

## **PLANNING STATEMENT**

**23A Great Queen Street,**

**London WC2B 5BB**

Prepared for

**Mr. T Maltin**

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## **1 INTRODUCTION**

- 1.1 This statement is written in support of an application for planning permission for the change of use and extension of the building known as 23a Great Queen Street for use as a single family dwelling house.
- 1.2 This statement should be read in conjunction with the architectural drawings of Watson, Bertram and Fell Architects and their Design and Access Statement.
- 1.3 This statement firstly deals with preliminary matters and describes the application site and relevant planning history; and briefly describes the proposed development. Section 3 provides the planning policy framework in which this application needs to be assessed and Section 4 demonstrates why the proposals are in compliance with planning policy. Section 5 draws on the conclusions reached.

## 2 PRELIMINARY MATTERS

### The Application Site

- 2.1 No. 23a forms the rear part of no. 23 which faces onto Great Queen Street. It is accessed via a long passage from its own front entrance door on Great Queen Street.
- 2.2 The building is in effect, landlocked and surrounded by tall buildings of four storeys and above in commercial and residential use.



- 2.3 The building is currently vacant. Its last known use was as a photographic/short film & video production studio.
- 2.4 The building lies within a Conservation Area and is identified in the Local Plan as being in the Central Activities Zone.

### Relevant Planning History

- 2.5 Planning permission was granted in February 1985 (LPA ref. 84/01792) for the change of use of 23a from warehouse to light industrial use including erection of a rear extension. The application form specifically states "not office use" but a (proposed) light industrial use. This is consistent with the last known use of the building as a photographic/film & video production studio.

### The Proposal

- 2.6 Planning permission is now sought to change the use of the building to a residential dwelling house and the erection of an additional storey at roof level.
- 2.7 The accommodation would comprise a kitchen and dining room on the ground floor; a

bedroom, study and a family bathroom on the first floor; a sitting room on the second floor with access to the existing terrace; a further bedroom on the third floor with en-suite facilities; and sitting room on the new fourth floor with access to a small terrace.

*Please refer to the architectural drawings and Design and Access Statement for further details of the scheme proposals.*

### **Summary Conclusions**

- 2.8 In this case, as with many others, consideration of a proposal involves balancing a number of issues, often pulling in different directions with a proposal complying with one policy but conflicting with another. The ultimate decision often being made by attributing weight to these different considerations and exercising a planning balance.
- 2.9 As the NPPF advises in paragraph 47, planning law requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 2.10 Whilst the proposal may conflict with policy E2 of Camden's Local Plan, it complies with other relevant local plan policies and thus requires the LPA to exercise a planning balance taking account also of other material considerations.
- 2.11 As such the proposed development meets the aims and objectives of national and local planning policies and planning permission should therefore be approved without delay in accordance with the NPPF.

### **3 PLANNING POLICY FRAMEWORK**

#### **2021 National Planning Policy Framework (NPPF)**

- 3.1 At the heart of the revised Framework is a presumption in favour of sustainable development which can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 3.2 The revised NPPF makes clear that the starting point for decision making is the development plan and a presumption in favour of sustainable development does not change that statutory status. Applications for development proposals that accord with an up-to-date Local Plan should therefore be approved without delay.
- 3.3 The NPPF recognises that the planning and development process is fundamental in achieving the creation of high-quality buildings and places in which to live and work and that good design is a key aspect of sustainable development.
- 3.4 Paragraph 123 of the NPPF advises Local Authorities to take a positive approach to alternative uses including the use of land which is already developed...; to meet identified needs; and in particular be supportive of proposals to use retail and employment land for homes providing this would not undermine key economic sectors.
- 3.5 The NPPF identifies the importance of heritage assets (includes Conservation Areas) both in terms of local historic value and highest significance such as World Heritage Sites and that they are an irreplaceable resource. LPA's should afford great weight to the asset's conservation relevant to its significance.
- 3.6 Paragraph 192 of the revised NPPF requires Local Authorities, when determining planning applications, to take account of *"the desirability of new development making a positive contribution to local character and distinctiveness"*

#### **Development Plan**

- 3.7 Having regard to the 2021 NPPF and Planning Practice Guidance, the proposal has been assessed in relation to relevant policies contained within the Mayor's London Plan dated March 2021 and the London Borough of Camden's Local Plan adopted on 3<sup>rd</sup> July 2017 where this is in general conformity with the revised NPPF.

