

Planning and Heritage Statement

14 Hatton Wall, London, EC1

December 2014

Turley

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1. Introduction

- 1.1 This Planning and Heritage Statement has been prepared by Turley in support of an application for planning permission for the creation of a roof extension and the change of use to provide two new residential units at 14 Hatton Wall. As such, the description of development is as follows:

Change of use of part ground floor, first, and second floors from commercial to provide two residential units (C3), erection of single storey roof extension, roof terrace, replacement shopfront and alterations to front and rear elevation

- 1.2 This application is made following numerous pre-application discussions with planning and design officers at the Council. The Council concluded the change of use to residential of the upper two floors is now considered acceptable in principle. The proposed design approach within this application has been amended further to meet Council's aspirations for the site and to ensure the best possible living accommodation can be provided.

- 1.3 The proposals have been formulated with substantial input from various consultants and as such this application is supplemented with a number of supporting statements and drawings, comprising the following:

- Design and Access Statement;
- Lifetime Homes Assessment;
- Planning and Heritage Statement, prepared by Turley;
- Daylight and Sunlight Assessment;
- Marketing Report; and
- Site location plan and pack of existing and proposed drawings, sections and elevations

- 1.4 The structure of the statement is set out as follows:

- Section 2 describes the application site and surroundings;
- Section 3 sets out the planning history to the site;
- Section 4 provides a detailed description of the proposed development;
- Section 5 establishes the planning policy framework against which the application should be assessed;
- Section 6 provides a detailed assessment of the planning application, considering the proposals against the key elements of policy;

- Section 7 sets out the significance of the heritage assets and an assessment of the proposals against them; and
- Section 8 then summarises the statement.

2. Site and Surroundings

- 2.1 14 Hatton Wall is a three storey terraced property located in Hatton Garden. The property is not listed but sits within the Hatton Garden Conservation Area. The building is currently entirely in commercial use although this is vacant and is currently being marketed. The surrounding area is generally characterised by a mix of retail, office and residential uses.
- 2.2 The site forms part of a terrace along the northern side of Hatton Wall, the heights of which vary along the street from three principle storeys to five storeys with a variety of roof additions. No. 14, sharing party walls with No. 12 matches this property in terms of height and design above ground level, whilst No.16 on the adjacent side of the site sits a storey higher.
- 2.3 The property dates back to 1893 and comprises a three storey building with basement level. The front façade is painted brick with a shop front at street level, covered by metal security shutters. The upper two floors are one bay wide.
- 2.4 The property was sold in June 2012 to the applicant and has been vacant since this time. Prior to this the building was used in the jewellery trade with retail on the ground floor and ancillary areas on the basement, first and second floors.

3. Planning History

- 3.1 The site has undergone a variety of pre-application discussions and applications and is summarised below:

Planning Applications

- 3.2 A Certificate of Lawfulness (Existing) application (reference 2013/3566/P) was refused on 9th August 2013 for the 'use of ground, first and second floors as retail (Class A1)'. The reason for refusal was as follows:

The evidence provided by the applicant is not deemed to be sufficiently precise and unambiguous to demonstrate that 'on the balance of probability' the use of the ground, first and second floors is retail (A1).

- 3.3 The decision was appealed in September 2013 and subsequently withdrawn on 27th February 2014. This was withdrawn as pre-application advice had been received from the Council for an alternative scheme. It was therefore decided to pursue this instead.

Neighbouring Applications

12 Hatton Wall

- 3.4 Application (reference: 2005/0736/P) consented on 17th May 2005 for:

The erection of a roof extension to create a third storey and a rear extension at first and second floor levels

- 3.5 This application has not been implemented and the consent has now lapsed.

