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**LONDON WC1A 1JT– (PART) SECOND & THIRD FLOORS,
MUSEUM HOUSE, 23-26 MUSEUM STREET**

**CHANGE OF USE FROM CLASS B1 (OFFICE) USE TO
CLASS C3 (RESIDENTIAL) USE**

PLANNING STATEMENT

DEVONSHIRE DEVELOPMENT (UK) LIMITED

19 June 2016

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APPENDICES

- A - Glinsman Weller letter on prospects of marketing for office use;
- B - CBRE Office Availability Schedule;
- C - Colliers Office Availability Schedule;
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- E - Photograph of agent's letting board on site hoarding;

1. INTRODUCTION

- 1.1 This statement is submitted in support of a planning application for the change of use of part of the second, and all of the third floor of this property from class B1 (office) use to class C3 (residential) use. A small part of the lower ground floor (basement) would also be converted to act as a bike store. The application follows on from pre-application advice obtained from the Borough Council in 2015, and a subsequent refusal of a planning application in early 2016.
- 1.2 The resubmission of the application is intended to address the previous reasons for refusal.
- 1.3 The statement describes the nature of the proposal, and the planning and other relevant property history. Having considered the relevant planning policies the statement goes onto consider the planning issues raised by the proposal, and assess its overall acceptability.
- 1.4 This statement should not be read in isolation, and the planning application is accompanied by a number of other documents including a Design, Access and Lifetime Homes Statement, Office Availability Schedules, and relevant plans and drawings (see covering letter).

2. SITE & SURROUNDINGS, AND THE DEVELOPMENT PROPOSAL

- 2.1 The application site is located within the Bloomsbury area of the Borough, between the British Museum to the north and New Oxford Street to the south. The area is mixed in character (in terms of the nature of uses), with predominantly commercial (class A) uses at ground floor level, and office and residential uses above. There are a number of restaurants and pubs in the immediate vicinity, as well as providers of day to day services.
- 2.2 The application premises are typical of this pattern. The building is arranged over five stories plus basement. At ground floor level the building is occupied by a gift shop, a hairdresser, an estate / lettings agency, and a café. The first, fourth and part second floor have lawful residential use. The remaining floor space (the third floor, and part second floor) have lawful office use, albeit this floor space is vacant.
- 2.3 The office areas at second and third floor level (the area to which this application relates) are highly compartmentalised. For example, the second floor is divided into six separate offices or rooms, along with separate small kitchen area and w/c. More information is provided in Section 5 of this document, and also the Design, Access and Lifetime Homes statement.
- 2.4 The application proposes the change of use of part of the second floor, and all the third floor of the building from office to residential use. The second floor would be converted to accommodate one two-bedroom apartment, and the third floor two two-bedroom apartments. All apartments would have communal access arrangements via the existing staircase and lightweight passenger lift. Cycle storage is proposed within the basement area, as part of the arrangements already approved via other applications / permissions.
- 2.5 The proposed size of each apartment, and individual rooms is largely defined by the internal layout of the building. We set out below a schedule of apartment / room dimensions:

Table 2.1: Proposed Apartment and Room Dimensions (Sq.m.)

	Apartment 2B	Apartment 3A	Apartment 3B
Kitchen	7	17	7
Sitting room	19	22	19
Bedroom 1	21	20	21
Bedroom 2	14	16	14
Study	n/a	11	n/a
Bathrooms/corridors/other	38	37	38
Total	99	123	99

Notes:

All dimensions measured on gross internal basis (GIA).

- 2.6 Access to the second and third floor apartments would be via the communal ground floor entrance, and stair case (there is also a light-weight passenger lift accessible via the half-landing adjacent each main floor). In order to ensure the appropriate level of security, in addition to the main entrance door each apartment would have its own secure key-locked front-door entrance.

- 2.7 At basement level there are separate, individual locked rooms utilised for ancillary storage. It is proposed that two of these (one already has permission) would be reconfigured to accommodate cycle storage for the residential units (common entrance for the residents, and individual cycles to be locked for security).
- 2.8 No external physical alterations would be required as a result of the change of use. All of the apartments would utilise existing window openings, and the main habitable rooms would be arranged along the principal north and east frontages of the building to maximise outlook, and minimise overlooking.

