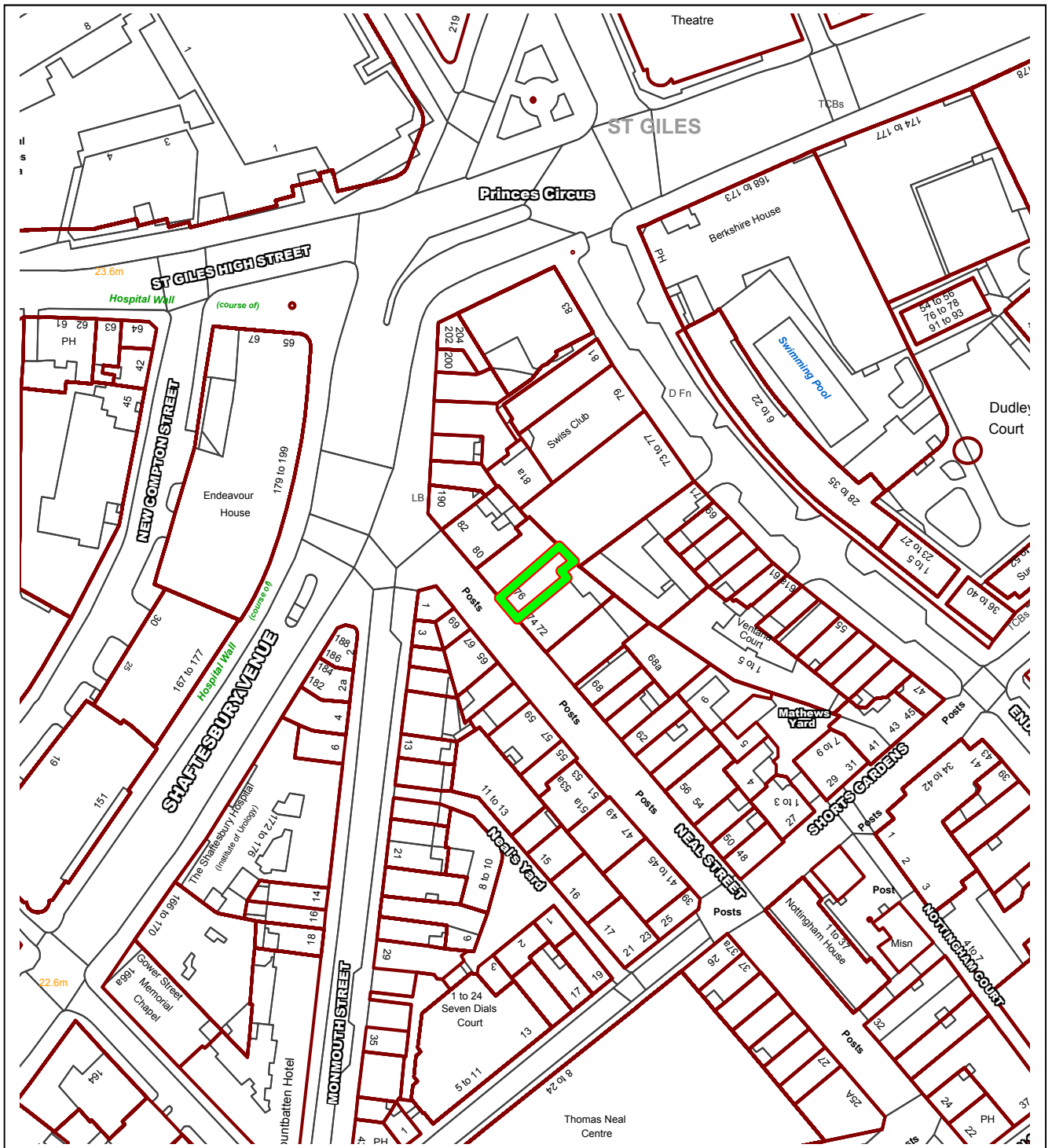


76 Neal Street, 2014/4417/P



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Site Photos – 76 Neal Street

