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By post

Dear Sir/Madam,

113 Regent's Park Road, London NW1 8UR

APPLICATION FOR PRIOR APPROVAL FOR THE CHANGE OF USE OF THE ABOVE PROPERTY FALLING WITHIN CLASS B1(A) (OFFICES) OF THE SCHEDULE TO THE USE CLASSES ORDER TO A USE FALLING WITHIN CLASS C3 (DWELLINGHOUSES) OF THAT SCHEDULE (THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (AMENDMENT) ORDER 2013.

We hereby submit an application for prior approval for the proposed change of use of 113 Regent's Park Road from Class B1(a) (Offices) to Class C3 (Dwellinghouses) providing 8 dwellings. The proposals have been prepared on behalf of the freeholder and occupier, Bibendum Wine Ltd (Bibendum).

The information contained in this submission package comprises:

- Planning Application Form;
- Two copies of site location plans produced by Darling Associates, ref. nos. (01)S-001 and (01)S-002;
- Two copies of existing plans produced by Darling Associates, ref. nos. (01)P-OBO, (01)P-0G0, (01)P-001, (01)P-002, (01)P-003, (01)E-001, (01)E-002, (01)E-003, (01)E-004 and (01)X-001;
- Two copies of proposed plans produced by Darling Associates, ref. nos. (03)P-PD-01, (03)P-PD-02, (03)P-PD-03 and (03)P-PD-04;
- Two copies of desktop assessment of flood risk issues produced by RPS;
- Two copies of desktop assessment of highways and transport issues produced by RPS; and
- Two copies of desktop assessment of land contamination issues produced by RPS.

This application is submitted in conjunction with a full planning application for external alterations to facilitate the conversion of the upper floors and preserve the amenity of nearby residential occupiers (Planning Portal ref. no. PP-03731739). It is important that the two applications are considered together as they form part of a comprehensive proposal for change of use to residential at 113 Regent's Park Road.



In addition to the above, evidence of office use has been provided in the form of valuation reports dated 2007, 2010 and 2013. Two copies of these are submitted under separate cover and should be treated as strictly private and confidential.

The application fee of £80 will be paid by telephone as soon as receipt of this application is confirmed.

Site and Surrounding Area

The site is a two storey building plus mansard, and basement vaults to the rear. The building is in Class B1(a) (offices) use and measures 972 sq.m. GIA.

No.113 sits back from the carriageway and presents a car parking area to the front, accommodating 8 car parking spaces. An access road past the south-east of the building leads to a further car parking area to the rear (6 spaces).

The application site has been owned and occupied by Bibendum since the 1980s.

Bibendum is a leading independent wine supplier in the UK. In 1999 the groups started to operate through online sales and mail orders only thus closing the shop at ground floor level. Since then, the whole building has been characterised by a typical office layout, including ancillary facilities such as meeting rooms and kitchenettes.

A story of the company, including the 1999 closure of the ground floor shop, is outlined in the company's website: <http://www.bibendum-wine.co.uk/>.



Image 1 – The application site.

The building has a distinctive design and it is considered a 'building of merit' in the Primrose Conservation Area. Nevertheless, it is clear from historic photos that the building has undergone significant transformation and the original design, especially at ground floor level, has been heavily altered.

The building used to accommodate the Chalk Farm Garage and was erected in the early 1930s, as indicated in the Primrose Hill Conservation Area Statement.

No.113 is not statutorily or locally listed and it is not within a flood risk zone.

The site benefits from good accessibility with a Public Transport Accessibility Level (PTAL) of 4. The Overground railway track between Euston and Watford Junction via Queen's Park routes approximately 100 metres from the site to the north-east. The nearest London Underground station to the site is Chalk Farm (Northern Line) located circa 300 metres to the north-east past the Regent's Park Road railway bridge.

Overall, the site has access to excellent walking and cycling links beyond its PTAL score, as highlighted in the Transport Note.



Image 2 – The application site in 1971.

The Proposal

Prior approval is sought for the change of use of 113 Regent's Park Road from Class B1(a) (offices) to Class C3 (dwellinghouses) providing 8 dwellings.

Under Class J of the Town and Country Planning General Permitted Development Order 1995 (As Amended), the building should have been used for a use falling within Class B1(a) (offices) of the Schedule to the Use Classes Order immediately before 30th May 2013 or, if the building was not in use immediately before that date, when it was last in use.

Evidence of the office use of the building prior to 30th May 2013 is provided in three valuation reports prepared for the building, dated April 2007, May 2010 and March 2013. These are submitted under separate cover and should be treated as strictly private and confidential.

Unit mix

It is proposed that the 8 dwellings will comprise:

- 2 x 1 bed units;
- 4 x 2 bed units; and
- 2 x 3 bed units.

