



Planning Statement

1A West Hampstead Mews

London

NW6 3BB

Andmore Planning Ltd

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1. Introduction

1.1.1 This Planning Statement had been prepared by Andmore Planning Ltd on behalf of the applicant Mr. B. Jacob Green to accompany an application at 1A West Hampstead Mews, for:

“Creation of two new residential units through the excavation of part-basement and subdivision of existing unit”.

1.1.2 This application follows the approval of application ref: 2014/0729/P for change of use to one residential (C3) unit from office (B1(a)) under Class J of the then Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013. Prior approval was granted on 25th March 2014. Residential use can now be implemented and the existing building is being made ready for use as one residential unit. It is understood from planning officers in Camden that, despite most other Councils holding the contrary view, given the unit is not currently in its approved residential use, the Council cannot uphold a decision relating to changes or extensions to that use. As such this application is submitted to sit aside the prior approval application to provide further justification for the proposal.

1.1.3 Also being considered by Camden Council is a further prior approval submitted under Class O of the 2015 GPDO for a change of use to two residential units from office, as opposed to the one unit scheme above. That application is due for determination by mid-September.

1.1.4 This application seeks full planning permission for the creation of two new units for residential use. The application will also provide the opportunity to improve the appearance of the building, being built out in conjunction with an application for new fenestration and access detailing on the front elevation approved 21st July under reference 2015/1201/P.

1.1.5 This statement has the following format:

- Section two contains a description of the site;
- Section three sets out proposed development;
- Section four outlines the relevant planning policies;
- Section five provides an assessment of the proposal against relevant planning policies;



- Section six serves as a conclusion to the statement.

1.1.6 In accordance with local and national validation requirements this application is accompanied by the following documents:

- Drawings;
- Application form and certificates;
- Basement Impact Assessment;
- Lifetime Homes Statement;
- CIL Additional Questions.



2. Site Description

- 2.1.1 The current proposal relates to number 1A, which sits between 1B to the left and 2 to the right. 1A West Hampstead Mews is at ground floor and was most recently in use as an office, now having been stripped out to prepare for its conversion to residential use. The first floor residential use at 1 West Hampstead Mews is accessed via a door at ground floor on the front elevation and is not affected by this planning application.
- 2.1.2 The rear of the building backs onto a garden at a lower level for the use of the ground floor occupants. This garden sits adjacent to the long back garden of numbers 113 and 113a Priory Road; also residential properties. The window to window distances between the properties is approximately 27 metres.



3. Proposal

- 3.1.1 This application seeks planning permission to convert the ground floor, along with a newly excavated part-basement floor, into two self-contained duplex residential units. The two new units will be accessed via a front door onto the mews as detailed under current planning application 2015/1201/P. The layout of each unit will comprise an entrance hall, single bedroom, cloakroom and open-plan kitchen / living / dining room at ground level, and a master bedroom and bathroom at lower ground floor level. Each unit will be 62 sq m, in accordance with London Plan standards for 2-bed 3-person units.
- 3.1.2 A patio garden will be created at a half level below the rear garden of number 113 Priory Road providing privacy but at the same level as the adjacent garden at number 115. Direct access is provided to the garden from the rear stairs, and a new timber fence and trellis will provide privacy to the dwellings and the surrounding private gardens. Each of the maisonettes will have access to a private patio garden of 14 sq m, with secure, covered storage space for two bicycles in each.



4. Relevant Planning Policy

4.1.1 Under Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning decisions are required to be made in accordance with the development plan for the area unless material considerations indicate otherwise. The statutory Development Plan for the area comprises the following:

- National Planning Policy Framework (March 2012);
- The London Plan (July 2011);
- Camden Core Strategy (2010);
- Camden Development Policies Document (2010).

4.2 National Planning Policy Framework

4.2.1 The National Planning Policy Framework (NPPF) was published in March 2012 by the Department of Communities and Local Government. This is a new, simplified planning framework that better supports growth, helps create the homes and jobs and helps protect and enhance the natural and historic environment.

