

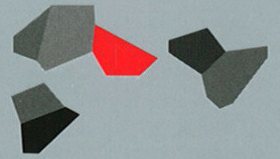
Planning Supporting Statement

incorporating

Design & Access Statement

August 2014

C11726



Planning Supporting Statement

incorporating

Design & Access Statement

In respect of

the basement to

122 Drummond Street

London, NW1 2HN

August 2014

Client: Mrs J Pyper

Reference: C11726

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Introduction

- 1.1 DPDS Consulting are instructed by the applicant 'Mrs J Pyper' to prepare and submit a revised planning application for the conversion of the basement to 122 Drummond Street, London to a single person apartment with separate bedroom, including the creation of a new steel staircase from street level. This application seeks to address the previously expressed concerns of the Council and the Planning Inspectorate under previous planning application reference 2013/1039/P and subsequent appeal reference APP/X5210/A/13/2200117, section 2 of this statement gives further details in relation to this.
- 1.2 In summary and as explained in detail later in this statement the application proposals would make a valuable, albeit small contribution to Camden's housing requirement whilst not compromising the viability of an existing ground floor retail unit which is to be retained. The development is considered to exceed the minimum space standards required for such a development as set out in the Council's Planning Guidance CPG2.
- 1.3 Section 3 of this Statement provides a description of the application site and surrounding area. Section 4 sets out the relevant national and local planning policies. Section 5 sets out the application proposals before Section 6 provides an appraisal of the proposed development, whilst section 7 serves to conclude the merits of the development as set against the relevant planning background.

2.0 Site Background

- 2.1 Further to the outcome of planning application number 2013/1039/P and the Inspectors decision of appeal reference APP/X5210/A/13/2200117 the applicant has sought to revise the proposed details in order to address the concerns raised within the Officers Delegated Report and Appeal Decision .
- 2.2 In accordance with pre-application guidance received, a Basement Impact Assessment has been completed in order to support this submission and a S.106 has been completed to secure that the development remains car less in accordance with Camden Borough policy. It is accepted that a £1850 Mayoral CIL charge will be triggered by this particular development and in order to facilitate this process the relevant 'CIL Determining whether a Development may be CIL Liable' form has also been submitted
- 2.3 The following gives a brief explanation as to how the current proposals have evolved so as to address the concerns set out in the previous refusal of planning consent and subsequent dismissed planning appeal.

Delegated Report – 17/05/2013

- 2.4 Within the Officers Delegated Report concerns were raised about the outlook and level of lighting available to the basement accommodation. From the revised plans attached you will see that this matter has been addressed by moving the staircase slightly to allow more of an unobstructed view into the basement flat. Furthermore it is also noted in the report, that the original design achieved an ADF value of 2.26 and therefore was considered to '*receive adequate daylight in accordance with the Council's standards*'.
- 2.5 This aside, as is illustrated on the revised plans, the applicant has made a deliberate attempt to improve upon this and can be seen from the submitted plans the accommodation now comprises a separate bedroom which benefits from a large glass wall. This addition acts to further increase the ADF value of the residence as a whole and contributes providing better living standards for potential occupiers.
- 2.6 The original design, as quoted in the Delegated Report, was said to provide a '*poor standard of habitable accommodation by reason of its small size and lack of satisfactory outlook*' due to it falling short of Camden Borough's minimum unit size threshold for one person occupancy, as set out on page 56 of CPG2, which is 32m².
- 2.7 As the revised plans now illustrate it is possible to create additional floor space through utilising and further excavating existing vaults which, was partially used as part of the previous proposals and is under the ownership of the applicant. The habitable accommodation has now been increased by 13 m² to approximately 37 m², in accordance with the standards set out in the London Plan 2011 and well above the minimum 32 m² floor area as required in the Borough of Camden's local residential standards. This has made it possible to provide an additional bedroom area to further improve upon the amenity of future occupiers.

