

18 Leigh Street

Planning and Heritage Statement



Boyer

Report Control

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TABLE OF CONTENTS

1. Introduction	2
2. Site and Surrounding Area	4
3. Planning History	5
4. Planning Policy Context	6
5. Assessment of the Proposals	8
6. Summary and Conclusions	14

1. INTRODUCTION

1.1 This planning and heritage statement is prepared on behalf of Ms. Annika Bosanquet for the proposed development at 18 Leigh Street, Kings Cross, WC1H 9EW.

1.2 The proposed description of development is as follows;

Change of use of part of the ground floor from retail to residential (to be associated with existing ground and lower ground floor dwelling) and associated internal works to the listed building

1.3 The proposed development will comprise the following works;

- Change of use of part of the ground floor from retail to residential
- Minor internal alterations to listed building including;
 - Creation of a new entranceway from shop floor to proposed residential quarters
 - Creation of a new partition at the rear of the retail unit

1.4 The application for planning permission and listed building consent is supported by the following documents;

Document	Consultant
Site Location Plan	VOP Group
Existing plans	VOP Group
Proposed Plans	VOP Group
Schedule of photos and works	VOP Group
Planning and listed building application forms	Boyer
CIL forms	Boyer

1.5 This planning and heritage statement sets out the proposed development and assesses it against the adopted planning policies. The statement is structured as follows;

- Section 1 introduces the proposals
- Section 2 provides an overview of the site and surrounding areas
- Section 3 gives the planning history
- Section 4 provides the planning policy context

- Section 5 assesses the proposals against the adopted planning policy
- Section 6 concludes the report

2. SITE AND SURROUNDING AREA

- 2.1 The application site comprises 18 Leigh Street, a Grade II listed building. The site currently comprises retail uses at the ground floor with residential at the lower ground floor and upper floors.
- 2.2 The list entry for the application site describes the site as '*8 terraced houses with later shops*'. The list entry gives details of the front elevation with particular reference to the shopfront and windows. No details are provided about the internal status of the building.
- 2.3 The site is located within the Bloomsbury Conservation Area.
- 2.4 The application site comprises three storeys (plus basement) and exists within a terrace of comparable buildings.
- 2.5 The site has an active frontage onto Leigh Street and is situated within a designated local centre as outlined in the Camden Local Plan Policies Map.
- 2.6 The area surrounding the site is mixed. Along Leigh Street a number of commercial uses are present at ground floor with either residential or office space being present at the upper floors.
- 2.7 From reviewing the planning history for surrounding properties (discussed in more detail below), a number of units have residential uses present at the rear of the ground floor and this is associated with existing dwellings at lower ground and the upper floors.
- 2.8 The site is situated approximately 900m south of King Cross Station and approximately 500m south east of Euston station. The site benefits from an excellent PTAL level of 6b.
- 2.9 The application site has access to a number of greenspaces within the vicinity including Tavistock Square Gardens, Coram's Fields, St George's Gardens and Russell Square.
- 2.10 The site is located in Flood Zone 1 and is considered to be at the lowest risk of flooding.

3. PLANNING HISTORY

3.1 The relevant planning history for the application site is detailed in the table below;

Reference	Proposal	Decision
2015/0215/L 2015/0082/P	Replacement existing front dormer hatch door with window	Granted, January 2015
2013/3099/L	External and Internal alterations associated with the erection of 2 storey infill extension located at rear basement floor level, 1 storey replacement extension located at rear ground floor level and excavation of patio at lower ground floor level for additional residential accommodation	Granted, September 2013
2013/2989/P	Erection of 2 storey infill extension located at rear basement floor level, 1 storey replacement extension located at rear ground floor level and excavation of patio at lower ground floor level for additional residential accommodation	Granted, September 2013

4. PLANNING POLICY CONTEXT

The Development Plan

4.1 The development plan comprises the following documents;

- The Camden Local Plan 2017
- The London Plan 2016

4.2 The relevant policies are included in the table below;

The London Plan	The Camden Local Plan
Policy 3.4 Optimising housing potential	Policy A1 Managing the Impact of Development
Policy 3.14 Existing housing	Policy A4 Noise and Vibration
Policy 4.7 Retail and town centre development	Policy D1 Design
Policy 4.8 Supporting a successful and diverse retail sector and related facilities and services	Policy D2 Heritage
Policy 4.9 Small shops	Policy D3 Shopfronts
Policy 7.8 Heritage assets and archaeology	Policy TC2 Camden's centres and other shopping areas

