

Delegated Report		Analysis sheet		Expiry Date:	21/03/2022
		N/A		Consultation Expiry Date:	17/04/2022
Officer			Application Number(s)		
Ewan Campbell			2022/0265/P		
Application Address			Drawing Numbers		
1 - 6 Speedy Place London WC1H 8BU			Please refer to draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Change of use of the existing commercial unit (Class E) to four residential units on the ground and first floors, and associated internal alterations. New windows, new entrance doors, cycle spaces and waste storage					
Recommendation(s):		Refuse Planning Permission			
Application Type:		Full Planning Permission			
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice			
Informatives:					
Consultations					
	No. of responses	00	No. of objections	00	
Neighbour Consultation	A site notice was put up on 18/03/2022 and expired on the 11/04/2022. A press advert was put up on the 24/03/2022 and expired on 17/04/2022 No comments.				
Bloomsbury CAAC	Bloomsbury CAAC have not objected to the proposal				
Site Description					
The application building occupies a backland location. It is sited to the rear of the buildings fronting Cromer Road (north side) and it has residential buildings on either side on Judd Street (west) and Tonbridge Road (east). It is a flat roofed 2 storey brick building. The agent has advised that the building is currently in office use. The adjacent buildings (Tonbridge House on Tonbridge Street and Jessel House on Judd Street) are					

noted as being positive contributors to the Bloomsbury Conservation Area Statement. Speedy Place lies within Sub Area 13 of the Bloomsbury Conservation Area which is predominately residential in character.

Relevant History

2021/4826/P - Change of use of the existing commercial unit (Class E) to residential units consisting of 7 x studio flats on the ground and first floors with associated facade treatment to the front and rear elevation. (Refuse Prior Approval 07/12/2022)

1A Speedy Place:

L14/23/C/19520 - The erection of an extension at first floor level for use for storage purposes. – Granted on 07/01/1975. PSX0005127 - Erection of a roof extension to provide additional residential floorspace for an existing maisonette (Class C3) – Granted 06/02/2001.

National Planning Policy Framework 2021

The London Plan 2021

Camden Local Plan 2017

Policy A1 Managing the impact of development
Policy A4 Noise and Vibration
Policy CC1 Climate change mitigation
Policy CC2 Adapting to climate change
Policy D1 Design
Policy D2 Heritage
Policy E2 Employment Premises and sites
Policy H1 Maximising house supply
Policy H4 Maximising the supply of affordable housing
Policy H6 Housing choice and mix
Policy H7 Large and Small Homes
Policy T1 Prioritising walking, cycling and public transport
Policy DM1 Delivery and Monitoring

Camden Planning Guidance (CPG)

Amenity CPG (January)
Housing CPG (January 2021)
Design CPG (January 2021)
Employment site and business premises CPG (January 2021)
Housing CPG (January 2021)
Transport (January 2021)

Bloomsbury Conservation Area Appraisal and Management Strategy 2011

Assessment

1. PROPOSAL

1.1. The applicant seeks planning consent for the following:

- 1.1.1. Conversion commercial office premise (Class E) into four 1 bed residential units (C3)
- 1.1.2. New door and internal reconfiguration
- 1.1.3. New cycle stands
- 1.1.4. Waste storage

2. CONSIDERATIONS

2.1. The material considerations for this application are as follows:

- 2.1.1. Change of Use
- 2.1.2. Design and Heritage
- 2.1.3. Unit Mix and Quality of Accommodation
- 2.1.4. Affordable Housing
- 2.1.5. Amenity
- 2.1.6. Transport
- 2.1.7. Energy efficiency

3. ASSESSMENT

Change of use

- 3.1.1. Policy E2 is clear that the Council will resist the loss of a business use to a non-business use unless it has been thoroughly explored whether there is possibility for that use to continue. The Council will consider the suitability of the location for business use; whether the premises are in a reasonable condition to allow the use to continue; the range of unit sizes; and whether the business use is well related to nearby land uses (para. 5.37). Where a change of use to a non-business use is proposed, the applicant must demonstrate to the Council's satisfaction that there is no realistic prospect of demand to use the site for an employment use.
- 3.1.2. The applicant must submit evidence of a thorough marketing exercise, sustained over at least two years. The premises should be marketed at realistic prices, include a consideration of alternative business uses and layouts and marketing strategies, including management of the space by specialist third party providers (para. 5.39). The site is also located within the central London area and the Knowledge Quarter which aims to support academic, cultural, research, scientific and media organisations. This represents a suitable location for space for small businesses.
- 3.1.3. The design statement contains emails from the landlord and business owner opposite the site which say that the site has been vacant since 2020. However these are just incidental emails and so do not provide any evidential information to demonstrate that the site is no longer suitable for the existing business use. Upon contact to try and gain more information, a letter was submitted which simply stated that the letting agent had tried to lease the property and had not been successful. As for these letters and emails, this does not represent quality evidence to demonstrate this marketing process, as outlined under policy E2 and within Camden Planning Guidance (CPG), has been followed. The application is not supported by any material evidence and therefore fails to comply with E2 and the employment and business premises CPG.
- 3.1.4. Because the application is not supported by any such evidence, it is not possible for the Council to determine if there is a realistic prospect of demand to use the site for an employment use. In the absence of this information, proposals would be contrary to policy E2 and the Employment and business premises CPG.