3. PLANNING HISTORY

- 3.1 The application premises were constructed in about 1890. We anticipate the property would originally have been constructed as a single private residence before commercial and office uses took over, possibly in the inter-war years.
- 3.2 Part of the first floor has been occupied for residential purposes for many years, pursuant to planning permission granted in 1976.
- 3.3 Turning to the modern era, planning permission has recently been granted for the following:
- Change of use from office to residential use of the fourth floor and part-second floor – October 2013 (ref: 2013/4368/P);
 - Change of use from office to residential use of part of the first floor – October 2014 (ref: 2013/7239/P); and
 - Erection of a fifth floor extension for use as a self-contained flat – March 2015 (ref: 2014/4117/P).
- 3.4 The above permissions are now being implemented. As a consequence the majority of the floor space in the upper (first to fourth) floors of the building has residential use. This latest application therefore represents a final, logical and (in our view) non-contentious proposal that would facilitate the change of use of the remainder of the upper floor areas. An initial application for the change of use (ref: 2015/5169/P) was refused in January 2016, and this application represents a resubmission of that proposal albeit with additional supporting material.
- 3.5 There is no other planning history for the property relevant to this proposal. There is, however, relevant planning history from three separate properties along Museum Street as follows:
- 28 Museum Street: two separate planning permissions for change of use from office to residential use. Granted December 2011 and February 2012 (refs: 2015/5016/P and 2011/6466/P) respectively;
 - 31 Museum Street: planning permission for change of use from office to residential use. Granted May 2012 (ref: 2011/5960/P); and
 - 37 Museum Street: planning permission for change of use from office to residential use. Granted October 2015 (ref: 2014/6799/P).
- 3.6 The above permissions have been granted on application by the Council. Moreover, they have been granted in the context of the same, consistent local policy context in respect of retention of employment premises (Policies CS8 and DP13). In no instance was a formal marketing exercise required.

- 3.7 We understand Museum House is not Listed, although it is located within the Bloomsbury Conservation Area. The latter is not relevant to the determination of this planning application.

4. PLANNING POLICY

- 4.1 The majority of planning policies relevant to the determination of the application are at a local level within the adopted Camden Core Strategy and Development Policies Local Development Document (LDDs), as well as the Council's Planning Guidance (CPG5). For completeness we also briefly refer to the London Plan published by the Mayor of London, and also the National Planning Policy Framework (NPPF) produced by Central Government.
- 4.2 It is relevant to note that a planning application is only necessary in relation to the proposed development due to special circumstances. Via Statutory Instrument 2013 No. 1101 (SI), the Government introduced a series of changes to the established system of permitted development rights i.e. activities meeting the definition of 'development' within The Act, and which are deemed not to require prior planning permission since they are considered to be generally beneficial and / or non-controversial. Permitted development rights include certain changes of use, and the SI widened the scope of these to include change of use of buildings and land from office to residential use (subject to a system of prior notification to local planning authorities).
- 4.3 When introducing the changes the Government made it clear that it would only grant exemptions to local planning authorities from the new rights in very limited circumstances (economic). This part of the Borough of Camden is one of only seventeen locations within England granted an exemption. Notwithstanding, the changes introduced by the SI send a clear signal that, in general terms, the Government considers changes of use from office to residential use to be an acceptable form of development.
- 4.4 On 12 October 2015 the Prime Minister announced that this permitted development right would be made permanent. Corresponding changes to the General Permitted Development Order were made in March 2016 (SI 2016 No.332), and these confirmed that areas with exemption (including Camden) would expire on 30 May 2019.

The Principle of Change of Use

- 4.5 The starting point is to consider those policies that govern a change of use of office floor space to an alternate use.
- 4.6 The principal planning policies of relevance to retention of employment land and premises are set out at the local level in various documents that comprise Camden's Local Development Framework. We summarise the relevant policies below.

Camden Core Strategy (November 2010)

- 4.7 The most relevant policy is Policy CS8. This sets out a broad-brush policy approach, and criterion (b) confirms that existing employment premises will be safeguarded "*that meet the needs of modern industry and employers*". For reasons explained in Section 5 of this statement we do not

consider the subject premises meet this test. As noted above the subject premises were constructed in about 1890, and likely for a different use – particularly the upper floors

- 4.8 In such circumstances paragraph 8.8 of the Core Strategy states that "*The Council will consider proposals for other uses of older office premises if they involve the provision of permanent housing...*" Reference is then made to Policy DP13 for more detail on the policy approach.

