

Delegated Report		Analysis sheet	Expiry Date:	04/04/2016
		N/A / attached	Consultation Expiry Date:	04/04/2016
Officer			Application Number(s)	
Ian Gracie			2016/0704/P	
Application Address			Drawing Numbers	
17 Fleet Road London NW3 2QR			See Decision Notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Change of use from recording studio (B1) to residential (C3) to form 4 x 1-bed flats within upper floors and office space (B1) within basement and associated alterations.				
Recommendation(s):	Refuse			
Application Type:	Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	02	No. of responses	01	No. of objections	01
			No. electronic	00		
Summary of consultation responses:	<p>A single objection from the owner/occupier of 19 Bassett Street has objected on the following grounds:</p> <ul style="list-style-type: none"> - The building is well suited to a mix of business uses. The upper floors make decent and self-contained office suites ideal for small businesses or charities. - The larger spaces on the ground floor and basement are useful for other business operations including a recording studio. - The existing building is flexible. i.e. works as premises for single business or many. It's in a good location. - The applicant makes note of Camden's strength in the creative industries in their D&A statement. Losing capacity in that sector should be avoided. Workspace capacity in neighbourhoods known to have many creative should be retained to meet their needs. - If change of use to residential is unavoidable, it should only be permitted to the upper storeys (first, second). This allows the minimum sharing of separating floor plates and risk of mutual disturbance. It upholds the principle of sensible on-site mixed-use. 					
CAAC/Local groups* comments:	Not applicable					

Site Description

The application site is a three storey building situated on the south side of Fleet Road. The site is currently being used as a recording studio following planning permission being granted in November 2010 (see planning history below) to change the use from a community facility. The main hall is on the ground floor which is double height to the rear of the hall with a large roof lantern which is currently being used as the main area for music recording. The upper floors are also being used for recording purposes, with one of the rooms appearing to be an office that is ancillary to the recording studio. The basement level is currently being used as a gym and kitchen.

The property appears to have been in frequent use as a recording studio following planning permission in 2010 and appears to be in very good condition.

The site is not a listed building, and the building is not located within a Conservation Area, yet it is located close to the boundary of Mansfield Conservation Area.

There is a variety of building types and heights along Fleet Road. To the east there is a playground, to the west there is an ex-chapel which is currently being used as an artist's studio, and to the north of the application site, there is a terrace of three storey residential properties. To the south is the Dunboyne Road estate.

Relevant History

2010/2151/P – Change of use from meeting rooms ancillary to an ex-chapel (Class D1) to a recording studio (Class B1). – **Granted Subject to a Section 106 Legal Agreement 19th November 2010.**

Relevant policies

National Planning Policy Framework (2012)

Paragraphs 14, 17, 19, 20, 22, 56-66.

National Planning Practice Guidance

The London Plan 2016

3.3 – Increasing housing supply;
3.4 – Optimising housing potential;
3.5 – Quality and design of housing developments;
4.2 – Offices;
4.3 – Mixed use development and offices;
6.9 – Cycling;
6.13 – Parking.

Camden LDF Core Strategy 2010

CS5 – Managing the impact of growth and development;
CS6 – Providing quality homes;
CS8 – Promoting a successful and inclusive Camden economy;
CS14 – Promoting high quality places and conserving our heritage;

Camden Development Policies 2010

DP2 – Making full use of Camden's capacity for housing;
DP5 – Homes of different sizes;
DP13 – Employment sites and premises;
DP16 – The transport implications of development;
DP17 – Walking, cycling and public transport;
DP18 – Parking standards and limiting the availability of parking;
DP19 – Managing the impact of parking;

DP24 – Securing high quality design;
DP26 – Managing the impact of development on occupiers and neighbours;

Camden Planning Guidance (updated July 2015)

- 1 – Design (Section 4);
- 2 – Housing (Section 4);
- 5 – Town Centres, Retail and Employment (Section 7);
- 8 – Planning Obligations (Section 10).