Appeal Decision APP/X5210/A/13/2200117 – 27/11/2013

- 2.8 It is noted that within the Appeal Decision, Procedural Matter 4 concluded that a Section 106 Agreement was completed to the satisfaction of the LPA and that *'this reason for refusal no longer applied'* this also forms part of this resubmission.
- 2.9 The Inspector considered that the main issue to be *'whether the living conditions of future occupiers would be acceptable with regards to living space and outlook'*. During a site visit the Inspector commented that the development was *'highly innovative'* however he found the studio *'to be small'* and noted that *'there would be relatively little circulation space once the bed was lowered into place'*. It is felt that the new addition of separate bedroom space would not only increase the floor area to above the minimum space standards but also alleviate the Inspectors concerns highlighted above.
- 2.10 It is further noted in paragraph 14 of the Appeal Decision, that the inspector makes reference to the *'relatively poor outlook'* but continues that this is *'not so harmful as to warrant dismissal of the appeal on its own'*. As previously stated however the revised proposal increases the outlook over an above the previously refused scheme by adjusting the staircase, even though this was not seen as an imperative requirement. Furthermore the introduction of the glass wall into the design of the development increases the outlook by use of its transparent and reflective properties. In paragraphs 16 and 17 the inspector notes that the original design of the development provided for *'acceptable levels of daylight'* and is located in an *'accessible area with plentiful available services'*. He also notes that the desirability for this type of accommodation is such that *'local letting agents could let a very small unit in an area of high demand'*.
- 2.11 In light of the revisions made to the proposed development it is felt by the applicant that the reasons for refusal set out by both the Planning Officer and the Inspector have now been overcome and in addition further improvements have been made to alleviate some of the issues which although the Inspector didn't warrant justifying a refusal of planning consent on, but were previously raised by the LPA, nonetheless. It is considered that the proposals are now compliant with both National and Local Planning Policy and that the proposed residential unit will provide much needed accommodation to contributes towards London's housing supply needs.

Pre Planning Application Advice

- 2.12 Prior to this submission the applicant submitted a pre-planning application in order to work with the Council.
- 2.13 The main points of note in the Council's response from Planning Officer - Tania Skelli-Yaoz received on the 2nd April 2014 is as follows:

The revised floor plan 4462/B2 and section 4462/B4 improve the living accommodation standards to this area and unit. You have confirmed that the new floor area dimensions will comply with Camden's standards and provide more than 32sqm of living accommodation. This is welcome.

I suggest that the location of the staircase (and material if relevant) is proposed so to optimise daylight levels into this room. When re-applying for permission, please include measurements to demonstrate this and other standards (such as ceiling heights) in accordance with CPG2.

BIA

I also remind that a Basement Impact Assessment in accordance with Camden policy DP27 and Camden Planning Guidance no. 4 would need to be submitted if you were to proceed with this proposal. This is particularly critical in this highly constrained inner London location and likely to be of interest and concern to local business, residents and stakeholders.

DP27 of Camden's Development Plan Policies states that the Council will only permit basement and other underground development that does not cause harm to the built and natural environment and local amenity, and does not result in flooding or ground instability. You have confirmed that a Basement Impact Assessment will be submitted with any future planning application for the above works

- 2.14 In light of the above information every attempt has been made by the applicant to comply with the requirements set out above and it is therefore considered that the proposals now represent a development, which is compliant with both National and Local Planning Policy and should therefore be looked upon favourably by the Local Planning Authority.

3.0 Application Site and Surrounding Area

- 3.1 122 Drummond Street is located on the northern side of Drummond Street. The property is 4 stories in height (plus basement) and is constructed from brown brick with timber sash windows. Number 122 is an end of terrace property, link detached at ground floor level to the west, to the rear of a retail unit (no. 190) which fronts onto North Gower Street.
- 3.2 Internally number 122 comprises a retail unit at ground floor level with a residential apartment over the upper three floors. Before the basement subject of this application was partially converted it provided storage space for the ground floor retail unit. Conversion works on the whole building commenced in early 2012.
- 3.3 The site is located within the Drummond Street Neighbourhood Centre which extends to both the east and west of number 122 along the north and south sides of Drummond Street. The Neighbourhood Centre comprises a number of retail and restaurant units, a number of which are vacant, as well as office and residential properties. Adjoining the site to the east, number 120 is occupied by a café and opposite the site is a pub. The location can therefore be considered as being highly sustainable.

