

enabling
PROJECTS
TOWN PLANNERS

PLANNING, DESIGN & ACCESS STATEMENT
FOR THE
CHANGE OF USE FROM LIGHT INDUSTRIAL
TO A LIVE/WORK UNIT
AT GROUND & FIRST FLOOR, 18 ACTON STREET,
LONDON WC1X 9ND

SEPTEMBER 2014

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1. INTRODUCTION

The planning application by **The Hadley Bricks Ltd** (with Enabling Projects (Town Planners) as agent) is a detailed planning application for the change of use of the ground and first floor of 18 Acton Street, London WC1X 9ND from light industrial use (class B1) to a live/work unit.

The proposal has been carefully thought through, in terms of the previous use, adjacent uses, the future use and its implications. Although a loss of employment space is proposed, this will result in an increased employment density and thus an increase in job numbers. Thus, special consideration has to be given by the Council to this live/work project, which is in accordance with the pertinent employment and other policy.

The Agent hopes that the project can be positively negotiated and looks forward to a meeting being arranged.

The **SCHEME DOCUMENTS** are:

1. Planning, Design and Access Statement dated 9th September 2014
2. Site Plan PP-101
3. Existing Drawings Nos PP-102 / PP-103
4. Proposed drawings Nos. PP-104 / PP-105 / PP-106

2. THE SITE & SURROUNDS

The site is located in the London Borough of Camden and lies on north side of Acton Street, between the junction of Swinton Place and the sunken metropolitan railway to the east side of the site. The application site is a triangular corner plot which is occupied a Victorian house. The application proposal concerns the ground and first floor of the house, which has a light industrial use, with residential uses on the upper floors. Please see the site plan below.

Thus, there are residential properties, completely surrounding the site - to the left side and above - which is a material consideration in the assessment of the proposal.

The application premises themselves have a light industrial use. The site was previously in use as a motorcycle repairs premises, with workshop on the lower floor and ancillary sales counter upstairs.



The area has good public transport access, with Kings Cross station within 5 minutes walk and local buses accessing many parts of London.

The property has been vacant since August 2014, the motor cycle repair business not requiring the premises any more.

3. THE POSSIBLE CONTINUATION OF THE EXISTING USE

In January 1985 (app: 85/00052), planning permission was granted for the use of the lower two rooms as a light industrial workshop, with ancillary storage. It is not clear from this whether the upper floor was also brought into this use but it looks as if it was.

The previous use was as a motorcycle repair workshop, which involved just two employees. This use was thus of a relatively low employment intensity.

The main point is that if the whole unit were brought into a full light industrial use, there would be a **SIGNIFICANT AMENITY IMPACT ON THE SURROUNDING RESIDENTIAL ACCOMMODATION**. This would occur in terms of increased noise and disturbance, and also increased contamination potential. There are therefore grounds in favour of moving

away from a light industrial use towards something that better relates to the surrounding residential uses.

4. EMPLOYMENT DENSITY & THE PLANNING UNIT

The proposed live/work unit, as shown on the application drawings, will retain an office use on all of the ground floor. This will accommodate 8 computer workstations, meaning that the live/work use will generate more jobs than the previous light industrial use (2 jobs). This is a very important material consideration. We would add that the space standards for the office use is comfortable, there being a large conference table at the back.

Access to the residential accommodation is through the office space, so this means that a single planning unit is retained and the live element can only be used in an integrated manner with the work element of the proposed use. Please see section 6 of this report for the benefits of both the uses.

This is an unusual site in that it is a light industrial use in a terraced house, close to many residential properties. This industrial use, and its possible full operation (see section 3), is a potential barrier to the full and effective use of the site. On this issue the NPPF states:

Investment in business should not be over-burdened by the combined requirements of planning policy expectations. Planning policies should recognise and seek to address potential barriers to investment, including a poor environment or any lack of infrastructure, services or housing. (Para. 21).

Thus, the planning system should not restrictively apply employment policy to restrict the live/work use, which as stated will increase employment density. Proactive and innovative planning should be applied.

On the issue of employment density, it is noted that Camden's Core Strategy actively pursues higher densities (see Para 1.22, 23). It states the following, which strongly supports the application proposal:

One way of making the most efficient use of our land and buildings is to encourage higher densities (that is, have more buildings or rooms in a given area). The Council wants to encourage developments with high densities in the most accessible parts of the borough...

