

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	18/08/2017
		N/A / attached		<b>Consultation Expiry Date:</b>	20/07/2017
<b>Officer</b>			<b>Application Number(s)</b>		
Gideon Whittingham			2017/0870/P and 2017/1496/L		
<b>Application Address</b>			<b>Drawing Numbers</b>		
64 Lincoln's Inn Fields London WC2A 3JX			Refer to Decision Notice		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal(s)</b>					
1) Change of use of part of the basement (Class C3 Use) to storage facility (Class B8 Use). 2) Internal alterations associated with the change of use of part of the basement (Class C3 Use) to storage facility (Class B8 Use).					
<b>Recommendation(s):</b>		1) Refuse Planning Permission 2) Grant Listed Building Consent			
<b>Application Type:</b>		Full Planning Permission Listed Building Consent			

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Decision Notice</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>00</b>	No. of responses	<b>00</b>	No. of objections	<b>00</b>
			No. electronic	<b>00</b>		
<b>Summary of consultation responses:</b>	<p>No objections received to date.</p> <p>A site notice was displayed from 28/06/2017 and a public notice was published in the newspaper from 29/06/2017.</p>					
<b>CAAC/Local groups comments:</b>	N/A					

## Site Description

The application site is located on the west side of Lincoln's Inn Fields, close to the junction with Remnant Street and Gate Street.

The building, as a result of ref: 2013/7434/P and 2013/7457/L, comprises 9 residential units. The vaults beneath the front hardstanding area are currently used to house bicycles, plant and storage.

The predominant character of the surrounding area is, like the application site, commercial in nature, and forms part of the Central London Area.

The application building is grade II\* listed, located within the Bloomsbury Conservation Area, and is located within an Archaeological Priority Area.

## Relevant History

- 2013/7434/P and 2013/7457/L: Change of use from offices (B1a) to residential (C3) and partial demolition, alteration and extension to create 9 residential units. Granted Planning permissions and Listed Building Consent subject to conditions a section 106 Legal Agreement. 23/01/2015 GRANTED
- 2015/0989/P: Details of cycle storage and landscaping, as required by conditions 5 and 7 of Planning Permission ref 2013/7434/P (dated 23/01/2015) for the change of use from offices (B1a) to residential (C3) and partial demolition, alteration and extension to create 9 residential units. 07/04/2015 GRANTED
- 2017/1501/P: Variation of condition 5 (Cycle storage) of planning permission 2013/7434/P dated 23/01/2015 (Change of use from offices (B1a) to residential (C3) and partial demolition, alteration and extension to create 9 residential units). 12/05/2017 REASON FOR REFUSAL:

*The proposed cycle storage, by reason of its design, location and layout would fail to provide a secure, convenient and high quality facility for all types of bicycles, contrary to policy CS11 (Promoting sustainable and efficient travel) of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 (Walking, cycling and public transport) of the London Borough of Camden Local Development Framework Development Policies and policy T1 (Prioritising walking, cycling and public transport) of the Local Plan.*

## Relevant policies

### LDF Core Strategy and Development Policies

#### National Planning Policy Framework 2012

#### The London Plan 2016

#### Camden Local Plan 2017

- G1 Delivery and location of growth
- H1 Maximising housing supply
- H3 Protecting existing homes
- H6 Housing choice and mix
- H7 Large and small homes
- E1 Economic development
- E2 Employment premises and sites

- A1 Managing the impact of development
- A4 Noise and vibration
- D1 Design
- D2 Heritage
- T1 Prioritising walking, cycling and public transport
- T2 Parking and car-free development
- T3 Transport infrastructure
- T4 Sustainable movement of goods and materials

### **Supplementary Planning Policies**

#### **Camden Planning Guidance**

- CPG1 (Design)
- CPG2 (Housing)
- CPG6 (Amenity)
- CPG7 (Transport)
- CPG8 (Planning Obligations)

## Assessment

### 1. Background

1.1 Planning permission was granted on 23/01/2015 for 'Change of use from offices (B1a) to residential (C3) and partial demolition, alteration and extension to create 9 residential units.' Condition No.5 stated (selective excerpt):

*Before the development commences, details of secure and covered cycle storage area in the basement for 14 cycles shall be submitted to and approved by the local planning authority. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and permanently retained thereafter.*

1.2 A subsequent approval of details application (ref: 2015/0989/P approved on 07/04/2015) proposed 14 cycle spaces located within the front vault. The informative reason for grant stated (selective excerpt):

*Condition 5:*

*The proposed cycle storage, by virtue of its size, provision of parking spaces and accessibility would meet the Council's cycle storage standards and therefore the submitted details are acceptable.*

*The details submitted do not relate to the external appearance of the building and would not have an impact on the appearance of the host building surrounding conservation area, or the amenity of adjoining occupiers.*

1.3 A variation for the above Condition 5 was sought in 2017 (2017/1501/P), intending to relocate the 14 cycle storage spaces within an enclosed section of the basement floor level front vault and within an existing lightwell. This application was refused for the following reason:

*The proposed cycle storage, by reason of its design, location and layout would fail to provide a secure, convenient and high quality facility for all types of bicycles, contrary to policy CS11 (Promoting sustainable and efficient travel) of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 (Walking, cycling and public transport) of the London Borough of Camden Local Development Framework Development Policies and policy T1 (Prioritising walking, cycling and public transport) of the Local Plan.*

### 2. Proposal

2.1 The application proposes:

- The relocation of 14 cycle storage spaces within an enclosed section of the basement floor level front vault to use the remaining area as an independent storage facility (Class B8 Use).
- No elevational alterations are proposed as part of this application.

