

Mr James Munro
HPP Architects
3-5 Bleeding Heart Yard
London
EC1N 8SJ

Application Ref: **2012/6021/P**
Please ask for: **Jonathan Markwell**
Telephone: 020 7974 **2453**

27 August 2013

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) Order 2010
Town and Country Planning (Applications) Regulations 1988

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
**Portland House
Ryland Road
London
NW5 3EB**

Proposal:
Change of use of existing showroom building (Class B1) to 1x3 bed residential unit (Class C3) and associated works including alterations to windows and doors, provision of balcony at first floor level and metal fins at second floor level on east (front) elevation, provision of window at first floor and balcony with metal fins at second floor level on north (side) elevation and installation of five windows on west (rear) elevation.

Drawing Nos: 1051.25 Rev A; 1051.26 Rev A; 1051.27 Rev C; 1051.28 Rev C; 1051.29; 1051.30 Rev A; Design and Access Statement & Lifetime Homes Standards dated 09/11/2012 Ref 1051/3.1/JM; Energy Statement by Energytest Ltd dated 01/11/2012; Report on the use and marketing activity of the showroom premises by Salter Rex dated 18/12/2012.

The Council has considered your application and decided to grant permission subject to the following condition(s):



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 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies.

- 3 Detailed drawings at scale 1:10, or samples of materials as appropriate, in respect of the galvanised fins at second floor level, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies.

- 4 Prior to the first occupation of the residential unit the whole of the 20 spaces of cycle parking provision shown on the approved drawings at the site shall be provided. The whole of the cycle parking provision shall be permanently retained and maintained thereafter.

Reason: To ensure the development site provides adequate cycle parking facilities in accordance with the requirements of policy CS11 (Promoting sustainable and efficient travel) of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 (Walking, cycling and public transport) of the London Borough of Camden Local Development Framework Development Policies.

- 5 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 the new residential unit.

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 (Providing quality homes) of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 (Lifetime homes and wheelchair homes) of the London Borough of Camden Local Development Framework Development Policies.

- 6 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the (No. 2) (England) Order 2008 or any Order revoking and re-enacting that Order, no development within Part 1 (Classes A-H) of Schedule 2 of that Order shall be carried out without the grant of planning permission having first been obtained from the local planning authority.

Reason: To safeguard the visual amenities of the area and to prevent over development of the site by controlling proposed extensions and alterations in order to ensure compliance with the requirements of policies CS5 (Managing the impact of growth and development) and CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 (Securing high quality design) and DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.

- 7 The development hereby permitted shall be carried out in accordance with the following approved plans 1051.25 Rev A; 1051.26 Rev A; 1051.27 Rev C; 1051.28 Rev C; 1051.29; 1051.30 Rev A; Design and Access Statement & Lifetime Homes Standards dated 09/11/2012 Ref 1051/3.1/JM; Energy Statement by Energytest Ltd dated 01/11/2012; Report on the use and marketing activity of the showroom premises by Salter Rex dated 18/12/2012.

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

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 Reasons for granting permission.

The proposed development is in general accordance with the London Borough of Camden Local Development Framework Core Strategy, with particular regard to policies CS1 (Distribution of growth), CS5 (Managing the impact of growth and development), CS6 (Providing quality homes), CS8 (Promoting a successful and inclusive Camden 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), CS15 (Protecting and improving our parks and open spaces & encouraging biodiversity), CS18 (Dealing with our waste and encouraging recycling) and CS19 (Delivering and monitoring the Core Strategy) and the London Borough of Camden Local Development Framework Development Policies, with particular regard to policies DP2 (Making full use of Camden's capacity for housing), DP3 (Contributions to the supply of affordable housing), DP5 (Homes of different sizes), DP6 (Lifetime homes and wheelchair homes), DP13 (Employment sites and premises), DP16 (The transport implications of development), DP17 (Walking, cycling and public transport), DP18 (Parking standards and the availability of car parking), DP19 (Managing the impact of parking), DP20 (Movement of goods and materials), DP21 (Development connecting to the highway network), 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), DP29 (Improving access), DP31 (Provision of, and improvements to public open space and outdoor sport and recreation facilities) and Appendix 2 (Parking standards).

4 Furthermore the proposal accords with the specific policy requirements in respect of the following principal considerations:- sufficient demonstration that the existing office floorspace is no longer suitable for such purposes; contribution to the provision of housing within the borough; suitable contribution to the provision of affordable housing; suitable provision of a high quality of accommodation whilst simultaneously protecting the amenity of neighbouring and nearby occupiers; external alterations would protect the character of the building.

5 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 be 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

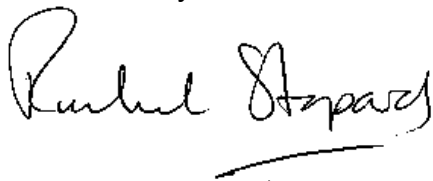
- 6 In good time, prior to the start of construction (or if appropriate, demolition) on site, the contractor shall discuss and agree with the Council's Engineering Service Network Management team (tel: 020-7974 2410) detailed arrangements for the transportation of goods and materials to and from the site. The Council will prosecute those responsible for any breaches of the provisions of the Highways and Litter Acts which occur as a result of construction on the site.
- 7 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 8 With regard to condition no. 5 you are advised to look at Camden Planning Guidance for further information and if necessary consult the Access Officer, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 5124) to ensure that the internal layout of the building is acceptable with regards to accessibility by future occupiers and their changing needs over time.
- 9 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ.
- 10 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 11 The correct street number or number and name must be displayed permanently on the premises in accordance with regulations made under Section 12 of the London Building (Amendments) Act 1939.
- 12 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.

Your attention is drawn to the notes attached to this notice which tell you about your Rights of Appeal and other information.

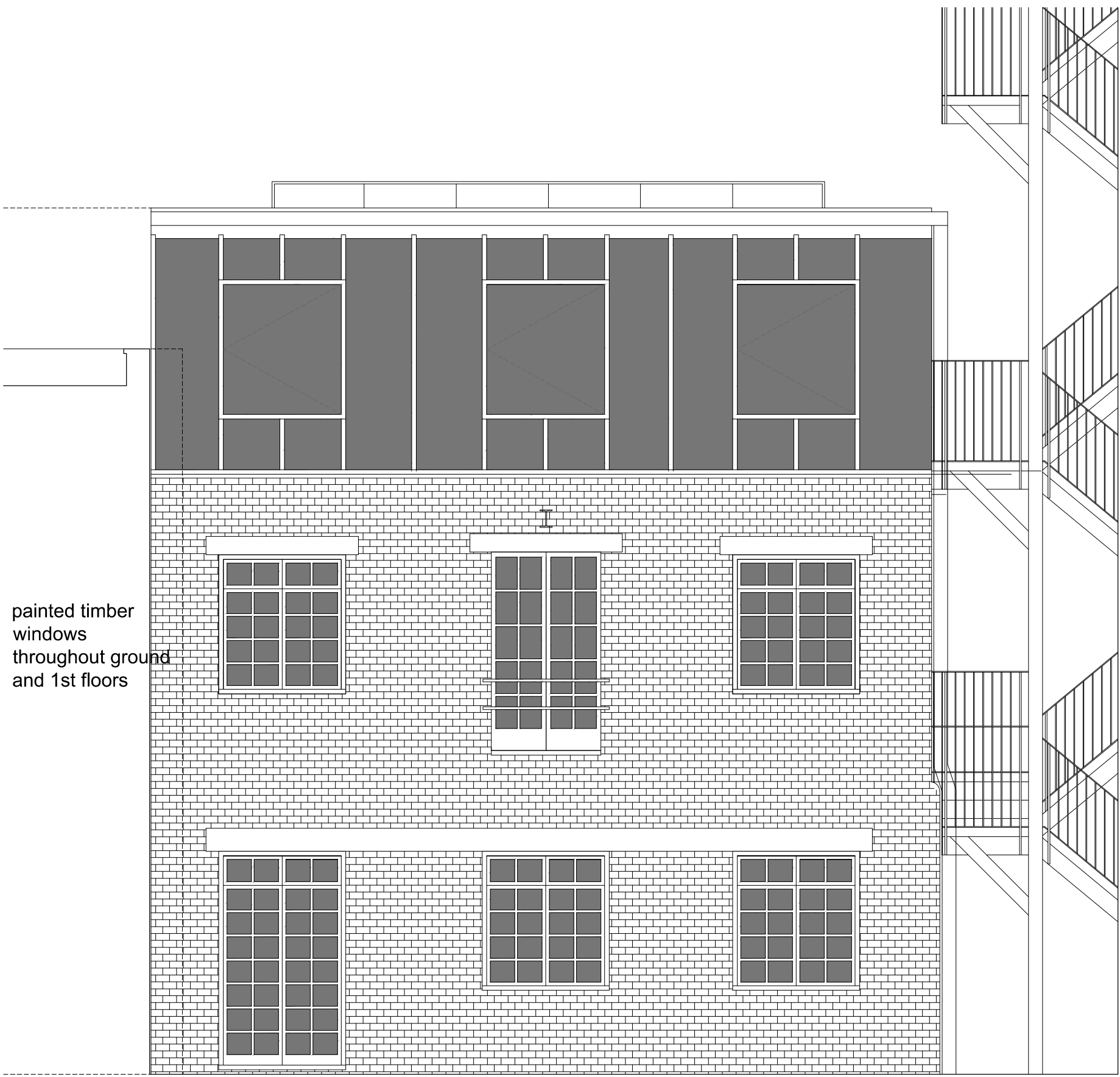
Yours faithfully

A handwritten signature in black ink, appearing to read 'Rachel Stopard', with a horizontal line underneath.

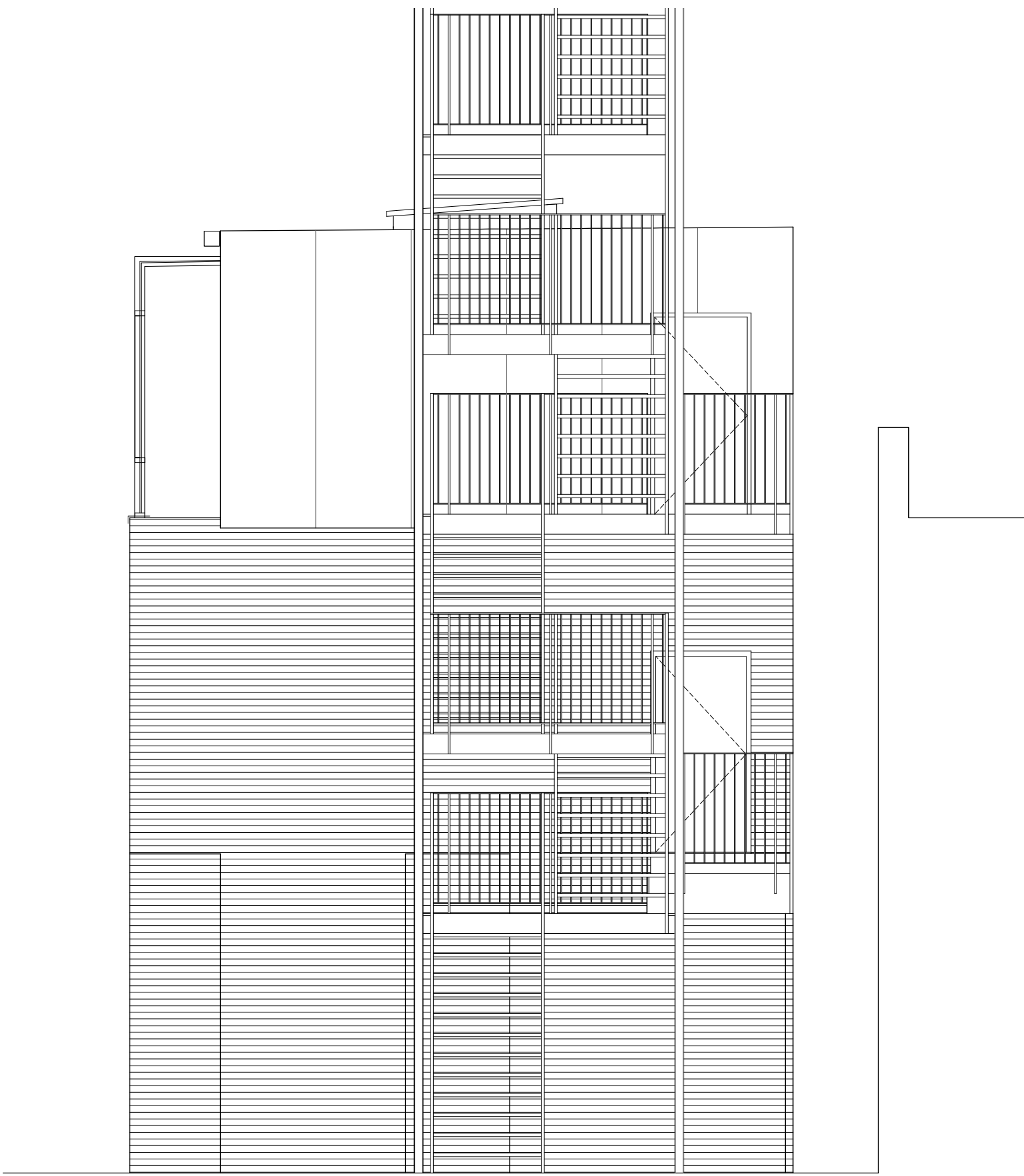
Rachel Stopard
Director of Culture & Environment