4.0 Relevant Planning Policy

- 4.1 Section 38(6) of the 2004 Planning and Compulsory Purchase Act requires planning applications to be determined in accordance with the relevant policies of the adopted Development Plan, unless material considerations indicate otherwise.

The Development Plan ('DP')

- 4.2 The DP consists of the London Plan and the Camden Development Plan.

The London Plan (Published July 2011)

- 4.3 The London Plan sets out the overall strategic plan for London until 2031.
- 4.4 Policy 3.3 acknowledges that the Mayor recognises the pressing need for more homes in London in order to promote opportunity and provide real choice for all Londoners in ways that meet their needs at a price they can afford.
- 4.5 Policy 3.8 states that Londoners should have a genuine choice of homes that they can afford and which meet their requirements for different sizes and types of dwelling in the highest quality environment.
- 4.6 Policy 4.8 supports a successful and diverse retail sector, stating that LDF's should:
- Support convenience retailing, particularly in District, Neighbourhood and more local centres;
 - Provide a policy framework for maintaining, managing and enhancing local and neighbourhood shopping and facilities which provide local goods and services and develop policies to prevent the loss of retail and related facilities that provide essential convenience and specialist shopping.
- 4.7 Table 3.3 sets out that the minimum floor area for a one person flat as being 37 square metres.

Camden Development Plan

- 4.8 The Camden Development Plan comprises the Camden Core Strategy and the Camden Development Policies.

Camden Core Strategy

- 4.9 Policy CS6 seeks to maximise the supply of additional housing and create mixed and inclusive communities across Camden by:
- Seeking a diverse range of housing products to provide a range of homes accessible across the spectrum of household incomes;

- Seeking a range of self-contained homes of different sizes to meet the Council's identified dwelling-size priorities;
 - Seeking a variety of housing types suitable for different groups.
- 4.10 The supporting text (paragraph 6.18) states that in order to minimise the gap between housing demand and supply housing is a top priority for the Council when considering the future of unused and underused land and buildings, although it is noted that notwithstanding this the priority the Council gives to housing this will not override but will be considered alongside the need to protect some non-residential uses including shops.
- 4.11 Policy CS7 and its supporting text identify Drummond Street as a Specialist Shopping Area for ethnic Asian shops and restaurants where appropriate retail provision will be supported. With more general reference to Camden's centres and shops the Policy seeks to:
- Protect and promote small and independent shops and resist the loss of shops where this would cause harm to the character and function of a centre;
 - Support and protect Camden's local shops, markets and areas of specialist shopping.

Camden Development Policies

- 4.12 Policy DP5 states that the Council will contribute to the creation of mixed and inclusive communities by securing a range of self contained homes of different sizes. In particular the Council will seek to ensure that all residential development contributes to meeting the priorities set out in the Dwelling Size Priorities Table, including conversion of non-residential floorspace.
- 4.13 The Dwelling Size Priorities Table identifies the need for 1 bedroom or studio units as "lower". Notwithstanding the "lower" priority for one bedroom or studio unit's paragraph 5.5 acknowledges that there is a need and/or demand for dwellings of every size shown in the Priorities Table.
- 4.14 Policy DP18 sets out the Council's parking standards stating that the Council will expect development to be car free in the Central London Area within which the application site lies. The Policy goes on to state that for car free developments the Council will not issue on-street parking permits and will use a legal agreement to ensure that future occupants are aware they are not entitled to on-street parking permits.
- 4.15 Policy DP24 seeks to secure a high quality design as part of all new development, including alterations to existing buildings.
- 4.16 Policy DP26 requires new development to protect the quality of life of occupiers and neighbours, including by providing an acceptable standard of accommodation in terms of internal arrangements, dwelling and room sizes and amenity space.