We have made an in-depth study of the relevant policies on employment uses - **CS8** and **DP13**. These are contained in sections 11 and 12 of this Statement respectively. Thus, this section should be read with regard to that assessment. The conclusion is that it is clear that the objectives of those two policies are not undermined in any way and are complied with.

5. DEVELOPMENT AMOUNT

The total floor areas are (all excluding stairs and storage) 77.67 sq.m. on the ground floor and 67.77 sq.m. on the first, giving a total of 145.44 sq.m. This gives comfortable room for the 2 bedroom living accommodation and the 8 person office.

6. COMBINED RESIDENTIAL & EMPLOYMENT BENEFITS

Camden's Core Strategy is clear on the issue of mixed use schemes:

The provision of an appropriate mix of uses, both within areas and in individual buildings, can also contribute to successfully managing future growth in Camden and making efficient use of its limited land. A mix of uses can also:

- **reduce commuting and the need for some other journeys, helping to cut congestion in the borough and improve air quality;**
- **increase the provision of much-needed housing;**
- **promote successful places that have a range of activities and are used throughout the day, increasing safety and security. (Para. 1.24)**

The live/work unit will comply with the above, by meeting an element of housing need, and at the same time provide for work opportunities (more than were there before). The proposal thus contains dual benefits, which complies with a number of relevant planning policies. It is contended that special consideration should be given to these dual benefits, and that the scheme should definitely not be refused on employment space loss grounds.

7. THE EXTERNAL ALTERATIONS

The building is an end of terrace Victorian house that has been significantly changed on its ground floor, front elevation: an industrial style., metal roller shutter door has been added.

The proposed live/work unit will involve removing the shutter door, which is very out of character with the rest of the terrace, and replacement it with a new glazed access frontage. This will be a considerable improvement over the existing situation, as is shown on the application drawings. An integrated waste bin is provided, which is also a significant improvement over the existing.

8. TRAFFIC & ACCESS

As the main employees will also live on the premises, less travel will be involved in providing jobs than the previous repair shop use. Indeed, the previous use would have generated many motorcycle movements and associated noise.

The proposed live/work is therefore far more sustainable in transport terms than the previous use, as is referred to in section 4 of the NPPF.

It should be noted that integrated cycle parking facilities are provided, which will encourage a more sustainable use of transport.

9. SUSTAINABLE CONSTRUCTION

The proposed development will be sustainable, and therefore is acceptable in the context of the NPPF and local policy. A condition on achieving level 3 of the Code of Sustainable Homes will be accepted.

10. CONTAMINATION

There may be contamination from oil and petrol on the ground floor. The Application would like a **CONTAMINATION SURVEY** to be conditioned on the planning permission.

11. THE CAMDEN CORE STRATEGY INCLUDING POLICY CS8

CS1 - Distribution of growth - The proposed live/work use makes a small but important contribution towards making the best use of Camden's limited supply of land. The previous industrial use only worked because it was low intensity in nature. The integration of a live and work element represents a far more effective use of land.

CS5 - Managing the impact of growth and development - Improvements are sought in amenity and sustainability terms under this policy. The proposed scheme strongly complies with this policy.

CS6 Providing quality homes - The proposed 2 bedroom flat is in accordance with London Plan standards and reinstates part of the original terraced house back to residential use. It will work well with a proposed office use on the ground floor. It should be noted that the policy supports the supply of 'other' housing, which would include live/work accommodation.

CS8 Promoting a successful and inclusive Camden economy - The office use will provide 8 accessible jobs and this should be welcomed in policy terms. It will help to provide

a mixed and inclusive community. It is noted that employment sites will only be safeguarded where they **'meet the needs of modern industry'**....the previous use hardly does that and it is therefore acceptable to improve the site and increase the employment density by introducing an office use on the ground floor. The policy is also supported because the proposal helps to provide **'a mix of employment facilities and types'**. The application supports what is said in Para. 8.4-8.9 of the Core Strategy.

It is contended that the previous use **DOES NOT** deserve protection under the following Core Strategy Policy, as it is not suited to a light industrial use:

8.13 In response to the factors above, the Council will continue to protect industrial and warehousing sites and premises that are suitable and viable for continued use.

