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34 Maple Street, London,  
Fitzrovia, W1T 6HD  
Planning, Design and Access  
Statement

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*Contents Amendment Record*

*This report has been issued and amended as follows:*

Issue	Revision	Description	Date	Signed
1	1	Draft	13/01/2019	TH
1	2	Final	28/03/2019	TH

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## **1 Instruction and introduction**

- 1.1 Planning Insight has been appointed by the applicant to apply for a change of use of the first floor at 34 Maple Street, W1T 6HD from office to a 1 bed residential flat.

## **2 Description of site and surroundings**

- 2.1 The appeal site comprises a five storey plus basement mixed use building located on the north side of Maple Street. The property is located within the Fitzroy Square Conservation Area. The building is not listed.
- 2.2 The upper three floors of the property are in use as three flats. The first floor has been in use as an office, presently vacant. The ground floor and basement are disused A1 retail premises.
- 2.3 The property was built in the 19<sup>th</sup> century.

## **3 Relevant planning history**

- 3.1 A search of the London Borough of Camden planning history was carried out. The following was considered relevant.

PS9704108R1

Erect mansard roof extension with dormer windows to accommodate a one bedroom self-contained flat; as shown on drawing numbers SK1/A, 9704/A and 9705/A. Approved 12<sup>th</sup> August 1997

## **4 Planning legislative and policy context**

### **National Planning Policy Framework 2012**

- 4.1 On 27 March 2012, the government adopted the National Planning Policy Framework (NPPF). The document provides a consolidated framework of planning policy which replaces most of the previous national Planning Policy Statements and Planning Policy Guidance Notes.
- 4.2 The NPPF outlines the presumption in favour of sustainable development. It further states that permission should be granted for development where a plan is absent, silent, indeterminate or where relevant policies are out of date.
- 4.3 The framework indicates that proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise. The NPPF constitutes a material consideration in determining applications.

### **London Plan 2015**

- 4.4 The London Plan forms part of the development plan for the site and was adopted in March 2015. The Plan was the subject of Minor Alterations in 2015 and these were adopted in April 2016. It provides the strategic direction for development in the Greater London area. The relevant policies are discussed below.
- 4.5 Policy 3.3 - Increasing housing supply Policy
- 4.6 Policy 3.5 Minimum Space Standards establishes a set of minimum space standards
- 4.7 Policy 3.8 - Housing choice Policy
- 4.8 Policy 4.1 – Developing London’s economy
- 4.9 Policy 4.2 – Offices
- 4.10 Policy 4.3 – Mixed use development and offices

### **London Borough of Camden Local Plan 2017**

- 4.11 The Local Plan sets out the vision, objectives, key policies and monitoring framework for future development in Camden.
- 4.12 Policy H1The Council will aim to secure a sufficient supply of homes to meet the needs of existing and future households by maximising the supply of housing and exceeding a target of 16,800 additional homes from 2016/17 - 2030/31, including 11,130 additional self-contained homes.

- 4.13 Policy H7 Large and small homes The Council will aim to secure a range of homes of different sizes that will contribute to creation of mixed, inclusive and sustainable communities and reduce mismatches between housing needs and existing supply.
- 4.14 Policy E1 Economic Development. 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.
- 4.15 Policy G1 Delivery and Location of Growth. The Council will create the conditions for growth to deliver the homes, jobs, infrastructure and facilities to meet Camden's identified needs and harness the benefits for those who live and work in the borough. Delivery of growth The Council will deliver growth by securing high quality
- 4.16 Policy A1 Managing the Impact of Development. The authority will approve development unless it causes unacceptable harm to development.
- 4.17 Policy E1 Economic Development. 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.

#### **London Borough of Camden Fitzrovia Area Action Plan 2013**

- 4.18 The FAAP aims to ensure that development proposals bring real benefits to the area by providing guidance as to specific policy considerations which should be taken into account in this location.
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- 4.19 Policy F1 – Planning decisions in Fitzrovia When considering development proposals within the boundary of the Fitzrovia Area Action Plan the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.
- 4.20 Principle 1 - The Council will promote the development in Fitzrovia of permanent self-contained housing (in Use Class C3) unless there are strong economic reasons why such development would be inappropriate.
- 4.21 Principle 4 – The Council will retain business premises suitable for SME Use. Increases in housing stock in Fitzrovia are welcome, and the Council will be flexible in its consideration of residential proposals, particularly in the case of vacant premises originally designed as housing. However, we will seek to ensure that stock of business premises is not reduced in a way that would harm business growth in general, and particularly the birth and growth of SMEs.

**Camden Planning Guidance: Employment Sites and Business Premises 2018**

- 4.22 Proposals involving the loss of business premises and sites, When assessing proposals that involve the loss of a business use the Council will consider whether there is potential for that use to continue.
- 4.23 Developments which result in a loss of employment space, the authority will seek contributions towards employment or training initiatives if a net loss of 500sq m or more is proposed.