Material Considerations

National Planning Policy

4.3 The National Planning Policy Framework (NPPF) was updated in March 2019 and sets out the strategic planning aspirations. This along with the National Planning Practice Guidance (NPPG) are material considerations in decisions on planning applications. The documents set out the Government's economic, environmental and social planning policies and guidance and identifies that the purpose of the planning system is to promote sustainable development. The NPPF advises that the primary aim of development management is to foster the delivery of sustainable development, not to hinder or prevent development from taking place. The NPPF supports applicants engaging in pre-application discussions.

4.4 Paragraph 11 of the NPPF identifies the core planning principles which should underpin both plan making and decision making, this includes being genuinely plan led, not simply being about scrutiny, proactively driving and supporting sustainable economic development, seeking to secure high quality design and a good standard of amenity, promoting the vitality of urban areas, supporting the transition to low carbon futures and promoting mixed use developments.

- 4.5 The NPPF supports a presumption in favour of sustainable development and sets out at Para 11 that 'for decision taking this means: approving development proposals that accord with the development plan without delay'.

Emerging Policy

The Draft London Plan

- 4.6 The London Plan is currently under review and the draft document now holds considerable weight in the determination of planning applications in London.
- 4.7 The Intend to Publish London Plan was published in December 2019. In December 2020, Rt. Hon Robert Jenrick wrote to the Mayor with further requirements for updates to the Plan. Once these amendments are made, it is anticipated that the draft London Plan will be adopted.
- 4.8 The relevant policies are as follows;
- Policy CG1 Building strong and inclusive communities
 - Policy GG2 Making the best use of land
 - Policy GG5 Growing a good economy
 - Policy SD6 Town centres and high streets
 - Policy HC1 Heritage conservation and growth
 - Policy D4 Delivering good design
 - Policy D5 Inclusive Design
 - Policy H2 Small Sites

5. ASSESSMENT OF THE PROPOSALS

5.1 The following section assesses the proposed development against the adopted planning policies.

Principle of Change of Use

5.2 Through the preparation of this application, an assessment has been undertaken to confirm the principle of change of use from Class E (retail) to residential in this location.

5.3 It is noted that comparable changes of use have been approved along Leigh Street. A selection of examples is provided in the table below;

Address	Reference Number	Proposal	Decision
6 Leigh Street	2013/4606/L 2013/4480/P	Change of use and conversion from retail storage (Class A1) to residential use (Class C3) at part ground floor level at rear, basement floor and 1st floor level closet wing to provide a 2- self - contained flats, creation of new front lightwell and external access staircase including erection of single-storey extension at rear basement level in association with residential Use Class C3.	Granted, Subject to legal agreement, January 2014
14 Leigh Street	2013/3867/L 2013/3688/P	Partial change of use of ground floor rear and basement from office (B1a) use to residential use (C3); the erection of a two storey (basement and ground floor levels) rear extension and construction of front lightwell with escape stair all to be used in conjunction with the upper residential floors residential accommodation.	Granted, August 2013

14 Leigh Street	2012/5447/P 2012/3976/P	Partial change of use of ground floor rear and basement from office (B1a) use to residential use (C3); the erection of a two storey (basement and ground floor levels) rear extension and construction of front lightwell with escape stair all to be used in conjunction with the upper residential floors residential accommodation.	Granted, November 2012
19 Leigh Street	2013/4480/P 2013/4480/P	Use of the basement and ground floor levels as a residential dwelling house (Class C3). (Existing Use)	Granted, December 2012

- 5.4 The above examples confirm that the Council has approved a partial change of use at ground floor from Class E to residential in a number of properties along Leigh Street. It is our view that the principle of partially changing the ground floor use has been established by these precedents.