#### **The London Plan**

- 3.8 The London Plan is a spatial development strategy for London which provides guidance to assist local authorities when preparing their local plans. Policies within local plans

thus need to be in general conformity with the London Plan.

### ***Camden's Local Plan 2017***

- 3.9 One of the main objectives identified in the Council's Local Plan is to manage change and growth in a manner that respects the character, heritage and distinctiveness of the Borough for it to continue to be a popular place to live, work and visit.
- 3.10 The application site lies within the Seven Dials Conservation Area and is within the Central Activities Zone (CAZ).
- 3.11 The following policies within the Local Plan are therefore directly relevant in the consideration of this application:
- A1 - Managing the impact of development;
  - C1 - Health and Wellbeing;
  - D1 - Design;
  - D2 - Heritage;
  - E3 - Employment;
  - H1 - Housing;
  - H4 - Affordable Housing;
  - H6 - Housing Choice and Mix;
  - H7 - Mix of Dwelling Sizes;
  - T2 - Transport;
  - CC1 - Climate Change Mitigation.

### ***Supplementary Planning Guidance***

- 3.12 The following supplementary documents have also been considered:
- CPG1 - Design;
  - CPG2 - Housing;
  - CPG5 - Town centres, retail and employment;
  - CPG6 - Amenity;
  - CPG7 - Transport; and
  - CPG8 - Planning Obligations

### ***Planning (Listed Buildings and Conservation Areas) Act 1990***

- 3.13 Whilst the NPPF and development plan are material considerations, the approach to conservation areas is underpinned by the statutory requirements in Section 72 of the Town and Country Planning (Listed buildings and Conservation Areas) Act 1990 (1990



Act) where, in determining development proposals, Local Planning Authorities should pay special attention to the desirability of preserving or enhancing the character and appearance of a conservation area or its setting.

## 4 THE PROPOSAL AND PLANNING POLICY COMPLIANCE

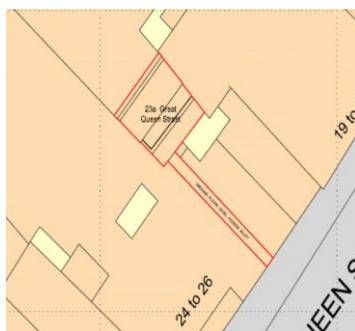
- 4.1 Camden's principle objective is to create the conditions for growth and to meet identified needs by the delivery of homes, jobs and infrastructure which in turn will create additional benefits for those who live and work in the Borough.
- 4.2 The NPPF advises that local planning authorities may take decisions that depart from the development plan if there are material considerations that outweigh development plan policies providing those policies are up to date.
- 4.3 Consideration of a proposal involves balancing a number of issues, often pulling in different directions with a proposal complying with one policy but conflicting with another. The ultimate decision often being made by attributing weight to these different considerations and exercising a planning balance.

### *The Change of Use to Residential and Other Material Considerations*

- 4.4 In order to secure a successful and inclusive economy, and with particular relevance to this proposal, Local Plan policy E1 will support businesses of all sizes and support Camden's Industries by safeguarding existing employment sites and premises that meet the needs of the industry. Policy E2 seeks to protect premises that are suitable for continued business use.
- 4.5 The supporting text to policy E1 (paragraph 5.9) advises that small business's often seek premises with layouts that can adapt as the business grows or changes and seek networking space to interact with other small business's.

### *The Existing Building and Use*

- 4.6 The existing building sits behind no. 23 Great Queen Street and therefore has no street presence. It is accessed via a long passageway through an entrance door adjacent to the retail premises at 23. It thus cannot easily interact with other small business's and given site constraints, being landlocked, it is not easily adaptable.