Assessment

1. Description of proposed development

1.1 The applicant seeks planning permission for:

“Change of use from recording studio (B1) to residential (C3) to form 4 x 1-bed flats within upper floors and office space (B1) within basement and associated alterations.”

1.2 The proposal comprises the following elements:

- Change of use of the upper floors from B1 to C3 to provide 4 x 1-bedroom units at ground, first and second floors;
- 53sqm of B1 floorspace at basement level;
- Alterations at ground floor level to the front of the building and fenestration alterations to the rear at ground, first and second floor level.

2. Principle

Loss of B1 floorspace

- 2.1 Policy DP13 seeks to retain land and buildings that are suitable for continued business use. A change of use from business use will be resisted unless it can be demonstrated that the site is no longer suitable for its existing business use and the possibility of retaining the unit has been fully explored over an appropriate period of time.
- 2.2 Policy DP13 goes on to state that the possibility of retaining the unit should be fully explored over an appropriate period of time in the form a *“thorough marketing exercise, sustained over at least two years (paragraph 13.5).”*
- 2.3 Camden Planning Guidance 5 (Town Centres, Retail and Employment) adds further detail to this policy noting that a marketing assessment may be required when it would be difficult to assess the suitability of the existing office space. The marketing assessment would need to include a number of elements such as continuous marketing over at least 2 years; reasonable advertised rents; attractive lease terms; and a commentary on the interest shown in the building.
- 2.4 Paragraph 7.4 of CPG5 provides some further criteria with which to assess applications from office to a non-business use. This includes details of the age of the premises, details of the facilities the quality of the premises, whether there are existing tenants, and whether the premises currently provides accommodation for SMEs.
- 2.5 None of this detail has been provided in support of this application to demonstrate the acceptability of the loss of B1 floorspace on the site. Following a site visit, however, it was apparent that the site was occupied and in use as a recording studio following the planning permission granted in November 2010 (LPA Ref. 2010/2151/P). The site was well maintained and all areas of the building were in use. The ground floor was in use as a recording studio,

whilst the upper floors were being used as both ancillary office and further recording space. The basement level was in use as a gym and kitchen. To that end, it is clear to officers that the site is indeed occupied and in good working order.

- 2.6 The applicant makes the argument that the applicants “*have access to other recording studios in Camden and do not need this one any longer.*” The application proposes a reduction in the amount of B1 floorspace by approximately 236sqm. As there is high demand for affordable, flexible office space that is suitable for SMEs and high demand for studio space and workshops in Camden, the application does not make a strong enough case to justify the significant reduction in B1 floorspace on this site.
- 2.7 There has been no evidence submitted which demonstrates the lack of demand for this type of office space. Therefore, it is considered that there is insufficient evidence to convince the Council that the loss of the B1 unit is acceptable. The application is therefore contrary to policies CS8 and DP13 f Camden’s Local Development Framework.

Creation of residential floorspace

- 2.8 Housing is regarded as the priority land-use of the Local Development Framework, and the Council will make housing its top priority when considering the future of unused and underused land and buildings. The proposal would provide a total of 4 x 1-bedroom residential units. As such the provision of new residential accommodation is compliant with policies CS6 and DP2 as long as it meets the Council’s residential development standards and does not harm the amenity of existing and future occupiers.
- 2.9 Policy DP5 (Homes of different sizes) seeks to provide a range of unit sizes to meet demand across the borough. Policy DP5 includes a Dwelling Size Priority Table and the expectation is that any housing scheme will meet the priorities outlined in the table. The proposals include the creation of 4x1-bedroom units. The housing priority for 1-bedroom units is considered a ‘lower’ priority. Paragraph 5.5 of policy DP5 requires that at least 40% of market homes should contain 2-bedrooms. The mix of the proposed units is therefore considered unacceptable due to the lack of provision of 2-bedroom units which is contrary policy DP5.

