</li> </ul> <p>2 letters of support have been received:</p> <ul style="list-style-type: none"> <li>• No noise nuisance</li> <li>• Security is improved with the property being occupied</li> </ul>					
<b>CAAC/Local groups* comments:</b> *Please Specify	Parkhill CAAC – object to the application as “the office use should cease, to preserve residential amenity and environment”					

## Site Description

The site is located on the east side of Parkhill Road in a predominantly residential area. The site comprises a three storey and lower ground floor level semi-detached Victorian property divided into three units. The lower ground, ground and 2<sup>nd</sup> floors are used as residential flats. The first floor is in use as an architect's office.

The building is not listed but is located within the Parkhill Conservation Area.

## Relevant History

2010/2929/P - Excavation of single storey basement and creation of a raised fully glazed rear for lower ground and upper ground maisonette (Class C3). Approved on 26/07/2010

2011/3460/P - The conversion of maisonette at lower ground and ground floor level and first floor flat into single dwelling (Class C3). Approved on 05/09/2011

## Relevant policies

### LDF Core Strategy and Development Policies

CS5 Managing the impact of growth and development

CS6 Providing quality homes

CS8 Promoting a successful and inclusive Camden economy

CS14 Promoting high quality places and conserving our heritage

DP2 Making full use of Camden's capacity for housing

DP13 Employment sites and premises

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

DP25 Conserving Camden's heritage

## DP26 Managing the impact of development on occupiers and neighbours

Camden Planning Guidance

CPG2 (Housing) 2013 – chapters 1 and 6

CPG6 (Amenity) 2011 – chapters 1, 4 and 7

Parkhill and Upper Park Conservation Area Appraisal and Management Strategy 2011

London Plan 2011

NPPF 2012

### Assessment

#### Proposal

Planning permission is sought for the change of use of the first floor from 1x1bed residential flat (Class C3) to offices (Class B1) for a temporary period of 15 months. The first floor has been in use as architects' offices since April 2013 and the Applicant seeks to continue the use until they find another office premises.

The application form states that there are 4 employees working on the first floor. The first floor plan shows a meeting room, a studio containing 6 desks, a kitchen, a study and a bathroom.

#### Loss of residential floorspace

The Applicant has stated that Belsize Architects has been working from the amalgamated ground and basement floor flat (Flat 3 and 4) since 1995 and moved to Flat 2 (first floor) in April 2013. Planning permission was granted on 05/09/2011 (ref 2011/3460/P) for amalgamation of the lower ground, ground floor level and first floor flats however the internal connection between the first floor and ground floor was not made and flat 2 remained as a separate unit at first floor level.

Camden's Core Strategy indicates that the projected growth in the number of households exceeds the anticipated supply of additional homes. Policy CS6 (d) states that the Council will aim to make full use of Camden's capacity for housing by minimising the net loss of existing homes. Paragraphs 6.17 and 6.18 states that the expected delivery of additional homes from 2010/11 to 2024/25 falls significantly short of the projected growth in the number of households up to 2026. Any loss of residential floorspace that could potentially house an individual or household would worsen this shortfall, and will therefore be resisted by the Council. The Council therefore seeks to minimise the net loss of existing homes. Policies DP2 and CS6 in particular seek to protect existing housing by resisting development that would involve the net loss of existing homes. Policy DP2 states that "The Council will seek to minimise the loss of housing in the borough by protecting residential uses from development that would involve a net loss of residential floorspace". The application proposes the loss of 65sqm residential floorspace which is contrary to policies DP2 and CS6.

#### Impact on the residential amenity of existing occupiers

Policy DP26 seeks to manage the impact of development on occupiers and neighbours. The offices share a common stairwell with the existing residential units in the building. Concerns have been raised from residential neighbours about noise and disturbance as a result of the comings and goings of people visiting the offices as well as the noise transferred from the offices. The application form states that there are 4 employees working at the offices however it is expected that there are many more visitors to the building during the working day. This is considered to be an unacceptable intensification of the first floor from a 1-bed flat to offices and it is considered contrary to policies CS5 and DP26.

#### Recommendation

**a) Refuse Planning Permission on land use and amenity grounds.**

## **b) Authorise enforcement action**

That the Head of Legal Services be instructed to issue an Enforcement Notice under Section 172 of the Town & Country Planning Act 1990 as amended and to pursue any legal action necessary to secure compliance and officers be authorised in the event of non-compliance, to prosecute under section 179 or appropriate power and/or take direct action under 178 in order to secure the cessation of the breach of planning control.

### **The Notice shall allege the following breach of planning control:**

The unauthorised use of the first floor of 48 Parkhill Road as offices (Class B1).

### **The Notice shall require within a period of 3 calendar months of the Notice taking effect:**

- 1) Remove the unauthorised use as offices.
- 2) Return the first floor to residential use.

### **PERIOD OF COMPLIANCE**

The Notice shall require that the use cease with a period of three months of the notice taking effect.

### **REASONS WHY THE COUNCIL CONSIDER IT EXPEDIENT TO ISSUE THE NOTICE.**

1. The change of use to office accommodation (Class B1) results in the unacceptable loss of residential housing (Class C3) contrary to objectives to maximise the supply of additional homes in the borough. As such, the proposal would be contrary to policy CS6 (Providing quality homes) of the London Borough of Camden Local Development Framework Core Strategy and policy DP2 (Making full use of Camden's capacity for housing) of the London Borough of Camden Local Development Framework Development Policies.
2. The office use (Class B1) results in noise and disturbance for existing residential occupiers contrary to policies CS5 (Managing the impact of growth and development) and DP26 (Managing the impact of development on occupiers and neighbours) of Camden's Local Development Framework 2010.