Especially when considering that:

8.20 Camden has a large proportion of small businesses, three quarters employing less than five people. However, there is a lack of high quality premises suitable for small businesses, particularly those less than 100 sq.m. Therefore, we will continue to protect premises that are suitable for small businesses, particularly those under 100 sq.m.Therefore....we will seek the provision of innovative new employment floorspace in developments that will provide a range of facilities including: flexible occupancy terms, flexible layouts, studios, workshops, networking, socialising and meeting space that will meet the needs of a range of business types and sizes.

It is clear that the Core Strategy employment strategy supports a move over to a live/work use, on the basis that small business premises with ,more jobs than previously will be provided.

CS3 & CS9 Achieving a successful Central London - The application site is close to Kings Cross, and therefore is within a growth area, as defined by the Core Strategy. It should therefore be a welcomed proposal, as its meets the Council main growth objectives.

CS11 - Promoting sustainable and efficient travel - The live/work use represents a more sustainable use in transport terms than the existing use.

CS13 Tackling climate change through promoting higher environmental standards - The live/work use represents a more energy efficient use than the previous light industrial use and will be better in sustainable transport terms.

CS16 Improving Camden's health and well-being - the proposed use will cause less contamination, noise and disturbance than the previous use.

12. CAMDEN'S DEVELOPMENT MANAGEMENT POLICIES INCLUDING POLICY DP13

DP1 Mixed use development - The live/work use, although below 200 sq.m., will be a mixed use development with the dual benefits of the two uses. Policy **DP1** is thus strongly supported.

DP2 Making full use of Camden's capacity for housing - The proposed dwelling within the mixed use will make a small but useful contribution to Camden's housing supply.

DP13 Employment sites and premises - The change from light industrial to part office use does not prejudice the objectives of policy **DP13**, which seeks to protect business uses. A business use is proposed in the building and that use will provide up to 8 job places, where the previous use had 2 jobs. Also, the previous use is environmentally unacceptable in a residential street. It is not the case that the applicant is trying to prove that the site is not suited to business use, so that part of policy **DP13** is not relevant. However, what is the case is that the office use will provide a better business use than light industrial, which is not well suited to this building.

The benefits of a live/work use has been explored (policy **DP13(b)**) but it is not considered necessary to wait a period of time and market the premises. There is good office demand in the area, and these premises are expected to let quickly. It is also noted in the policy that:

When it can be demonstrated that a site is not suitable for any business use other than B1(a) offices, the Council may allow a change to permanent residential uses or community uses, except in Hatton Garden where we will expect mixed use developments that include light industrial premises suitable for use as jewellery workshops.

This is exactly what the applicant is doing: assessing that the B1(c) is not appropriate anymore and that a mixed use scheme of B1(a) and C3 would work better....and create more jobs. It is clear that the live/work proposal is very strongly supported by policy **DP13**.

The policy goes on to consider the benefits of mixed use schemes and it is a material consideration that such schemes can be provided where:

- c) the level of employment floorspace is maintained or increased;**
- d) they include other priority uses, such as housing and affordable housing;**
- e) premises suitable for new, small or medium enterprises are provided;**

Again the proposed use is strongly supported by **DP13** policy.

The policy contains a specific element on live/work uses, as follows:

The Council will support the provision of live/work premises provided they do not:

h) result in the loss of any permanent residential units; or

i) result in the loss of sites in business or employment use where there is potential for that use to continue.

Policy (h) is obviously met. Regarding (i), we restate the specific position of this perhaps unusual site: **although employment space is being lost (just the first floor) the overall employment density will be increased and jobs gained AND there will be sustainable and environmental benefits to the proposed mixed use. There is the further point that a full light industrial use on the first floor of a Victorian terraced house is not likely to work well.**

Para. 13.4 of the DM policies state that:

Where it is proposed to redevelop employment land for another business use, including offices, the Council will seek to retain features that will enable the flexible use of the premises for a range of business purposes.

The following, at Para 13.6, also supports the proposed use:

Where premises or sites are suitable for continued business use, the Council will consider redevelopment schemes which maintain the employment floorspace and provide other priority uses, such as housing.

Ceiling heights and overall configuration of the ground floor is not being altered, so other business uses could in the future be implemented. There is also a clear separation between live and work elements, which is also referred to in the policy.

