



30 Warwick Street London, W1B 5NH
tel +44 (0) 0207 399 5752
Name: Federica Ambrosini
Email: federica.ambrosini@eu.jll.com
www.joneslanglasalle.co.uk

Development Management
London Borough of Camden
2nd Floor, 5 Pancras Square
c/o Town Hall, Judd Street
London
WC1H 9JE

14th May 2015

By post

Dear Sir/Madam,

113 Regent's Park Road, London NW1 8UR

APPLICATION FOR PRIOR APPROVAL FOR THE CHANGE OF USE OF THE FIRST AND SECOND FLOORS 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) ORDER 2015.

We hereby submit an application for prior approval for the proposed change of use of the first and second floors of 113 Regent's Park Road from Class B1(a) (Offices) to Class C3 (Dwellinghouses) providing 6 dwellings. The proposals have been prepared on behalf of the freeholder and occupier, Bibendum Wine Ltd.

The information contained in this submission package comprises:

- Planning Application Form;
- Site location plan produced by Darling Associates, ref. no. (01)S-001;
- 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;
- 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;
- Area schedule produced by Darling Associates;
- Desktop assessment of flood risk issues produced by RPS;
- Desktop assessment of highways and transport issues produced by RPS; and
- Desktop assessment of land contamination issues produced by RPS.

This application follows the withdrawal of application ref. 2014/7695/P, for the prior approval for the change of use of 113 Regent's Park Road from offices to residential. The application was withdrawn further to the case officer's advice that insufficient evidence had been produced to demonstrate the use of the ground floor as offices immediately before 30th May 2013. The officer confirmed that the change of



use of the upper floors would be in line with the requirements of Class O of the General Permitted Development Order 2015.

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).

Since February 1982 the application site has been owned and occupied by Bibendum Wine Ltd, a leading independent wine supplier in the UK.

In 1999 the group 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/about-us/our-story>.



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 photographs that the building has undergone significant transformation and the original design, especially at ground floor level, has been heavily altered as shown on image 2.

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.

The building is characterised by a generous glazed frontage. This apparent retail presentation can be misleading as there is no shopping frontage or retail display at 113 Regent's Park Road.

No.113 is not statutorily listed and it is not situated 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.



Planning history

A planning history search was undertaken at Camden Council's offices on 20 June 2014 by Suzanne Crawford of JLL. All the applications relating to 113 Regent's Park Road were investigated.

Appendix 1 details a full record of the planning history, dating back to 1969.

On 7 June 1994, a Certificate of Lawfulness (ref: 9400518) was issued that confirmed both the legal use of the ground floor as Class A1 retail and of the first floor Class B1(a) offices (see **Appendix 2**).

There are no further applications related to the ground floor use since 1994, although in 1999 the private client business headed into mail order and then online and as a consequence the ground floor retail activities ceased. 113 Regents Park Road became an office headquarters for a wholesale trade drinks distribution business, and it has remained in this activity to date.

Three planning applications were submitted after 1999.

An application for the renewal of an office roof extension consent was granted in September 2001 (PEX 0100234), provided as **Appendix 3**. This application refers to a 1995 application (ref. 9501854R1) granted in August 1996.

It is noted that because no building works took place as part of the 1999 change of use, Bibendum Wine Ltd submitted the same existing and proposed plan used for a planning application granted in August 1996 (ref. 9501854R1). These plans are dated 1985 and therefore still indicate the existing use of the ground floor as retail, despite the 1999 change of use. The proposed plan clearly refers to the additional floor as offices, and the annotation of the ground floor is no more than a left-over on the plan, forming no part of the application.

Existing and proposed plans are provided as **Appendix 4**.

The original consent for the additional storey was granted in October 1985 (ref. PL/8500986) for "the erection of a mansard roof extension for the storage of wine and for additional ancillary office space".

An application for the creation of a recess in pitch roof for installation of air conditioning units was granted in October 2003 (ref. 2003/1593/P) and the decision notice is provided as **Appendix 5**. The officer's report confirms the building to be a former garage converted to an office building for a wine merchant and this is also indicated in the application form refers to the use of the building as office / storage. The officer's report is provided as **Appendix 6**.

Finally, a further application for the erection of an office mansard roof extension was granted in July 2005 (2005/1898/P). This was a revision to the 2001 planning permission and no reference was made to the use of the building in the application documents. The decision notice is provided as **Appendix 7**.

On 9 December 2014, JLL submitted a prior approval notification for change of use of the building from offices to residential (ref. 2014/7695/P) and a full planning application for external alterations to the building (ref. 2014/7696/P).



The prior approval notification was withdrawn on 28 January 2015 whilst application ref. 2014/7696/P is still pending determination.