Development Policies LDD (November 2010)

- 4.9 Policy DP13 sets out the more detailed approach to changes of use from office to residential use. There are two main criteria to be addressed:

a) that the site or building is no longer suitable for its existing business use; and

b) there is evidence that the possibility of reusing the site for similar or alternative business use has been fully explored over an appropriate period of time.

- 4.10 Paragraph 13.3 sets out some matters that the Council will consider when assessing a proposal that involves the loss of business floor space. These are:

- Location (criterion seemingly only relevant to 'industrial' uses);
- Location i.e. whether the site is suitable for a mixture of employment uses, especially 'light industry' or 'warehousing';
- Accessibility to the road network;
- Accessibility by means of transport other than the car;
- Adequacy of on-site vehicle space for servicing;
- Relationship to nearby land uses;
- Whether the property is in a reasonable condition to allow the employment use to continue (an important and relevant criterion in relation to this application);
- Proximity to other industry (not of relevance to the application); and
- Whether the premises provide a range of unit sizes, particularly under 100sq.m.

- 4.11 Paragraph 13.4 is worthy of mention. Whilst it relates to applications to create employment floor space (as opposed to residential use in this instance) it does note that the following are important for office users:

- Clear and flexible space with few supporting columns;
- Adequate floor to ceiling heights;
- Wide doors / corridors;
- Loading facilities;
- Large amounts of natural light;
- Availability of a range of unit sizes; and
- Space for servicing by / parking of commercial vehicles.

4.12 We return to the above criteria later in this Statement.

4.13 Paragraph 13.5 confirms that where a change of use to a non-business use is proposed, as in this case, the applicant must demonstrate that there is no realistic prospect of demand to use the site for an employment use.

4.14 The paragraph states such should include a thorough marketing exercise sustained over two years. The Borough Council's Planning Guidance (CPG5) does however provide some relief from these requirements in appropriate circumstances. Paragraph 7.4 sets out a detailed list of matters to be considered. Generally, these relate to the age and condition of the premises, and their quality by reference to modern standards and the requirements of occupiers. Paragraph 7.18 of CPG5 provides more information on marketing requirements. Although the fourth bullet point refers to the two year marketing period, it is confirmed that shorter marketing periods for office premises will be considered. Indeed, the marketing period was discussed on 5 April with Mr O'Donnell (the case officer for the previous application 2015/5169/P), and he expressed the view that a period of two-three months may be sufficient in this instance, given the history of the property.

4.15 Moreover, the recent planning history of this and nearby properties has confirmed the approach to the Council's interpretation of this aspect of policy. This is that a formal marketing exercise is clearly not appropriate nor necessary, where it can clearly be demonstrated that the application premises are not suitable for modern office requirements. Such is demonstrably the position in this case. Nevertheless, and following on from the refusal of planning permission in early 2016 the applicant has now commenced formal marketing of the remaining office space, and this will be on-going whilst this application is being considered. Further details are provided in Section 5.

Supplementary Planning Guidance (CPG5, September 2013)

4.16 Paragraph 7.4 of CPG5 sets out a detailed list of matters to be considered when considering proposals for change of use of offices to residential use. Generally, these relate to the age and condition of the premises, and their

quality by reference to modern standards and the requirements of occupiers. The criteria as stated are:

- The criteria listed at paragraph 13.3 of Policy DP13 (see above);
- The age of the premises (some older premises may be more suitable for conversion than others);
- Whether the premises include features required by tenants seeking modern office accommodation;
- The quality of the premises and whether it is purpose built accommodation. Poor quality premises that require significant investment to bring them up to modern standards may (our underlining) be suitable for conversion;
- Whether there are existing tenants in the building, and whether those tenants intend to relocate;
- The location of the premises, and evidence of demand for office space in this location; and
- Whether the premises currently provide accommodation for small and medium businesses.

4.17 Paragraph 7.5 of CPG5 confirms that only where it would be difficult to make an assessment using the above criteria would evidence of a marketing assessment also be required. The applicant contends in this instance that the evidence (see Section 5 of this statement) is clear-cut, nevertheless a formal marketing exercise has commenced.

Other Policy Considerations

4.18 Having identified the relevant policy considerations for assessing a change of use from offices, it is then necessary to consider those policies that are relevant to the proposed (residential) use.