It's easy to make, pay for, track and comment on planning applications on line. Just go to www.camden.gov.uk/planning.

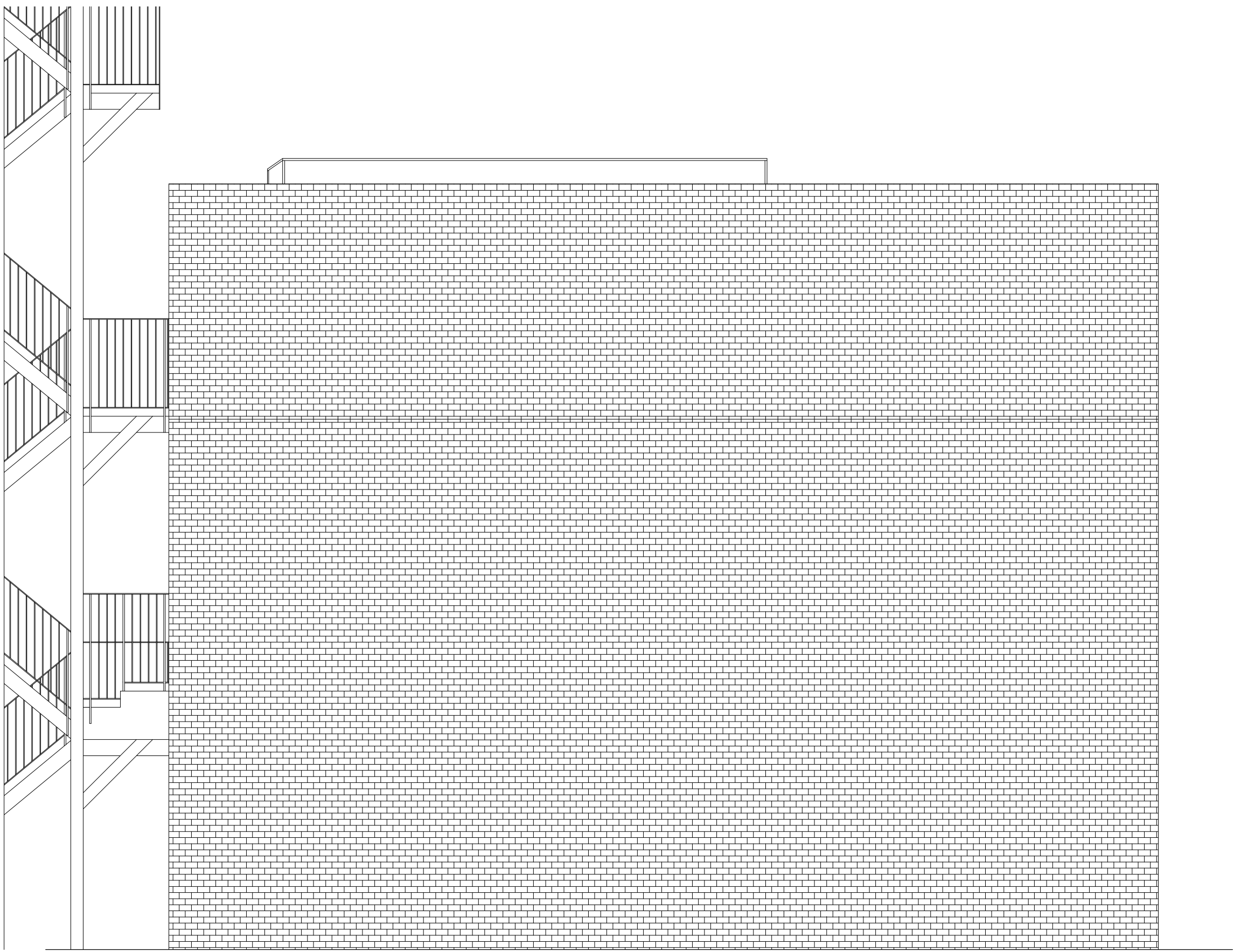
It is important to us to find out what our customers think about the service we provide. To help us in this respect, we would be very grateful if you could take a few moments to complete our [online planning applicants' survey](#). We will use the information you give us to monitor and improve our services.



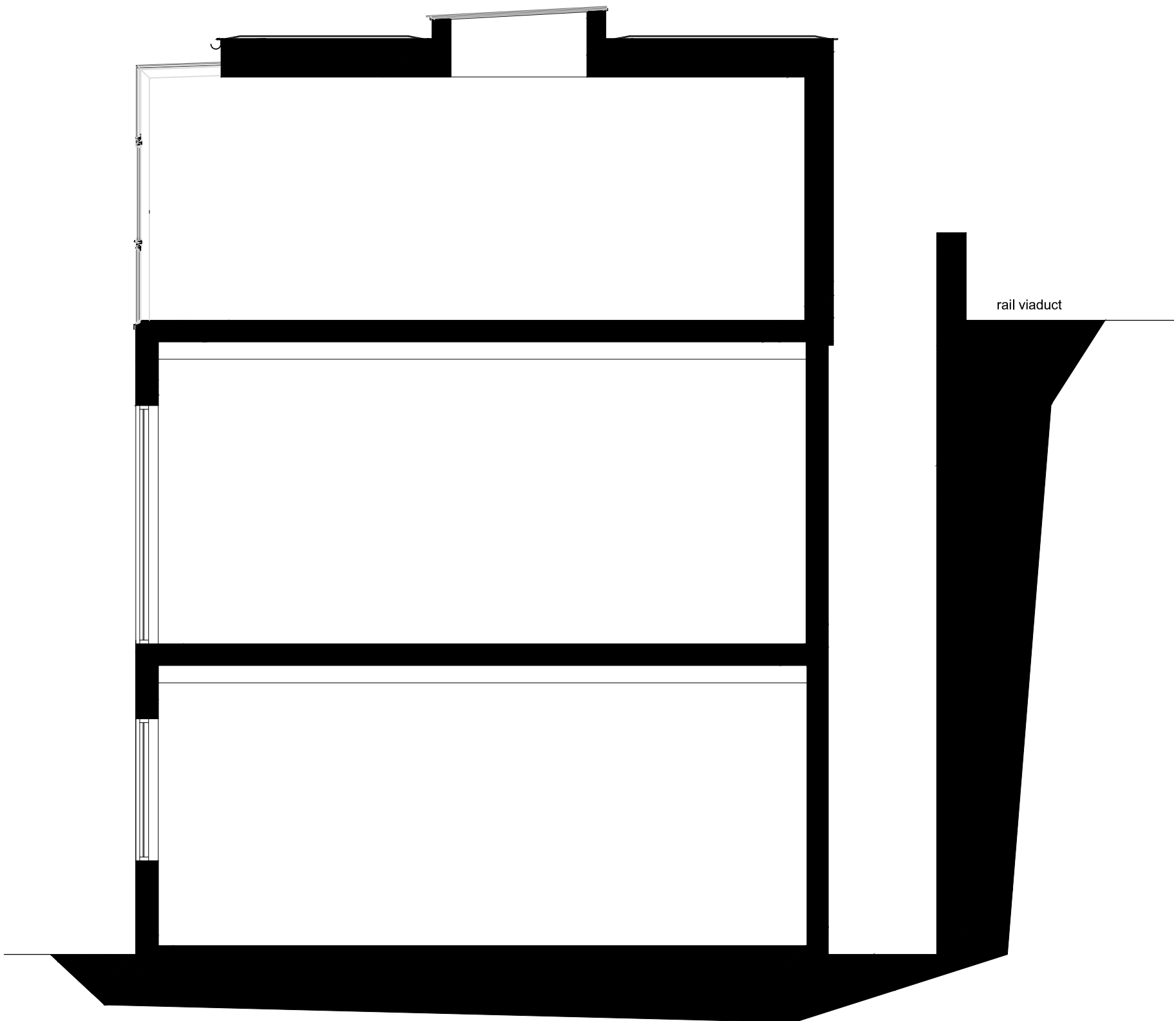
east elevation - existing



north elevation - existing



west elevation - existing



section A



view from Ryland Road,
Portland House on the right



view from car park



view from Ryland Road, gap in wall will be
infilled to form enclosure to bin store



view from Wilkin Street, Portland House on the
left and the railway viaduct on the right

A	04.12.12	section added	JM
REV	DATE	AMENDMENT	BY

hpl architects
HEBER PERCY & PARKER ARCHITECTS
3-5 Bleeding Heart Yard, London, EC1N 8SJ
T: 0207 7494 2020 F: 0207 7494 2045 E: info@hplarchitects.co.uk

