

APPENDIX 2 – PLANNING STATEMENT

1. Introduction

- 1.1. This Planning Statement has been prepared on behalf of the applicant (the Freud Museum's Board of Trustees) and is written in support of an application for planning permission (change of use) for the proposed use of a small flat on the second floor of the building as museum administrative and storage space.
- 1.2. The change of use is from use class C3(a) as classified under the Town and Country Planning (Use Classes) Order 1987 to museum space as classified under part D1 Non-residential institutions of the Town and Country Planning (Use Classes) Order 1987.
- 1.3. This Statement sets out the relevant planning history of the site and the facts and evidence that support the proposed change of use.

2. Site Description and Planning History

- 2.1. The application site hosts a detached former dwelling house which has, since 1986, been used as a museum. Prior to the museum opening in 1986, the house was the home of Sigmund Freud, the founder of psychoanalysis, and subsequently his daughter Anna Freud.
- 2.2. The site lies within the London Borough of Camden and is within the Fitzjohns / Netherall Conservation Area. The building is Grade II listed.
- 2.3. Although the building is predominantly a museum, the internal areas include both residential and museum spaces. The museum space is across all three floors of the museum and includes space for exhibitions, conferences, offices, storage / archives, meeting rooms, and Sigmund Freud's study. The residential Part C3(a) space within the building is limited to a

self-contained flat on the ground floor and a small non self-contained flat on the second floor. It is the flat on the second floor that is the subject of this application.

2.4. This ratio of mixed use has changed over time and has been subject to various applications for planning and listed building consent. Generally, these applications have changed the ratio of residential space and museum space.

2.5. The planning history for the site, taken from Camden's online planning register, is summarised as follows:

- 2.5.1. 30842 - 20 Maresfield Gardens, NW3 - Change of use of two rooms of house to museum and reading room. FINAL DECISION 11-07-1980.
- 2.5.2. 8400022 - 20 Maresfield Gardens NW3. Change of use of the two first floor rooms from residential to museum for Sigmund Freud library and collection of antiquities as shown on drawing No.581/4A 5 14 & 15. FINAL DECISION 27-01-1984. Grant Full or Outline Perm. with Condit.
- 2.5.3. 8400024 - 20 Maresfield Gardens NW3 - Alterations to the front elevation and change of use including works of conversion to form a self-contained flat on the second floor and erection of a side roof dormer window as shown on drawing Nos.581/4A 6 10 11 12 13 14 & 16. FINAL DECISION 27-01-1984. Grant Full or Outline Planning Permission.
- 2.5.4. 8470133 - 20 Maresfield Gardens NW3. Internal and external alterations and demolition of garage as shown on drawings numbers 581/4A 5 6 10 11 12A 13A 14B 15A & 16A. FINAL DECISION 23-05-1984. Grant List.Build. or Cons.Area Consent.

2.6. In addition to the past applications listed above and this change of use application, we have submitted a separate application on behalf of the applicant for a Lawful Development Certificate (existing use) for most of the second floor (approximately 80% of the total floor area) as museum administrative and storage space. The LDC application relates to the lawful

use of this space under a D1 use class since 1988. This is an ongoing application and is yet to be determined. The planning portal reference for the LDC application is PP-06974437.

2.7. This change of use application relates solely to the residential use of the remaining 20% (approximately 34 square metres) of floor space on the second floor of the museum. This area was still used as a flat up until 2014 and comprises three non-self-contained rooms; a small bedroom, an ancillary bathroom, and a kitchen across a shared corridor.

3. Relevant policies and justification for the change of use

3.1. It is important to describe the second-floor flat within the context of the museum building and the mixed and intermingled use of residential and museum space. The flat is made up of three small rooms that are not all adjoined, with the kitchen in a separate area and located across a shared corridor and the bedroom off the shared corridor and landing. This means that there is no defined boundary between the two uses.

3.2. In terms of access, the flat and the museum share a main entrance door at ground level and a staircase. This staircase and the adjacent landings at first floor level provide access into the main areas of the museum, including office areas on the first floor where access is only permitted to museum staff.

3.3. The flat cannot be regarded as self-contained and this conclusion is supported by referring to the 2011 Census Glossary of Terms that states: *“Self-contained houses and flats are defined as homes where all the rooms, including the kitchen, bathroom and toilet, are behind a door that only one household can use”*. Please refer to the supporting documents and floor plans (appendix 1 – drawing 01) that illustrate the layout of the second floor and the position of the staircase.