Principle of Reduction in Retail

- 5.5 The London Plan has policies which set out the approach to protecting and enhancing retail uses across the City. Adopted Policy 4.8 (Supporting a successful and diverse retail sector and related facilities and services) outlines how the Mayor will protect and support a successful, competitive and diverse retail sector. It states that proposals should promote sustainable access to goods and services required by Londoners.
- 5.6 The need to protect the retail function of London is further outlined in the emerging London Plan. Draft Policy SD6 (Town centres and high streets) states that the vitality and viability of London's varied town centres should be promoted and enhanced. This should occur through encouraging strong, resilient, accessible and inclusive hubs which meet a variety of needs, strengthening the role of town centres as well as ensuring that town centres are the primary focus for commercial activity.
- 5.7 The Camden Local Plan sets out the Council's approach to retail and town centres across the borough. Policy TC2 (Camden's centres and other shopping areas) will promote successful and vibrant centres throughout the borough to serve the needs of residents, workers and visitors. The Policy seeks to protect and enhance the role and unique character of each of Camden's centres as well as supporting and protecting Camden's neighbourhood centres, markets, and areas of specialist shopping.

- 5.8 In regards to housing above and below shops, the policy states that the Council supports the development of housing within centres and central London, including above and below shops where this does not prejudice the town centre function and the ability of the ground floor to be used for town centre uses. In protected frontages, housing must not harm the role and character of the centre and must maintain the supply of shop premises in centres across the borough.
- 5.9 The application site exists within a designated neighbourhood centre but is not part of a protected retail frontage.
- 5.10 The proposed development will retain an active retail function at ground floor level thus according with the requirement of Policy TC2. The proposed retail space will comprise 14sqm (a reduction of 13sqm) and will benefit from an active frontage onto Leigh Street.
- 5.11 The proposed development would ensure the resultant arrangement is a viable retail unit and the applicant intends to utilise this for their own business function. To confirm the viability of small retail units, an audit has been done on other units currently to let across London. A summary of some examples are provided in the table below;

Address	Size (sqm)
Bramley Rd, London, London, W10 6SZ, GB	3sqm
Piccadilly Circus Station	11sqm
The Royal Exchange	14sqm
Southbank Central	13.8sqm
South Kensington Station	13.47sqm
61-65 Kensington Church St.	10.2sqm
Fairfax House, SW9	9.38sqm

- 5.12 The proposed reduction in retail floor space is in line with viable units which are currently to let across London. Furthermore, the reductions are comparable to consents which have been granted along Leigh Street and are addressed in the preceding section.
- 5.13 The reduction in retail space accords with Policy TC2 as it will retain an active and vibrant retail frontage and the resultant residential use will not compromise the retail function of the site nor will it harm the character of the neighbourhood centre.
- 5.14 In summary, the reduction in retail floor space and change of use to residential is in line with the adopted policies for retail development within neighbourhood centres and is acceptable in principle.

Principle of Residential Works

- 5.15 The proposed development will increase the residential floor space by changing the use of part of the ground floor from retail to residential.
- 5.16 Policy H6 (Housing choice and mix) outlines how the Council will aim to create, mixed, inclusive and sustainable communities by seeking high quality accessible homes and ensuring a variety of homes in the borough. The policy encourages a wide range of homes to be delivered to provide suitable accommodation for residents in Camden.
- 5.17 The proposed development would improve the quality of the existing dwelling, providing high quality, family sized accommodation which is welcomed by Camden's adopted planning policies.
- 5.18 The proposed increase in residential floor area as a result of the change of use complies with the need to deliver mixed, balanced and appropriate housing in the borough. As such, the proposed development accords with Policy H6.

Works to the Listed Building

- 5.19 This application seeks permission to make minor changes to the internal fabric of 18 Leigh Street, a Grade II listed building. No external works are proposed. A summary of the works are provided in the accompanying documentation prepared by VOP Group. The works will create a new partition wall and entrance between the revised retail unit and the proposed residential space.
- 5.20 Listed buildings and conservation areas are given statutory protection through the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990. This is reflected in adopted national and development plan policy.
- 5.21 The NPPF (chapter 16) outlines the national approach to protecting and enhancing heritage assets through the planning process. Paragraph 192 states that when determining planning applications, local planning authorities should take account of;
- *The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
 - *The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
 - *The desirability of new development making a positive contribution to local character and distinctiveness.*
- 5.22 Furthermore when assessing harm, this should be balanced against the demonstration of substantial public benefit that outweighs any harm arising from the proposed development. When assessing the level of harm, the decision maker must consider the significance of the heritage asset as it is now, and then the total after the proposed works are completed.
- 5.23 At the Local Level, Camden has policies which outline how the Council will protect and enhance heritage assets.