The proposed mix of units complies with Development Policy DP5 and the Dwelling Size Priorities Table: 50% of the units are 2 bed flats, high priority for the Council, and the other units are a mix of 3 bed and 1 bed flats, medium and low priority respectively.

Unit size

To guarantee the amenity of future residential occupiers, the units have been designed to exceed the Council's minimum internal floorspace standards set out in Camden Planning Guidance, Housing at paragraph 4.14.

Table 1: Internal residential floorspace

Proposed unit	Floor Area (sq.m. GIA)	Max persons occupancy	Council's space standard
Unit G01 3 bed (duplex)	124	6	93
Unit G02 2 bed	78	4	75
Unit G03 1 bed	52	2	48
Unit G04 3 bed (duplex)	132	6	93
Unit 101 2 bed	80	4	75
Unit 102 1 bed	54	2	48
Unit 201 2 bed	101	4	75
Unit 202	90	4	75

2 bed			
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Furthermore, the introduction of a lift will ensure that the units are accessible to disabled residents and visitors.

Car and cycle parking

The building currently benefits from 14 parking spaces. It is proposed that 8 spaces will be allocated to the residential units: the 6 parking spaces at the rear of the property and 2 at the front. This equals 1 space per apartment.

The Council's maximum parking policy, Development Policy DP18, designates the site to be outside a Low Parking Provision Area. In this location, a maximum of 1 space per dwelling is therefore considered appropriate.

It is acknowledged that the Council does not issue on-street parking permits. The applicant would be happy to enter into a legal agreement with the Council to ensure that future occupants are aware they are not entitled to on-street parking permits, in accordance with Development Policy DP18.

The Council's cycle parking standards indicate that 1 cycle parking space is required for each residential dwelling. Therefore a minimum of 8 cycle parking spaces would be required. A total of 12 cycle parking spaces will be provided in one of the basement vaults, thereby exceeding the minimum requirements.

The basement vaults will also accommodate storage units for the residential units, with the exception of the 1 bedroom flats, and plant room.

The overall proposal

A full planning application for external alterations has been submitted alongside this prior approval notification, to facilitate the change of use. It is important that the two applications are considered together as they form a comprehensive proposal for the conversion of 113 Regent's Park Road.

As part of the alterations, the following design solutions have been chosen to preserve neighbouring residential amenity as well as maintain the appearance of the building.

- A revised two-pane design for the rear windows of the mansard storey, with the lower pane obscured and fixed-shut.
 - The window design matches that permitted in 2010 with application PEX0100234, for the erection of the mansard storey. These partially obscured windows were required by the Council to protect the amenity of adjoining residential occupiers at 115 Regent's Park Road and are re-proposed as part of the conversion of the building.
- The introduction of a lift to serve the residential units.
 - The lift will ensure that all the units are accessible to disabled residents and visitors.

- The proposed platform lift does not require the creation of a lift overrun. Therefore, the proposal will have no impact on local views and on the character and appearance of Regent's Park Road.
- The relocation of the existing plant from roof to basement level.
 - The application offers an opportunity to rationalise and update the existing plant equipment on site.
 - The application is accompanied by a noise report which demonstrates that the proposed relocation and type of equipment will not have any adverse impact on the amenity of future and existing neighbouring occupiers.

To conclude, the proposed change of use of the building will not contribute to the Council's housing supply whilst preserving neighbouring residential amenity and the appearance of the building.

The proposed units offer very high amenity standards and are accessible to all.

Desktop Assessment of Flood Risk

A Flood Risk Report has been produced by RPS and accompanies this submission.

The assessment considers the risk to the site from key sources of flooding, including fluvial and tidal sources, surface water, sewer surcharging, ground water and man-made features such as canals and reservoirs.

The Environment Agency online flood map confirmed that the site is within an area where flooding from rivers and the sea is very unlikely, as shown below. There is less than a 0.1 per cent (1 in 1000) chance of flooding occurring each year.