2.2 The main issues for consideration therefore are:

- The loss of residential floorspace (change of use);
- The impact that the proposed use may have upon the amenity of the occupiers of the neighbouring properties;
- The impact of the proposal upon the local transport infrastructure.
- The impact upon the listed building and surrounding area

### 3. Assessment

#### **The loss of residential floorspace (Change of use)**

3.1 Policy H3(a) ensures that existing housing continues to meet the needs of existing and future households by, amongst others strategies, resisting development that would involve a net loss of residential floorspace, including any residential floorspace provided as an ancillary element of another use, wherever the development involves changing the main use or separating the housing floorspace from the main use.

3.2 Whilst the proposal would technically result in the loss of residential floorspace, albeit an area which provides ancillary space associated with the dwellings within the main buildings, its loss would not result in:

- The loss of residential units
- Inadequate storage/refuse space required as per Camden Local Plan policy D1 and H6 which brings the Nationally Described Space Standards into effect in Camden;
- Lack of cycle space/provision required as per Camden Local Plan T1 (h).

3.3 Therefore the proposal is adjudged not to conflict with the aims of Policy H3(a).

### **The impact that the proposed use may have upon the amenity of the occupiers of the neighbouring properties**

3.4 In assessing the proposed use, the Council will seek to ensure that future employment uses can operate effectively without being in conflict with other sensitive uses such as housing.

3.5 The proposal involves the introduction of a storage use (Class B8) of 65sqm adjacent to a residential building, sharing access (via an existing lightwell) with occupiers of the residential units.

3.6 The applicant has submitted details to suggest the following management of the storage use:

- No staff would be on site, unless a customer of the storage facility made a prior appointment only. At this point a staff member would meet the customer at the premises.
- Once appointment made use only operates between 9am – 7pm Weekdays and 10am -4pm Saturday and closed Sunday and bank/public holidays.

3.7 In assessing the suitability of the proposed use in this location, it is important to assess the potential impacts on the amenity of neighbouring occupiers. 64 Lincolns Inn is wholly occupied by 9 residential dwellings, occupied at lower ground and ground floor level by units 1, 2, 3, 4, 5 and 6. Access can be made at ground floor level through the centrally located front door, or alternatively via the stairwell within the front lightwells to lower ground floor levels. The flats which face onto the lightwell include units 2 (bedroom), 4 (bedroom/main room of studio), 5 (bedroom/main room of studio) and 6 (bedroom/main room of studio).

3.8 The lightwell is 3.2m in width x 2.4m length, as a result, patrons would be 1.5m (when walking down the stairway) away from the windows to the front elevation of the building and directly adjacent when congregating within the lightwell. In addition, areas internal to the building would also be shared by both residential occupiers and those for commercial purposes. Within this context, the nature of the site, the arrangement of access points to the proposed use, the communal nature between both residential and commercial uses and proximity to residential units, specifically studio units and bedrooms that rely on the lightwells for sole outlook, sunlight/daylight and natural ventilation, demonstrate the proposed use's incompatibility. The proposed use, without a reasonable means of regulation, would result in a significant and detrimental increase in noise, disturbance and overlooking which demonstrates the incompatible nature of each use in this instance, becoming a reason for refusal.

3.9 Acknowledging the suggested management of the facility by the applicant (service management plan), there would be an increase in general coming and goings to a residential building both midweek and weekend, which would materially impact the character of this quiet residential building in terms of noise and disturbance. It is considered that such an impact cannot be mitigated against by the use of conditions (eg. limit the operational hours during the evening and at weekends) or a Section 106 legal agreement. In the absence of an acceptable scheme (and hence no section 106 agreement) to secure the service management plan to mitigate some but not all likely issues, this becomes a reason for refusal.

### **The impact of the proposal upon the local transport infrastructure.**

3.10 Cycle parking should be provided off-street, within the boundary of the site. Alongside policy T1(Prioritising walking, cycling and public transport); Camden Planning Guidance 7 (Transport ) provides guidance on meeting cycle parking standards in an effective way, so that cycle parking is convenient and secure, and users of a development are more likely to use bicycles to travel to and from the site, specifically:

- Accessible (in that everyone that uses a bike can easily store and remove a bike from the cycle parking). All cycle parking, including all parts of the parked cycles, should be clear of routes needed for

pedestrian movement.

- Secure (in that both wheels and the frame can easily be locked to the stand). Security is a critical concern in the location, design, enclosure and surveillance of all cycle parking.

3.11 The proposal include the relocation and replacement of the approved cycle parking storage area to a series of Josta two tier stands, which is acceptable in principle. However, the submitted plan fails to show separate access from the residential cycle storage area to the commercial area. Therefore, the proposal would fail to re-provide a secure, convenient and high quality facility for all types of bicycles, contrary to policy. And becoming a further reason for refusal.

#### **The impact upon the listed building and surrounding area**

3.12 The proposed development requires internal alterations for which little significance remains beneath the front hardstanding. The proposal would require limited intervention that would not cause harm to the architectural and historic interest of the Listed building.

#### **Conclusion**

3.13 The proposed development, by reason its nature and intensity of use in close proximity of residential accommodation would harm the amenity of neighbouring residents. In addition, the proposed cycle storage, by reason of its means of access, location and layout would fail to re-provide a secure, convenient and high quality facility for all types of bicycles.

#### **Recommendation:**

- 1) Refuse Planning Permission**
- 2) Grant Listed Building Consent**