

T: 07900 413080
DDI: 0207 692 0643
E: stuart@smplanning.com
W: www.smplanning.com

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80-83 Long Lane,
London,
EC1A 9ET

Via Planning Portal only

25th November 2020

Dear sir/madam,

FULL PLANNING APPLICATION - THE TOWN & COUNTRY PLANNING ACT 1990

RECONFIGURATION OF GROUND FLOOR LAYOUT TO ACCOMMODATE 2 NO. THREE BED FLATS AND 1 NO. ONE BED FLAT

WELLS COURT, ORIEL PLACE, LONDON, NW3 1QN

Please accept this covering letter as an accompaniment to this full planning application to reconfigure the ground floor layout of Wells Court to align with lawful development certificate application 2016/1084/P.

The Site:

The application site is located at Wells Court which is a five-storey late Victorian block on the south side of Oriel Place, a pedestrian lane which runs between Hampstead High Street to the north-east and Heath Street to the south-west.

The building is located within the Hampstead Conservation Area and is identified as making a positive contribution to the character of the area. The building is located directly opposite Oriel Place Gardens, which is a designated area of public space.

The ground floor is currently occupied by five small residential flats. It is noted that the five existing residential units represent a poor standard of accommodation, all significantly below London Plan floorspace standards.

Planning History:

The application site has been the subject of a number of planning applications. Most pertinently, on 9 May 2016 a lawful development certificate was granted for the use of the building as 23 self-contained residential units (within Use Class C3) under application reference 2016/1084/P.

Thereafter, on 22 November 2016, full planning permission was granted for the erection of a mansard to provide 2 two-bedroom flats under application reference 2016/4890/P. Both the certificate and the planning permission were fully implemented although it is noted that the ground floor was configured to accommodate five units of accommodation instead of three, taking the total number of units to 27.

The proposal:

This application seeks permission to reconfigure the ground floor layout to accommodate three residential flats instead of five in order to significantly improve the standard of accommodation on offer. In the interests of creating an appropriate mix of housing and supporting the provision of family housing, the application proposes that two of the three units of accommodation will comprise three bedrooms and the remaining unit a single bedroom.

Planning Policy:

National

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. At the heart of the NPPF is a presumption in favour of sustainable development which incorporates three specific strands – economic, environmental and social. The analysis of the proposed development will demonstrate that the scheme will accord with each of the three strands and the presumption in favour of sustainable development will therefore apply.

Local

For the purposes of this application, the adopted Development Plan for the London Borough of Camden comprises the Current London Plan (2016), the Intend to Publish London Plan (2019), the Local Plan (2017) and the Camden Planning Guidance Documents.

Planning Analysis:

Principle of development:

The application site comprises lawful residential accommodation throughout. No changes are proposed to the established use class and the principle of development is therefore established.

The loss of residential accommodation:

The existing ground floor is comprised of the following:

Flat	Type	Floorspace	London Plan Standard	Shortfall	% Shortfall
1	1B2P	37.2sqm	50sqm	-12.8sqm	26%
2	1B2P	32.7sqm	50sqm	-17.3sqm	35%
3	1B2P	29.6sqm	50sqm	-20.4sqm	41%
4	1B2P	30sqm	50sqm	-20sqm	40%
5	2B3P	43.4sqm	61sqm	-17.6sqm	29%

Policy H3 of the local plan 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).

In this instance the proposed development results in no net loss in the quantum of residential floorspace. While the quantum of residential units is reduced by two, the overriding benefit of improving the accommodation for the purposes of larger units of accommodation is considered to outweigh that reduction. This position is consolidated by Policy H7 of the Local Plan which seeks to ensure a mix of dwelling sizes are evident in all development proposals.

Quality of resulting accommodation:

Policy A1 of the Local Plan seeks to ensure development provides accommodation of a suitable standard of living taking into account size of the unit, daylight, sunlight, outlook, privacy and noise and vibration and this is echoed in guidance contained within the NPPF and the London Plan. Further guidance is provided in CPG Amenity which sets specific standards of development.

The proposed ground floor will be composed as follows:

Flat	Type	Floorspace	London Plan Standard	Shortfall	% Shortfall
1	3B6P	70sqm	95sqm	-25sqm	26%
2	3B6P	75sqm	95sqm	-20sqm	21%
3	1B2P	32sqm	50sqm	-18sqm	36%

Clearly, it is acknowledged that the proposed units of accommodation will fall short of the minimum London Plan standards. However, this should be considered against the existing arrangement which highlights a largely higher shortfall in floorspace standards in percentage terms, a matter that is exacerbated by the quantity of units.

Overall, the benefits in creating a greater housing mix, far outweigh the marginal shortfall in floorspace standards. The additional public benefit of improved housing provision, a key priority across London, is therefore considered, as part of the application, to warrant positive consideration, particularly in the context of the established lawful position (which in any case is three units).

Affordable housing:

Policy H4 of the Local Plan seeks to maximise the supply of affordable housing in the borough and expects 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.

The development in this instance proposes no uplift in the number of units or in residential floorspace. Affordable housing liability is not therefore engaged.

Impact on the character and appearance of the area:

Section 12 of the NPPF refers to well-designed places. Paragraph 127(c) states that *planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.*

Policy D1 of the local plan provides further detail on local requirements and, importantly, states that the council will require that development respects local character and context, guidance that is consolidated by Camden Planning Guidance on Design.

The proposed development does not depart from the primary residential use of the site and no external changes are proposed. The proposal will therefore result in a neutral impact on the character and appearance of the area.

Highways impact:

Policies T1 and T2 of the Local Plan highlight the importance of prioritising walking and cycling as a sustainable mode of transport and indicate that car-free development across the borough is a key aim.

The London Plan prescribes a requirement of two cycle parking spaces for each three-bedroom unit of accommodation and one space for smaller units. The cycle parking requirement in this instance is therefore five spaces. These are provided in a secure, sheltered cycle store to the rear which serves the existing accommodation. This would accord with the aims of the development plan and is therefore considered acceptable.

Summary:

The proposed reconfiguration of the ground floor will have an entirely positive impact on the housing offer and the character of the area.

The resulting accommodation would result in a reduction in the net number of residential units but this would be offset by the significant improvement in residential accommodation which is considered a priority given the standard of accommodation that currently exists. This represents a significant public benefit and would therefore accord with the premise of sustainable development.

I trust the commentary above is clear but if you require any points of clarification or have any questions please do not hesitate to contact me.

Yours sincerely

Stuart Minty
Director
SM Planning