Rating description

The Valuation Office Agency ratings from September 2005 to April 2010 (current valuation) indicate the use of the building to be “offices and premises” (**Appendix 8**).

Valuation Reports

Three Valuation Reports are available for 113 Regent’s Park Road, dated April 2007 (RBS), May 2010 (Vail Williams) and March 2013 (Vail Williams).

These are submitted under separate cover as **Appendices 9, 10 and 11** and should be treated as strictly private and confidential.

All the Valuation Reports refer to the ground and upper floors of the building as being in office use and confirm that the current use of the property is Class B1 (business – offices) of the Use Classes Order.

The Proposal

Prior approval is sought for the change of use of the first and second floors of 113 Regent’s Park Road from Class B1(a) (offices) to Class C3 (dwellinghouses) providing 6 dwellings.

Under Class O of the Town and Country Planning General Permitted Development Order 2015, 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.

There are no external alterations associated with the proposed change of use.

Unit mix

It is proposed that the 6 dwellings will comprise:

- 4 x 2 bed unit; and
- 2 x 1 bed unit.

The proposed mix of units complies with Development Policy DP5 and the Dwelling Size Priorities Table: 66.6% of the units are 2 bed flats, a high priority for the Council, whilst only 33.3% is 1 bed flats, a low priority.

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 101 3 bed	84	4	75
Unit 102 2 bed	92	4	75
Unit 103 2 bed	91	4	75
Unit 201 1 bed	50	2	48
Unit 202 2 bed	82	4	75
Unit 203 1 bed	57	2	48

Car and cycle parking

The building currently benefits from 14 parking spaces. It is proposed that 6 spaces will be allocated to the residential units: 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. 10 cycle parking spaces will be provided at basement level thus exceeding the policy requirement.

The basement vaults will also accommodate storage units for the residential units.

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.

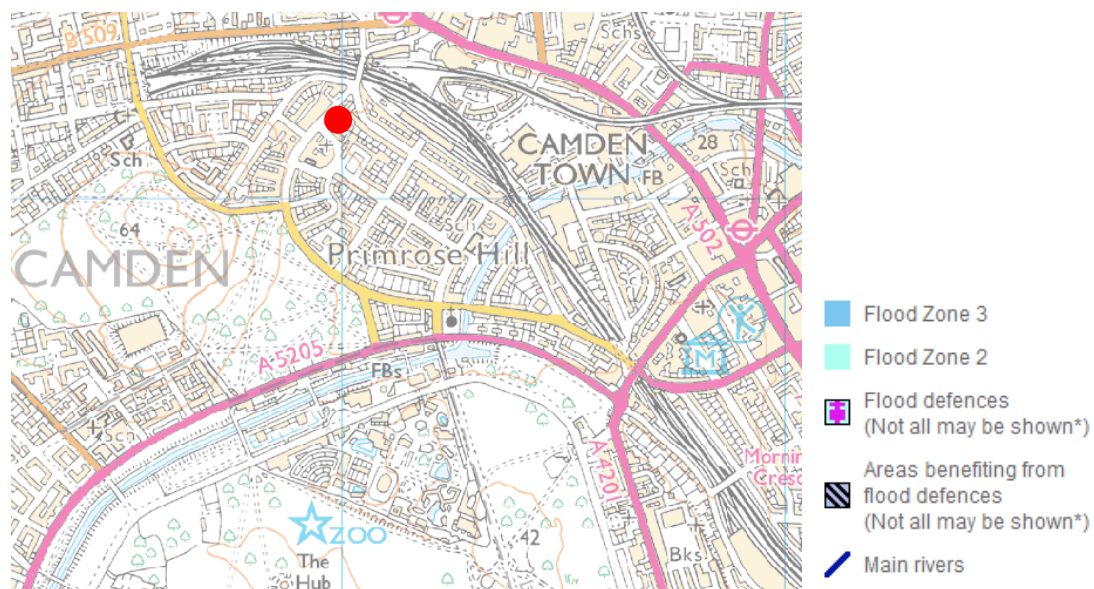


Image 3 - Environment Agency online flood map. Site location highlighted in red

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.

The Flood Risk Report also includes an additional note produced to address comments made by the flood risk officer on application ref. 2014/7695/P. The officer confirmed that there is no flood risk associated with the proposed use.

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.

The highways officer who assessed application ref. 2014/7695/P confirmed that the proposed approach to car and cycle parking spaces was acceptable, and that there would be no detrimental impact to the local highways system as a consequence of the change of use.

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.



The Council officer who assessed application ref. 2014/7695/P indicated that the proposed change of use would be acceptable from a land contamination perspective if a condition was attached to the decision notice, requesting the submission of a written programme of ground investigation.