4.2.2 At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.

4.2.3 The NPPF then sets out core planning principles, which should underpin both plan-making and decision-taking. These principles include (among others):



- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area;
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- take account of the different roles and character of different areas; and
- encourage the effective use of land by reusing land that has been previously developed (brownfield land).

4.2.4 Part 7 of the NPPF relates to “Requiring Good Design” and notes that this is a key aspect of sustainable development. It requires that Local Planning Authorities formulate policies which aim to ensure that developments “function well; optimise the potential of the site to accommodate development; reflect the identity of local surroundings and material; create safe and accessible environments; and are visually attractive as a result of good architecture”. These factors have been key in formulating the design of the proposed development, and will be explored in greater detail in Section 5.

4.3 Regional Planning Policy

4.3.1 The London Plan was adopted in July 2011 and sets the context for decisions taken in London. The London Plan whilst providing a backdrop to Local Plan Policy is primarily related to strategic issues and therefore as two new units within an existing built-up area, this proposal would not prejudice its implementation. It has been recently announced that housing targets within the London Plan area need to be increased to 49,000 homes per year to meet the current needs, following the publication of the First Alterations to the London Plan (FALP) in March 2015.

4.3.2 Policy 3.5 of the London Plan (Quality and Design of Housing Developments) provides that housing developments should be of the highest quality; relating to their context and wider environment. In terms of planning decisions taken by Local Authorities, new development should ‘enhance the quality of local places, taking into account physical context; local character; density; tenure and land use mix; and relationships with, and provision of, public, communal and open spaces, taking particular account of the needs of children and older



people'. Part C of the Policy sets out that each Council's LDF should set minimum space standards, generally in accordance with the London Plan Housing Design Guide SPD. The Plan also sets out minimum room sizes and densities for new development.

4.4 Local Planning Policy

- 4.4.1 Policy DP2 of Camden's Development Policies Document seeks to maximise the supply of additional homes in Camden, expecting the maximum appropriate contribution to the supply of housing on sites that are underused or vacant. The site benefits from prior approval for a change of use from office to residential under Class J of the then GPDO 2013. Therefore, the principle of residential use, which is a policy priority, has already been established on the site. Policies CS6 and DP5, seek to ensure that all residential development contributes to meeting the Council's Dwelling Size Priorities.
- 4.4.2 Policy DP24 (securing high quality design) requires that all developments, including alterations and extensions to existing buildings, to be of the highest standard of design, incorporating high quality materials, visually interesting frontages at street level, and the provision of appropriate amenity space.
- 4.4.3 Policy DP6 states that all new housing should aim to be designed to 'Lifetime Home Standards' and that 10% of homes developed should either meet wheelchair housing standards, or be easily adapted to meet them. The 'Camden Planning Guidance Housing' SPD reiterates this requirement and provides advice on how proposals can be designed in an inclusive manner and be accessible to all by incorporating 'lifetime' home standards and creating wheelchair accessible units.
- 4.4.4 Policy CS8 of the Camden Core Strategy seeks to safeguard existing employment sites and premises in the Borough that meet the needs of modern industry and other employers. Paragraph 8.8 of the Core Strategy states that the future supply of offices in the Borough can meet projected demand and that consequently, the Council will consider proposals for other uses of older office premises, if they involve the provision of permanent housing. The Core Strategy refers to policy DP13 of the Development Policies for further details on the Council's approach to the release of older office sites for residential use.



4.4.5 Policy DP13 contained in the Development Policies seeks to retain land and buildings that are suitable for continued business use and resist changes to non-business use, unless it can be demonstrated that a site or building is no longer suitable for its existing business use and there is evidence that the possibility of retaining, reusing or redeveloping the site or building for similar or alternative business use has been fully explored over an appropriate period of time. Policy DP13 states that where it can be demonstrated that a site is not suitable for any business use other than B1(a) offices, the Council may allow a change to permanent residential use.