23-27 Hatton Wall

- 3.6 Application (2013/5763/P) consented on 17th July 2014 for:

Change of use at first floor level from Sui Generis to residential (C3), and erection of a roof extension, including extension at second floor level rear, new third floor level to create an additional storey, in connection with the provision of 2 x 1 bedroom and 3 x 2 bedroom self-contained flats, and alterations to shopfront including new residential entrance

18-28 Hatton Wall

- 3.7 Application (2008/1886/P) consented on 25th July 2008 for:

Demolition of Nos.20-24 Hatton Wall and replacement with six storey building plus basement to provide light industrial use (Class B1(c)) at basement level and ground floor level and office use (Class B1) at first floor and upper storeys; change of use, refurbishment and extension of Nos.26-28 Hatton Wall to residential use (Class C3) providing two 1-bed units and one 2-bed unit on upper floors with retained retail use (Class A1) at ground floor level, including erection of new mansard roof; and change of use of No. 18 Hatton Wall from office use at ground floor reception level (Class B1) to retail use (Class A1); and associated works.

Pre-Application Discussions

- 3.8 A pre-application request was submitted to the Council in December 2014, with a site meeting taking place. This related to the erection of a two storey roof extension and change of use of the upper floors of the building to residential use (2 x 2bed units and 1 x 1bed units), creating an additional 80sqm residential floorspace. The pre-application advice received, on 24th January 2014, sought further information regarding the marketing of the upper floors. Further issues raised were in relation to the design, quality of residential accommodation and cycle parking. Further advice via an email dated 6th February 2014 was received from the Council, providing further advice regarding the marketing evidence required and relating to the design of the proposed extension.
- 3.9 A further pre-application request was submitted to the Council in June 2014 for a revised scheme which had taken into account previous advice received by the Council. The Council provided a response on 15th August 2014. The Council noted they considered the marketing evidence to be sufficient to change the use of the upper floors to residential. The revised proposals presented a reduction from two storeys to one for the roof extension; the council noted this was more appropriate, suggesting some further advice regarding the detailed design.
- 3.10 Further detail on the discussions within the pre-application and how the proposals have responded to the advice received is located in chapter 6.

4. The Proposed Development

4.1 The elements of the proposed development comprise the following:

- conversion of the upper floors and small section of the ground floor of 14 Hatton Wall from commercial to provide two residential units;
- erection of a single storey rooftop extension to provide additional residential accommodation;
- provision of terraces at ground, third and rooftop levels;
- replacement shopfront; and
- upgrades to front and rear elevation, including replacement of windows.

4.2 The commercial units at basement and the majority of the ground floor unit will be retained as retail/workshop space.

4.3 As such, the description of development is as follows:

Change of use of part ground floor, first, and second floors from commercial to provide two residential units (C3), erection of single storey roof extension, roof terrace and alterations to front and rear elevation

4.4 The proposed residential accommodation will provide a one bed unit occupying a small part of the ground and the complete first floor; and a two bed unit across second floor and within the proposed roof extension at third floor level. The residential units will be accessed from a separate entrance along Hatton Wall, providing direct access to the first floor level. Private outdoor amenity space will be provided to the ground/first floor unit to the rear of the unit accessed at ground floor level. The second/third floor unit will benefit from a small terrace to the front of the unit, along with a roof terrace covering just over half of the proposed roof extension to the rear.

4.5 It is proposed to extend the building at roof level comprising a single storey flat top mansard extension with double doors set back from the building line, providing a small terrace on to Hatton Wall. The detailed design of the scheme has sought to address advice received through the pre-application process. The extension will be zinc clad, with a stone capped party wall, with brick also to the rear elevation. The windows will comprise aluminium framed with clear glass balustrade to the third floor terrace, timber clad balustrade to the roof top terrace, and steel balustrade to the rear elevation sliding doors.

4.6 The windows to the front and rear elevation will also be replaced. At the front elevation these will be replaced like for like. To the rear the windows will be realigned and replaced to match the rear of the neighbouring properties.

Change from Pre-Application Scheme

4.7 As a result of the most recent pre-application advice received, and to deliver a scheme that further responds to its surroundings, the following changes have been made to the proposals:

- Provision of a flat top mansard roof, as opposed to a 'true mansard', enabling it to match the height of the gable parapet at No.16;
- Provision of a timber clad balustrade to the larger rooftop terrace;
- Replacement shopfront;
- Replacement of windows to rear elevation for timber double glazed sash windows, to match those at No. 12; and
- Alterations to and reduction of rooflights and access to roof top terrace.

