

Delegated Report		Analysis sheet	Expiry Date:	10/07/2019
		N/A / attached	Consultation Expiry Date:	07/07/2019
Officer			Application Number(s)	
Rachel English			2019/2538/P	
Application Address			Drawing Numbers	
341 Gray's Inn Road London WC1X 8PX			See decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Change of use from residential use to 9 x short term let units (retrospective application)				
Recommendation(s):		Refuse		
Application Type:		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00
			No. electronic	00		
Summary of consultation responses:	<p>Site notice displayed from 12/06/2019 until 06/07/2019 Press notice displayed from 13/06/2019 until 07/07/2019</p> <p>One response received from a local resident (no address specified) with the following concerns:</p> <ul style="list-style-type: none"> • Sorry to see residential property disappear to be replaced by short term units. • The local area seems over full already with the effects of short-term lets, e.g. fast food outlets, which detract from its character, with increasing amounts of rubbish lying about on the streets. • Also the general increased tempo of life on the streets for the elderly and young children becomes more difficult with the increase in numbers of short term lets in this historic area 					
CAAC/Local groups* comments: *Please Specify	No responses received					

Site Description

The site is a mid-terrace, four storey building, located on the southern side of Grays Inn Road. The ground floor and basement are occupied by a restaurant and the upper floors are used as short term lets.

The building is not listed but located in the Kings Cross Conservation Area.

Relevant History

None relevant

Relevant policies

National Planning Policy Framework 2019

The London Plan 2016

Draft New London Plan Consolidated Suggested Changes (July 2019)

Camden Local Plan 2017

G1 Delivery and location of growth
Policy H1 Maximising housing supply
Policy H3 Protecting existing homes
Policy H6 Housing choice and mix
Policy H7 Large and small homes
Policy A1 Managing the impact of development
Policy A4 Noise and vibration

Camden Planning Guidance
Interim CPG housing (March 2018)
CPG2 Housing (March 2019)
Amenity (March 2018)

Assessment

Proposal

Retrospective planning permission is sought for the change of use of the upper floors of the building from one permanent residential flat to short term lets with nine bedrooms and shared bathrooms and sink. There are no external changes proposed as part of this application.

The application form states that the use as short term lets of the 105sqm of residential floorspace began on 01/02/2019. The site was previously a 3 storey residential flat for a single family. The application form states that "due to the location and its internal layout arrangement was unsuitable and unattractive to the market the client has started to let out the rooms for guests as short term stay accommodation." No marketing material or other evidence has been submitted to substantiate this.

Principle of use

Policy H3 b. of the Camden Local Plan seeks to protect housing from permanent conversion to short-stay accommodation intended for occupation for periods of less than 90 days. Policy H1 states that self-contained housing is the priority land use of the Local Plan and the Council aims to maximise the supply of additional homes. In London, the Greater London Council (General Powers) Act 1973 (as amended by the Deregulation Act 2015) provides for Council Tax payers to let their property as visitor accommodation for short periods not exceeding a total of 90 days in any one calendar year, however a permanent change to visitor accommodation is defined as development. Letting housing to visitors reduces the accommodation available to permanent residents. The development gives rise to a loss of permanent residential accommodation contrary to policy H3 of the Camden Local Plan.

The accommodation is arranged over three floors and could accommodate a family in a 3 or 4 bed unit. No existing floorplans have been submitted. 3-bed flats are considered to be a high priority in the Dwelling Size priority table in the Camden Local Plan. The development loses a unit capable of providing permanent accommodation for a family contrary to policy H7 of the Local Plan.

Amenity

Visitor lettings can also increase the incidence of noise, sometimes at unsociable hours and cause harm to the amenity of existing residential occupiers contrary to policy A1 of the Camden Local Plan. The conversion to short term lets can generate a high turnover of occupiers that harms community cohesion and increases the fear of crime. There are residential occupiers immediately adjacent to the site and the comings and goings of regular visitors to the 9 short term let units is likely to contribute to a loss of amenity for existing residential occupiers in terms of noise and disturbance contrary to policies A1 and A4 of the Camden Local Plan.

Recommendation

Refuse planning permission and warn of enforcement action

Enforcement

That the Head of Legal Services issue an Enforcement Notice under section 172 of the Town & Country Planning Act 1990 as amended, and officers be authorised in the event of non-compliance to prosecute under section 179 or appropriate power and/or take direct action under section 178 in order to secure cessation of the breach of planning control.

The Notice shall allege the following breach of planning control:

Change of use from permanent housing (Class C3) to nine short term let units

The Notice shall require that, within a period of 3 months of the Notice taking effect, the use of the

property as short term lets shall cease and the former residential use as a single flat at first, second and third floors shall be reinstated.

Reasons for Issuing the Notice:

- 1) The change of use to short term let accommodation, results in the loss of permanent residential accommodation in the form of a family sized unit, detrimental to the amount of permanent residential floorspace in the borough and failing to contribute to the creation of mixed and inclusive communities, contrary to policies H3 (protecting existing homes) and policy H7 (Large and small homes) of the London Borough of Camden Local Plan 2017.
- 2) The high turnover of occupiers has resulted in an increased incidence of noise and disturbance to the detriment of the neighbouring occupiers, contrary to policies A1 (Managing the impact of development) and A4 (Noise and vibration) of the London Borough of Camden Local Plan 2017