Photo 1: Communal amenity space to the rear of the building



Photo 2: Looking towards rear window of the proposed kitchen and bathroom



Photo 3: Front window of proposed bedroom



Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	26/09/2014
		N/A / attached		Consultation Expiry Date:	28/08/2014
Officer			Application Number(s)		
Jonathan McClue			2014/4417/P		
Application Address			Drawing Numbers		
2nd & 3rd Floors 76 Neal Street London WC2H 9PL			Refer to Draft Decision Notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Change of use of 2nd and 3rd floors from office (B1a) to 2 x 1 bedroom flats					
Recommendation(s):		Grant Permission subject to a S.106 Agreement			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	32	No. of responses	01	No. of objections	01
			No. Electronic	01		
Summary of consultation responses:	None received					
CAAC/Local groups* comments: *Please Specify	<p>Covent Garden Community Association (CGCA) objection:</p> <p>1) Objects to loss of small office space which is limited in Covent Garden.</p> <p>2) Should approval be granted, it is requested that a condition be attached to prevent the units being used as short lets.</p> <p><u>Officer Response</u></p> <p>1) See Loss of Office Use/Principle of Development, section 2</p> <p>2) Short lets are not permitted without planning permission within London and a standard informative will be added to this permission. A condition is therefore not considered necessary.</p>					

Site Description

This application relates to the second and third floors of a mid-terrace 6 storey building with a basement. The ground floor and basement are occupied by a retail shop (A1); the application floors (second and third) are currently vacant offices (B1a) and the other floors are residential in use. The majority of the other upper floor units on Neal Street also contain residential flats.

The application site lies within the Seven Dials (Covent Garden) Conservation Area and the Central London Area. The shopfront of the host building is considered to have merit in the Seven Dials (Covent Garden) Conservation Area Statement but there is no mention of the building itself.

Relevant History

None relevant.

Relevant policies

LDF Core Strategy and Development Policies

CS5 (Managing the impact of growth and development)

CS6 (Providing quality homes)

CS8 (Promoting Camden's economy)

CS11 (Promoting sustainable and efficient travel)

CS13 (Tackling climate change through promoting higher environmental standards)

CS14 (Promoting high quality places and conserving our heritage)

CS19 (Planning obligations)

DP2 (Making full use of Camden's capacity for housing)

DP5 (Homes of different sizes)

DP6 (Lifetimes homes and wheelchair housing)

DP13 (Employment premises and sites)

DP17 (Walking, cycling and public transport)

DP18 (Parking standards and limiting the availability of car parking)

DP19 (Managing the impact of parking)

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)

Camden Planning Guidance 2013

CPG2 – Housing

CPG5 – Town Centres, Retail and Employment

London Plan 2011

NPPF 2012

Seven Dials (Covent Garden) Conservation Area Statement

Assessment

1.0 Proposal

1.1 Planning permission is sought for the change of use to the second and third floors of the building from office (B1a) to two x one bedroom flats.

1.2 Both of the flats would have the same layout with a generous double bedroom benefitting from southwest facing windows; a lounge/dining room and a kitchen and bathroom sharing a northeast facing window.

1.3 The units would benefit from an existing WC each which would be located outside of the units. These have not been included within the internal floor areas of the new flats.

1.4 Marketing evidence has been submitted by the applicant to suggest that the two office premises have been instructed to let since May 2012. They have remained vacant since then.

1.5 A Lifetime Homes Assessment has been provided.

2.0 Loss of Office Use/Principle of Development

2.1 Any application involving the loss of an office use must demonstrate that the site is no longer suitable for its existing business use and that there is evidence that the possibility of retaining, reusing or redeveloping the site for a similar use has been explored appropriately. This criteria is set out in policy DP13 (para 13.3). Paragraph 7.4 of CPG5 gives other considerations regarding the loss of office use.

2.2 The existing offices are outdated and in a poor condition. They would require a substantial amount of investment to make them attractive for a modern office use. This is contributed to by the units having shared WC facilities with no kitchen areas. In addition, the windows need replacing, the lift provided is very small and outdated, there is no WIFI available and the rooms are considered to be small (some 50sq.m) with an unattractive layout. Based on the poor condition of the offices, the substantial amount of investment that would be required and their location within predominately upper level residential units, it is considered that they are no longer suitable for their existing business use.

2.3 The two offices have been marketed for over 2 years and despite this have remained empty. It is considered that this is an appropriate level of time in accordance with Policy DP13.

2.4 As it has been demonstrated that the site is not suitable for any business use, a permanent residential use is considered appropriate due to the nature of the surrounding development.

2.5 Given the location of the application site and given that there is residential accommodation above and adjacent to the existing office units, it is considered that there are no other B class uses that would be considered appropriate. This is due to light industrial works creating noise and other forms of disturbance that would detract from the quality of life of the adjoining occupiers.