5. Planning Policy

5.1 The planning policy framework against which the proposed development should be assessed comprises:

- National Planning Policy Framework (NPPF) (2012)
- The London Plan (2011, revised early minor alterations 2013)
- Core Strategy (2010)
- Development Policies (2010)
- Camden Planning Guidance 1 Design (2013)
- Hatton Garden Conservation Area Statement (1999)

National Planning Policy Framework

5.2 The NPPF is clear that housing applications should be considered in view of the presumption in favour of sustainable development. In terms of design, sites should optimise their potential to accommodate development and respond well to local character and history through good architectural style.

5.3 Paragraph 22 states *'planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose'*. It goes on to state that *'where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable communities.'*

5.4 Paragraph 51 notes LPA's should bring back empty buildings into residential use, and should normally approve planning applications for change to residential use 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.

5.5 Paragraph 131 elaborates that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets, putting them into valuable uses consistent with their conservation, as well as the desirability of new development making a positive contribution to local character and distinctiveness.

5.6 New development should be sought within conservation areas in order to better reveal their significance and proposals that preserve or enhance those elements of the setting that make a positive contribution to, or better reveal the significance of the asset, should be viewed positively.

The London Plan

- 5.7 Policy 3.5 seeks that the design of new residential development should enhance the quality of local places in response to local character and density.
- 5.8 Policy 5.3 promotes the highest standards of sustainable design and construction to improve the environmental performance of new developments.
- 5.9 Policy 7.8 (Heritage Assets and Archaeology) set out London Plan policy regarding the historic environment in London, requiring the identification of the designated heritage assets in order for these to be conserved where they are affected by development.
- 5.10 Turning to design Policy 7.4 (Local Character) advises that development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings.

Core Strategy

- 5.11 Policy CS5 relates to managing the impact of growth and development, which seeks to provide the infrastructure and facilities needed to support Camden's population and those who work in the borough.
- 5.12 Policy CS6 seeks to maximise the supply of additional housing.
- 5.13 Policy CS8 seeks to safeguard existing employment sites and premises in the borough that meet the needs of modern industry, promoting and protecting the jewellery industry in Hatton Garden. The Council seek to secure and retain premises suitable for use as jewellery workshops and related uses. The Council's approach to the conversion of premises in Hatton Garden is set out in DP13.

Development Policies

- 5.14 Policy DP2 seeks to maximise the supply of additional homes in the borough.
- 5.15 Policy DP5 seeks to ensure all residential development contributes to meeting development size priorities, (1 bed having lower priority, 2 beds having a very high priority).
- 5.16 Policy DP6 requires all housing developments to meet lifetime home standards.
- 5.17 Policy DP10 encourages the provision of small shop premises, seeking to protect shops outside centres, only granted planning permission that involves a net loss of shop floorspace outside designated centres, provided that alternative provision is available in 5-10 minute walking distance and there is clear evidence that the current use is not viable.
- 5.18 Policy DP13 relates to employment premises and sites, noting the council will resist a change to non-business unless it can be demonstrate that a site is no longer suitable for its existing business use; and there is evidence that the possibility of retaining, reusing or redeveloping the site for similar or alternative business use has been fully explored

over an appropriate amount of time. This policy also notes that where it can be demonstrated that a site is not suitable for any business use other than B1a offices, in Hatton Garden the Council will expect mixed use developments that include light industry premises suitable for use as jewellery workshops.

- 5.19 Policy DP24 seeks all extensions to existing buildings to be of the highest standards of design.
- 5.20 Policy DP25 seeks to maintain the character of Conservation Areas, only permitted development within Conservation Areas that preserves the character and appearance of that area.
- 5.21 Policy DP26 notes permission will only be granted for development that does not cause harm to amenity.

Camden Planning Guidance 1 Design

- 5.22 CPG1 provides guidance on roof additions, noting these are likely to be acceptable where there is an established form of roof addition or alteration to a terrace; the additions are architecturally sympathetic and there are a variety of additional to roofs which create an established pattern and where further development of a similar form would not cause additional harm.
- 5.23 In terms of terraces, consideration is advised to be given to the design; materials; possible use of setbacks to minimise overlooking; and possible screens or planting. At roof level, terraces should be set back behind a parapet on a flat roof.