Material Planning Considerations

Government Planning Policy

- 4.17 The National Planning Policy Framework (NPPF) was published on 27 March 2012, and sets out a ***“presumption in favour of sustainable development that is the basis for every plan, and every decision”***.
- 4.18 It is made clear that proposed development that accords with an up-to-date Local Plan should be approved unless other material considerations indicate otherwise (paragraph 12).
- 4.19 The NPPF seeks to significantly boost the supply of housing and makes it clear that planning applications for housing should be considered in the context of the presumption in favour of sustainable development (paragraph 49). The NPPF goes on to encourage the delivery of a wide choice of high quality homes with LPA’s planning for a mix of housing based on current and future demographic and market trends as well as the needs of different groups in the community (paragraph 50).
- 4.20 Paragraphs 56 – 68 set out the great importance that the Government attaches to the design of the built environment stating that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles.

Other Material Considerations – Supplementary Planning Documents

Camden Planning Guidance

- 4.21 The Housing chapter (CPG2) of the Camden Planning Guidance sets out minimum floorspace requirements for new residential properties. With specific reference to this application a minimum of 32 sq. m is required for 1 person households. Guidance regarding outdoor amenity space is provided, albeit with the caveat “where practicable”.
- 4.22 Further guidance and standards is also provided in terms of storage and utility space; daylight, sunlight and privacy; security and basements and noise and soundproofing.
- 4.23 CPG4 deals specifically with basements and light wells although focuses primarily on new build basements and light wells rather than conversions of existing.
- 4.24 Other relevant chapters include CPG1 (Design) and CPG5 (Town Centres, retail and employment).

Revised Planning Guidance for Central London – Food, drink and entertainment, specialist and retail uses (Adopted October 2007)

- 4.25 The SPD identifies Drummond Street as a Neighbourhood Centre. The Centre is noted as containing 42 premises with about a quarter offices without shop fronts or dwellings. A particularly noticeable characteristic of the centre is noted as its specialist concentration of

ethnic Asian (particularly South Indian) shops and restaurants which contribute significantly to the character of this area and to the Central London Area generally.

- 4.26 Planning guidance for Drummond Street Neighbourhood Centre advises that the centre has a relatively small supply of retail premises and of these over half contribute to the concentration of specialist uses and as such planning permission will not be granted for the further loss of retail premises as this would be detrimental to the centre's specialist role and local shopping convenience function.

5.0 Application Proposals

- 5.1 The application seeks planning permission for the conversion of the lower ground floor (basement) to a residential studio apartment, as well as the creation of a new external steel stair case to serve the studio apartment.
- 5.2 The apartment would provide a floor area of 37 sq. m, which provides a shower room, open plan living/kitchen area and bedroom.
- 5.3 In order to establish the additional floor space so as to exceed the minimum floor area thresholds for such a property, as set out in CPG2, it is proposed to further excavate the existing basement vaults and to raise the existing vaulted ceiling so as to provide sufficient head height. The accompanying BIA illustrates that such works will not have any detrimental impact upon surrounding buildings, services or flood risk.

6.0 Planning Appraisal

Demand for Housing

- 6.1 The NPPF seeks to significantly boost the supply of housing and makes it clear that planning applications for housing should be considered in the context of the presumption in favour of sustainable development.
- 6.2 The application property is in a highly sustainable location, sited in what is fast becoming the very heart of London's major transport, hospital and student area, only minutes from Euston, the Eurostar, St Pancras and Kings Cross railway stations, as well as three different underground stations and the proposed high speed train; HS2 will be accessible only 80m away. Large employers such as Great Ormond Street Hospital, University College Hospital, University College London, the British Medical Association and Regent's Business School are all very close by and a number of major businesses have also moved or are moving to the local area. Google's new headquarters are also in the pipeline to for Kings Cross, the British Library has relocated nearby and the Crick Institute of the Medical Research Council is almost complete. The 'Congestion Charge' is only 50m away further demonstrating the developments central location.
- 6.3 Whilst the application proposal is only for a single residential unit it would nonetheless make a valuable contribution to the supply of additional housing and in meeting the "pressing need" for more homes in London and the Borough of Camden, in accordance with Policy 3.3 of the London Plan and Camden Core Strategy Policy CS6. The apartment would also contribute to the mix of dwelling sizes required and by virtue of its size would contribute to a choice of homes that would meet the needs of a wide range of potential occupants in accordance with Policy 3.8 of the London Plan.

