

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**

**SITE AT 4 LAMBOLLE PLACE, LONDON NW3 4PD**

**PLANNING APPLICATION BY MR IAN DODDS**

**PLANNING & HERITAGE STATEMENT**

October 2018

**CHRISTOPHER WICKHAM ASSOCIATES**  
**Town Planning Consultancy**

---

35 Highgate High Street, London N6 5JT t: 020-8340 7950 e: cmwickham@aol.com

## **1. INTRODUCTION**

- 1.1 This Planning & Heritage Statement forms part of the planning application by Mr Ian Dodds for the '*change of use of ground floor from B2 general Industrial use to sui generis live-work use, with associated external alterations including construction of front boundary timber gates and brick pillars*' at 4 Lambolle Place, London NW3 4PD.
- 1.2 This statement should be read in conjunction with application drawing numbers 10599/TP/01 and 02 which comprise the existing and proposed plans and elevations.

## **2. THE APPLICATION SITE AND SURROUNDINGS**

- 2.1 The application site is located on the west side of Lambolle Place, a short distance to the north of the junction with Lancaster Grove. It is occupied by a two storey terraced building with accommodation within the roof. The ground floor is used for B2 (General Industrial) car repair purposes, and the upper floors are in residential use. The site includes a forecourt area which provides vehicular access to and from the workshop space which comprises two repair bays. The latter are served by wide doors on either side of the door to the upper floor residential accommodation. The ground floor industrial space therefore has a U-shaped internal layout which extends to each side of and behind the staircase to the residential accommodation.
- 2.2 The B2 accommodation is currently occupied by a motor repair business which has recently re-located its main operational base to larger premises in St John's Wood. The application site is used as an 'overflow' repair facility which employs two staff.
- 2.3 In common with the wider area, Lambolle Place has a predominantly residential character although there are two other car repair uses located within the same terrace to the north of the application site. Eton Garages and Lancaster Stables, which run parallel to the eastern side of Lambolle Place, are similar mews-type developments which are mainly in residential use with a few remaining commercial uses.

2.4 The application site is located within the Belsize Conservation Area.

### **3. RELEVANT PLANNING HISTORY & EXISTING LAWFUL USE**

3.1 No relevant recent planning history for the application site has been identified although two recent applications (refs: 2017/6377/P & 2018/0656/P) for Prior Approval (for change of use of the ground floor accommodation from B1c to C3 use) were withdrawn.

3.2 In respect of the second Prior Approval application, the LPA advised the applicant's agent (by email dated 20<sup>th</sup> April 2018) that the use of the subject premises did not fall within the B1 Use Class, rather it was considered to constitute a B2 General Industrial Use.

3.3 The applicant agrees with the LPA that the existing use of the ground floor of the application premises falls within Use Class B2 (General Industrial). Such uses are not normally considered appropriate to a residential area on the grounds of noise, fumes and other harmful environmental impacts.

### **4. THE APPLICATION PROPOSAL**

4.1 The application scheme proposes the change of use of the ground floor of 4 Lambolle Place from B2 General Industrial Use to use as a live-work unit comprising a main living area and kitchen, an office, a double bedroom, and a bathroom. The layout of the unit is such that direct access to the office is possible without passing through the main living room or other habitable areas.

4.2 Externally, the proposal involves the removal of the three existing industrial roller shutters, and their replacement with full height windows and doors. The forecourt hardstanding would be replaced by a small garden area, a pedestrian access path, and a single off-street parking space. New timber gates and associated brick pillars would replace the existing open front boundary treatment.

4.3 The proposed live/work unit would be occupied by the applicant and his wife who would also use the unit to run their property letting business, BTI Property, and their

property management businesses, Belsize Living. The latter business is to be expanded. Together, these two businesses provide employment for four people including the applicant and his wife, and it is anticipated that normally at least two people will be present at the premises in a work capacity at any one time during the business day.

## **5. PLANNING POLICY CONTEXT**

### ***The National Planning Policy Framework (NPPF) (Revised July 2018)***

- 5.1 The revised NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development which is defined to comprise economic, social and environmental dimensions. The planning system should, inter alia, support strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations, and by creating a high quality built environment accessible to local services. Planning decisions should also help create conditions in which businesses can invest, expand and adapt. Policies should be flexible enough to allow new and flexible working practices such as live-work accommodation.
- 5.2 The revised NPPF also states that development should also contribute to protecting and enhancing the historic environment. Good design is a key aspect of sustainable development, and planning decisions should ensure that developments function well, are visually attractive, are sympathetic to local character and history whilst not preventing innovation or change, and optimise the potential of the site whilst providing a high standard of amenity.