Camden Planning Guidance 5 Town Centres, Retail and Employment

- 5.24 This guidance sets out the approach to Hatton Garden, where the conversion of office to residential will only be permitted where 50% of the floorspace is provided as B1c space for use as jewellery sector workshops. Where proposals involve an increase in residential floorspace then 50% of the uplift must be provided as jewellery sector B1c space. In addition it must be demonstrated that the site has been vacant and marketed for at least two years.
- 5.25 The guidance goes on to note that were the provisions of jewellery workshop space is not possible; a financial contribution is required towards the support of the jewellery industry.

Hatton Garden Conservation Area Statement

- 5.26 This is addressed within Chapter 7.

6. Key Planning Considerations

Principle of Conversion to Residential

- 6.1 It is proposed to change the use of the upper floors from commercial to residential, with the retention of the ground and basement floors for A1/B1 uses. The principle of the conversion has been discussed thoroughly throughout the pre-application.
- 6.2 In accordance with Policy DP13, marketing evidence has clearly demonstrated that the building has been extensively marketed for over a three year period by a reputable company. There have been no offers made for B1 office space over this time. The marketing evidence submitted has followed the requirements in line with the guidance within CPG5, and has been deemed adequate by the Council, as noted in their pre-application response dated 15th August 2014.
- 6.3 As highlighted by the agent EC1 office occupier market is now characterised by businesses who need modern, well specified premises which the upper floors of 14 Hatton Wall do not provide. The cost of refurbishing these upper floors would be prohibitive and unviable for continued business use. This building clearly falls within Category 3 of the criteria listed in CPG5 'Town centres, retail and employment'. Such sites are heavily compromised and may not become suitable for continued use when they become empty or need significant investment.
- 6.4 The agent has advised that they see less and less demand for this type of use from potential occupiers who want modern purpose built facilities out of Central London and the jewellery sector is now in the main only focused to Hatton Garden and principally in the south end of that street. This is also evident by the oversupply of available premises in the area, suggesting a decline in jewellery manufacturing. This is also noted within the Conservation Area Statement, where it is stated that most of the jewellery sold in the retail outlets is no longer made locally.
- 6.5 In accordance with the guidance, the marketing exercise has also fully explored the change of use to B1(a) office of the upper floors and the evidence presented by Jarvis Keller Stephens clearly suggests that there is no interest in the premises for this use.
- 6.6 Policy DP13 and guidance in CPG5 refers to seeking 50% of the application floorspace being provided for the jewellery sector. The proposals seek to retain the use of the ground and basement floors of the building as commercial/retail, with potential workshops available on the basement level. The marketing evidence suggests these floors have been unsuccessfully marketed thus requiring the upper floors to be retained for jewellery workshop use would not result in the occupation of the lower floors.
- 6.7 The supporting text to CPG5 states where the provision of jewellery workshop space is not possible the council will seek a financial contribution towards the support of the jewellery industry, the amount of which sought would be related to the area of workspace that would otherwise have been expected. This contribution is sought in planning guidance only, and is not required by Policy DP13 or the NPPF. Furthermore, paragraph 22 of the NPPF makes clear planning policies should resist the long term protection of sites allocated for employment where there is not reasonable prospect for

a site being used for that purpose. This has clearly been demonstrated by the marketing evidence submitted which has been deemed acceptable by the Council. As such, in accordance with the NPPF, applications for alternative uses of such buildings should be treated on their merits. This is also supported by a recent appeal decision (reference: 2196094) for a similar application, in which the Inspector concluded a financial contribution would not be required in order to make the development acceptable.

- 6.8 Residential is a priority use for the Council, as recognised in DP13, DP2 and CS6. In addition Paragraph 51 of the NPPF states that applications for changes of use to residential from buildings currently in the B use classes should normally be approved where there is an identified need for additional housing in the area. There are no economic reasons why these upper floors should not be granted change of use to residential as there is no reasonable prospect that they will be occupied by the jewellery sector or any other B1 users.
- 6.9 Given the lower floors will be retained as A1/B1 space; the proposals do not conflict with Policy DP13. Therefore the proposed mixed use redevelopment comprising redevelopment of the upper floors of the property for residential use together with retention of the ground floor in A1/B1 use be welcomed by the Council.