5. Planning Assessment

5.1.1 The provision of two new high quality homes is considered to be a positive contribution to Camden's housing targets. The use of the building as residential has already been accepted though a prior approval application granted by the Council on 25th March 2014. This assessment therefore simply provides further justification for that change given the use has not yet been fully implemented.

5.2 Provision of Housing

5.2.1 The Council's adopted Core Strategy (adopted November 2010) states that Croydon Council has set a target of 12,250 additional dwellings within the Borough over the period from 2010/11 and 2024/25. The London Plan (FALP, 2015) has provided the target of 8,892 new homes in Camden between 2015 and 2025, with an annual monitoring target of 889.

5.2.2 The standard of accommodation proposed, in terms of room and flat sizes, is in accordance with standards set out in both the London Plan (Policy 3.5 and Table 3.3) and Camden's own policies. These standards require that 1-bed 2-person apartments are a minimum of 50 sq m. The proposed apartments are 62 sq m each and therefore larger than these minimum sizes in accordance with paragraph 3.36 of the London Plan which encourages developers to exceed these standards.

5.2.3 Paragraph 55 of the NPPF states that local planning authorities should normally approve planning applications for changes 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 the area, provided there are not strong economic reasons why such development would be inappropriate.

5.3 Design

5.3.1 Three new windows are proposed to the rear elevation; for the living area, the master bedroom and for the bathroom. The main window is full height in order to allow maximum light into the living area, and as such ensure an excellent standard of amenity for future occupiers. The bathroom and master bedroom windows will also allow natural light to enter those rooms, and will be openable to assist ventilation. These windows can be seen on



Proposed Garden Elevation D-WHM-A3 02. As shown on Proposed Section D-WHM-A2 01 whilst there will be a large window created in the rear elevation of the residential dwelling, there will be no loss of privacy for users of neighbouring gardens or properties as a result of the new timber trellis erected above the existing 2 metre high fence. The plan shows the aspect of a user of one of the two units and demonstrates that their use of the patio area will not harm others' enjoyment of their own respective amenity spaces. Refer to the accompanying plans for greater detail relating to neighbouring properties and the configuration of the proposed external space.

5.3.2 The site lies within the South Hampstead Conservation Area and the buildings along this terrace of mews are regarded as positive contributors. The recent approval for the improvements to the front of the building are considered to improve the buildings' appearance within the Conservation Area, similarly to the other residential properties at ground floor within the mews. In any event, its effects have been considered against the Council's guidance on development in Conservation Areas, and the proposal has been designed to preserve and enhance the heritage asset.

5.4 Removal of Office

5.4.1 The proposals involve the loss of 92 sq m of office floorspace. However, given the office use has not been in use since 2014 and its conversion to residential has been secured (and begun) through a prior approval application (dated 25th March 2014) it would be unreasonable to consider this part of the site to be a functioning office building. Paragraph 6.3 of CPG5 reiterates that the Council expect the supply of offices to meet the projected demand in the Borough and as a result may allow a change from B1 (a) offices to another use in some circumstances, such as older office premises or buildings that were originally built as residential dwellings. CPG5 states that the priority is for the replacement use to be permanent housing.

5.4.2 Paragraph 6.4 of CPG5 states that there are a number of considerations that the Council will take into account when assessing applications for a change of use from office to a non-business use including:



- the age of the premises, where some older premises may be more suitable to conversion – this is considered to be the case here where the property more appropriately lends itself to a residential use much like the majority of the mews.;
- whether the premises include features required by tenants seeking modern office accommodation – the premises contain no desirable features, and are particularly lacking now given the office has been stripped out for its conversions to residential use and cannot therefore be used as an office;
- the quality of the premises and whether it is purpose built accommodation. Poor quality premises that require significant investment in order to achieve modern standards may be suitable for conversion – this is not purpose-built office accommodation and the quality of the internal specification is not well-suited to a modern office use;
- whether there are existing tenants in the building, and whether these tenants intend to relocate – there are no tenants in the building;
- the location of the premises and evidence of demand for office space in this location – this is not an identified location in policy nor in the Council’s Employment Land Study, and there is little demand for such an office in the mews; and
- whether the premises currently provide accommodation for small and medium businesses – the premises are currently vacant and are undergoing conversion to residential.