Our response to the Council's business location requirements in terms of the light industrial use are as follows:

Para 13.3. When assessing proposals that involve the loss of a business use we will consider whether there is potential for that use to continue, taking into account whether the site:

- is located in or adjacent to the Industry Area, or other locations suitable for large scale general industry and warehousing; **NO**
- is in a location suitable for a mix of uses including light industry and local distribution warehousing; **NO**
- is easily accessible to the Transport for London Road Network and/or London Distributor Roads; **YES**
- is, or will be, accessible by means other than the car and has the potential to be

serviced by rail or water; **NO** - the previous use involved motor cycles

- has adequate on-site vehicle space for servicing; **NO**
- is well related to nearby land uses; **NO**
- is in a reasonable condition to allow the use to continue; **NO**
- is near to other industry and warehousing, noise/vibration generating uses, pollution and hazards; **NO**
- provides a range of unit sizes, particularly those suitable for small businesses (under 100sqm). **NO**

In an overall context therefore, the light industrial use can be released.

The Council's DM guidance on live/work units states (Para 13.9):

It is recognised that combined live/work units can provide a valuable contribution to the range of business premises and may enable certain sites to remain in employment use. The Council will allow live/work developments where they do not result in the loss of sites that are suitable for continued business use or where they would involve the loss of permanent housing.

This policy is complied with.

Thus, it is contended that the objectives of policy **DP13** are supported in an overall manner. This is accompanied by compliance with Core Strategy policy **CS8**.

DP16 & DP17 - Transport implications and walking and cycling - The proposed live/work use will have less of a traffic impact and will encourage more walking and cycling than the previous use.

DP24 Securing high quality design - The proposed use will be of a much improved design and layout when compared to the previous use, and will be environmentally more advantageous. The proposed front facade will be a big improvement. Integrated waste bin and cycle parking facilities are provided.

DP26 Managing the impact of development on occupiers and neighbours - The proposed use will have less of an impact than the previous light industrial use.

13. CAMDEN'S PLANNING GUIDANCE & CPG5 ASSESSMENT

There is nothing in Camden's **SPG** that conflicts with the scheme. Thus, the live/work proposal is in compliance with **CPG1** Design, **CPG5** Town Centres, Retail & Employment, **CPG2** Housing, **CPG6** Amenity and **CPG7** Transport. The relevant CIL payment will be made, so **CPG8** Planning Obligations, is also complied with. Affordable housing does not have to be provided in this instance.

A more detailed assessment of **CPG5** is set out below, notwithstanding the fact that we have demonstrated in the commentary above that the proposal complies with the pertinent policy.

Section 7 of **CPG5** deals with employment sites and business premises. Paras. 7.10 to 7.11 places employment premises into 3 categories, with Category 1 being the highest standard and Category 3 the lowest.

It is clear - **and this is at the very hub of arguing for a higher density office use on the ground floor** - that the application site is **within Category 3**. These are defined as those premises that are:

- **small, isolated premises;**
- **poor access - narrow streets, small doors, steps;**
- **no goods lifts;**
- **little or no space for servicing;**
- **incompatible neighbouring uses (most often residential); and**
- **lower ground or basement level.**

All of these apply to the application site, except for the last point (the light industrial uses is principally at ground floor level): the premises are small, isolated and not suited at all to a contaminative industrial use, it has no goods lift, there is no servicing area and it does not work well with the surrounding residential uses.

Indeed, **CPG5** specifically states that Category 5 sites:

... are heavily compromised and may not be suitable for continued industrial use when they become empty or need significant investment, although they could be suitable for office B1(a) space.

So, **CPG5** allows a change from poor quality light industrial uses to office uses.

The critical point in this project is not whether policy or guidance is rigidly adhered to but what planning benefits for from a new use. Thus, we are proposing a loss of employment use on the top floor BUT, as we have reiterated, a higher employment density is proposed.

Thus, we wish the Council to take this important material consideration into account before rigidly applying Para 7.18 of **CPG5**.

It is contended that the proposed live/work unit will be improved in employment terms, and therefore that the objectives of **GPG5**, **DP13** and the other relevant policies will not be harmed. It is important that the Council recognise that it is possible for a proposal to seem not to comply but may actually support the **OBJECTIVES** of policy and guidance. This is just such a case. The application of policy should be positive and proactive.

14. THE LONDON HOUSING DESIGN GUIDE & MAYOR'S HOUSING SPG

The main element of these standards in respect of the application scheme are the dwelling and room size standards. These have been complied with.