Provision of Roof Extension

- 6.10 It is proposed to erect a one storey roof extension with a small terrace to the front, along with a part roof terrace to the rear of the roof top.
- 6.11 After following the LPA's pre-application advice, the two storey roof extension was reduced to one storey. This was further reduced in height from continuous discussions with the Council, now sitting at the same height of the gable parapet at No.16 and comprising a flat top mansard, which the Council noted would be considered more favourably. The roof addition is entirely within the existing footprint but sits back from the building line and parapet, allowing for a small terrace to the front. This ensures the addition is subordinate to the host building, whilst being barely visible and therefore has a negligible visual impact to street level.
- 6.12 As noted within the Design and Access Statement, the terrace of which the site forms part of is not a complete terrace as the height of the buildings along the north side of Hatton Wall (Nos. 12-18) have been broken up and vary. As noted within CPG 1 an additional roof storey is likely to be acceptable in such instances. The extension would bring the building in line with the heights of No.16 and No.10 Hatton Wall. Furthermore it is possible for No.12 to re-apply for its previously approved roof extension (ref: 2005/0736/P). The proposals will therefore not add significant bulk or unbalance the architectural composition of this group of buildings.
- 6.13 It is considered the extension is of a high standard of design and meets the requirements set out in DP24 and CPG1.

Provision of Residential Accommodation

- 6.14 The proposals will provide two residential units, comprising a one bed unit (flat 1) and a two bed unit (flat 2), providing a housing mix in line with Policy DP5. Both units will

exceed both Camden's and the GLA's internal space standards providing generous units of 58.3sqm for flat 1 and 86.1sqm for flat 2.

- 6.15 The units will benefit from outdoor private amenity space. Flat 1 will comprise 5.1sqm of space to the rear of the building, and given the existing layout of the building, this will be accessed from the ground floor bedroom. Flat 2 will benefit from a total of 26.4sqm both from the small terrace to the front of the third floor level, along with the roof top terrace. The amenity space has been designed and provided having regard to the guidance within CPG2 and exceeds the minimum standards as set by the GLA's Housing SPG (2012) which seeks a minimum of 5sqm per 1-2 person dwellings, with an extra 1sqm per each additional occupant.
- 6.16 Both units will be constructed to Lifetime Homes standards, in accordance with policies DP6 and CS6. A Lifetime Homes Assessment is included as part of this application.
- 6.17 Given the excellent public transport levels, the residential units will be car free, which will be secured via a S106 agreement. In terms of cycle parking, CPG 7 states that cycle parking standards are applied at a threshold of 500sqm, however given our proposals will result in the conversion of 107sqm, this falls considerably below the threshold. Furthermore, as the residential accommodation is to be located above ground floor level and there is no existing outside space it is not possible to include cycle parking. Therefore, no cycle parking is proposed, nor can be possible to include within the scheme. This was considered acceptable by the Council in the most recent pre-application response.

Amenity

- 6.18 As previously noted the roof top terrace occupies the rear of the rooftop only, is set behind the parapet and incorporates timber clad balustrades. This is in accordance with the guidance for terraces set out in CPG1 and as such will not cause any impacts on neighbouring amenity in terms of overlooking for privacy. Furthermore, the Council note within their pre-application advice that due to the location of the roof extension it would be unlikely to have an adverse impact on surrounding occupiers in terms of loss of light or loss of privacy.
- 6.19 A Daylight and Sunlight Assessment have been carried out, in line with the pre-application advice received, primarily to assess the levels of light to the habitable rooms to the rear of the building. The assessment notes that in accordance with BRE guidelines there is no sunlight requirement for windows facing within 90 of due north, therefore rooms within the building would meet the BRE criteria. In terms of daylight, the proposed north facing rooms at ground to third floor level would meet and exceed the BRE guidelines. This is in accordance with the requirements of Policy DP26.