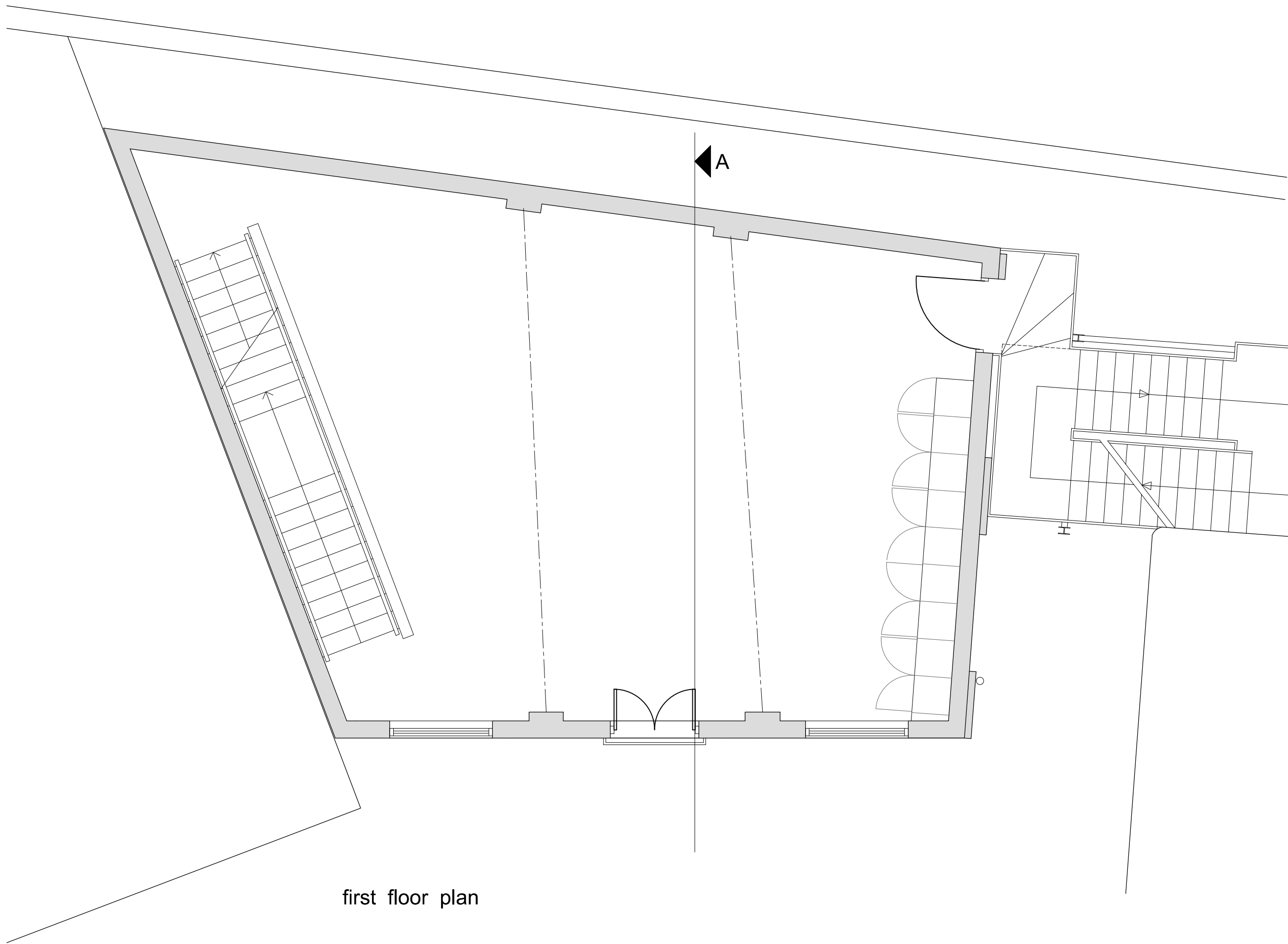
PROJECT
PORTLAND HOUSE
RYLAND ROAD

CLIENT
DELBANCO MEYER

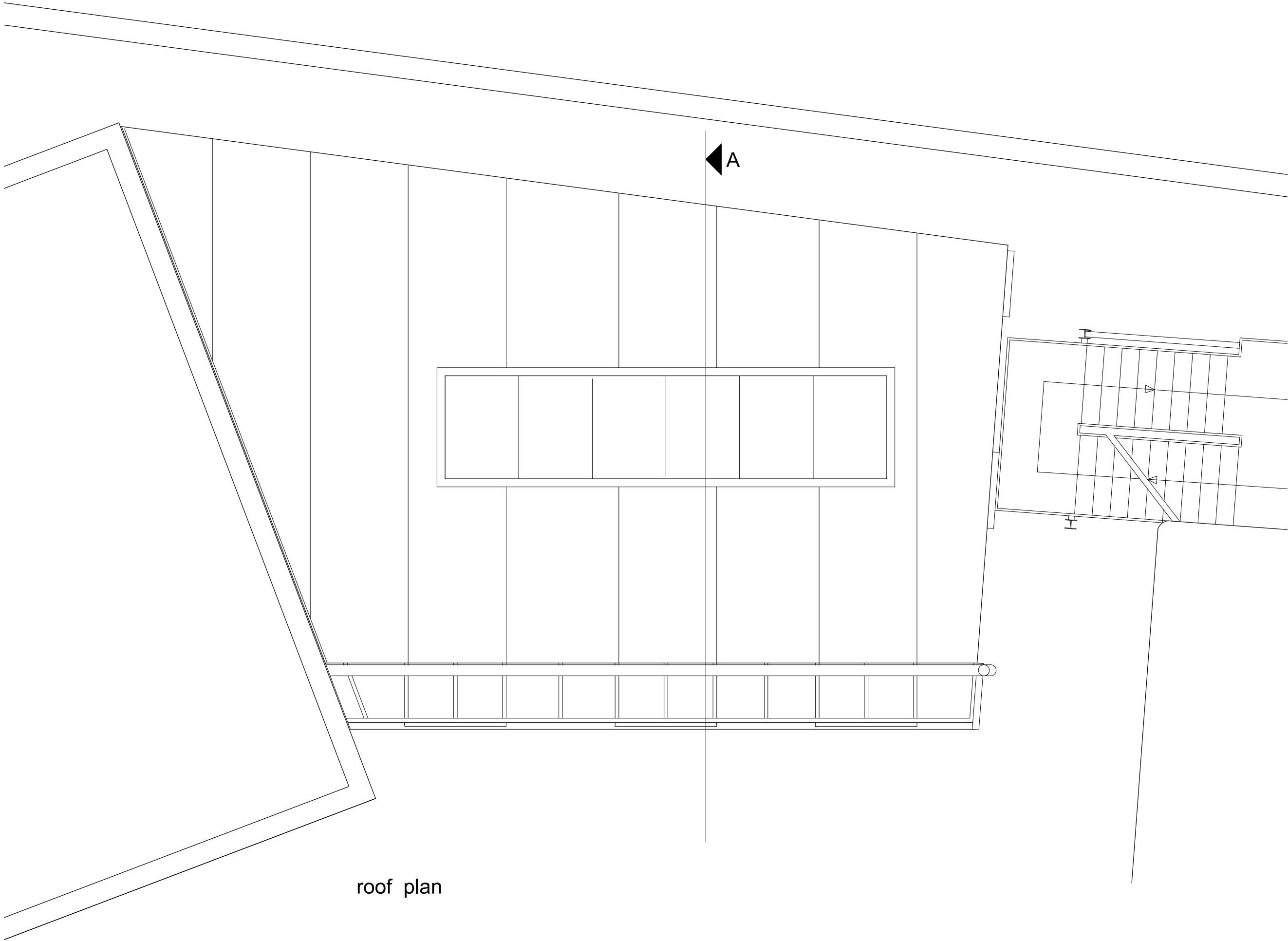
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SHOWROOM CONVERSION -
EXISTING ELEVATIONS

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DRAWING NUMBER	REV	
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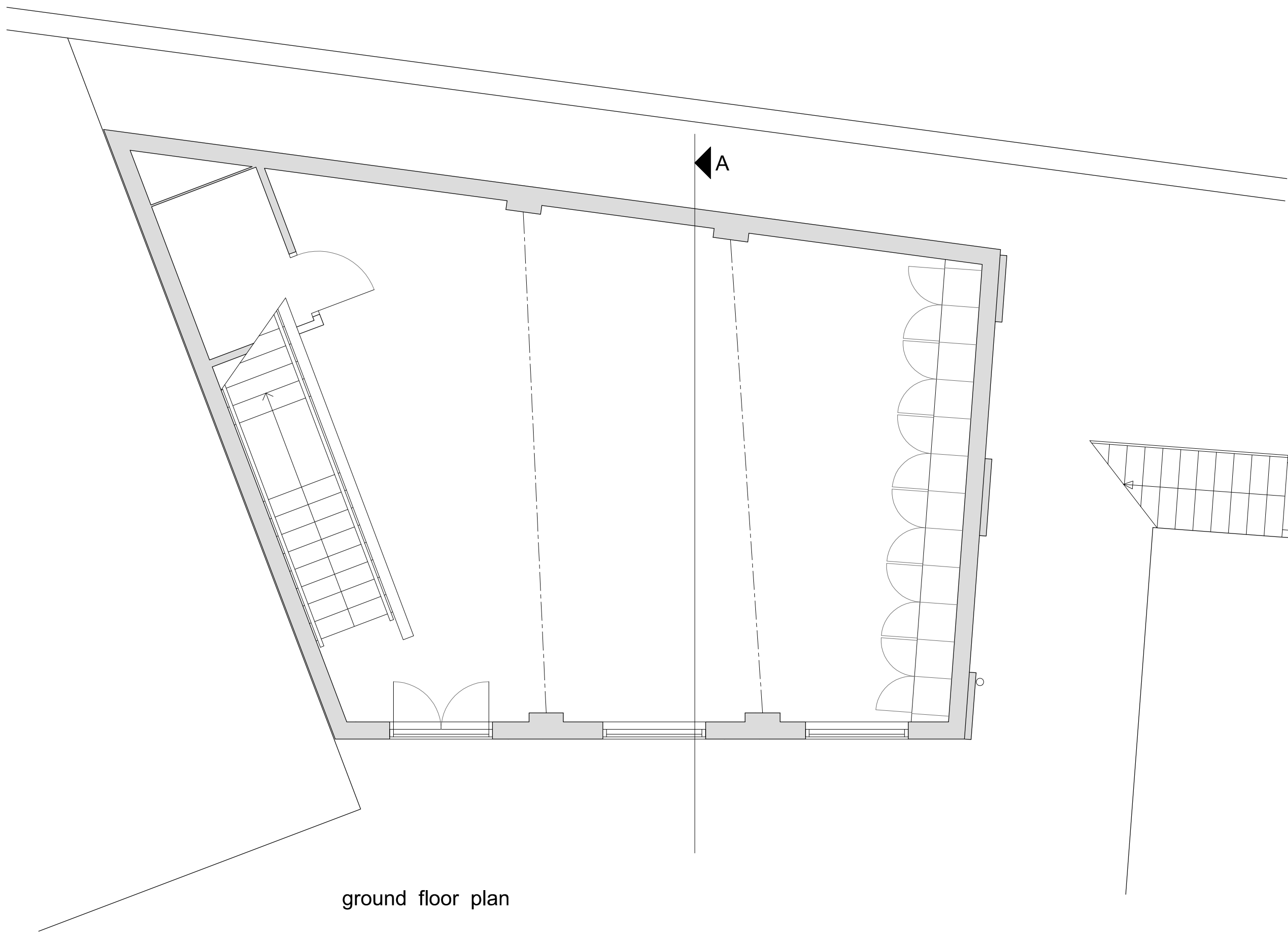
NOTES:
1. THIS DRAWING IS NOT TO BE SCALED
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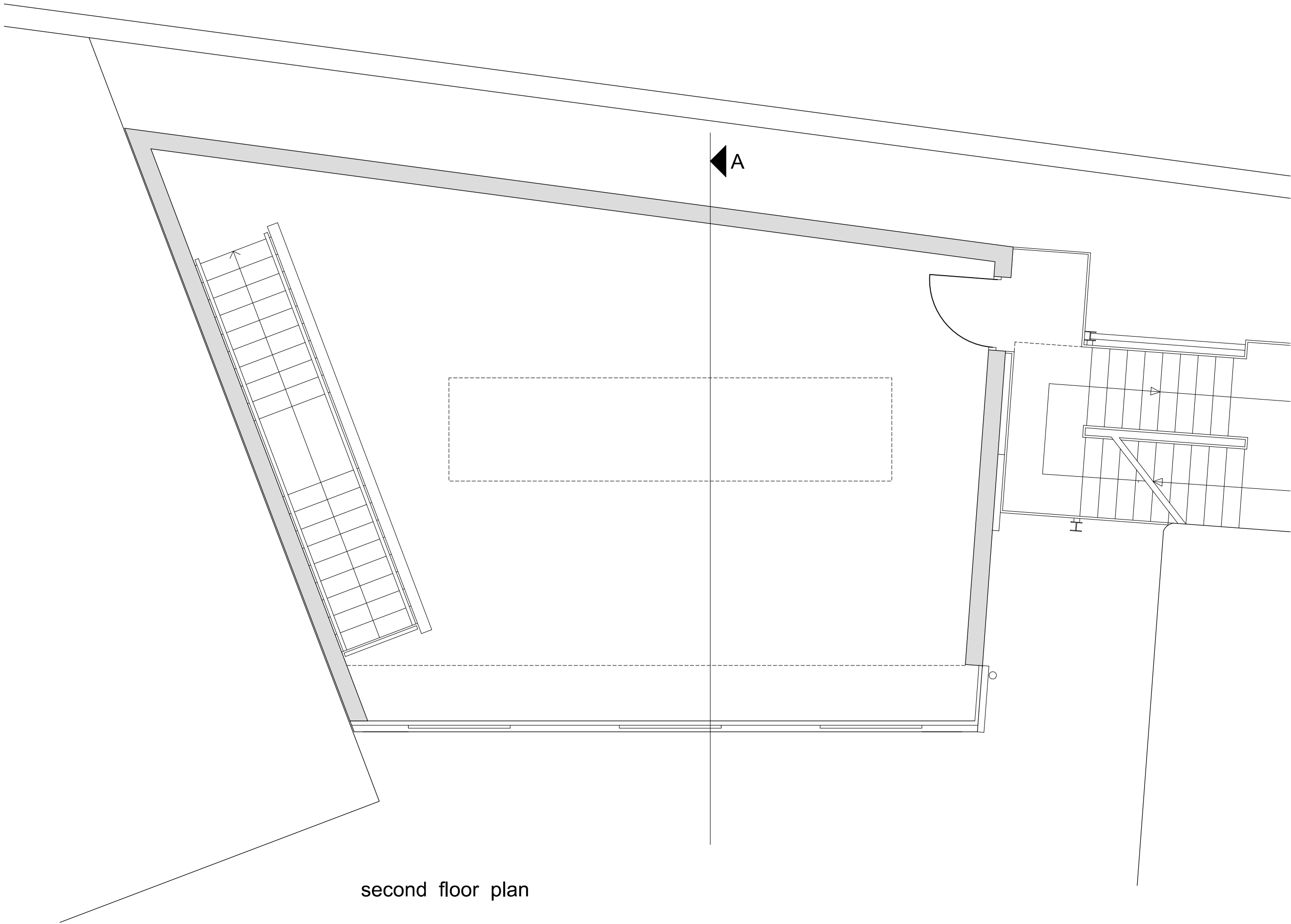
first floor plan



