

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		23/05/2019	
		N/A		<b>Consultation Expiry Date:</b>		19/05/2019	
<b>Officer</b>				<b>Application Number(s)</b>			
Alyce Keen				2019/1699/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
Offices And Premises At 1st Floor Front 34 Maple Street London W1T 6HD				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>							
Change of use of the first floor from office (Class B1) to a self-contained 1 bed flat (Class C3).							
<b>Recommendation(s):</b>		Refuse planning permission					
<b>Application Type:</b>		Full Planning Permission					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	00	No. of responses	00	No. of objections	00
				No. electronic	00		
<b>Summary of consultation responses:</b>		Press Advert: 25/04/2019 – 19/05/2019. Site Notice: 24/04/2019 – 18/05/2019. No comments were received from local residents.					
<b>CAAC/Local groups comments:</b>		No CAAC or local groups were required to be consulted.					

## **Site Description**

The site comprises a five storey plus basement mixed use building located on the north side of Maple Street. The property is not listed but is located within the Fitzroy Square Conservation Area. The site is located within the Central London Area and Central Activities Zone.

The upper three floors of the property are in use as three flats. The first floor has been in use as an office and is currently vacant. The ground floor and basement are disused A1 retail premises.

## **Relevant History**

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 12th August 1997.

## **Relevant policies**

London Plan 2016

National Planning Policy Framework 2019

Camden Local Plan 2017

G1 Delivery and location of growth

E1 Promoting a successful and inclusive Camden economy

E2 Employment premises and sites

A1 Managing the impact of development

A4 Noise and vibration

T1 Prioritising walking, cycling and public transport

T4 Promoting the sustainable movement of goods and materials

**Fitzroy Square conservation area appraisal and management strategy 2010**

**Fitzrovia Area Action Plan 2014**

## Assessment

### Proposal

Planning permission is sought for the change of use of the first floor at 34 Maple Street from office (Class B1) to a 1 bed residential flat (Class C3).

### Assessment

The assessment comprises the following elements:

- Design
- Land use principle
- Impact on neighbours
- Transport
- Affordable Housing & Community Infrastructure Levy

#### 1.0 Design

1.1 As no external alterations are proposed, there are no design considerations in the determination of this application.

#### 2.0 Land use principle

2.1 Policy E2 of the Local Plan states the Council will protect premises or 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 Central Activities Zone (CAZ) or the local economy.

Furthermore, policy E2 of the Camden Local Plan states that the Council will: “resist development of business premises and sites for non-business use unless it is demonstrated to the Council’s satisfaction that: 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 size of business use has been fully explored over an appropriate period of time.”

2.2 The existing unit is registered on the business rates valuation database. It is considered that the site is suitable for its existing business use and its change of use is therefore contrary to policy E2 (a) of the Camden Local Plan.

2.3 It is further noted that no marketing evidence has been submitted to justify the loss of the existing business floorspace as required by Policy E2. In addition, no information has been submitted that demonstrates attempts to explore the retaining, reusing or redeveloping the site or building for similar or alternative type and size of business use (e.g. providing space for an SME / microbusiness). The applicant has therefore failed to demonstrate that the space can no longer be retained for continued business use, contrary to policy E2 (b) of the Camden Local Plan.

2.4 Policy E1 of the Camden Local Plan supports small businesses and start-ups as part of the Council’s strategy to support enterprise by providing a range of unit types and sizes. It is noted that the unit at present has a GIA of 35.3sqm, and would be suitable for such businesses. The loss of the entire office unit is contrary to policy E1 of Camden’s Local Plan.

2.5 In their supporting submissions the applicant has stated that the proposal would create a residential unit that is more compatible with the existing uses at the site. However, employment space remains a priority land use within Camden and particularly the CAZ, particularly for smaller units (in accordance with the aforementioned policies), and the benefit of the formation of the proposed residential unit is considered not to outweigh the harm caused as a result of the loss of this small scale business floorspace.

2.6 Given the above, it is considered that the change of use of the existing business unit at first floor is contrary to policies E1 and E2 of the Camden Local Plan and is unacceptable in land use terms.

### **3.0 Standard of Accommodation**

3.1 The Technical Housing Standards 2015 specifies that residential units should meet particular internal area requirements. From review of the plans the residential unit proposed would be 35.3sqm and therefore would not comply with the required 37sqm for a 1 person 1 bedroom unit. Therefore, the residential unit is considered to provide substandard residential accommodation.

3.2 Policy H7 states that the Council will seek to ensure that all housing development, including conversion of existing homes and non-residential properties, contributes to meeting the priorities set out in the Dwelling Size Priorities Table. The table outlines that 2 and 3 bedroom dwellings are a high priority with 1 bedroom/studios being a low priority within the Borough. Therefore, the studio proposed is also considered to be of a low priority.

### **4.0 Impact on neighbours**

4.1 Policy A1 of the Local Plan seeks to ensure that the amenity of neighbouring properties is protected. It states that planning permission will not be granted for development that causes harm to the amenity of occupiers and neighbours in terms of loss of daylight, sunlight, outlook and privacy.

4.2 As no external alterations are proposed, the proposed changes of use is not considered to cause harm to neighbouring amenity in terms of loss of light, outlook or privacy.

4.3 In terms of the residential unit proposed below an existing residential unit and above a shop and office is considered acceptable in terms of amenity and therefore in accordance with policies A1 and A4 of the Camden Local Plan.

### **5.0 Transport**

5.1 Policy T1 of the Camden Local Plan and table 6.3 of the London Plan outline minimum requirements for cycle storage as 1 short stay space in this instance. However, it is acknowledged that the site is constrained, and these cannot be reasonably provided on site; on this basis the lack of provision is considered to be acceptable on balance.

5.2 No new or additional parking would be created as a result of the proposal which is compliant with Policy T2 of Camden's Local Plan. However, to ensure the development is car free, a Section 106 legal agreement would be used to secure this. As the application is recommended for refusal, a reason for refusal is raised in respect of the absence of a Section 106 legal agreement.

### **6.0 Affordable Housing**

Policy H4 states that the Council will expect a contribution to affordable housing from all developments that provide one or more additional homes and involve a total addition to residential floorspace of 100sqm GIA or more.

If the new residential unit were considered to be acceptable it would have not been liable for an Affordable Housing Contribution.

### **7.0 Recommendation**

7.1 Refuse planning permission.