Design and Heritage

- 3.1.5. Local Plan policies D1 (Design) and D2 (Heritage) are aimed at achieving the highest standard of design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area; and Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings.
- 3.1.6. The building itself is not of note in the area and is not seen from public roads and streets. The alterations are minor and will not impact on the character of the building significantly. The new door matches the existing and the other small fenestration details are minor and are not considered to impact on the character of the building or conservation area, preserving the character of the area.

Unit Mix

- 3.1.7. Local Plan policy H7 (Large and Small Homes) is aimed at maintaining the dwelling mix including self-contained flats, small HMO's (C4) and live work units. This policy applies wherever there is development that affects the mix of dwelling sizes, as is the case in this instance.
- 3.1.8. In terms of policy H7, the application would also provide only 4 1-bedroom market flats which are confirmed as being low on the Council's priority for Housing in Table 1 (paragraph 3.189 of the Local Plan). The Council considers that each development should contribute to the creation of mixed and inclusive communities by containing a mix of large and small homes overall.
- 3.1.9. Paragraph 3.189 and the dwelling priorities table sets out the reasoning and priority of each housing type. The proposal includes 4 x 1-bedroom market units. All the four 1 bedroom properties are considered a low priority and means that 100% of the units cater for a lower priority. Looking at the floor plans, these are quite contrived and not well worked with the spaces for the units being of poor quality. For example the units on ground floor include a small external 'terrace' within the floor area and store cupboard which can only be accessed by the communal hall.
- 3.1.10. The scale of the floorplates means an improved mix would be possible to achieve – for example one option would be to amalgamate two units on one floor, to have two smaller units and one medium unit, instead of four, although this is unlikely to combat issues relating to amenity and outlook (see below).
- 3.1.11. Notwithstanding this the proposal does not result in any loss of units that are within a higher priority and would still contribute to the Council's housing delivery. Therefore on balance, whilst units that are a higher priority are preferred the Council does not raise an objection on this point assuming that they could provide a decent standard of accommodation.

Quality of Accommodation

- 3.1.12. All units would fail to meet the national space standards in terms of overall GIA and flat 4 does not meet the double bedroom space standards also outlined. Below a table shows the GIA of each flat, with the nationally described space standards requiring 50sqm for a 1b2p unit. The plans show different calculations which, upon further inspection, was found to be because the calculation had included either space that was not contained within the flat and outside spaces. National space standards only measure the Gross Internal Area

of units so these spaces cannot count towards meeting the requirement. Some are different to what is listed on the plans as the calculation was incorrect and include outside space.

Flat Number	Overall GIA	Bedroom GIA
Flat 1	46.0sqm	14.1sqm
Flat 2	37.1sqm	12.8sqm
Flat 3	41.8sqm	11.8sqm
Flat 4	47.8sqm	13.7sqm

3.1.13. The site itself is within a quiet, dark alleyway of the public highway and can be access from the street. The site is quite thin with the building line being approximately only 2.7m away from the boundary wall. Not only does this mean outlook for both the first floor and ground units is very limited, it also means there is a significant lack of defensible space for the ground floor units. The mixture of very limited outlook and space between building and boundary wall means that both outlook and privacy would be a significant issue for residents living here and therefore creates substandard units of accommodation.

3.1.14. In terms of daylight and sunlight, there is a daylight/sunlight assessment which supports the application. The report was prepared under the previous BRE guidance rather than the current 2022 guidance, but can still be given weight. The report stipulates that, the most effective way to assess the quality and quantity of daylight within a living area is by calculating the Average Daylight Factor (ADF). The ADF, which measures the overall amount of daylight in space, is the ratio of the average illuminance on the working plane in a room to the illuminance on an unobstructed horizontal surface outdoors, expressed as a percentage. The table of criteria is listed below:

Measure of Interior Daylight	Benchmark	Daylight Criterion
Average Daylight Factor	1.5 %	Typical value of ADF for living rooms/kitchens. <i>Where this value is not achieved across the whole floor area, FF&E and room layout should position seating/lounge areas in daylight areas above 1.5% ADF.</i>
	1.0 %	Typical value of ADF for bedrooms. <i>Where this value is not achieved across the whole floor area, FF&E and room layout should position desks in daylight areas above 1.0% ADF.</i>

Table 3.1: Summary of BRE internal daylight criteria

3.1.15. Looking at the model inputs, the transmittance for the glazing in the flat 2 bedroom has been assumed to be higher than the others (0.85 instead of 0.8) without explanation. This room fails the BRE test with an ADF of 0.9 so presumably the shortfall would be greater with the lower transmittance. A target of 1.5% ADF has been used for living/kitchens, although the BRE guidance recommends 2% for kitchens. Using their inputs, of the eight rooms being assessed, seven pass and one fail (the bedroom in flat 2). The first floor rooms enjoy a significantly better average than the ground floor units who are just above the 1.5% target, but below the 2% target for kitchens.