roof plan



ground floor plan



second floor plan

A 04.12.12 section line added JM			
REV	DATE	AMENDMENT	BY

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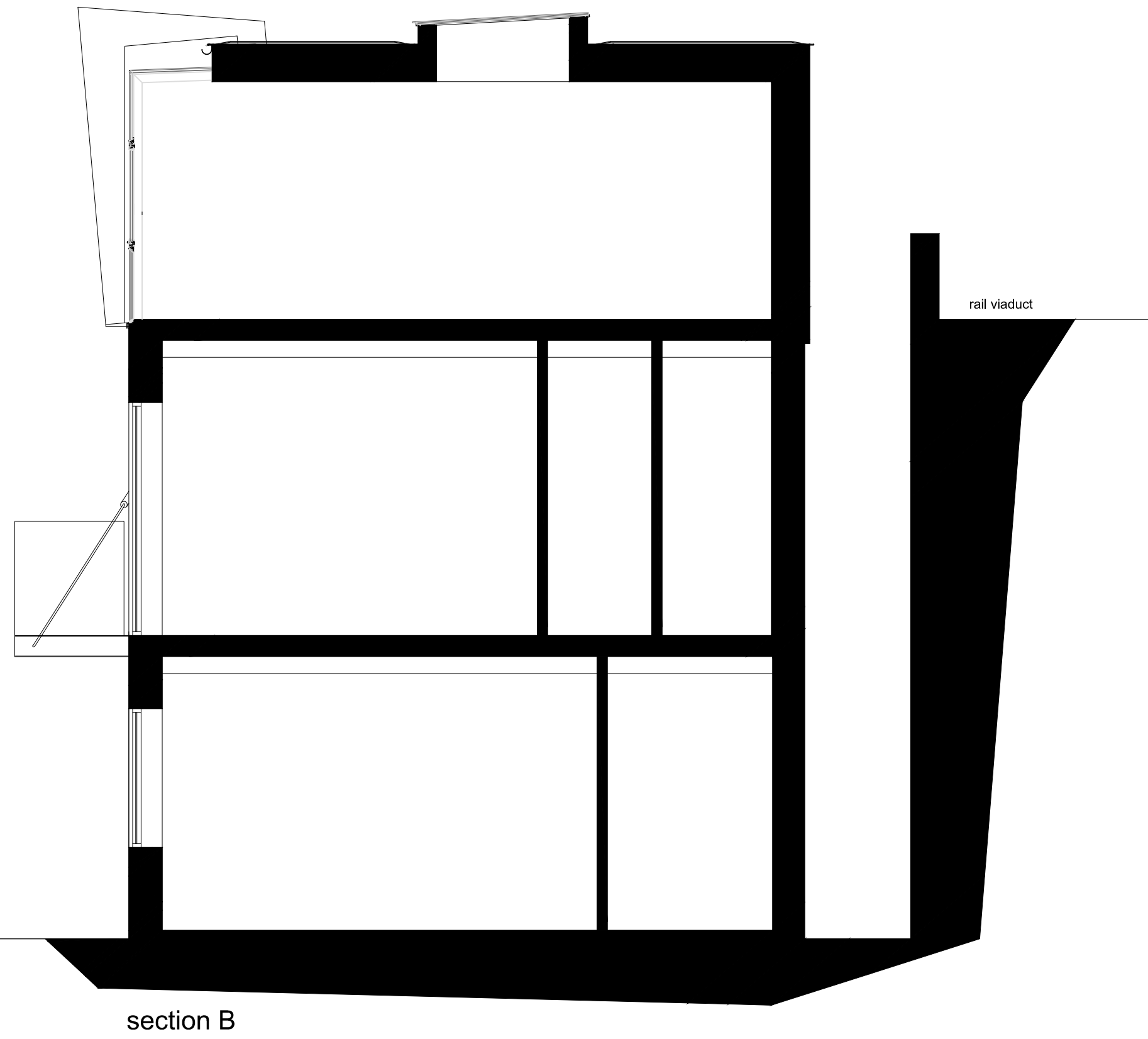
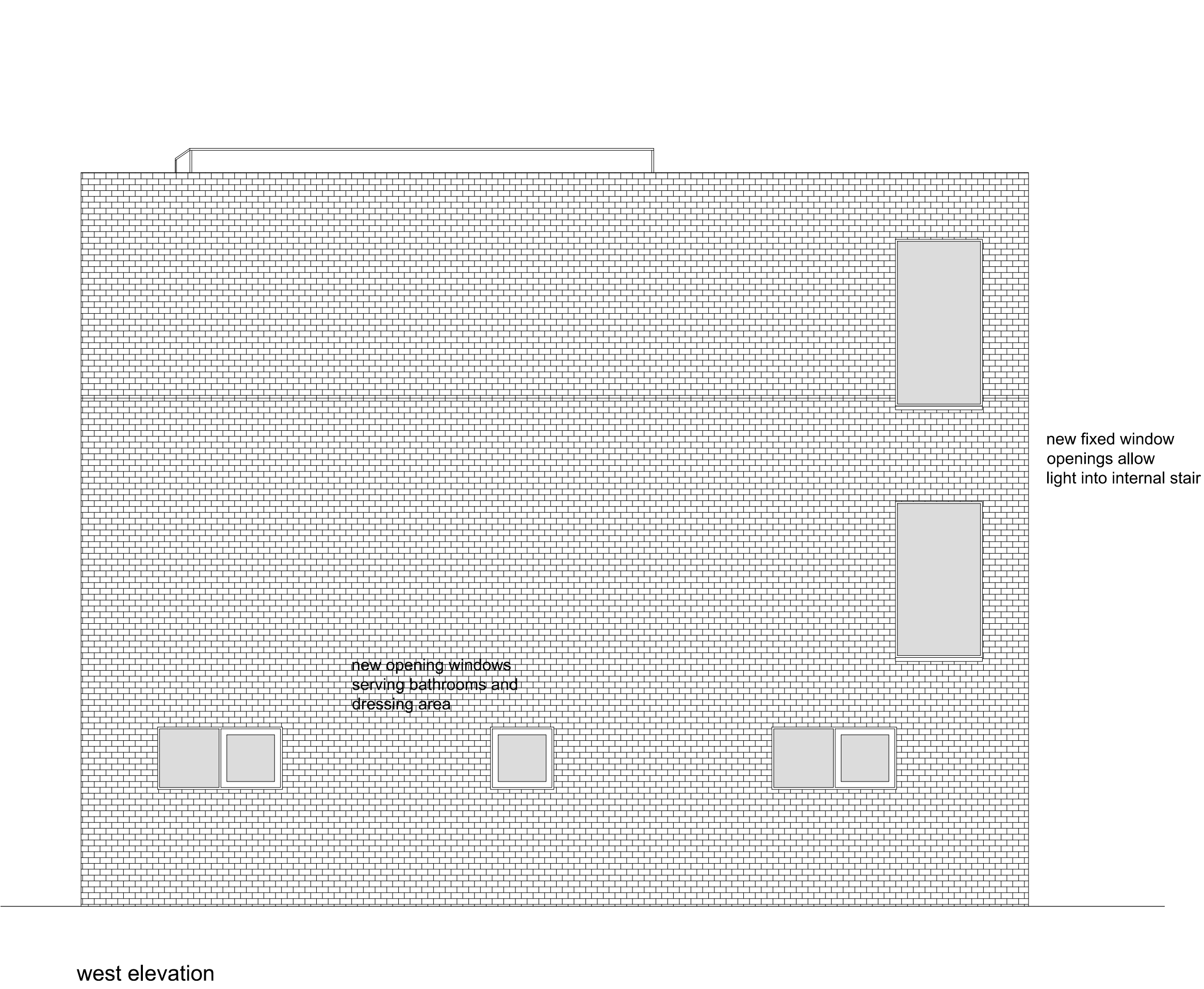
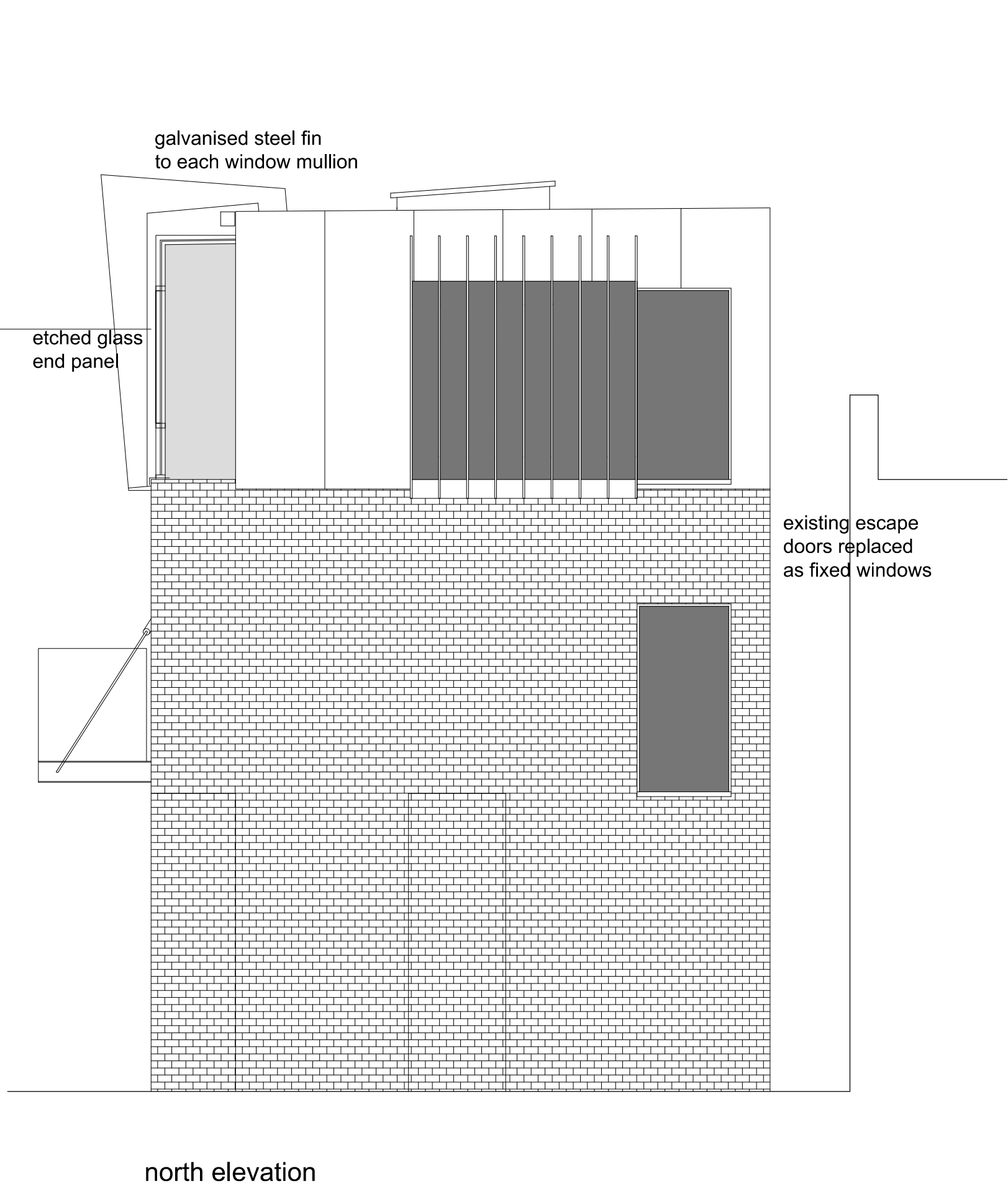
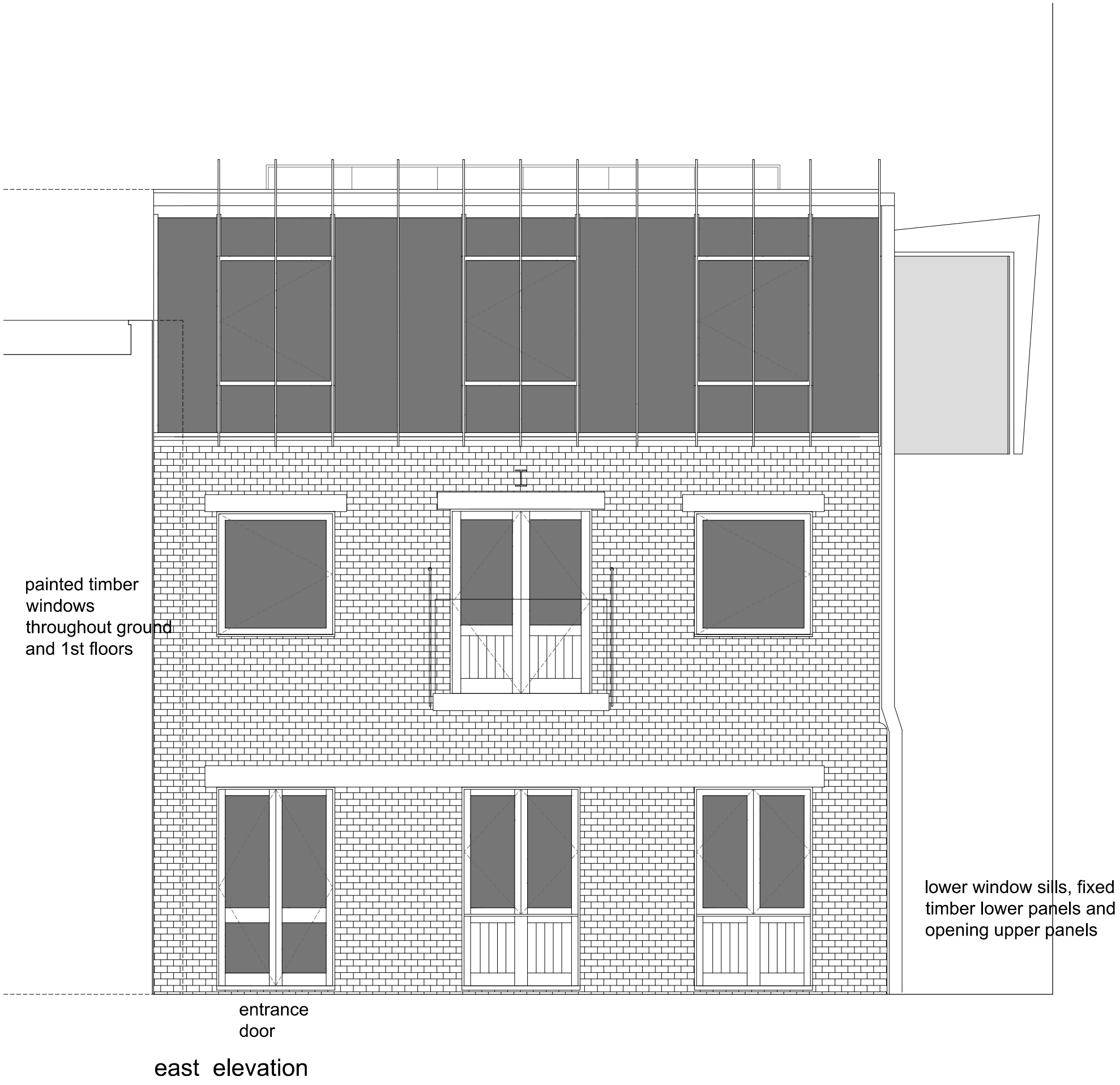
PROJECT
PORTLAND HOUSE
RYLAND ROAD