- 4.7 For nine years, up until expiry of the lease in December 2019, the building was let to a small private-held film and video production company (B1 business use) for a variety of high profile customers. In 2018 the business was sold by Voytek Ltd to a colleague wherein it was restructured and reduced in size, partly due to falling profit margins driven by market forces.
- 4.8 At the end of the lease in December 2019, the company moved to smaller premises in the area from which they continue to operate in their specialist field. Whilst a renewal of the lease was offered, they stressed the combination of rent and high business rates in particular was the deciding factor in which to move to smaller, more affordable premises with lower business rates.
- 4.9 With the Covid-19 pandemic and 'lockdown' which commenced in March 2020, only a few months after the lease expired, for obvious reasons, the applicant has not marketed the building for further rental and not least because there is an abundance of vacant commercial floor space in the locality.

***Vacant Commercial Floorspace in the Local Area***

- 4.10 The four storey building at the front (23) has been refurbished and comprises retail premises on the ground floor with office suites on the upper floors. The building is currently vacant and has been for some months now despite being actively marketed. See marketing material in Appendix 1.
- 4.11 Taken from the website, Primelocation.com on 10<sup>th</sup> February, there are numerous other commercial premises in the local area also currently available to rent as demonstrated in the marketing material in Appendix 2.
- 4.12 Having regard to the evidence produced, it is clear there is not the demand for employment floorspace in the locality with an abundance of available business premises to rent. The loss of employment floor space at no. 23a would not therefore give rise to a noticeable impact on economic activity in the area particularly given the buildings' location, a landlocked site with no street presence. As such, by changing the use to residential is not considered to undermine the local economy.

***Town and Country Planning (General Permitted Development etc.) (England) (Amendment) Order 2021***

- 4.13 Notwithstanding the commercial use of the application site and high (commercial) vacancy rates in the locality, it is important to have regard to other material considerations.

- 4.14 New permitted development rights were introduced by Central Government earlier this year as a result of the Covid pandemic. With specific regard to this application, a new Class MA was introduced which permits the change of use of a building and any land within its curtilage from a use falling within Class E of the Use Classes Order (commercial, business and service) to a use falling within Class C3 (dwelling houses).
- 4.15 The permitted right is subject to a number of criteria. The application site meets all criteria and as such, the change of use of the building to a C3 residential use would benefit from the new permitted development right under Class MA.1 and would not therefore require planning permission.
- 4.16 We have not however asked the Council if prior approval would be required in respect of transport impacts, contamination, flooding or noise as required by Condition MA.2 of the 2021 (Amendment) Order because these matters can be fully assessed by the Council through this full application thereby affording the LPA greater control and also because the proposal includes the erection of an extension. Whilst we could have dealt with the extension separately, we consider this is a more appropriate and sensible way to engage with the LPA in order to obtain planning permission for a development that meets the desires of the applicant and the aims and objectives of Camden's Local Plan.

## **The Proposed Use and Planning Policies**

### ***Additional Housing***

- 4.17 Policy H1 seeks to maximise the supply of housing across the Borough and to exceed the target set by Central Government for additional homes. Policy H4 expects a contribution towards affordable housing on all developments.
- 4.18 As the proposal would create an additional dwelling, this would comply with the aims and objectives of Policy H1. The existing GIA of the building is 131sqm and the proposed single dwelling house would have a GIA of 147sqm as a result of the proposed roof addition. As the site has only the space to create one family home, there is no capacity to include affordable housing on site. It is accepted therefore that a payment in lieu as set out in the Council's CPG2 for Housing may be required and this will be secured through a Section 106 Obligation.
- 4.19 Policy H6 of the adopted Local Plan relates to housing choice and mix. The proposed self-contained dwelling has been designed to provide functional and adaptable spaces consistent with Policy H6(a) and would meet the Government's Nationally Prescribed Space Standards in accordance with Policy H6(b).