3.1.16. Generally, it appears from the photographs of the current site and the analysis within the light report that the first floor units would have sufficient lighting. However, the ground floor would be gloomier with the light maps showing poor light penetration into the rooms as soon as you move away from the window openings. This is made worse by the fact that the units are effectively single aspect (with only door openings on the back of the unit into the “terrace” areas) meaning the backs of the units would appear dark. This is demonstrated by the photographs in the report which show the ground floor to be lit with electric lighting despite it being daytime.

3.1.17. As well as an impact on lighting and outlook, the single aspect layout of the units also means that natural ventilation would be more difficult and views out of the units would be more restricted contrary to policy D1 (para 7.32 of the Local Plan).

- 3.1.18. The units on the first floor do not have any private amenity space and the ground floor units contain 8.2sqm and 1.8sqm respectfully. The London Housing Design Guidance stipulates that new dwelling should have private outside space of at least 5sqm for units of this size. Whilst one contains 8.2sqm these are both of low quality and not suitable to be used as amenity spaces. Firstly the width is approximately 0.8m which means the spaces are not useable. Secondly the block of flats directly adjacent means that the space will be heavily overlooked and therefore not private amenity space as required. The photos are in the design and access statement demonstrate the nature of these spaces and how inappropriate they are for use. These are shown below:



Fig. 16 –Existing Rear Views

- 3.1.19. The waste storage for the flats is located at the end of Speedy Place, outside the living space windows of Flat 1 on the ground floor. Smell and noise from the bins would be difficult to manage for the occupiers of this flat in particular, but also of Flat 3 above on the first floor.
- 3.1.20. Camden's Technical Guidance for Waste Storage is listed below and outlines the residential service offer:

2. Camden's Residential Service Offer

- 2.1. We offer per household unit per week in litres(L);

120L of bin, box or sack volume for general waste or 'refuse'
140L for mixed dry recycling
23L of food waste

- 3.1.21. The requirements outline that one bin and recycling facilities should be provided for each residential unit. The current layout only shows four 240L general waste bins and therefore can accommodate for both recycling and general waste within this provision.
- 3.1.22. However the location of the bin store, directly adjacent Flat 1's window and front door is a unsatisfactory arrangement and would be detrimental to the occupants of this unit. Due to this close proximity there would be associated issues of smells and potential refuse dumping right outside their property which would negatively impact to the enjoyment of the property. Because there is no clear alternative in terms of location the refuse store cannot be conditioned and therefore fails to comply with policy D1 (Design) of the Local Plan.

Affordable Housing

- 3.1.23. The Policy H4 aims to maximise the supply of affordable housing. The Council expects a contribution towards 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
- 3.1.24. The Council will assess the capacity for additional homes on the basis of multiples of 100sqm GIA, rounding the additional residential floorspace to the nearest 100sqm GIA

so the assessed capacity will always be a whole number. A sliding scale target applies to developments that provide one or more additional homes and have capacity for fewer than 25 additional homes, starting at 2% for one home and increasing by 2% for each home or 100sqm added to capacity.

3.1.25. The expected provision is then calculated as a percentage of the overall uplift of residential floorspace. The conversion provides an additional 158.6sqm GIA of floorspace and thus, using the sliding scale formula and multiplier used in SPG on Housing (8% of 158.6 GIA x £5,000 per sqm), this means that £47,500 would be required as payment-in-lieu for affordable housing.

3.1.26. The uplift in GIA is therefore 158.6sqm which equates to a capacity for 4 additional homes at a 8% contribution. The Council's current adopted multiplier for calculating a payment-in-lieu (PIL) with market residential schemes is £5,000 per sqm. This provides an overall requirement of £47,500. The calculation is as follows:

$$8\% \times 158.6 = 9.5 \times £5,000 = £47,500$$

3.1.27. This is based on measurements taken from the submitted plans by the applicant. This payment would be secured through a Section 106 legal agreement if the proposal were considered acceptable in all other regards. The failure to grant planning permission and therefore enter into a S106 legal agreement to secure payment in lieu of affordable housing would also form a reason for refusal.