CLIENT
DELBANCO MEYER

DRAWING DESCRIPTION
SHOWROOM CONVERSION -
EXISTING PLANS

SCALE	DRAWN BY	DATE
1:50@A1	JM	JULY 12
DRAWING NUMBER	REV	
1051.25	A	

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C	04.12.12	section added	JM
B	09.10.12	louvers added to balcony	JM
A	19.09.12	louvers added	JM
REV	DATE	AMENDMENT	BY

hnp architects
HEBER PERCY & PARKER ARCHITECTS
3-5 Bleeding Heart Yard, London EC1N 8SJ
T: 0207 7496 2020 F: 0207 7496 2045 E: info@hebpark.co.uk

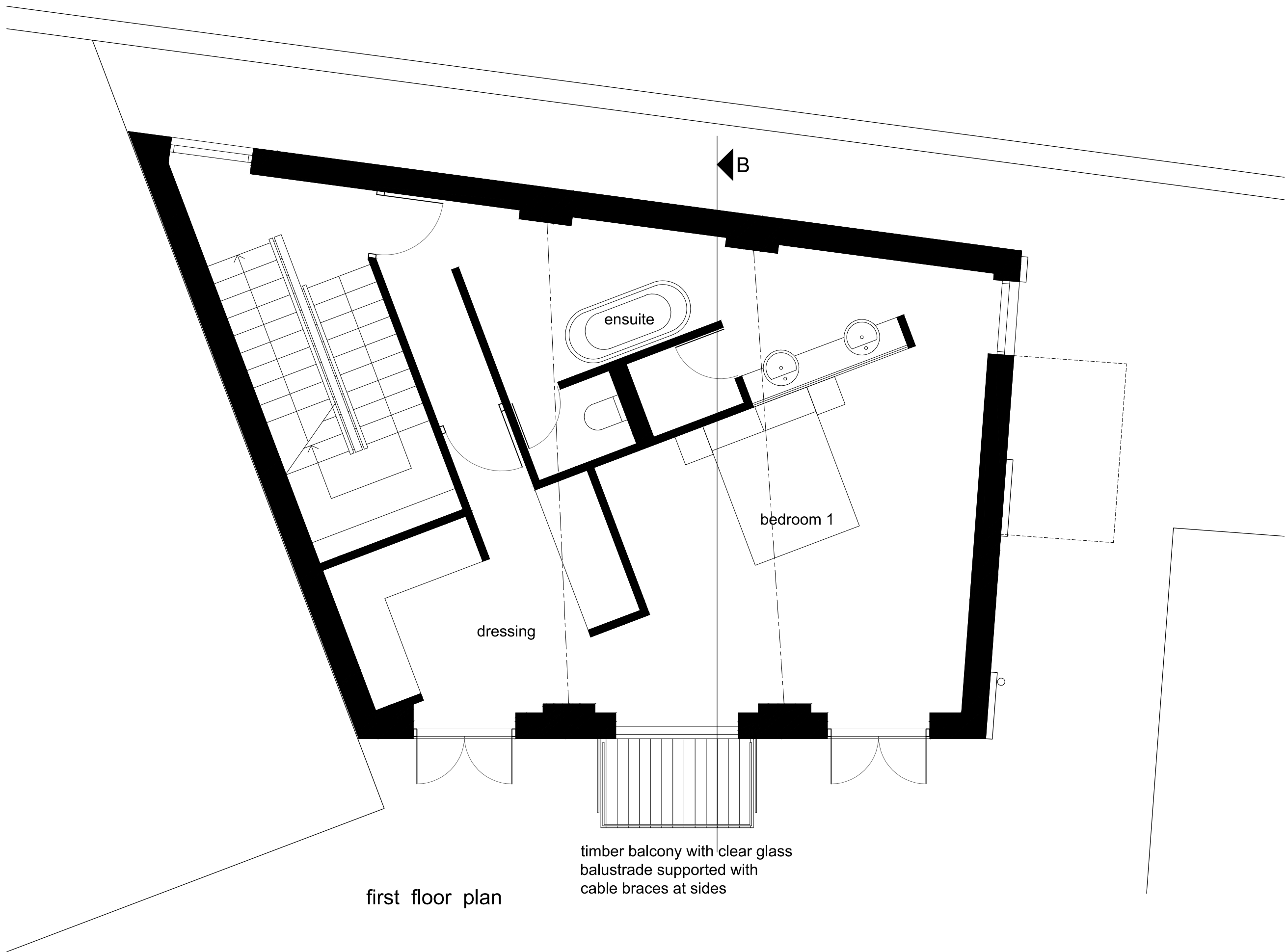
PROJECT
PORTLAND HOUSE
RYLAND ROAD

CLIENT
DELBANCO MEYER

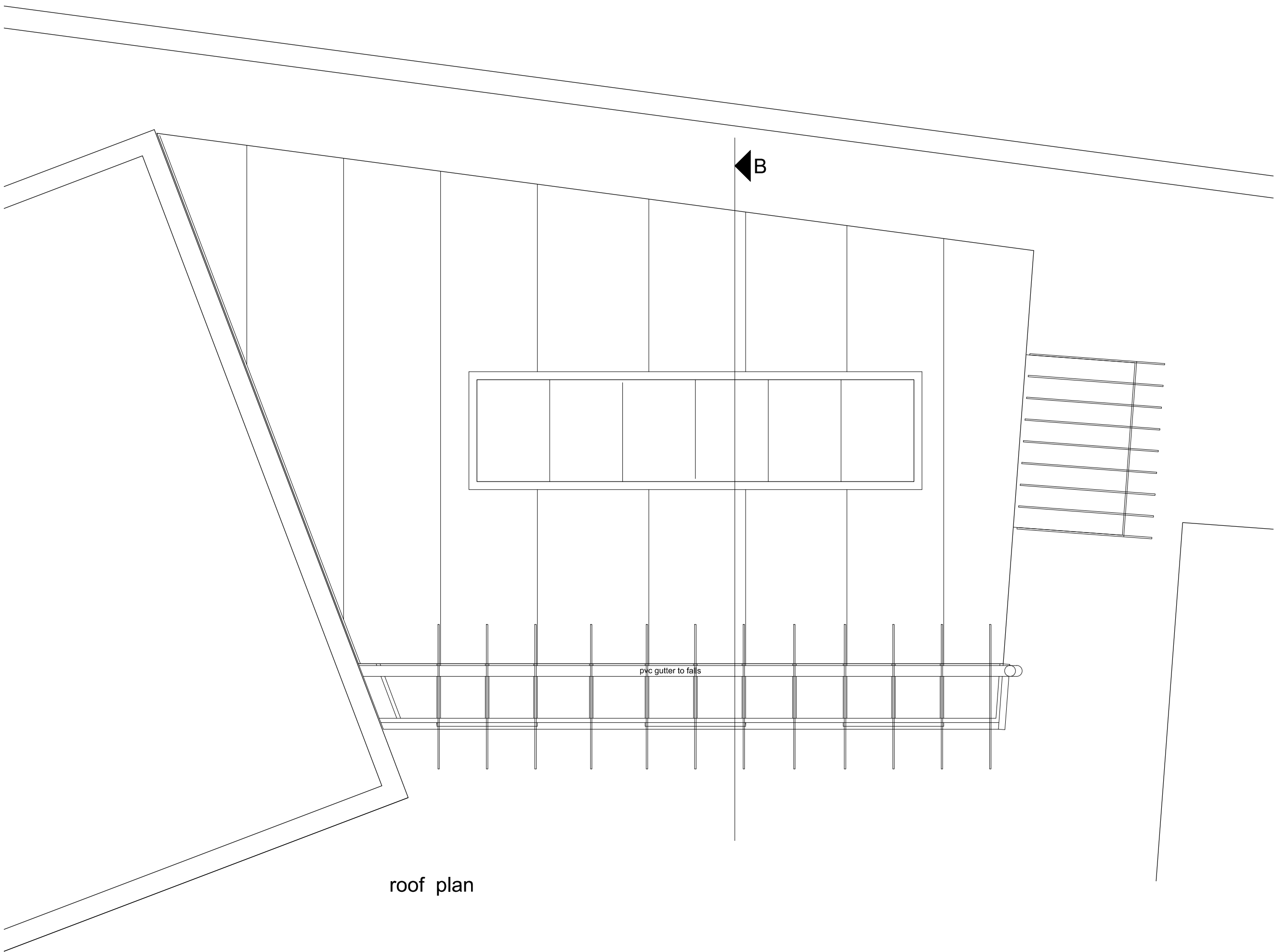
DRAWING DESCRIPTION
SHOWROOM CONVERSION -
PROPOSED ELEVATIONS

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DRAWING NUMBER	REV	
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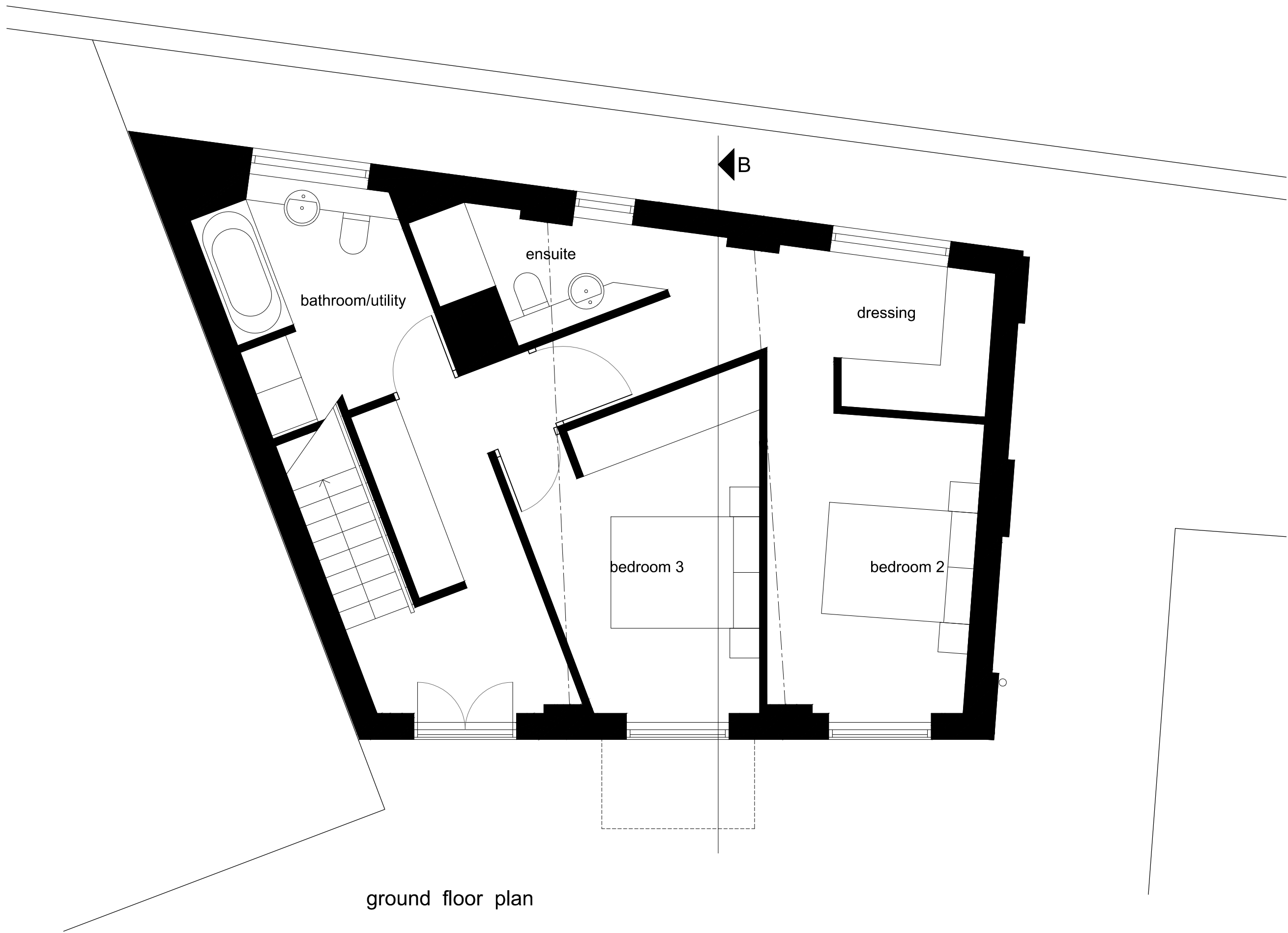
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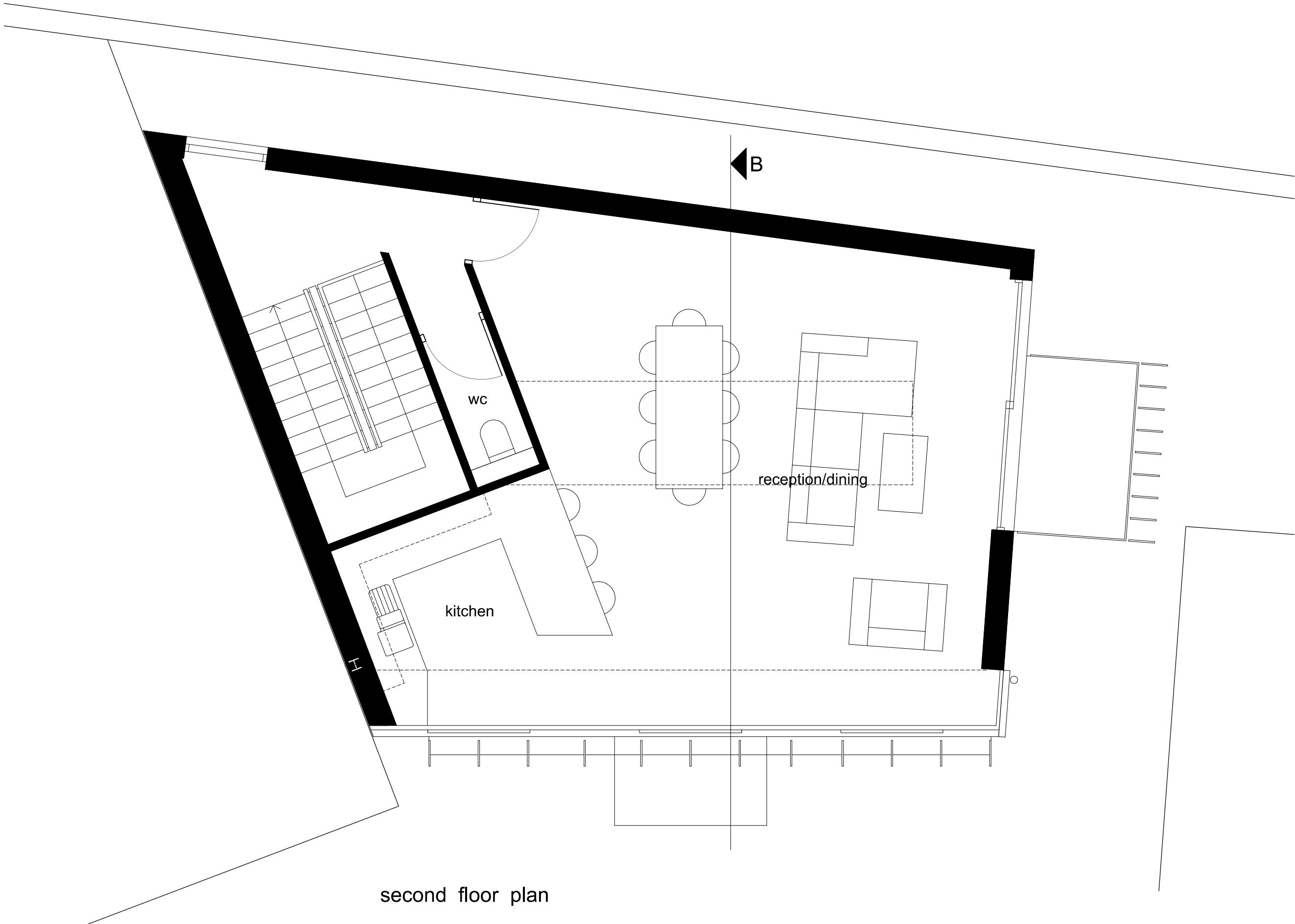
first floor plan



roof plan



ground floor plan



second floor plan

C	04.12.12	section line added	JM
B	09.10.12	louvers added to balcony	JM
A	19.09.12	layout updated	JM
REV	DATE	AMENDMENT	BY

hpl architects
HEBER PERCY & PARKER ARCHITECTS
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T: 0207 7496 2020 F: 0207 7496 2045 E: info@hebpark.co.uk

PROJECT
PORTLAND HOUSE
RYLAND ROAD

CLIENT
DELBANCO MEYER

DRAWING DESCRIPTION
SHOWROOM CONVERSION -