It should be noted that the basement vaults only extend underneath a limited section of the ground floor, therefore the proposed 600mm excavation will cover a very modest area. The proposed hydrocarbon vapour-proof membrane will be installed at basement level to restrict the ingress of any volatile contaminants (if present). Furthermore, surface cover will remain entirely building and hard standing, which will restrict the physical exposure of site users to any ground contamination (if present).

In light of the above, it is considered that a pre-commencement condition is not necessary.

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 in 1982.

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 of the first and second floors 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.

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

Appendix 1 - Planning history

Reference	Proposal	Decision
2014/7696/P	Alterations to fascia and vaults' doors, alterations to fenestration (front, rear and side windows), relocation of plant from roof level to vaults, creation of roof windows at roof level.	Pending
2014/7695/P	Prior approval notification for change of the building from offices to residential.	Withdrawn 28/01/15
2005/1898/P	Erection of a mansard roof extension with rooflights (this application is for revisions to previous planning permission dated 10/09/2001 (PEX0100234).	Granted 28/07/2005
2003/1593/P	Creation of recess in pitched roof behind front parapet for installation of air conditioning units; alterations including installation of roller shutters in front of new and replaced windows.	Granted 14/10/2003
PEX0100234	Renewal of planning permission for the erection of a mansard roof extension, as shown on drawings D509/1 and D509/02.	Granted 10/09/2001
9501854R1	Renewal and amendment of planning permission for the erection of a mansard roof extension, as shown on drawing nos. D 509/1 and 02.	Granted 13/08/1996
P9601427	Alterations to the fenestration in the rear elevation, as shown on drawing nos. 953-EX-01, 953-GA-01B, 953-AT-01, 02, 953-EX-01 (April '96), 875-SK-10.	Granted 28/06/1996
9501854	Erection of a mansard roof for storage and ancillary office use (renewal of planning permission (reference 9003447) granted on 28.02.91).	Withdrawn
9500388	Park Road NW1 The reinstatement of four windows at first floor level at the rear as shown on drawing numbers MC512/SK01 02C revised on 5 May 1995 and 12 May 1995.	Granted 22/06/1995
9400518	Application for certificate of lawfulness for use as retail on ground floor and offices on first floor.	Granted 7/06/1994
9003447	The erection of a mansard roof for storage and ancillary office use (renewal of permission granted on 15.10.85 Reg No. 8500986) as shown on drawing nos. D509/2C 03 04A.	Granted 21/02/1991
8500986	The erection of a mansard roof extension for the storage of wine and for additional ancillary office space. As shown on drawing numbered D509/2.	Granted 02/10/1985
AD2127	The display of an externally illuminated shop fascia sign.	Granted 06/12/1982
31938/R2	Refurbishment of the existing industrial accommodation, together with refurbishment, conversion and extension of other accommodation to provide showrooms (ground floor and basement of Nos 115 & 117 Regents Park Road), Estate Agents office, ground floor and basement (119 Regents Park Road) and 26 flats and the provision of a new means of access to King Henry's Road.	Granted 27/05/1981
1989	Demolition of all the buildings on the site, which is within a Conservation Area.	Granted 02/02/1979
26894/R	Redevelopment of the whole site to provide basement car-parking with access retained to the adjoining industrial premises, ground floor bank and commercial/industrial floor space, and two four-storey residential blocks over.	Refused 18/06/1979



21028	Redevelopment by the erection of a basement and part 5 storey, part 6 storey building comprising car parking for 35 cars, petrol filling station, retail space, restaurant/ bar, bank, offices and 34 dwellings.	Refused 17/11/1975
8275	Erection of 120 room hotel, supermarket, petrol filling station, offices, conference suits and basement car park.	Granted 26/02/1970
7484	Erection of 112, room hotel, supermarket, petrol filling station, offices and conference suite, together with basement car park, at 113/119, Regents Park Road and 1B & 1C King Henry's Road, Camden.	Refused 06/11/1969



Appendix 2 - Certificate of Lawfulness (ref: 9400518), decision notice



Appendix 3 - Application PEX0100234, decision notice



Appendix 4 - Application PEX0100234, existing and proposed plans



Appendix 5 - Application 2003/1593/P, decision notice



Appendix 6 - Application 2003/1593/P, officer's report



Appendix 7 - Application 2005/1898/P, decision notice



Appendix 8 - VOA Business Rates, 2005 to 2010



Appendix 9 - Valuation Report dated April 2007 (PRIVATE AND CONFIDENTIAL)



Appendix 10 - Valuation Report dated May 2010 (PRIVATE AND CONFIDENTIAL)



Appendix 11 - Valuation Report dated March 2013 (PRIVATE AND CONFIDENTIAL)