3.0 Quality of Living Accommodation

3.1 Both units provide more than 50sq.m of gross internal area (GIA) which is in accordance with the London Plan for one bedroom units.

3.2 The rooms are considered to be of an acceptable size.

3.3 The units are dual aspect with all of the rooms being served by windows.

3.4 Private amenity space has not been provided for the proposed flats which is considered acceptable in this instance given the central location of the units. It would also not be possible to provide external amenity space without creating a terrace, which would not be practical in this instance. Communal amenity space can be accessed to the rear of the building if the prospective occupiers are in need of such a space.

3.5 The Council has existing refuse arrangements for the residents in Neal Street. The collection point is about 15m from the entrance of 76 Neal Street at the junction of Neal and Monument Street.

4.0 Lifetimes Homes Assessment

4.1 The majority of the applicable criteria have been met and due to the constraints and age of the building the submitted details are considered to be acceptable. The implementation of the Lifetime Homes details will be secured through planning condition.

5.0 Transport and Access

5.1 The application site falls within a controlled parking zone (CPZ) and has a public transport accessibility level (PTAL) of 6b (excellent). Policy DP18 states that developments are expected to be car free in the Central London Area, within the town centres and other areas within CPZ that are easily accessible by public transport. As the new units would benefit from excellent public transport and lie within the Central London Area, it is considered that the proposed units would have to be car free and exempt from applying for a parking permit.

5.2 Cycle storage has not been provided but this is not considered practical in this instance due to the age and nature of the building. There would be no areas on lower levels or within the curtilage of the building for cycle storage and it would be impractical to store them within the stairwells of the building. Notwithstanding this the bedrooms are sufficiently large enough for potential occupiers to store their bikes in their own room. Given the excellent accessibility to public transport and due to the close location of Barclay's rental bikes (publicly rentable bikes for short-term use) within close proximity to the application site, it is considered that the lack of provision for on-site parking spaces is acceptable in this instance.

6.0 Sustainability

6.1 LDF Policy DP22 requires developments to incorporate sustainable design and construction measures. The proposal includes internal work to an aging building and it is not considered

appropriate to require any specific sustainability measures in this case.

7.0 Community Infrastructure Levy

7.1 As the proposal results in two new residential units it is liable for the Mayor's Community Infrastructure Levy (CIL). The contribution for developments within Camden is set at £50 per square metre. A standard informative is attached to the decision notice drawing CIL liability to the Applicant's attention.

8.0 Recommendation: Grant Planning Permission Subject to Section 106 Agreement

8.1 Overall, it is considered that the loss of office space can be justified given the nature and condition of the accommodation; its lack of marketability and appropriateness for an alternative employment use. In this instance residential accommodation is the preferred use and it would be compatible with the surrounding uses. The units would provide an adequate level of accommodation and comply with transport and amenity requirements.

DISCLAIMER Decision route to be decided by nominated members on Monday 3rd of November 2014. For further information please click [here](#)



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Application Ref: **2014/4417/P**

29 October 2014

Dear Sir/Madam

FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION
Town and Country Planning Act 1990 (as amended)

DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Address:
**2nd & 3rd Floors
76 Neal Street
London
WC2H 9PL**

Proposal:

Change of use of 2nd and 3rd floors from office (B1a) to 2 x 1 bedroom flats
Drawing Nos: Block Plan 1:500; Site Plan 1:1250 and AW1475/001NS; 002/NS; 003/NS;
004/NS; 005/NS; 006/NS; 007/NS; 008/NS; 009/NS.

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans Block Plan 1:500; Site Plan 1:1250 and AW1475/001NS; 002/NS; 003/NS; 004/NS; 005/NS; 006/NS; 007/NS; 008/NS; 009/NS.

Reason:

For the avoidance of doubt and in the interest of proper planning.

- 3 The lifetime homes features and facilities, as indicated on the drawings and documents hereby approved shall be provided in their entirety prior to the first occupation of any of the new residential units.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an

affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to CIL@Camden.gov.uk

- 4 You are advised that this proposal will be liable for the Mayor of London's Community Infrastructure Levy (CIL) as the additional floorspace exceeds 100sqm GIA or one unit of residential accommodation. Based on the Mayor's CIL charging schedule and the information given on the plans, the charge is likely to be £5,500(110sqm x £50). This amount is an estimate based on the information submitted in your planning application. The liable amount may be revised on the receipt of the Additional Information Requirement Form or other changing circumstances.
- 5 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Yours faithfully

Culture and Environment Directorate