4.19 There are a large number of policies at local level. In summary we consider the most relevant to be:

- Policy CS5: managing the impact of development;
- Policy CS6: housing as “the priority land use” of the LDF (criterion e);
- Policy DP2: maximising housing supply;
- Policy DP5: size of new residential units, particularly criterion (a) and the dwelling sizes priority table, which confirms that 2 bedroom market housing is a “very high” priority;

- Policy DP6: all new residential to meet Lifetime Homes standards (see the separate Lifetime Homes Statement submitted with the application);
 - Policy DP18: car and cycle parking standards, including the use of s106 agreements for car-free development, and the cycle parking standards of appendix 2 (1 cycle space per unit); and
 - Policy DP26: the impact of development, and adequacy of premises for use. This includes internal arrangements, dwelling and room sizes, storage for waste, and private or communal amenity space wherever practical.
- 4.20 In addition to the above the Council has identified the following policies as being relevant to the proposal:
- CS11: promoting sustainable and efficient travel; and
 - DP17: walking, cycling and public transport.
- 4.21 We refer to these additional policies in this statement as appropriate.

The Mayor, and The London Plan (March 2015 version)

- 4.22 Residential use and development for housing is dealt with in chapter 3 (entitled London's People) of the London Plan. At paragraph 3.13 the plan states "*The Mayor is clear that London desperately needs more homes...*" This strategic requirement is reflected in Policy 3.3 (increasing housing supply).
- 4.23 Within this context Policy 3.5 sets out certain standards that new residential development should meet. This includes minimum space standards as set out in Table 3.3. In respect of 2 bedroom flats (as proposed in this instance) the space standard ranges between 61-70sq.m. (GIA).
- 4.24 Beyond the London Plan, the Mayor's powers in relation to the Community Infrastructure Levy (CIL) are relevant to the application. The Mayor commenced charging under CIL for certain forms of development in April 2012, and it is confirmed this includes the creation of new residential units via change of use (as a form of 'development'). The Mayor's charging schedule confirms the applicable rate is £50/sq.m. (measured upon a gross internal area basis).

The National Planning Policy Framework (NPPF) (March 2012)

- 4.25 Housing is addressed at section 6 of the NPPF.
- 4.26 At paragraph 51 it is confirmed that local planning authorities should seek to identify and bring back into residential use empty housing and buildings. It goes on to state "*They (LPAs) 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 housing in that area, provided there are no strong economic reasons why such development would be inappropriate." The upper floors of the building (that are the subject of this application) are vacant. This mirrors the situation that has emerged in the remainder of the upper floor space over the last few years, reflecting the poor quality of the space as office accommodation. As noted earlier in this Statement the remainder of the space is now being converted for residential use.

5. PLANNING ISSUES

5.1 In our view there are only two principal planning matters raised by the proposal, namely:

- i) Loss of office floor space; and
- ii) The acceptability of residential use.

5.2 We address each of these in turn below.

Loss of Office Floor Space

5.3 We consider the application proposal complies with Policy DP13, solely on the basis that the premises are no longer suitable for business use i.e. classes B1, B2 and B8. For example, the property has no service area or car parking, standard floor loading capacities for a building of this type, and only a lightweight passenger lift for access to the upper floors (and even with the lift the property is not DDA compliant because steps must still be negotiated when using the lift). Moreover, the interior of the building, particularly structural walls restricts reconfiguration to a significant extent. All in all the building falls well short of what contemporary office occupiers require (see below for more details)

5.4 It is important to note in this regard that Policy DP13 clearly draws a distinction between office use, and all other business uses. The policy states that when 'unsuitability' has been demonstrated for any business use "other than" (our underlining) B1(a) offices, the Council will favour permanent residential use in the first instance. Put another way, subject to meeting any separate and relevant residential policies and criteria (see below) the policy is permissive of change of use from office to residential use when other class B uses cannot be accommodated in the premises. We contend that is the case in this instance.

5.5 That said, for the sake of completeness we have sought to address the Council's policy requirement in respect of marketing and local office supply i.e. reason for refusal No.1 from January 2016 (ref: 2015/5169/P). We have sought to do this in two ways:

- First, an assessment of the shortcomings of the premises for office use, with reference to the findings of a reputable local commercial surveying practice – Glinsman Weller; and
- Second, by undertaking formal marketing of the premises (for office use).