5.4.3 Similarly, further to Policy DP13 Paragraph 13.3 of the Development Policies outlines that when assessing proposals that involve the loss of a business use the Council will consider whether there is potential for the use to continue taking into account various criteria including whether the site:

- is located in or adjacent to the Industry Area, or other locations suitable for large scale general industry and warehousing – this site is not;
- is in a location suitable for a mix of uses including light industry and local distribution warehousing – the small size of the site would preclude a meaningful mix of uses on the site;
- is easily accessible to the Transport for London Road Network and/or London Distributor Roads – the site is indeed close to West End Lane;



- is or will be accessible by means other than the car and has the potential to be serviced by rail or water – no access available by water though the site is close to numerous underground and mainline train services;
- has adequate on site vehicle space for servicing – it does not;
- is well related to nearby land uses – the majority of properties in the close vicinity are in residential use;
- is in a reasonable condition to allow the use to continue – the building does not meet the needs to B1(a) office without significant and costly refurbishment;
- is near to other industry and warehousing, noise/vibration generating uses, pollutions and hazards – it is not;
- provides a range of units sizes, particularly those suitable for small businesses (under 100 sq m) – it currently has a total area of less than 100 sq m.

5.4.4 The Council's Employment Land Study, August 2014, does not identify this site as contributing to the borough's office or employment market. The Study warns against over-protection of sites which are not required to meet the demand for office space since it will result in vacant and underused space across the borough. It suggests that where space is no longer fit for purpose the Council should consider allowing a change of use to another use. It goes on to comment that:

We recommend therefore that a selective protection of employment land and premises to ensure that those sites and premises that have little prospect of coming forward for employment use during the Local Plan period are not left vacant.

5.4.5 In light of the above, and the reality that the site is no longer in office use, the conversion to residential having begun, full planning permission for a change of use to permanent residential use should be granted.

5.5 Accessibility

5.5.1 Details of accessibility and cycle parking have already been covered off in previous submissions and Camden's Highways Officers have made comments on the application. Further details of cycle storage have been submitted further to their request.



6. Conclusion

- 6.1.1 The proposal is for the refurbishment, conversion and excavation of the site to provide high quality residential units. It has been demonstrated above that the proposed two new units created by the development will accord with policy. The additional apartments will contribute to an overwhelming need for new homes in Camden. The proposals will contribute to the long term function and sustainability of this vacant site which is currently under conversion to residential. The proposal is considered to be of the highest architectural quality, respecting and enhancing the character and appearance of the site and surrounding Conservation Area in conjunction with planning application 2015/1201/P.
- 6.1.2 The proposed development accords with the policies of the Development Plan and other planning policies. The proposed development will provide two high quality market residential units, thus contributing to the Council's requirement for a diverse range of housing products for a variety of different groups.
- 6.1.3 It would be unreasonable to consider this part of the site to be a functioning office building as it is already being converted to residential use and therefore cannot be used as office. Whilst contrary to the applicant's understanding of the legislation at Class O of the GPDO 2015; as directed by planning officers, this application is required to fulfil a bureaucratic exercise given officers consider the central government legislation gives them insufficient flexibility to approve extensions to such a residential use. Of note here is Paragraph 6.3 of CPG5 which reiterates that the Council expect the supply of offices to meet the projected demand in the Borough and as a result may allow a change from B1 (a) offices to another use through full planning permission.
- 6.1.4 In light of the above, it is considered that the proposal accords with Camden's Core Strategy and Development Policies as well as regional guidance contained within the London Plan. Therefore the determination of this application to a great extent hinges on the simple statement from the Government that Councils should take a presumption in favour of sustainable development, and "approve development proposals that accord with the development plan without delay".