### ***The statutory development plan***

- 5.3 The statutory development plan for the area comprises the consolidated London Plan 2016 (incorporating alterations since 2011), and the Camden Local Plan which was adopted in June 2017. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications and appeals to be determined in accordance with the development plan unless material considerations indicate otherwise.

### *The London Plan*

5.4 The following policies of the London Plan, as summarised, are considered to be relevant to the issues raised by this application:-

- Policy 3.4 states that, taking account of local context and character, the plan's design principles, and public transport capacity, development should optimise housing capacity;
- Policy 3.5 states that housing developments should be of the highest standard, and should achieve specified internal space standards SPG;
- Policy 4.1 states that the Mayor will support the continued development of a strong, sustainable and increasingly diverse economy across all parts of London, ensuring the availability of sufficient and suitable workspaces in terms of type, size and cost, supporting infrastructure and suitable environments for larger employers and small and medium sized enterprises, including the voluntary and community sectors;
- Policy 7.4 states that development should have regard to the form, function and structure of an area, place or street, and the scale, mass and orientation of buildings. Design should be a high quality and human scale that has regard to existing context;
- Policy 7.6 states that development should protect residential amenity, and should be of the highest architectural quality including details and materials that need not necessarily reflect local character; and
- Policy 7.8 requires development to protect heritage assets

### *The Camden Local Plan*

5.5 The following policies of the adopted Local Plan, as summarised, are considered to be relevant to the issues raised by this planning application:-

CWA.1349.PHS.10.2018

- Policy A1 states that the Council will seek to protect the quality of life of occupiers and neighbours, including in relation to the factors of visual privacy, outlook, sunlight and daylight;
- Policy D1 states that the Council will require development to respect context and context, to preserve heritage assets, and to be of sustainable design and construction;
- Policy D2 states that development within conservation areas will be required to preserve and where possible enhance the character and appearance of the area;
- Policy E1 states that the Council will secure a successful and inclusive economy in Camden by creating the conditions for economic growth and harnessing the benefits for local residents and businesses. The Council will support businesses of all sizes, in particular start-ups, small and medium-sized enterprises; will maintain a stock of premises that are suitable for a variety of business activities; and will support Camden's industries by safeguarding existing employment sites and premises that meet the needs of industry and other employers;
- Policy E2 states that the Council will protect sites that are suitable for continued business use, in particular premises for small businesses, businesses and services that provide employment for Camden residents, and those that support the functioning of the local economy. The Council will resist development of business premises and sites for non-business use unless it can be demonstrated to the Council's satisfaction (a) the site or building is no longer suitable for its existing business use; and (b) that the possibility of retaining, reusing or redeveloping the site or building for similar or alternative type and of size and business use has been fully explored over an appropriate period of time;
- The supporting text to Policy E2 states that, when assessing proposals that involve a loss of business use, the Council will take

various factors into account including the suitability of the location for any business use, the condition of the premises, the size and suitability of the premises for small businesses, and whether the business use is well related to nearby land uses. It also states that it is recognised that combined live/work units can provide a valuable contribution to the range of business premises and may remain certain sites to remain in employment use. The Council will allow live/work developments where they do not result in the loss of sites that are suitable for continued business use or the loss of permanent housing; and

- Policy T2 states that the Council will limit the availability of parking, and will require all new developments in the borough to be car-free.

### ***Camden Planning Guidance***

5.6 Camden Planning Guidance (Employment Sites & Business Premises) was published in March 2018, and supports Local Plan Policies E1 and E2. The guidance states that the Council will support the re-provision of employment space in those parts of the borough outside the central area, particularly where this consists of space that is suitable for micro and small businesses.

5.7 Paragraph 8 of the guidance identifies factors which will be relevant where proposals involve a loss of business use, and whether there is potential for that use to continue. These factors include (i) the condition of the premises, (ii) their suitability for use by small businesses, (iii) the suitability of the location for any business use, (iv) how the business use relates to nearby/neighbouring uses, and (v) where a lower quantum of employment space is proposed, whether the nature of the space is considered to have the potential to offer equal or greater benefits to local people or businesses than the existing space.

### ***Belsize Conservation Area Statement (BCAS)***

5.8 The BCAS was adopted in April 2003, and describes Lambolle Place as being part of an area of mews development comprising a variety of residential and

commercial uses. The BCAS states that the terrace comprising 1-8 Lambolle Place is set back behind walls and garages, and that some of the garage doors are in a poor state of repair.