5.6 The first of the above matters was addressed during the course of the previous planning application (2015/5169/P), whereas the formal marketing of the property was commenced in March 2016 when the remaining office floor space began to become available i.e. vacated by the tenant. We address these matters in turn below:

Assessment of Suitability for Continued Office Use

- 5.7 Consistent with previous, similar proposals on Museum Street the application is accompanied by an objective assessment of the prospects of reuse of the premises (for employment use) prepared by a reputable, local commercial surveying practice (to help address the requirements of Policies CS8 and DP13). A copy of this material is attached as **Appendix A** to this statement.
- 5.8 In terms of the status of the application premises (and Museum House as a whole) the Glinsman Weller (GW) report confirms the following:
- The floor space is highly compartmentalised in a series of rooms, and offers no prospect of flexibility;
 - The configuration of the building does not facilitate air conditioning, raised floors, double glazing, or outside space;
 - The property suffers from a number of shortcomings in terms of DDA compliance. These are significant, and include: steps at the front entrance; lift access up at half-landing level (more steps) and only serving to the third floor; and, lift car size insufficient to accommodate a wheelchair;
 - Shared use of the building, including the main entrance. Lack of a dedicated office reception area will alone mean the property would be discounted by the majority of tenants; and
 - There are many competing, and (crucially) better properties available in the local area.
- 5.9 As a consequence the GW report concluded that a formal marketing exercise would be a fruitless exercise. Entirely consistent with these findings the last remaining office tenants have now vacated the building in March and May respectively.
- 5.10 The application premises were the subject of an accompanied site visit on 20 October 2015 with an officer of the Council (in connection with application 2015/5169/P). During this visit the following conditions were observed:
- Storage and document boxes piled high in corridors;
 - Small or no meeting rooms;
 - The generally cramped and compartmentalised nature of the accommodation;
 - Narrow corridors;
 - No formal reception areas; and

- Outmoded IT infrastructure with cables strewn around.
- 5.11 These circumstances are clearly at odds with those matters listed at paragraph 13.4 of the Council's Development Policies LDD, as noted in Section 4 of this Statement.
- 5.12 Information submitted with the previous application (2015/5169/P) confirmed that the last remaining office tenants occupied floor space on heavily discounted rental terms. This reflected the poor quality of the accommodation. Whilst such heavily discounted terms may have been of benefit to the tenants, such rental levels were (and are) simply not sustainable going forward. The property is in need of improvement and modernisation, which of course must be financed.
- 5.13 In order to be able to (hope to) attract office tenants at sustainable rental levels the owner of the building would need to expend very significant sums of money in attempting to rectify the shortcomings of the premises. Expenditure would need to cover items such as:
- Replacement lift;
 - Improvement and redecoration of common parts;
 - Essential works to building exterior (including lining of walls);
 - Replacement windows;
 - New raised floors;
 - Replacement ceilings (excludes allowance for lighting);
 - New cabling; and
 - New toilet facilities.
- 5.14 The cost of these works would be in excess of £400,000, and this could not be justified at previous rental levels.
- 5.15 But this is a theoretical assessment, since no amount of expenditure is capable of overcoming a number of the problems identified in Section 4. These would include:
- Lack of DDA compliance;
 - No dedicated office reception area;
 - The inflexible, compartmentalised nature of the office suites; and
 - Other limitations such as (lack of) air conditioning.
- 5.16 In short, refurbishment with a view to re-letting the premises for office use is not simply just a case of non-viability. The application premises, and
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Museum House as a whole are fundamentally no longer suited to modern office needs. Thus, the inevitable outcome if this latest planning application is refused is that the premises will become long-term vacant.

- 5.17 A matter that reinforces the conclusion above is the wide choice and availability of alternate office premises in the locality. CBRE and Colliers have supplied Office Availability Schedules, and copies of these documents are attached at **Appendices B and C**. The schedules identify in excess of 60 properties of varying size, type, tenure and pricing that are available to prospective occupiers, in competition with Museum House (note that there is some overlap in the schedules). Thus, the conversion of the application premises is unlikely to have any significant effect on the local supply of office space.