- 5.24 Policy D2 (Heritage) states that the Council will not permit the loss or substantial harm to a designated heritage asset, including conservation areas and Listed Buildings, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefit that outweighs all harm.
- 5.25 For Listed Buildings, Policy H2 states that Council will preserve and enhance listed buildings and will resist the total or substantial demolition of a listed building, resist proposal for a change of use or alternations and extensions to a listed building where this would cause harm to the special architectural and historic interest of the building and resist development that would cause harm to the significance of a listed building through an effect on its setting.
- 5.26 The proposed development proposes minor works to the internal fabric of the listed building to facilitate the re-configuration of the retail and residential uses. The proposed works are sensitive in their approach and do not cause substantial harm to the Listed Building.
- 5.27 In assessing the proposed works against the significance of the Listed Building and their resultant impact, it is considered that the proposed works are proportionate and do not cause any harm to the Listed Building or the Bloomsbury Conservation Area.
- 5.28 In summary the proposed internal alterations to 18 Leigh Street do not harm the fabric or status of the Listed Building

Design

- 5.29 The proposed works do not propose any alterations to the external façade of the building. Therefore there is no requirement to undertake a detailed design assessment.

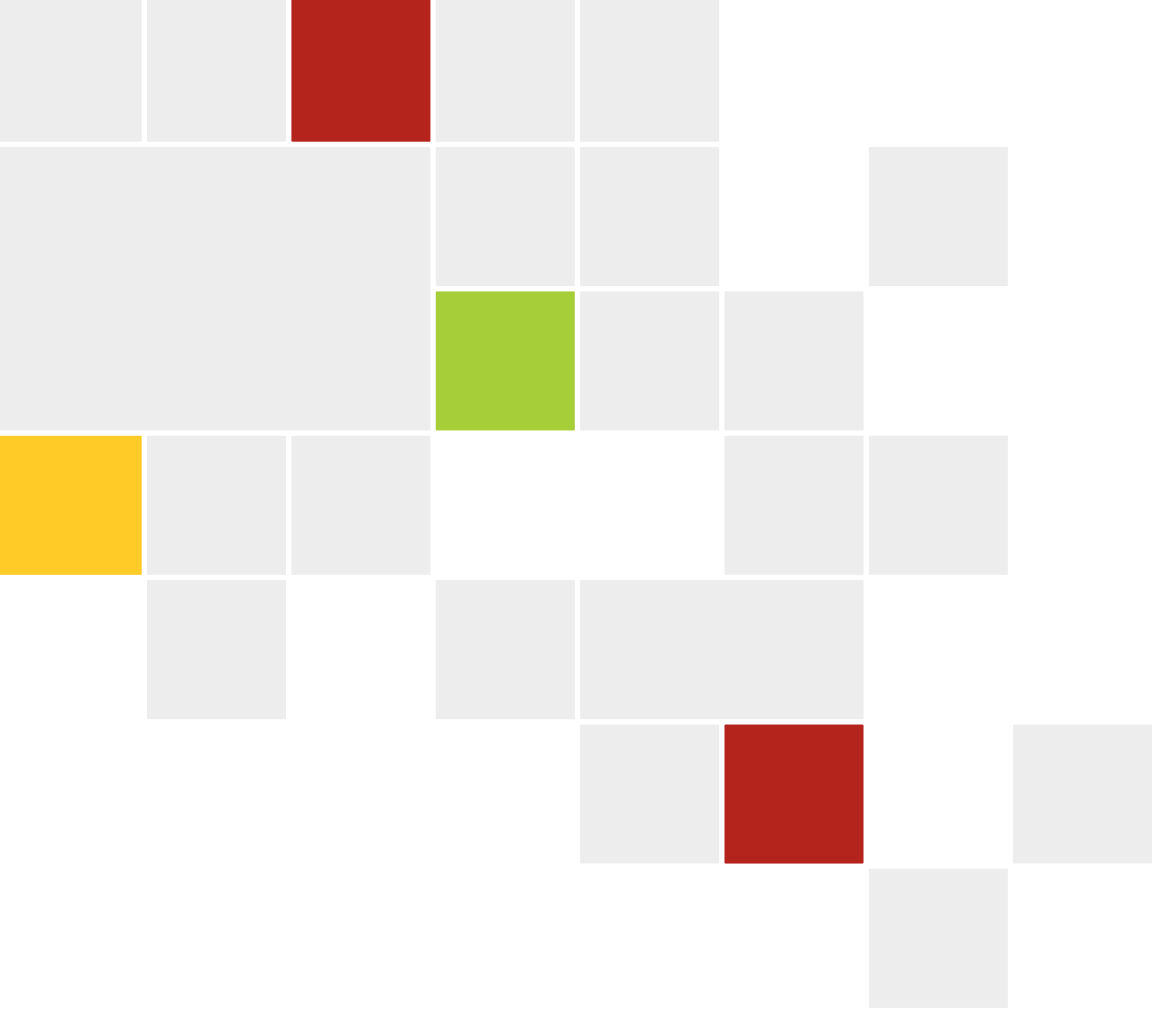
Amenity Considerations

- 5.30 Policy A1 (Managing the Impact of Development) of the Local Plan sets out the Council's approach to managing the impact of development. The Policy states that the Council will not grant planning permission for any development that has unacceptable harm to amenity. The Council will seek to ensure the amenity of occupiers and communities is protected by considering visual privacy, outlook, overshadowing and impacts on daylight and sunlight; transport impacts; noise and vibration; as well as management and construction impacts.
- 5.31 As outlined above, the proposed development does not seek any amendments to the external fabric of the building. As such, there is no change to the amenity of surrounding residents in regards to daylight, sunlight, overlooking or privacy impacts.
- 5.32 Furthermore, the principle of residential development in this location has been long established by the neighbouring existing properties. Therefore, increasing the quantum as a result of the proposed development does not cause any harm to the surrounding residents.