3. Quality of residential accommodation

- 3.1 Paragraph 26.11 of policy DP26 states that the size of a dwelling and its rooms, as well as its layout, will have an impact on the amenity of its occupiers. As such, new residential units must comply with the national technical housing standards.
- 3.2 In the technical requirements, criteria (i) states that the minimum floor to ceiling height is 2.3m for at least 75% of the Gross Internal Area. The table below compares the proposed floorspace for each respective unit against the current space standards as set out within Table 3.3 of the London Plan 2016.

Proposed Unit	Proposed floorspace (sqm)	Required floorspace (sqm)
1b2p	50	62
1b2p	50	62
1b2p	50	46
1b2p	50	48

- 3.3 It is noted that the two units at ground floor level are considered an acceptable size. Whilst it is noted that the two units at first and second floor level do not meet the floorspace requirements, it is considered that, should the principle of this application be acceptable, the units would be an acceptable size due to the constraints of the site. As such, the proposed units are considered to comply with the requirements of policies CS5 and DP26.

4. Amenity

- 4.1 Policy DP26 states that the Council will protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity of occupiers and neighbours which includes visual privacy and overlooking, overshadowing and outlook, sunlight, daylight and artificial light levels, and noise and vibration levels.
- 4.2 Each of the proposed units will be dual aspect and it is considered that they will receive appropriate levels of daylight for a residential use. The two units at first and second floor level are also considered to have appropriate levels of outlook to both the front and rear of the property.
- 4.3 However, the two units at ground floor level are considered to have poor levels of outlook. Two newly proposed windows are proposed at high level to the rear of the ground floor, however these are proposed to provide light rather than outlook. Whilst the bedrooms the front of the building benefit from a good level of outlook, the living room and kitchen to the rear do not benefit from outlook. As such, the main living areas of these units will have low levels of outlook which is considered unacceptable. As such it considered that the proposal is contrary to policies CS5 and DP26.

5. Transport

- 5.1 Policy DP18 (Paragraphs 18.12 and 18.13) requires development to provide cycle parking facilities in accordance with the minimum requirements as set out within Appendix 2 of the Camden Development Policies document and the London Plan.
- 5.2 The proposed residential development consists of four 1-bedroom units. The application form suggests 4 cycle parking spaces would be provided. The proposal is required to provide 7 covered, fully enclosed, secure and step-free cycle parking spaces to comply with the minimum requirements of the London Borough of Camden and London Plan cycle parking standards (6 for C3, 1 for B1 use). However the plans suggest that no cycle parking facilities are to be provided. The proposal, in the absence of cycle parking facilities, is contrary to policies CS11, CS19 and DP18 as it would fail to encourage cycling as a sustainable and efficient mode of transport.
- 5.3 The application site has a PTAL rating of 4. Given the transport accessibility level of the site a car-free development would be required. The applicant has not agreed to enter into a legal agreement for a car-free development which is contrary to policies CS11, DP18, DP19, DP20 and DP21 of Camden's Local Development Framework.

6. Design

- 6.1 Policy DP24 states that developments will be expected to consider the "character, setting, context and the form and scale of neighbouring buildings" and "the character and proportions of the existing building, where alterations and extensions are proposed."
- 6.2 The application proposes to make alterations to the fenestration and boundary treatment at ground floor to the front and fenestration alterations to the rear at ground, first and second floor level. It is considered that proposed alterations are acceptable and therefore comply with policies CS14 and DP24 of Camden's Local Development Framework.

7. Conclusion

- 7.1 The applicant has not been able to justify the loss of the B1 floorspace on site. The site is occupied and is considered a suitable site for a future B1 user. The applicant has not complied with the tests as required by policy DP13 to demonstrate that the existing B1 floorspace is unsuitable for future B1 occupiers. The proposed residential floorspace comprises an inappropriate mix of units contrary to policy DP5. Whilst it is accepted that the upper floor units

benefit from good levels of outlook, it is considered that the outlook from the ground floor units is poor despite the good levels of daylight that will reach into the main living space of these units.

7.2 The proposed plans fail to illustrate acceptable cycle parking facilities to comply with policy DP18. The applicant has also failed to enter into a Section 106 agreement to ensure that the proposed residential units are car free.

8. Recommendation

8.1 Refuse planning permission