Marketing of the Premises

- 5.18 We have commented earlier in this Section that we do not consider a marketing exercise is required in this instance. One of the reasons for this is that NPPF paragraph 22 states that planning policies (and hence decisions that rely on those policies) should avoid the long term protection of employment sites where there is “no reasonable prospect” of that use. The paragraph goes on to state that proposals for other uses should be determined “having regard to market signals and the relative need for different land uses”. Policies CS8 and DP13 both pre-date the NPPF.
- 5.19 As noted above the applicant’s letting agent has advised that there is no reasonable prospect of re-letting the application premises for office use. The market signals have been clear for some time – that the property is no longer suited to that use, and that the need is (overwhelmingly) for conversion to residential use.
- 5.20 Notwithstanding, the application premises have been offered for lease to the office occupier market.
- 5.21 The marketing campaign has been coordinated by GW. Marketing of the third floor commenced in March when the tenant vacated. Marketing particulars were circulated via email to between 500-600 individual agents active in the West End market. Attached as **Appendix D** is a copy of the particulars. The same details have also been posted on the GW website, and a large letting board has been affixed to the site hoarding (a photograph of this is attached as **Appendix E**).
- 5.22 As a result of the marketing exercise four separate inspections of the property have been undertaken to-date by GW. These can be summarised as follows:
- 30 March: casting agents. Feedback was that the property was an ideal location but floor layout was not suitable as they work almost entirely open-plan;

- 12 April: commercial property advisors. Again, feedback was that the location was ideal but the property was not suitable as their need was for open-plan space;
- 3 May: a locally based firm of consultants. Feedback was that they considered they could obtain better quality, more modern space that better suited their needs; and
- 2 June: a US charity. Feedback was that the property is potentially of interest however they have a number of other properties to view.

5.23 No formal offers for occupation of the office premises have thus far been received. Marketing of the premises will continue until the planning application is determined.

Policy Assessment

5.24 Against the above background (the *Assessment of Suitability* and formal *Marketing of the Premises*) we turn to consider the application against each of the relevant employment policy criteria (our comments are in *blue underlined italic* text):

Camden Local Development Framework

Policy CS8

- Existing employment premises will be safeguarded that meet the needs of modern industry and employers. *Manifestly, the evidence demonstrates that the premises are not well suited to modern office requirements;*

Policy DP13

- The site or building is no longer suitable for its existing business use. *The evidence overwhelmingly demonstrates that such is the case in this instance;* and
- There is evidence that the possibility of reusing the site for similar or alternative business use has been fully explored over an appropriate period of time. *Even without a formal marketing exercise (for office use) the evidence in respect of the (poor) likelihood of continued office use is compelling. A practical demonstration has already occurred via all the various office tenants that have exited Museum House since 2013, reflecting its shortcomings. Alternate employment use (warehousing, industry etc.) is clearly not a realistic proposition either. And now to add to this are the results of the formal marketing exercise. The duration of marketing (thus far) does not meet the maximum (two years) suggested within Policy DP13 and CPG5, however we consider that period would be wholly unrealistic and inappropriate in the circumstances of the application premises. By the time this application is likely to be ready to be determined (assumed to be*

early-mid August) marketing will have been undertaken for 4-5 months.

Paragraph 13.3

- Location: the property or area is not specifically 'zoned' for employment use. Moreover, most properties along Museum Street are already in residential use on the upper floors, with retail / service uses at ground floor level. Most of the properties surrounding Museum House are also in intensive residential use;
- Accessibility: the site is accessible by car, but only for dropping-off. There is no parking in the vicinity for office users. Buses and tube are within easy walking distance;
- Servicing: Museum House has no dedicated servicing facilities. Again, all access is on-street;
- Nearby land use: as noted above the area is primarily a mixed pattern of retail, service and residential uses;
- The condition of the building: the building is in need of significant investment. Examples include a replacement lift, windows, IT infrastructure etc.; and
- Unit sizes (especially if under 100sq.m.): the second floor office suite has an area of 99sq.m. (GIA). The physical layout limitations mean that the size cannot be reduced. Thus, those requiring smaller office suites are unable to be accommodated.

Camden Planning Guidance CPG5

- The age of the premises: Museum House is about 125 years old;
- Whether the premises include features required by tenants seeking modern office accommodation: as highlighted above the building lacks many of the features now demanded by office occupiers;
- The quality of the premises and whether it is purpose built accommodation: there is no realistic prospect of addressing many of the building's shortcomings for office use, regardless of the level of expenditure;
- Whether there are existing tenants in the building, and whether those tenants intend to relocate: there are no remaining office tenants within the building. Moreover, the last tenants to vacate the building occupied the space at unsustainably low rental levels that it would not be economic to seek to replicate. Museum House requires substantial and continued investment into the future in order to ensure some sort of beneficial use;

- The location of the premises, and evidence of demand for office space in this location: [the CBRE Office Availability Schedule clearly demonstrates that there are numerous, and better office properties readily available within the locality](#); and
- Whether the premises currently provide accommodation for small and medium businesses: [the premises can only accommodate small office occupiers, and there is no flexibility in terms of unit size \(other than to sub-divide the third floor into two separate suites, merely replicating the available floor space at second floor level\)](#).