3.4. It is also important to state the significance of the building as a heritage asset and that it has a rich and unique historic and architectural legacy. The relevance of this is discussed under

Section 4. The building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

4. Relevant planning policy:

4.1. Under the Camden Local Plan 2016, various housing policies should be considered in relation to the proposed change of use. We have assessed the relevant policies separately and in the context of the mixed use previously described in section 3.1, 3.2 and 3.3:

4.1.1. Policy D2 Heritage

4.1.2. This policy states that the council will *“preserve and, where appropriate, enhance Camden’s rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens and locally listed heritage assets”*. And in relation to designated heritage assets it states that *“the Council will not permit harm to a designated heritage asset unless the public benefits of the proposal outweigh the harm*. In relation to listed buildings, the policy states that the council will *“resist development that would cause harm to significance of a listed building through an effect on its setting”*. Additionally, the policy includes the following statement: *“The National Planning Policy Framework states that in decision making local authorities should give great weight to conservation of designated heritage assets”*.

4.1.3. We consider that the current use does not fit into the context of the building as a heritage site and particularly where the setting of the heritage site is of such importance. A significant part of the museum’s appeal is its attachment to the Freud family and the time the building was used as their family home. This special and truly unique setting is the reason why the museum continues to attract visitors from all around the world. It is therefore absolutely essential for the sake of the museum’s future, that this setting and the ambience of the

museum is protected. The existence of the flat is contrary to this as it creates activity in and around the museum that has the potential to detract from the setting. The day to day activity of tenants can cause an unacceptable level of disturbance in an environment that must remain quiet and tranquil at all times. This is one of the reasons why the museum's Board of Trustees have decided to not let out the flat since 2014. By changing the flat into museum use, the setting of the heritage asset is protected and the use becomes consistent on the top floor. In contrast, the flat that occupies part of the ground floor is fully self-contained and detached from the day to day activities of the museum. This separation ensures that the setting is not compromised. We therefore consider that Policy H2 is applicable when considering the change of use as it covers the council's commitment to preserve the special settings of heritage assets.

4.1.4. Policy D1 Design

4.1.5. Policy D1, states that *"All residential developments are required to be designed and built to create high quality homes. The Council will seek to ensure that residential development, both new build and change of use:*

- *is self-contained*
- *has its own secure private entrance;*
- *has good room sizes;*
- *incorporates outdoor amenity space including balconies or terraces; and*
- *is accessible and adaptable for a range of occupiers.*

4.1.6. Although this policy relates to new development, it provides a good benchmark for acceptable living space and some criteria for assessing the existing use. The flat does not meet the criteria because it is not self-contained, it does not have a secure private entrance, it does not incorporate amenity space, and the flat is only accessible by the staircase that rises from ground floor to second floor. There is no scope to improve this access or reconfigure the flat without

compromising the primary use of the building and the listed status of the building.

- 4.1.7. Another key consideration is the size of the flat. The gross internal area of the flat is approximately 34 square metres. This is well below the minimum 39 square metres as set out in Policy 3.5 of the London Plan - Quality and design of housing developments. Again, there is no scope to increase the floor space without compromising the museum.
- 4.1.8. An additional consideration covered under Policy D1 and Policy A1 – Managing the impact of development, relates to residential amenity. Residential amenity in terms of the occupier's privacy, their right to quiet enjoyment of the space, and the avoidance of general disturbance are not possible within the current use and layout of the second floor. Any occupier of the flat would have to live in and amongst the activities of the museum, including having to pass through the corridor when accessing the kitchen and sharing the communal space with museum staff. Conversely, and as previously explained in point 3.3.3, the museum is a heritage asset with a special and unique setting. The amenity of the museum is also compromised when a non-associated use is performed in the building.
- 4.1.9. For the reasons stated, we do not consider that the flat is high standard accommodation and should not be regarded as a priority for protection. It is best suited to the primary use of the museum.

4.2. Policy H3 – Protection of existing homes

- 4.2.1. Policy H3 aims to protect existing homes. This policy seeks to protect all housing floorspace where people live long-term. It also seeks to protect individual self-contained houses and flats (in Use Class C3) and individual houses and flats shared by a 3-6 occupiers who do not live as a family but share facilities such as

toilets, bathrooms and kitchens (small houses in multiple occupation or HMOs, Use Class C4). The flat on the second floor is not intended for long-term accommodation and as previously described, it is not an individual self-contained flat. Therefore, it should not be regarded as a priority land-use under this policy. The flat is also not ancillary to the use of the museum and therefore doesn't warrant special protection as other ancillary uses might under Policy H3.

5. Conclusion:

- 5.1. Although the proposed change of use would bring about the loss of approximately 34 square metres of non self-contained residential space, we consider this loss to be justifiable when the special setting and historic importance of the museum are taken into account and the ongoing protection that requires. The use of the space as a flat has been problematic over recent years due to the various reasons set out in this document and the applicant does not see any continuing use for the flat as the museum strives to improve the experience of visitors.
- 5.2. We also consider that the flat cannot be categorised as high standard accommodation when assessed in the context of Camden Council's housing policies and the priorities for the borough contained therein.
- 5.3. The issues relating to amenity for both the occupier of the flat and the museum are also important considerations and again justify the change of use.