- 4.20 Policy H7 seeks to ensure a range of homes of different sizes to meet identified needs across the Borough. The policy identifies there is a high priority for 2 bedroom market homes and this proposal thus meets that objective.

***Mitigating the effects of Climate Change***

- 4.21 Policy CC1 of the Local Plan requires all development to minimise the effects of climate change. The proposals provide an opportunity to reduce carbon dioxide emissions by improving the thermal efficiency of the building and lower energy usage through upgrade of internal services.

***Transport and Parking***

- 4.22 To further mitigate the impacts of climate change and reduce the impacts of air pollution and congestion, Local Plan policy T2 limits the availability of parking and requires all new development to be car free.
- 4.23 The proposal is not a “new” development per se, but the conversion of an existing building wherein the previous owner/occupiers were eligible for a parking permit. It stands therefore that should permission be granted for conversion into a single dwelling, there would be no material increase in parking pressure and the right for the new owner/occupiers to apply for a resident parking permit would remain.
- 4.24 However, should the Council consider the proposal is a “new” development wherein any owner/occupier of the dwelling house would not be eligible for an on-street parking permit, we understand this can be secured by legal agreement.
- 4.25 Camden is well connected and most areas benefit from essential day to day services such as shops, healthcare and educational facilities which are within easy walking distance. Further, the application site is within an area with a high PTAL rating of 6B with excellent transport facilities and the absence of a car therefore will not impinge accessibility.

***Impact of the Proposals on the Conservation Area***

- 4.26 Although not a statutorily listed building, the application property lies within a designated heritage asset, being the Seven Dials Conservation Area. It is important therefore to keep in mind that the heritage asset is the conservation area in which the building is located, and not the building itself. Section 72(1) of the 1990 Act states that special attention must be paid to the desirability of preserving or enhancing the character and appearance of the conservation area.
- 4.27 Local Plan Policy D1 seeks high quality design and requires development to respect

local context and character. Policy D2 requires development to preserve and where possible, enhance the character and appearance of the Conservation Area.

4.28 The modest extension at roof level would be in keeping with the visual appearance of the host building and sit comfortably within its surroundings where buildings are generally taller. The use of traditional materials would respect local context and would thus preserve the character and appearance of the Conservation Area.

4.29 As there would be no harm to the designated heritage asset (Conservation Area), there is no requirement to demonstrate public benefits.

#### ***Impact on Residential Amenity***

4.30 Local Plan policy A1 seeks to protect the living conditions and quality of life of existing occupiers and neighbours.

4.31 As neighbouring buildings are generally higher, the proposed roof addition would not give rise to the loss of daylight/sunlight to neighbouring buildings. There is already a mutual degree of overlooking as one would expect in such a dense urban environment as this and the proposals are not considered therefore to have a significant worsening effect with regard to overlooking and loss of privacy. Further, the use of the building as a single dwelling house would safeguard existing residential amenity. The proposed development therefore complies with policy A1.

#### ***In Summary***

4.32 For the reasons given in Section 4 of this statement, the proposed development meets the aims and objectives of the adopted Local Plan, and in particular those policies relevant to this proposal as referenced in Section 3 of this Statement.

## 5 CONCLUSIONS

- 5.1 The conversion of the existing building into a residential dwelling would assist in meeting an identified need where there is a high priority for 2 bedroom market housing. The roof addition and modifications would provide a modest increase in floor area without harming the visual appearance of the building or local townscape. The proposed development would meet the needs of the present without compromising future generations to meet their own needs.
- 5.2 The architectural and historic integrity of the property and wider context are protected and the character and appearance of the conservation area would be preserved.
- 5.3 The use of the building as a single family dwelling house would safeguard existing residential amenity.
- 5.4 The proposed development is in accordance with Section 72 of the 1990 Act and complies with the aims and objectives of the development plan and with central government advice in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004. In our judgement no other material considerations weigh against it.
- 5.5 Accordingly, we trust the London Borough of Camden will determine that the application for planning permission can be approved.

## **6 APPENDICES**

1. Marketing material - 23 Great Queen Street;
2. Marketing material – other commercial premises in WC2B