## **5 The Applicants case**

### **Loss of Employment Space**

- 5.1 The proposal will result in the loss of 35.3sq m of existing B1 floorspace. The floorspace divided into two rooms separately accessed from the communal hallway of the building which also serves the three flats on the upper floors.
- 5.2 There is no record of when the change of use from residential to B1 floorspace took place, but it does appear to be the lawful use due to the passage of time under section 171 of the Town and Country Planning Act 1990 (as amended).
- 5.3 The B1 space is currently vacant, but appears to have had a historic use as a mixture of office and light industrial workshop space.
- 5.4 It is the position of the applicant that the mixture of office and light industrial functions with residential use is not in line with present council policy.
- 5.5 The shared access via the communal hallway is not managed or controlled by security in any way, with members of the public attending the premises unescorted. This does not comply with policy C5 of the Local Plan, as it does not incorporate secure by design principles such as providing a separate access to the commercial elements.

- 5.6 At present there are no controls over the hours of operation of the B1 space and there is no sound insulation within the building. Therefore a continued use for B1, including a light industrial element would be likely to create noise and vibration contrary to Policy A4 of the Local Plan. This would be viewed as particularly serious due to the proximity of the vulnerable residential flats above.
- 5.7 Superficially the loss of the B1 floorspace would appear to be contrary to Local Plan Policies E1 and E2 and the Employment Sites and Business Guidance. It is the position of the applicant that the retention of this floorspace should not be protected by these policies, due to the extremely small size of the space being considered and the awkward way in which the space relates to the wider development site.
- 5.8 The premises are not purpose built commercial floorspace, being an unlawfully converted residential property, where the fabric of the building is now over 100 years old. There is no indication that regular renovation or upgrading has occurred and the floorspace is not regarded as meeting the needs of a modern office environment.
- 5.9 The floorspace does not exist as part of a larger office development, benefitting from any of the relevant supporting infrastructure that is expected. There is no office or building manager onsite, no meeting or waiting areas and extremely limited amenities for staff.
- 5.10 Refurbishment has been considered, but the small size of the floorspace and location within the residential parts of the building have led the applicant to conclude that the B1 floorspace is not viable.

- 5.11 It is noted that contributions towards local employment schemes have a threshold of a net employment floorspace loss of 500sq m or more. This would indicate that the authority do not regard the loss of floorspace below 500sq m as significantly detrimental to employment levels within the borough.
- 5.12 At 35.3sq m the Homes and Communities Agency, Employment Density Guide 3rd Edition (2015) predicts that this floorspace would support 3 full time equivalent employees. It does not significantly contribute towards meeting the demand for office space in the Central Activities Zone.

### **Housing Use**

- 5.13 The use of the floor space as a one bed, one person, self contained flat would fit within the context of the residential use of the upper floors of the property. This would resolve the issues highlighted above in relation to noise and security.
- 5.14 The resulting residential unit will have a floor area of 35.3sq m, with more than 1sq m of built in storage in the bedroom.
- 5.15 The London Plan Policy 3.5, under Table 3.3, requires that a 1 bed 1 person unit with shower should have 37sqm of floor space. It is the position of the applicant that the authority should allow a deviation from a strict application of the policy as this is a conversion of an existing period building rather than a new build. It is proposed that this represents “exemplary design”, identified by the policy as an acceptable reason for not reaching the target.
- 5.16 The provision of additional housing the priority land use for the authority, and this unit will contribute towards housing targets under Local Plan Policy H1.

- 5.17 Under Local Plan Policy H7 1 bed units are identified as low priority for the authority, but there is acknowledgement that there is an identified need for dwellings of every size. In this instance there is no capacity to create a higher priority unit size.
- 5.18 The proposed housing use is compliant with Local Plan Policy D1 Design, in that it integrates with the other uses on the site, is sustainable development, enhances the security of the property, provides a high standard of accommodation and contributes towards the residential character of the area.
- 5.19 The Fitzrovia Area Action Plan sets out that growth should ensure an appropriate balance between residential, institutional and commercial uses, safeguard residential amenity and ensure an environmentally sustainable future. This includes guiding commercial uses to appropriate locations. This location, and specifically this building, are not an appropriate site for a commercial use.
- 5.20 Principle 1 of the AAP highlights that the priority land use in the area is housing, specifically seeking more permanent self contained residential uses, unless there is a “strong economic reason why such development would be inappropriate”. In this case there is no strong economic reason to protect the existing floorspace.
- 5.21 No external alterations are proposed and it is not anticipated that the proposal will have any impact on the conservation area.

## **6 Conclusion**

- 6.1 The proposed works are in line with the broader aims of the NPPF, the London Plan and Camden's Development Plan.
- 6.2 The lawful use of the first floor as B1 commercial floorspace is an accident of history and does not represent a deliberate and appropriate decision which has weighted up land use and amenity factors. The building is not suited to B1 use, both by nature of the original construction and through the sharing of space and access with existing residential units.
- 6.3 The proposed self contained unit is well designed within the context of the existing building and helps to create a coherent purpose for the site going forward. The residential use will present less risk in relation to security of the site and be in keeping with the prevailing character of the area.
- 6.4 There are no external alterations associated with this development which might have an impact on the conservation area.