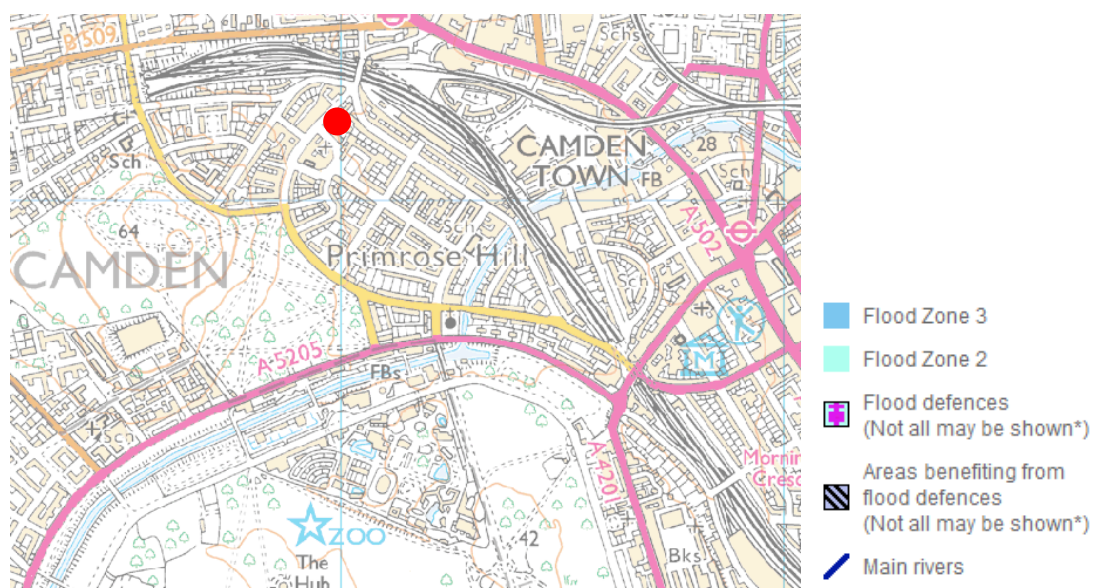


Image 3 - Environment Agency online flood map. Site location highlighted in red



The Environment Agency advises that for planning and development purposes, areas of unlikely flood should be considered as Flood Zone 1. This location is identified as compatible with “more vulnerable” developments (such as residential use) according to the National Planning Policy Framework (NPPF).

Overall, the subject site is not considered to be at a significant risk of flooding from any of the sources assessed. The development is therefore considered to be safe from a flood risk perspective, and will not result in an increase in flood risk off-site.

Full details are provided within the Flood Risk Report.

Desktop Assessment of Transport

A Transport Note has been produced by RPS and accompanies this submission.

The note demonstrates that the proposed development at 113 Regents Park Place has good connectivity with the surrounding public transport network. Indeed, it indicates that the PTAL score of the site *“does not take into consideration the location of the site adjacent to excellent walking and cycling links or its proximity to a number of services. A range of key destinations can be accessed by a number of travel modes providing potential residents with a real and genuine choice of travel modes without needing to rely on the private car”*.

Calculations demonstrate that the proposed change of use would have a reduced impact upon the highway network / public transport services and infrastructure in the AM and PM peak hour, compared to the use of the upper floors as offices.

The provision of car and bicycle parking spaces ensures that there will be no impact on the car parking capacity of the locality.

In light of the above, the transport impact of the proposed development is considered to be acceptable and the proposal would not have a highway safety impact.

Full details are provided within the Transport Note.

Desktop Assessment of Land Contamination

A Land Contamination Desktop Assessment has been produced by RPS and accompanies this submission.

The Assessment highlighted that the likelihood of significant contamination existing beneath the site was considered to be moderate given the former Garage, Sunk Petrol Tanks and other light industrial land uses recorded both onsite and in the immediate vicinity. However the underlying low permeability London Clay Formation will inhibit the spread of contaminants in the ground.

Following the proposed change of use, the site is proposed to remain entirely covered by building footprint and hardstanding, which will afford significant protection to future site users from any contamination (if present) beneath the site.



The basement level requires a minor 600mm excavation. Therefore, it is proposed to install a hydrocarbon-vapour resistant membrane in this location to protect future site users from any volatile contaminants (if present).

The provision of the hydrocarbon-vapour resistant membrane can be conditioned as part of the Council's prior approval, as set out at paragraph 4.7 of the Explanatory Memorandum to the Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2014.

Overall, it is considered that the site is suitable for its proposed use from a ground contamination perspective.

This was confirmed by the Camden Council Environmental Health Officer who advised that given the proposed change of use at the site with no external alterations or changes to landscaping, no further details would be required to be submitted in relation to contaminated land as part of the planning process.

Full details are provided within the Site Environmental Risk Assessment.

Community Infrastructure Levy (CIL)

113 Regent's Park Road has been in use as offices since Bibendum Wine Ltd has started to operate at the premises, over 10 years ago.

Therefore, no CIL charge is applicable to this proposal because the existing floorspace would be discounted from any calculation.

Conclusions

The above desktop assessment shows that based on the Permitted Development requirements, there are no transport, flood risk or land contamination related reasons why the proposed change of use should be refused. The applicant would be happy to enter into a legal agreement with the Council to ensure that no on-street parking permits are issued to future residential occupiers.

In addition, a full planning application has been submitted alongside this prior approval notification. The planning application demonstrated that the proposal will preserve neighbouring residential amenity as well as the character and appearance of the building.

We look forward to receiving confirmation that the application has been validated. In the meantime, if you require any further information or clarification please contact Federica Ambrosini of these offices on 020 7399 5752.

Yours faithfully,

JLL