## 6. PLANNING CONSIDERATIONS

### *Land-Use Principles*

- 6.1 Local Plan Policy E2 resists the development of business premises for non-business use unless it can be demonstrated that (a) the site or building is no longer suitable for its existing business use, and (b) the possibility of retaining, reusing or redeveloping the site or building for similar or alternative type of business use has been fully explored over an appropriate period of time.
- 6.2 Paragraph 5.5 of the Local Plan's 'Economic Development' section states the terms '*business*' and '*employment*', as used in this section of the plan, refer to B Class uses and to other unclassified (*sui generis*) uses which are similar in nature. Live-work units are *sui generis*, and paragraph 5.53 of the plan states that these can provide a valuable contribution to the range of '*business*' premises, and may enable certain sites to '*remain in employment use*'.
- 6.3 The Local Plan therefore defines live-work development as a form of business and employment use, and it is highly arguable that the application proposal, which involves a change of use of premises from B2 use to live-work use, does not comprise a change to non-business use of the kind envisaged Policy E2. However, paragraph 5.53 states that the Council will allow live-work developments where they do not result in the loss of sites that are suitable for continued business use or the loss of permanent housing.
- 6.4 The above somewhat contradictory policy position therefore does not, in the applicant's view, give rise to a clear need to show that the possibility of retaining, reusing or redeveloping the premises for a similar alternative has been fully explored, by way of marketing, as required by Policy E2(b) where a non-business use is proposed. This is because the application proposal would retain an employment-generating business use at the site, and would generate at least the



same number of full-time posts as the existing garage repair business. However, having regard to the approach set out under paragraph 5.53 of the Local Plan (concerning live-work proposals), it is material to consider whether the application premises are 'suitable' for continued B2 use.

6.5 For the reasons set out below, and having regard to the factors listed at paragraph 5.37 of the Local Plan and paragraph 8 of Camden Planning Guidance (Employment), it is the applicant's view that the site is unsuited to continued B2 use, and that the proposed live-work unit would provide employment and other benefits for local people:-

- First, the surrounding area is overwhelmingly residential in character, and the application site is located on a residential side street, some distance from the main road network. The site is therefore not well situated in terms of access for traffic servicing an industrial use, and such traffic causes noise, congestion and pollution on the local residential road network including within Lambolle Place itself;
- Second, the lawful use of the ground floor of the premises falls within Use Class B2 (general industrial). Notwithstanding the presence of two other garage repair uses in Lambolle Place, the existing lawful use is not well related to adjacent and nearby residential accommodation, and continued use for this purpose would perpetuate long-standing adverse environmental conditions for local residents, including those living immediately above and adjacent to the use, in terms of the impact of noise and fumes, and frequent vehicle movements into and out of the site;
- Third, the existing layout of the ground floor premises and associated forecourt result in unsatisfactory conditions for the residents of the upper floor accommodation when accessing their ground floor entrance to the upper levels. Access to the residential entrance is hazardous as it requires occupiers to traverse the forecourt which can be blocked by parked cars undergoing or awaiting repair;
- Fourth, the site has only a moderate PTAL rating, and is therefore not well-suited to an employment use which has no connection with the locality, and

which may involve commuting by staff;

- Fifth, the proposed conversion of the ground floor of the property would result in visual and heritage benefits for the building and immediate locality. The existing use and associated ground floor elevation are considered to harm the character and appearance of the site and this part of Lambolle Place. These matters are addressed separately below;
- Lastly, whilst the proposed live-work unit would involve a reduction in floor space used actively for employment purposes, the number of jobs provided by the use would be similar to or higher than the existing general industrial motor repair use. The employment density guide provided at Appendix 1 of Camden Planning Guidance (Employment) shows that office-type uses (which are directly comparable to the work element of the current proposal) typically require a third or less of the floorspace per worker than a general industrial use. In this specific case, the live-work unit would generate between 2 and 4 jobs compared to the 2 existing jobs provided by the motor repair business. Furthermore, two of the proposed posts would be filled by the applicant and his wife who would live on the premises, and would therefore not involve commuting to and from the site. The flexibility and benefits of live-work accommodation are specifically recognised and supported by the revised NPPF.

6.6 The proposed live-work unit would therefore enable the application premises to remain in employment use with at least the same level of employment as the existing use. Furthermore, the proposed use would result in the cessation of an intrusive and damaging general industrial use within a predominantly residential area, and would resolve the on-site access difficulties for the residents of the upper floors. The proposal would therefore have a beneficial and sustainable impact on both employment and environmental conditions.