Retention of Retail at Ground Floor

- 6.4 The ground floor retail unit is to be retained as part of the proposals, despite the intended conversion of the basement. The unit has recently been refurbished and has been successfully let for retail purposes. The unit has been refurbished to a high standard as illustrated below.



- 6.5 The London Plan (Policy 4.8) and the Camden Core Strategy (Policy CS7) seek to support convenience retailing, particularly in Neighbourhood Centres and Specialist Shopping Areas with Policy CS7 seeking to protect and promote small and independent shops and resisting the loss of shops where this would cause harm to the character and function of a centre.
- 6.6 The basement subject of this application provides a floor area of 37 sq. m (excluding the external secure storage area). The applicant's commercial agent has advised that because of the basements floor area as well as its lower ground floor position a commercial tenant could use the basement for nothing more than storage space as the lower ground would not be considered client / customer friendly.
- 6.7 As illustrated by the existing situation, the successful letting of the ground floor retail unit is not reliant upon the availability of the basement, and therefore its conversion to a residential use will not result in the direct loss of retail floor space to the detriment of the character and function of the Drummond Street Neighbourhood Centre.
- 6.8 It is noted that a similar proposal at 131 Drummond Street where the change of use of part of the lower-ground floor from a yoga studio/café to a studio flat was proposed (application ref: 2012/0871/P) and the principal of residential conversion was accepted. Whilst the application was refused the Officer's report concluded under the heading "loss of café floorspace and the principle of use for residential":

"The proposed use would not result in the loss of the café, nor compromise its viability in terms of remaining floorspace, indeed the applicant suggests the space concerned is currently underused , thus it is considered the proposal would not conflict with Policy DP10.

*There is strong demand for housing in the borough and housing is the priority use of the LDF in order to optimise supply, although under Policy DP5 the dwelling size priorities table a low priority on the provision of studio and 1 bedroom private accommodation. **The 'principle' of the space being used as residential is acceptable** (not necessarily as an entire unit on its own), however it is important that the 'quality' of accommodation is acceptable" (our emphasis in bold).*

- 6.9 The residential unit will both provide additional footfall (albeit very limited) within the Drummond Street Neighbourhood Centre supporting existing commercial uses as well as providing natural surveillance for the retail unit to be retained at ground floor level. Likewise the ground floor retail unit would provide natural surveillance for the studio apartment during daytime hours.
- 6.10 In terms of the residential conversion itself, as acknowledged in the Revised Planning Guidance for Central London, the Drummond Street Neighbourhood Centre contains a number of residential properties. Furthermore the area surrounding the Neighbourhood Centre is predominantly residential and as such residential use of the basement is in keeping with the character of the area.

Space Standards

- 6.11 The internal floor area of the single person apartment is 37 sq. m, which meets the London Plan 2011 for residential standards and exceeds the Camden Planning Guidance requirement of a minimum floor area of 32 sq. m for 1 person households. The revised layout put forward under this submission provides a high standard of living accommodation for a single person household in a highly desirable area.
- 6.12 It can be confirmed that the proposed accommodation has a ceiling height of 2.3 - 2.34m, exceeding the Council's minimum standard of 2.1m as set out in paragraph 4.10 Camden Planning Guidance CPG2 Housing (Sept 2013).

General Amenity for Future Occupiers

- 6.13 With regards to daylight, sunlight and privacy the proposals would achieve the Council's minimum standards of all habitable rooms providing an external window with an area of at least 1/10 of the floor area of the room and an area of 1/20 of the floor area of the room being able to be opened to provide natural ventilation. A glass wall is also proposed to allow further natural light to penetrate the proposed bedroom area. Furthermore the window is south facing enabling it to benefit from passive solar energy and complying with the Council's requirement for at least one habitable room to have a window facing within 30 degrees of south. The unit has been fitted throughout with energy efficient LED lighting so as to give sufficient lighting during the hours of darkness or when required.