The London Plan Housing SPG has a wide range of different standards, including room sizes, circulation space, entrances, shared circulation, car and cycle parking, refuse storage, amenity space, ceiling heights and wheelchair accessibility. Much thought has been put into the application scheme and the standards are all met. The Housing SPG relates closely to the Interim London Housing Guide, again with which the standards are met.

15. THE LONDON PLAN (JULY 2011 & UPDATED VERSION)

The **London Plan** is the strategic spatial development plan for London and is part of the 'development plan' as defined by the various planning acts.

The London Plan identifies a growing need for more housing. **Policy 3.4.** seeks to optimise opportunities for different types of housing, **Policy 3.8** looks for 'genuine choice' of homes and **Policy 3.5.** seeks good quality design, to take into account local context and character **Policy 2.6** seeks to maintain and enhance the high quality of life that is already there and **policy 7.4** encourages a design approach that carefully responds to the whole context of a development and builds on an understanding of the place and existing assets.

The scheme is in full compliance with the dwelling size standards as set out in **Table 3.3.**

Policy 4.10. seeks the provision of new workspaces and **policy 4.3.** mixed use development and offices.

The proposed scheme - albeit a small mixed use scheme - meets the objectives of all of these policies, in providing a live/work unit that will allow for the full use of the site and

improved functionality of the main house, and move it from longer term vacancy into beneficial use, without an adverse amenity impact.

The London Plan is clearly complied with.

16. THE NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The NPPF states that:

The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future. (Para 18).

Thus, although the employment space in the site is being reduced, the employment density will be increased, resulting in more jobs, and more jobs that are sustainably provided. The live/work use is strongly supported by the **NPPF**.

It should be noted that the **NPPF** is seeking “**to deliver a wide choice of high quality homes**”. It also recognises that the “**Government attaches great importance to the design of the built environment**” and that “**good design is a key aspect of sustainable development....**”

In the **NPPF (Paras 56 & 57)**, the Government attaches great importance to the design of the built environment. This is a key aspect of sustainable development, and is indivisible from good planning, and should contribute positively to making places better for people.

The **NPPF** at **Para 58** emphasises that planning policies and decisions should ensure that new development:

- 1. will function well and add to the overall quality of the area;**
- 2. establish a strong sense of place;**
- 3. optimises the potential of the site to accommodate development;**
- 4. respond to local character and history and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;**
- 5. create safe and accessible environments; and**
- 6. is visually attractive as a result of good architecture and appropriate landscaping.**

The application proposal meets with all of these objectives and complies with the NPPF in a full and wider context.

Please see section 19 for reference to the **'presumption in favour of sustainable development'**, as referred to in the **NPPF**.

17. SUSTAINABLE DEVELOPMENT ISSUES

The **NPPF** does not change the main thrust of Camden's development plan but it does add a **'presumption in favour of sustainable development'** (**NPPF**, para.14). It is made clear that all developments that are sustainable and in accordance with the development plan should be granted planning consent **'without delay'**.

In respect of the presumption, it is contended that the live/work development proposed is sustainable and should thus be granted planning permission, for the following reasons:

1. **The proposal will create more jobs than there were at the site previously.**
2. **The proposal will create much needed housing for the local area.**
3. **The mixed use is a useful and flexible use that will benefit Camden's community.**
4. **The proposal will bring the building back into full and beneficial use.**
5. **It will be an improvement to the street frontage.**
6. **There will be an improvement to environmental quality.**
7. **It is in a sustainable urban location, with good access to local facilities and public transport.**
8. **The design and layout is of a high standard, with good room sizes.**
9. **The scheme is in compliance with both the development plan and government guidance.**

18. CONCLUSION

The proposed scheme has been through an exhaustive design process, which has included assessment of the Council's employment and housing policy.

There is currently a large set of policies and standards to go through in schemes in London. Nevertheless, this project has been through that process and it has been shown in this Statement that the scheme, by providing more jobs than the previous use, meeting local housing need and being of a high standard of design and improved living and working conditions is (a) in overall compliance with the development plan, and (b) is in accordance with the relevant standards and guidance.

There is therefore, a case in favour of granting planning permission, subject to relevant and appropriate conditions.

PETER D KYTE MRTPI

ENABLING PROJECTS

14th September 2014

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