6.7 It is noted that in addition to Prior Approval cases (before the introduction of the Article IV direction), the Council has granted a number of planning consents in recent years for business premises in Lambolle Place and Eton Garages to be converted to live-work units. Although some of these consents were granted under the previous development plan regime (Core Strategy & Development Policies), the

broad policy approach has not radically changed. Furthermore, the environmental and locational factors identified as relevant considerations in these consents self-evidently continue to apply. For example, in relation to the proposal (2012/1578/P) to convert 21A Lambolle Place from B1A use to live-work use with associated elevational changes, the officer's report commented as follows in relation to the land-use principles raised by the scheme:-

**'The site is located in what is mainly characterised by residential accommodation in the form of dwellings and flats and therefore not in or adjacent to an Industrial Area, nor is it in a suitable location for large scale general industry and warehousing.**

**The site is not in a location suitable for a mix of uses (i.e. light industry and local distribution warehousing).**

**The site has a PTAL rating of 3 and is therefore not in an easily accessible location in respect of access to public transport. The site is also not within close proximity to Transport of London Road Network and / or London Distributor Roads;**

**In light of the majority of residential uses in the vicinity, the site is not well related to nearby land uses.**

**Officers are of the opinion that the application site and surrounding area are not particularly desirable for business use. In light of the guidance contained in Policy DP13, it is considered that there is justification in this case to support a residential use on the site. The proposal to retain an element of business / office use at the premises combined with a residential flat would be acceptable in this instance and is not considered to prejudice the aims and objectives of Policy DP13. It should be noted that there are site specific circumstances in this instance that would justify the proposed change of use, subject to compliance with the relevant housing and other policies.'**

6.8 The above factors are considered to apply with equal weight to the current application scheme.

6.9 In view of the above analysis, the proposed change of use of the ground floor of 4 Lambolle Place to a live-work unit is considered to comply with the LPA's employment policy objectives for promoting small business uses in appropriate

locations.

#### *Quality of Accommodation & Impact on Amenity*

- 6.10 The proposed live-work unit would be self-contained with an overall GIA of 66 square metres. The office would occupy approximately 8.5 square metres, and the bathroom and corridor space would be shared with the residential element. The residential floor space would comprise a large living, dining and kitchen area, and a double bedroom of 13.1 square metres. If measured as a separate area, the size of the residential floor space would comfortably exceed the national minimum standard of 50 square metres for a one bedroom (2 person) unit. The habitable residential areas would also enjoy a good standard of light and outlook over the front forecourt. The latter would also provide a small and secluded private garden to serve the proposed unit.
- 6.11 The proposed conversion of the ground floor accommodation to live-work use would result in clear-cut improvements in the living conditions of existing residential occupiers above and adjacent to the application premises. There would be decisive benefits for these neighbouring residents in terms of markedly reduced noise, fumes and general disturbance. In addition, occupiers of the upper floor accommodation within 4 Lambolle Place would be provided with a dedicated separate access from the highway, along with a separate and accessible location for refuse storage.
- 6.12 The proposal would therefore provide new living accommodation of a satisfactory standard, and would significantly enhance the living conditions of neighbouring residents.

#### *Heritage Asset Impact Assessment*

- 6.13 The application property makes a positive contribution to the character and appearance of the Belsize Conservation Area, as confirmed in the BCAS. However, its appearance is harmed by the external manifestation of the existing general industrial use, including the intensive level of forecourt parking and the industrial-style roller shutters. The application proposal would enhance the appearance and

setting of the property by introducing full-height (timber-framed) windows and doors to the front elevation. These features would allude successfully to the historic workshop character of this mews-style property. The proposed brick pillars and timber fencing would be similar to that found elsewhere in this part of Lambolle Place, and the proposed hard and soft landscaping to the forecourt treatment would be carried out to a high standard.

- 6.14 The application proposal would therefore preserve and enhance the character and appearance of the subject property and this part of the Belsize Conservation Area.

#### *Transport & Highway Considerations*

- 6.15 The application scheme reduces the level of off-street parking associated with the property from 3 spaces to 1. The retention of a single parking space is considered to be acceptable in policy terms given that the application site's PTAL rating of 3. The proposed parking space complies with applicable size standards.
- 6.16 The proposal would beneficially reduce the number of vehicle movements associated with the site, both in terms of far fewer vehicles manoeuvring in and out of the forecourt, and significantly reduced use of the local residential road network.

## **7. CONCLUSIONS**

- 7.1 The proposed change of use would not involve the development of the application site for non-business use because the Local Plan recognises that live-work units can make a valuable contribution to the range of business premises, and can enable certain sites to remain in employment use. In this case, the existing B2 general industrial use is not suitable for this predominantly residential location, and causes significant harm to amenity. The proposed live-work unit would generate at least an equivalent level of employment to the existing general industrial use, and would benefit a small local business.
- 7.2 The proposal would provide acceptable living conditions for the prospective occupiers, and would decisively improve the living conditions of nearby residents. The proposal would also preserve and enhance the character and appearance of

the Belsize Conservation Area, and would reduce highway congestion and associated hazards.

7.3 The application proposal would therefore represent sustainable development which accords with the revised NPPF, and with the statutory development plan including Camden Local Plan Policies E1 and E2 and associated planning guidance.

7.4 The applicant looks forward to early dialogue with the case officer, and to the favourable determination of this planning application.

**CHRISTOPHER WICKHAM ASSOCIATES**  
October 2018