Additional Alterations

- 6.20 The application comprises the like for like replacement of windows to the front elevation. The façade of the building is tired in appearance, thus upgrading the windows will improve the appearance of this.

- 6.21 The windows in the rear elevation will also be replaced and relocated, matching the appearance of the neighbouring windows in this elevation, and also matching the designs of the front elevation. This will allow the building to be more in fitting with its surroundings.
- 6.22 It is also proposed to replace the shop front. The existing shop front is not identified in the Hatton Garden Conservation Area as a shopfront of merit. The replacement will be of a high standard of design, comprising a new painted timber fascia, timber door and new concrete step. The designs and materials are in keeping with the area and will improve the currently tired looking elevation. As such, it is considered this is in accordance with Policy DP30.

7. Heritage Assessment

- 7.1 The Chapter identifies the designated heritage asset that will be affected by the proposals – Hatton Wall Conservation Area – assesses its significance and provides an assessment of the application proposals against this.

The Heritage Asset

- 7.2 The application site is located within Hatton Wall Conservation Area (CA), which was first designated in 1976 by Camden. The Hatton Wall Conservation Area Statement was adopted as supplementary planning guidance in August 1999. 14 Hatton Wall is **not** identified as an unlisted building which makes a positive contribution to the conservation area nor is it identified as a ‘shopfront or merit’.

Significance of Heritage Assets

- 7.3 The Statement notes that by the 1880s Hatton Garden was established as a focus for the jewellery and diamond trade. However it also recognises that today many of the warehouse buildings have changed to office and residential uses as their original uses have declined.
- 7.4 The Conservation Area Statement describes the Hatton Garden area as a combination of contrasting styles, buildings and materials. It is the contrasting elements that contribute to the area’s ‘special character’ and encourages developments of high quality design.

Assessment of Application Proposals

- 7.5 Although the Hatton Garden CA can be characterised by the jewellery trade, the CA Statement also recognises that more recently many of the buildings, that were once warehouse buildings associated to this, have changed to residential use as this original use has declined. Nevertheless, the proposals also ensure the ground and basement floors are retained as retail/commercial use.
- 7.6 With regards to roof extensions, the CA Statement notes that *‘what is permissible will depend on the original historic pattern of roof extension for that particular type of building or group of buildings. All extensions should respect the proportions and architectural treatment of the original building.’*
- 7.7 It is evident that within this immediate area, the principle of roof extensions has previously been considered acceptable by the Council, as noted within Chapter 3 of this Statement.
- 7.8 Guidelines for the provision of roof alterations and extensions are set out in paragraph 7.23 of the document. Roof extensions within the conservation area are not deterred, however; extensions should respect the original historic roof pattern of the building or group of buildings. Any extensions should respect the proportions and architectural treatment of the original building, its relationship to the street and its impact on views. The extension has been designed taking into account the local context and is in keeping

with the existing building and terrace. As such the additions will continue to preserve the conservation area.

8. Conclusions

- 8.1 The proposed development seeks the following:
- conversion of the upper floors and small section of the ground floor of 14 Hatton Wall from commercial to provide two residential units;
 - erection of a single storey rooftop extension to provide additional residential accommodation;
 - provision of terraces at ground, third and rooftop levels;
 - replacement shopfront; and
 - upgrades to front and rear elevation, including replacement of windows.
- 8.2 The commercial units at basement and the majority of the ground floor unit will be retained as retail/workshop space.
- 8.3 This application is submitted following pre-application discussions with the Council, and has sought to address concerns raised and advice received.
- 8.4 In line with DP13 the marketing evidence demonstrates that the upper floors of the property are no longer suitable for existing business use. The possibility of re-use or retention has been fully explored over an appropriate period of time and so a change of use on the upper floors, we believe, has been justified.
- 8.5 The proposals will not create any adverse impacts on neighbouring properties nor future occupants of the proposed dwellings.
- 8.6 The application will continue to preserve the significance of the Conservation Area.
- 8.7 Overall, the application has responded to pre-application advice received and is considered to be in accordance with planning policies. We consider that it should be determined in light of the presumption in favour of sustainable development and planning permission should therefore be granted.

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