External Works

- 6.14 In terms of design the only external alteration proposed is the provision of a new steel staircase and perimeter railings around the stair well (retrospective). The steel staircase and perimeter railings are in keeping with similar basement entrance arrangements along Drummond Street and as such are considered to comply with Camden Development Policies Policy DP24 which seeks to secure a high quality design as part of all new development.

Car Free Development

- 6.15 With regards to parking the applicant acknowledges Policy DP18 of the Council's Development Policies and as such is willing to enter into a legal agreement for the proposed studio apartment to be car free, in order to prevent adding to local streetside parking stress and use of unsustainable transport modes in a location very well served by public transport.

Community Infrastructure Levy

- 6.16 The applicant acknowledges that the proposal will be liable for the Mayor of London's CIL as the proposal involves the creation of a new dwelling. Based on the Mayor's CIL charging schedule the charge is understood to be £1850 (37 sq. m x £50).

Basement Impact Assessment

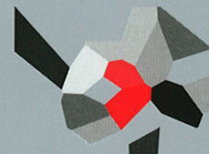
- 6.17 A Basement Impact Assessment has been carried out by Chartered Structural Engineers Michael Alexander Consulting Engineers, which is informed by a Desk Study and Ground Investigation Report produced by Geotechnical and Environment Associates Limited (GEA).

Both documents are submitted in full as part of this application however the key findings are as follows:

- Ground water encountered 2.5 metres below existing basement level therefore the development will not be affected by the proposed works, which will only excavate a further 1.0 metre in depth.
- The site is located on a street unknown for flooding resultant of surface flow, therefore a FRA is not required.
- Given that the adjoining buildings also have basements and basement vaults, it is anticipated that any resulting damage would be classified as category 0 'negligible' or category 1 'very slight' using the Burland criteria.
- The excavation works will be some 17 metres above the crown of the London Underground Tunnel, which run in close proximity to the site, therefore there is unlikely to be any adverse impact on the tunnel, The relevant consents will however be obtained from London Underground prior to the commencement of works.
- Services, including water, gas, electricity and telecoms, have been located in the pavement to the front of 122 Drummond Street, which may need to be re-diverted to facilitate the implementation of the proposed development. However the relevant utility companies have been consulted by MAEC as part of the BIA works and no significant issues have been raised to date. The relevant consents will of course be obtained prior to the commencement of works.

7.0 Conclusion

- 7.1 The NPPF seeks to significantly boost the supply of housing, making it clear that planning applications for housing should be considered in the context of the presumption in favour of sustainable development.
- 7.2 There is a strong demand for housing in the Borough of Camden and housing is the acknowledged priority of the Camden LDF in order to optimise supply.
- 7.3 By virtue of the size and lower ground floor position of the basement it would only realistically be used for storage ancillary to the first floor retail unit. The existing ground floor retail unit is currently occupied and retained as part of the application proposals helping to protect and promote small and independent shops in the Drummond Street Neighbourhood Centre / Specialist Shopping Area in accordance with Core Strategy Policy CS7. Conversion of the basement to residential would not compromise the future viability of the ground floor retail unit. The applicant's commercial agent has advised that prospective tenants are likely to have small business models which do not require back-of-house storage.
- 7.4 No external alterations are proposed as part of the proposals that would alter the existing street scene and the works would be entirely in keeping with similar basement developments along Drummond Street.
- 7.5 In summary, the application proposals are considered to provide a level of accommodation, which exceeds the minimum standards for a single person flat and as such it would make a valuable, albeit small contribution to Camden's housing requirement whilst not compromising the viability of an existing ground floor retail unit which is to be retained. The proposed development is therefore deemed to accord with the provisions of both national local planning policy and therefore it is respectfully requested that the LPA support this application accordingly.



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