- 5.33 The residents of the altered unit will benefit from high levels of internal amenity. The relationship between the retail and residential uses on this site is long established and considered acceptable. Notwithstanding this, there will be an appropriate buffer between the retail and residential uses to ensure this is protected.

5.34 The proposed development will have no impact on the surrounding highway network and therefore is acceptable in this regard.

6. SUMMARY AND CONCLUSIONS

- 6.1 This Planning Statement has been prepared on behalf of Ms. Annika Bosanquet for the proposed development at 18 Leigh Street.
- 6.2 The proposed development comprises the partial change of use of the ground floor from retail (Class E) to residential (C3) and minor internal alterations to the listed building.
- 6.3 The application site is located within a neighbourhood centre but is not located within a designated retail frontage. The proposed development will retain viable retail floorspace at the front of the ground floor and will change the rear of the ground floor to residential. The rear residential portion will be amalgamated into the ground and lower ground floor flat.
- 6.4 This change of use retains an active and viable retail use at the site which will continue to contribute to the retail character of the area, as such the development accords with Policy TC2.
- 6.5 The proposed development would provide a high quality residential space which would improve the quality of the existing dwelling. The relationship between the retail use and the residential is well established on the site and the development will continue this established relationship.
- 6.6 The works to the listed building will facilitate the change of use and comprise creating a new partition and entrance between the retail and residential uses. The works are sensitive in their approach and will cause no substantial harm to the listed building. On balance the proposed development provides public benefit which outweighs any perceived harm. In summary the proposed development accords with the requirements of the NPPF and Policy H2 of the Local Plan.
- 6.7 The proposed development proposes no external changes to the building. As such, there is no impact to the amenity of the existing neighbours.
- 6.8 In summary the proposed development accords with the Development Plan policies and should be granted planning permission without delay.



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