PROPOSED PLANS

SCALE	DRAWN BY	DATE
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DRAWING NUMBER	REV	
1051.27	C	

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Address:	Portland House Ryland Road London NW5 3EB	
Application Number:	2012/6021/P	Officer: Jonathan Markwell
Ward:	Kentish Town	
Date Received:	09/11/2012	
Proposal: Change of use of existing showroom building (Class B1) to 1x3 bed residential unit (Class C3) and associated works including alterations to windows and doors, provision of balcony at first floor level and metal fins at second floor level on east (front) elevation, provision of window at first floor and balcony with metal fins at second floor level on north (side) elevation and installation of five windows on west (rear) elevation.		
Drawing Numbers: 1051.25 Rev A; 1051.26 Rev A; 1051.27 Rev C; 1051.28 Rev C; 1051.29; 1051.30 Rev A; Design and Access Statement & Lifetime Homes Standards dated 09/11/2012 Ref 1051/3.1/JM; Energy Statement by Energytest Ltd dated 01/11/2012; Report on the use and marketing activity of the showroom premises by Salter Rex dated 18/12/2012.		
RECOMMENDATION SUMMARY: Grant Planning Permission subject to a Section 106 Legal Agreement		
Applicant:		Agent:
Mr Jonathan Rose Delbanco Meyer & Co Ltd, Portland House, Ryland Road London NW5 3EB		HPP Architects 3-5 Bleeding Heart Yard London EC1N 8SJ

ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace (showroom building only) (GEA)
Existing	B1 Business		234m ²
Proposed	C3 Dwelling House		234m ²

Residential Use Details:										
	Residential Type	No. of Bedrooms per Unit								
		1	2	3	4	5	6	7	8	9+
Existing	Flat/Maisonette									
Proposed	Flat/Maisonette			1						

OFFICERS' REPORT

Reason for Referral to Committee: **The Director of Culture and Environment has referred the application for consideration as it involves the making of a planning obligation under Section 106 of the Town and Country Planning Act 1990 [Clause 3(vi)] in relation to matters outside the scheme of delegation.**

1. SITE

- 1.1 This application site is located on the corner of Ryland Road and also fronts onto Wilkin Street, with the access to off-street parking area and the building solely accessed from Ryland Road. The building to which this application relates is a three storey 'showroom' structure, located in the south-west corner of the site. The showroom building is a traditional mews building, but has been heavily modified and contains a large fully glazed contemporary roof extension and modern timber casement windows (see relevant history). It is adjacent to the primary building on the site, a large late 19th Century six storey industrial building. This building is presently being converted at second floor and above for residential use (see relevant history), with the applicant confirming that occupation of the ten residential units is anticipated from February 2013. Both buildings are under the same ownership within the same application site. The site is located within the Inkerman Conservation Area and is identified as making a positive contribution to the character and appearance of the conservation area. The building is not listed.
- 1.2 The site is located close to Kentish Town West Mainline Station and line (to the west), beyond which is Talacre Open Space and the associated sports centre, games court and playground. The site is currently occupied by a single business user who no longer requires the upper floors of the main building or the showroom building for the operation of their business. Instead the business operations of the applicant will continue from the basement to first floor of the main building.
- 1.3 The buildings surrounding the application site are predominately residential along Ryland Road and Grafton Road at this point, with some commercial spaces (such as Imperial Works to the south of the application site and Ryland House to the east of the application site) also in close proximity to the site.

2. THE PROPOSAL

- 2.1 Planning permission is sought for the change of use of existing showroom building (Class B1) to 1x3 bed residential unit (Class C3). A variety of associated works are also proposed, including alterations to windows and doors (primarily those on the east (front) elevation, the provision of an external balcony at first floor level and metal fins at second floor level on east (front) elevation, the provision of a window at first floor and balcony with metal fins at second floor level on the north (side) elevation and the installation of five windows on the west (rear) elevation.

- 2.2 During the course of the application the applicant has provided existing and proposed section plans, clarification in respect of the off-street vehicular and cycle parking arrangements and details in respect of the business operations of the existing occupier.

3. **RELEVANT HISTORY**

- 3.1 PEX0201107: The erection of an additional floor at second floor level on top of existing 2-storey showroom building. Granted 10/02/2003.
- 3.2 2011/1484/P: Change of use and works of conversion from office use (Class B1) to 9x residential units (Class C3) on second to fourth floors and retention of office space at basement, ground and first floors with associated works to include replacement windows, addition of balconies and a new entrance with glazed canopy on Wilkin Street.

This application was considered at the Development Control Committee Meeting on 11/08/2011, where it was resolved by members that planning permission could be granted subject to conditions and a S106 Legal Agreement covering the following Heads of Terms:

- Car capped
- Education Contribution of £33,804
- Affordable housing in lieu of direct provision a financial contribution of £369,145
- Open Space Contribution of £13,527
- Sustainability Plan (Eco Homes 'very good')

The S106 was signed and full planning permission granted on 21/02/2012.

- 3.3 2011/5370/P - Erection of a roof extension to create one three bed residential dwelling (Class C3) at fifth floor level.

The application was considered at the Development Control Committee Meeting on 02/02/2012, where it was resolved by members that planning permission could be granted subject to conditions and a S106 Legal Agreement covering the following Heads of Terms:

- affordable housing contribution – £94,207;
- car-free housing for the one unit created;
- education contribution of £6,322;
- open space contribution of £2,317;
- code for sustainable homes design stage and post construction assessment;
- energy statement;
- Provision of additional affordable housing if Portland House is extended or converted above and beyond the 10 residential units created by this and application 2011/1484/P.

The S106 was signed and full planning permission granted on 30/03/2012.

- 3.4 2012/2386/P - Change of use from office (Class B1) to residential (Class C3) to provide 3 x two bedroom self contained flats at first floor level. Withdrawn 20/06/2012.

4. CONSULTATIONS

Conservation Area Advisory Committee (CAAC)

- 4.1 Kentish Town CAAC was formally consulted on the application. No response has been received.

Local Groups

- 4.2 A representative from Inkerman Area Residents Association has commented as follows: "We do not object to this application but would ask for a condition to be put on any grant of permission that there is a prohibition on residents parking permits being granted. The surrounding streets [are] already overcrowded with parking and there is room for onsite parking within this development"

Adjoining Occupiers

	Original
<i>Number of letters sent</i>	28
<i>Total number of responses received</i>	02
<i>Number of electronic responses</i>	01
<i>Number in support</i>	01
<i>Number of objections</i>	00

- 4.3 A site notice was erected on 21/11/2012, expiring on 12/12/2012. A press notice was published on 29/11/2012, expiring on 20/12/2012. A total of two responses have been received.
- 4.4 A representative of Blast Films, Unit C, Imperial Works denotes support for the application, providing the works to implement the permission does not result in the closure of Ryland Road.
- 4.5 Occupiers of 70 Grafton Road comment as follows: "The residents of Grafton Road are in the Inkerman Conservation Area as well as Portland House and we want to stop over development of the area. The subject planning application does not increase the height of the building or change significantly the appearance so we can support this aspect of the application with respect to the conservation area. However the residence do not want any additional car parking as there are not enough spaces at the moment for our needs. Therefore there should be a legal document put in place to prevent owners/tenants from having on street parking permits in the Grafton Road and Ryland Road parking zones as a condition of any planning approval".

5. POLICIES

5.1 **LDF Core Strategy and Development Policies**

CS1	Distribution of growth
CS5	Managing the impact of growth and development
CS6	Providing quality homes
CS8	Promoting a successful and inclusive Camden 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
CS15	Protecting and improving our parks and open spaces & encouraging biodiversity
CS18	Dealing with our waste and encouraging recycling
CS19	Delivering and monitoring the Core Strategy
DP2	Making full use of Camden's capacity for housing
DP3	Contributions to the supply of affordable housing
DP5	Homes of different sizes
DP6	Lifetime homes and wheelchair homes
DP13	Employment sites and premises
DP16	The transport implications of development
DP17	Walking, cycling and public transport
DP18	Parking standards and the availability of car parking
DP19	Managing the impact of parking
DP20	Movement of goods and materials
DP21	Development connecting to the highway network
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
DP29	Improving access
DP31	Provision of, and improvements to public open space and outdoor sport and recreation facilities
Appendix 2	Parking standards

5.2 **Other relevant Planning Policies**

Camden Planning Guidance 2011
Inkerman Conservation Area Statement (Adopted October 2001)
London Plan 2011
National Planning Policy Framework (Adopted 27/03/2012)

6. **ASSESSMENT**

6.1 The principal considerations material to the determination of this application are summarised as follows:

- Land use – loss of employment / provision of residential;
- Land use - Contribution to affordable housing;
- Design / Conservation Area;
- Amenity for future occupiers and neighbours;
- Transport
- Other matters

Land use – loss of employment / provision of residential

- 6.2 The existing showroom building is considered to comprise a Class B1 use. Consequently the proposal would result in the loss of employment floorspace, which is considered on the basis of policies CS8 and DP13. Policy CS8 seeks to secure a strong economy in the borough by (amongst other things) safeguarding existing office premises in the borough which meet the needs of modern industry and employers. However, more specifically paragraph 8.8 indicates that the Council are promoting sufficient office space to meet projected demand, and so there is a general presumption that older office spaces can be released where housing or community uses are proposed. DP13 indicates circumstances under which the Council may a change to non-business use, namely where premises are not suitable for their existing use and there is evidence that the possibility of re-using or redeveloping the site for alternative business use is not appropriate.
- 6.3 The more recent national context is also another important consideration, with paragraph 51 of the NPPF stipulating that local planning authorities should *“normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate”*. The proposal is hence considered with this in mind.
- 6.4 During the course of the application a detailed report has been submitted on behalf of the applicant by a representative of Salter Rex Chartered Surveyors, who are based in Kentish Town. This details the rationale for the existing long time occupier of the site (Delbanco Meyer and Company Limited outline that they have been based at Portland House since 1967) wishing to reduce their business floorspace at the site, the marketing attempts and constraints with the future letting of the space and a more general overview of the local market.
- 6.5 More specifically, it has been detailed that the household textile company who own the site no longer require the entire floorspace at the site, with warehousing now taking place in Stevenage and production in China owing to economic reasons. They have however outlined that they intend to maintain their group headquarters at the site for the foreseeable future and only require the basement, ground and first floors of Portland House to do this. As such the showroom building is no longer required as part of their operations and hence they are seeking to convert this into a residential unit.
- 6.6 There are numerous factors which the applicant has detailed which suggest the poor quality of the existing space. The internal layout and irregular shape of the building, there being no lift facility, the building only having a single toilet and the close proximity to the railway viaduct are all detailed. Moreover, the building not adhering to disabled access requirements, a lack of modern servicing and the lack of natural light at ground and first floor and heat loss from the glazed second floor all point to the showroom having severe difficulties in meeting the needs of modern industry and employers. The applicant has also detailed marketing attempts by Savills in 2007, Salter Rex since October 2008 until the present day and Peter

Goodman Merriman in 2010/2011 at the site. Despite incentives and reasonable rent levels the premises / site has not attracted a business operator. The marketing report also points to the general oversupply of Class B1 in the local area. As a result of the commentary provided, an officer site visit to the premises and the context of the recent permissions at the site it is considered that sufficient evidence has been submitted to justify the loss of the existing employment use. Owing to the access arrangements at the site it would be difficult for the showroom building to operate for alternative business uses, given the shared access with the remaining office use on the lower floors of Portland House and the ten residential units above. Thus it is considered that the policy requirements of CS8 and DP13 have been met and hence the loss of office accommodation in this instance is considered appropriate.

- 6.7 Given the loss of employment use within the showroom building is considered to have been established, the principle of providing a residential unit can be considered. Housing is regarded as the priority land-use of the LDF, as stipulated by policies CS6 and DP2. These policies seek to maximise the supply of additional homes in the borough. Hence the principle of providing residential accommodation at the site can be established, as it was for recent applications 2011/1484/P and 2011/5370/P at the site. In terms of the size of the unit, 1x3 bed unit would provide a large unit suitable for family accommodation. This is considered to be appropriate.