5.25 In light of the above the applicant considers that the application premises are no longer genuinely suitable (or viable) for office use.

The Acceptability of Residential Use

5.26 On the basis that change of use of the application floor space from office use is acceptable, there is no doubt in terms of the Borough Council and the Mayor's planning policies that residential use is the most preferred alternate use.

5.27 Having regard to the detailed policies for residential use and standards identified in section 4 of this statement, we now turn to consider the proposal against the various criteria.

Residential Unit Sizes

5.28 Approval of the application would facilitate the creation of three new two-bedroom apartments ranging in size from 99-123sq.m. All of the apartments would be well in excess of the Mayor's minimum space standards for these forms of dwelling, as well as the Nationally Prescribed Space Standards (March 2015).

5.29 The proposal would also meet the Borough Council's own standards for individual room sizes, and therefore would be in accordance with Policy DP26.

Lifetime Homes Standards

5.30 Policy DP6 requires all housing development to meet Lifetime Homes standards. Paragraph 6.5 of the supporting text to the policy acknowledges that the design or nature of some existing (our underlining) properties means that it will not be possible to meet every element of the standards. Where standards cannot be met the reasons should be given. The Design, Access and Lifetime Homes statement submitted with the application therefore addresses each of the criteria for Lifetime Homes at Section 5 of that document. It can be seen from the table that the proposal would achieve eight of the sixteen standards, and with a further one stated as being not applicable. Of the standards that cannot be met we add the following comments:

- In respect of criterion 01, the property has no car parking; and

- In respect of criteria 04-06, 10, 14 and 15 these matters are clearly restricted by the existing structure of the building, and the position cannot be significantly improved.

Affordable Housing

- 5.31 The proposal would not breach the threshold that would trigger the need for the provision of an affordable housing element.

Car and Cycle Parking

- 5.32 As noted above the property has no dedicated car parking. We confirm the applicant is prepared to enter into a s106 obligation to the effect that any future owners or tenants of the proposed residential units will not be able to apply to the Council for an on-street parking permit. This would satisfy reason for refusal No.2 from January 2016.

- 5.33 The proposal would meet the Council's Policy DP18 in respect of cycle parking, by providing at least six secure dedicated cycle parking points in the lower ground floor (two per residential flat).

Other Matters

- 5.34 In all other respects we consider that the proposed residential units would be fit for purpose, including:

- *Waste storage:* each kitchen to be fitted with storage bins of appropriate capacity for both domestic waste, and recyclable materials. We understand that it is not possible to provide waste storage facilities at ground floor or basement level, either within or outside the building, and thus waste would be put out for collection by residents shortly before collection. This is, of course, common practice in Central London;
- *Natural light:* all of the proposed habitable rooms within the residential units would have good natural lighting (and ventilation), along with a satisfactory outlook for this central, densely developed urban location; and
- *Amenity and overlooking:* the internal configuration of the proposed dwellings has been devised to minimise any issues of overlooking of adjacent premises. It should be noted that the second floor of Museum House does not significantly overlook the adjoining building due to the presence of the party wall.

6. SUMMARY & CONCLUSION

- 6.1 The application proposes the change of use of office floor space on the second and third floors of the building to residential use, creating three new high-quality apartments.
- 6.2 The office floor space is very dated, and does not meet modern office occupier requirements in a number of respects. It would not be feasible to utilise the floor space for other business (class B) uses, and the only realistic prospect of reuse of the space is via residential use. Formal marketing of the premises to the office occupier market over a period of months has confirmed the position.
- 6.3 Unlike office and business use the layout and internal configuration of the premises would lend itself well to residential use, not surprising given the purpose for which the building most likely was originally constructed.
- 6.4 The proposed apartments would all be of generous proportions, well in excess of both the Council and Mayor's minimum space standards. The apartments would be configured to make the most of the building's main elevations and windows (north and east facing facades), and minimise any prospect of overlooking to the rear of the premises.
- 6.5 The property has no dedicated car parking. Secure cycle parking to meet the relevant standard would be provided at lower ground floor level.
- 6.6 Having regard to the full contents of this Statement we respectfully request that planning permission is granted.