Land use - Contribution to affordable housing

- 6.8 Owing to the context of applications 2011/1484/P and 2011/5370/P at the site (as highlighted at section 3 of this report) which are presently being implemented on-site, the present application represents a third recent application within the same red line site area. Owing to the S106 element contained within permission 2011/5370/P at the site, which seeks to secure additional affordable housing if the application site is extended or converted above and beyond the 10 residential units created by the two recent permissions, it is considered necessary for the intended scheme to make an appropriate contribution towards affordable housing. Policy DP3 outlines that “where development sites are split or phased, the Council will seek to use legal agreements to ensure that all parts or phases make an appropriate affordable housing contribution”.
- 6.9 Given that only a single residential unit is being sought to be created in this instance, it is not considered appropriate or possible to seek for the unit proposed to be created to be an on-site affordable unit. This is as the affordable floorspace created would be significantly over and above the proportion which would be required. Moreover, the applicant has already made two payment-in-lieu contributions to affordable housing in previous recent applications at the site. Furthermore, based on previous applications it is understood and accepted that the applicant does not own other nearby sites in order to provide off-site affordable housing. On this basis it is considered that the most appropriate affordable housing contribution would take the form of a payment-in-lieu to direct provision of affordable housing.

- 6.10 The amount to be secured, based on CPG guidance and the floorspace information provided as part of the application and previous applications, is calculated as follows (full methodology shown):

2011/1484/P – change of use of the second to fourth floors for nine residential units

GEA = 1161 sq m

Affordable housing requirement = 12%

$1161 \times 0.12 = 139.3$ sq m requirement for on-site affordable housing

$139.3 \times £2650$ (payment-in-lieu per sq m of non-provision) = £369,145

£369,145 was secured as a payment-in-lieu as part of 2011/1484/P

2011/5370/P – roof extension to provide one residential unit

GEA of roof extension = 184 sq m

$184 + 1161$ (GEA of second to fourth floors) = 1345 sq m

Affordable housing requirement = 13%

$1345 \times 0.13 = 174.85$ sq m requirement for on-site affordable housing

$174.85 \times £2650 = £463,352 - £369,145$ (secured as part of 2011/1484/P) = £94,207

£94,207 was secured as a payment-in-lieu as part of 2011/5370/P

This application proposal – change of use of showroom for one residential unit

GEA of showroom = 234 sq m

$234 + 1345$ (GEA of second to fourth floors and roof extension) = 1579 sq m

Affordable housing requirement = 16%

$1579 \times 0.16 = 252.64$ sq m requirement for on-site affordable housing

$252.64 \times £2650 = £669,496 - £463,352$ (cumulative sum secured as part of 2011/1484/P and 2011/5370/P - £369,145 + £94,207) = £206,144

- 6.11 Therefore, as part of this application it is sought to secure a payment-in-lieu to direct provision of affordable housing of £206,144. The applicant has indicated a willingness to enter into a legal agreement on this basis.
- 6.12 Given the recent history of applications at the site (including a withdrawn application in 2012 which sought the change of use of the first floor for residential purposes) and the present retention of office space within the main Portland House building at basement, ground and first floor level, it is also sought to be secured via S106 for an affordable housing requirement to be triggered should the application site be further extended or converted in the future. Thus should the site in the future be extended or converted above and beyond the 11 residential units currently proposed (as part of this application and permissions 2011/1484/P and 2011/5370/P) in the future a further requirement towards affordable housing will be secured. This will cover possible scenarios such as: 1) any part of the basement, ground and first floor offices being sought to be converted into residential accommodation; 2) the site being extended (either at roof level, elsewhere on the site or basement excavation for example) to provide additional units or 3) the

internal layout of the 11 units across the site being reconfigured to provide a larger number of overall residential units. In practice this will secure an appropriate percentage of the residential units permitted by the subsequent planning permission being allocated as affordable housing, with this percentage being applied to the aggregate total of the residential units permitted by the current planning application, applications 2011/1484/P and 2011/5370/P and any subsequent future planning permission(s). The contribution to affordable housing in any future scheme would take into account the 252.54 sqm already secured as part of this scheme and the two previous permissions as a payment-in-lieu.

Design / Conservation Area

- 6.13 The property is a traditional mews building adjoining and forming part of the much larger Portland House site. The building has been heavily modified and contains a large fully glazed contemporary roof extension and modern timber casement windows. There is an internal wrought iron staircase and also access to an external fire escape which is shared with the main Portland House building.
- 6.14 At ground floor level on the front (east) elevation it is proposed to lower the cills of the two windows to the floor and install fixed timber panel spandrels and replacement openable windows above. It is considered that lowering the windows, all with timber lower panels, enhance the historic character of the building over and above the existing modern casements. At first floor level the windows are sought to be replaced with timber windows and the winch door is to be replaced with a timber door with timber lower panels. These works are considered appropriate, with the introduction of single pane windows considered to improve the relationship with the modern extension, giving greater cohesion to the composition whilst preserving and enhancing the character of the mews building. It is also proposed to replace an existing escape door with a fixed window on the north flank elevation, for which there is no objection.
- 6.15 At second floor level it is proposed to attach galvanised fins to each mullion of the existing glazed extension to reduce overlooking to and from Portland House. It is considered that the fins would add an additional element to the already overtly contemporary extension. They are not considered to result in the extension appearing over dominant in relation to the main building. In order to preserve the character of the building and the wider conservation area, a suitably worded condition will secure sample details of the galvanised fins. It is also proposed to introduce five windows on the west (rear) elevation. These windows, not readily visible from the public realm, raise no design issues. Therefore in overall terms the proposed works would satisfactorily preserve and enhance the character and appearance of the building and thus the conservation area, in compliance with policies CS14, DP24 and DP25.

Amenity for future occupiers and neighbours

- 6.16 In terms of the impact of the proposed residential use of the showroom building on neighbouring occupiers and future occupiers themselves, these matters have been carefully considered in the submission. More specifically, owing to the glazed nature of the existing second floor storey of the building, this presently provides

opportunities for overlooking / loss of privacy between the showroom building and Portland House. When both buildings were in office use such matters were insignificant; however the introduction of residential accommodation at second floor and above at Portland House, together with the provision of associated balconies at close quarters to the showroom building (at the closest point 2 metres away from one another) means instances of a detrimental loss of privacy is a real possibility at the site. As a result the applicant is proposing the introduction of a design feature, in the form of vertically positioned galvanised fins at second floor level (on both the front elevation and side elevation where a small terrace is proposed) to minimise opportunities for overlooking and thus maintain a reasonable amount of privacy for future occupiers of both the showroom and Portland House. The galvanised fins would be 0.6m apart, full height and extend out from the building by 0.5m. As such it is considered that this design feature satisfactorily overcomes overlooking concerns, whilst simultaneously maintaining an adequate level of outlook and access to sunlight and daylight for all residential occupiers. In addition it would also reduce instances of light pollution from a solely glazed storey of accommodation. Consequently the use of such a design feature is considered to address all these amenity matters satisfactorily.

- 6.17 It is also proposed to create a small external terrace on the front elevation at first floor level. Owing to the first floor of Portland House remaining in office use and the floor to ceiling heights of the building being such that Portland House is marginally higher than the showroom building, it is considered that opportunities for overlooking to and from this terrace would only be at oblique angles, thereby reducing any possible harmful instances of overlooking and loss of privacy to occupiers.
- 6.18 The provision of external terraces at the showroom building is not considered to result in instance of undue noise and disturbance to neighbouring occupiers. The small size of the terraces (1.1m x 2m on the front elevation and 2.3m x 1.4m on the side elevation) means that opportunities for substantial noise and disturbance from these areas are considered to be limited.
- 6.19 The proposed development would result in the creation of a single dwellinghouse, which itself would have the benefit of permitted development rights in the future. In order to ensure that the proposed building is not inappropriately altered once the permission is implemented and to maintain the amenity of neighbouring occupiers, it is considered relevant and necessary to remove permitted development rights, as secured via condition. overall terms it is considered that the amenity of adjoining occupiers would not be significantly harmed as a result of the proposed change of use of the showroom to residential use.
- 6.20 Turning to the quality of accommodation for future occupiers, all rooms are generously sized and would provide high quality residential accommodation. The additional windows proposed will improve the outlook and natural ventilation within the building, while also assisting in providing sufficient access to daylight and sunlight for occupiers. The two small external terrace areas also assist in the overall high quality accommodation proposed.

- 6.21 The applicant has also submitted a lifetime homes statement demonstrating that the majority of the standards, where possible, will be adhered to. Owing to the nature of the application involving the change of use of an existing building it is acknowledged that not all standards will be able to be met. It is recommended that a condition specifies that the standards said to be met are implemented in the scheme. In terms of waste provision, it is considered that sufficient space internally is available for such purposes, together with the existing external provision secured as part of previous permissions at the site.

Transport

- 6.22 The application site is situated within an identified 'very good' location in terms of public transport accessibility (PTAL 5). As a result it is sought for the proposed unit to be made car-free. It is noted that the 2011/1484/P scheme involved car-capped housing given there are nine existing parking spaces on site, five of which are to be secured for future occupiers of residential units to be approved as part of 2011/1484/P and 4 for the retained offices. In permission 2011/5370/P the roof level residential unit created was made car-free, as secured via S106 Legal Agreement. Given that the amount of office accommodation at the site is being reduced as a result of this proposal it was sought for the applicant to reduce the number of off-street parking spaces for office use. However the applicant has detailed this is not advantageous for continued business operations at the site. The applicant has instead detailed that there will be three office parking spaces and one space dedicated to disabled parking provision. Such an arrangement is considered appropriate from a transport perspective.
- 6.23 In relation to cycle parking, the on-site provision for the site as a whole has been realigned consistent with the reduction in office floorspace and increase in residential units at the site proposed as a result of the development. Six secure on-site spaces are provided for office occupiers and fourteen for the residential component. This is considered satisfactory and will be secured via condition.
- 6.24 In terms of the construction of the development, the proposed works involved in this specific application are not of a level or nature which would require a construction management plan to be secured. It is considered that the existing off-street parking area within the application site will provide adequate space for the works associated with this proposal.

Other matters

- 6.25 Owing to the recent nature of applications 2011/1484/P and 2011/5370/P at the site, both granted in 2011 and in the process of being implemented to create 10 residential units at the site, it is considered reasonable to seek financial contributions towards education and open space. In line with CPG 2011 this amounts to £6,322 in respect of educational infrastructure in the area for the three-bed unit created and £2,317 for public open space (£1,326 for capital costs, £832 for maintenance and £159 for design and administration). The applicant has indicated a willingness to enter into the S106 on this basis.

- 6.26 As the proposals involve a change of use of an existing building and only a single unit is being created, a BREEAM Refurbishment pre-assessment is not required. Given the floorspace is beneath 500sqm an energy statement / strategy is similarly not a statutory requirement of the application. The applicant has nevertheless submitted an Energy Statement outlining that the air tightness and fabric efficiency of the building will be improved to reduce the energy demand and carbon emissions within the showroom building. Given the context of the proposals such measures are welcomed and encouraged, although it is not considered necessary or relevant to secure such matters by obligation or condition in this instance.
- 6.27 Given that a residential unit is being created in this proposal the scheme will be CIL (Mayor of London's Community Infrastructure Levy) liable. The CIL will be collected by Camden after the scheme is implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index. An informative is recommended to be added to the decision notice reminding the applicant of the CIL requirement.

7. CONCLUSION

- 7.1 It is considered that sufficient evidence has been submitted to justify the loss of office accommodation within the showroom building. Moreover the change of use would facilitate the provision of an additional residential unit; the priority land use of the LDF. Only limited design alterations are proposed to the building, all of which would either preserve or enhance the character of the building and wider conservation area. The proposal would also create a high standard of residential accommodation for future occupiers, whilst also protecting nearby residential amenity. Finally, appropriate contributions to affordable housing, education and open space would also be made by the applicant.
- 7.2 Planning Permission is recommended subject to a S106 Legal Agreement covering the following Heads of Terms:-
- affordable housing payment in lieu contribution of £206,144;
 - provision of additional affordable housing if the application site is extended or converted above and beyond the 11 residential units created by this and applications 2011/1484/P & 2011/5370/P;
 - car-free housing for the one unit created;
 - education contribution of £6322;
 - open space contribution of £2317.

8. LEGAL COMMENTS

- 8.1 Members are referred to the note from the Legal Division at the start of the Agenda.