Amenity

3.1.28. Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. This includes privacy, outlook and implications on daylight and sunlight. This is supported by the CPG Amenity.

3.1.29. In terms of the proposal, it will result in an additional amount of units however not necessarily more people occupying the building compared with the office use. The units are set . Whilst there will be residential tenants occupying the site at all times issues in relation to noise and disturbance are not considered significant. Furthermore because there are no extensions or external alterations issues relating to outlook, increased sense of enclosure or privacy are not considered significant.

3.1.30. Therefore the proposal complies with policy A1 of the 2017 Camden Local Plan and the Amenity CPG.

Transport

3.1.31. Policy T1 aims to promote sustainable transport by prioritising walking cycling and public transport. This is achieved by improving pedestrian friendly public realm, road safety and crossings, contributing to the cycle networks and facilities and finally improving links with public transport. All these measure are in place to ensure the Council meets their zero carbon targets.

3.1.32. Secure, accessible (step-free), and covered cycle parking should be provided in accordance with Policy T1, cycle facilities section of CPG Transport, and the London Plan. The London Plan standards are shown below. The development would be required to provide 4 long-stay cycle parking spaces. The plan suggests that 7 cycle spaces would be provided adjacent to the building on Speedy Place. Speedy Place is a narrow public highway. Placing the cycle spaces perpendicular to the building would block a significant

portion of the public highway leaving less than 1m clearance from the bikes to the boundary wall, limiting access along the alley. Furthermore, any works to the public highway would have to be done by the Council's contractors. The cycle parking would not be covered or secure. The applicant should look into providing these cycle spaces within the building in the lobby – however, given the shortfall in space standards, this appears to be unrealistic and so the units would not be able to provide sufficient cycle parking.

	Long-stay (e.g. for residents or employees)
C3-C4 dwellings (all)	<ul style="list-style-type: none"> • 1 space per studio or 1 person 1 bedroom dwelling • 1.5 spaces per 2 person 1 bedroom dwelling • 2 spaces per all other dwellings

3.1.33. Policy T2 limits the availability of parking in the borough and requires all new developments in the borough to be car free. This will be done through not issuing parking permits, resisting development of boundary treatments and using legal agreements to secure these actions.

3.1.34. The 4 new units would need to be car-free in accordance with Policy T2, which includes limiting the availability of both off-street and on-street parking. This would be secured by a legal agreement if planning permission is granted, and would prevent future occupiers from obtaining on-street parking permits. In the absence of a legal agreement, this would be a reason for refusal.

3.1.35. Given the restricted nature of site construction will need to be carefully managed for the surrounding area. Therefore a CMP will need to be required and in the event of approval would be included as part of the s106 agreements. In the absence of the legal agreement this is listed as a reason for refusal.

Sustainability

3.1.36. In accordance with Local Plan Policy CC1 and the London Plan all new build residential development (of 1- 9 dwellings) must meet 19% carbon reduction. As a minimum the development would be required to meet the carbon reduction targets as part of Part L1B of Building Regulations for retained thermal through the application of the energy hierarchy.

3.1.37. Policies CC2 and CC3 are relevant with regards to sustainability and climate change. All residential developments are required to achieve at least a 35% reduction in regulated carbon dioxide emissions on-site over the 2013 Building Regulations.

3.1.38. No measures have been proposed within this application however, in the event of approval could be secured by condition or s106 agreement.

3.1.39. Any approval would require a Sustainability and Energy Plan to be secured via legal agreement. Following detailed construction design, the energy calculations would be revisited to ensure the energy requirements and carbon dioxide emissions are up to date.

3.1.40. If the application was otherwise considered to be acceptable, energy efficiency measures would be secured by section 106 legal agreement; however, the application has failed to enter into a section 106 legal agreement to secure this and the application is therefore recommended for refusal on this basis.

3.1.41. If the proposals were supported, the following heads of terms would need to be secured by S106 Legal Agreement to make the development acceptable.

- Affordable Housing contribution (£47,500)
- Energy and sustainability plan
- Car-free development

3.1.42. The proposal would be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL as it involves the creation of over 100sqm floorspace and new residential units.

4. RECOMMENDATION

4.1. Refuse Planning Permission for the following reasons:

4.1.1. The applicant has failed to demonstrate that the site is no longer suitable for business use and so the proposal would result in the loss of a business use contrary to policy E2 (Employment premises and sites) of the Camden Local Plan 2017.

4.1.2. The proposed development would result in substandard units of accommodation, providing insufficient and unsuitable amenity space and secure cycle parking; undersized units; poor quality of light, outlook, natural ventilation; refuse storage location and significant lack of privacy and defensible space. The proposal would therefore be contrary to D1 (Design) and H6 (Housing Choice and Mix) of the Camden Local Plan 2017.

4.1.3. The proposed development, in the absence of a legal agreement securing an affordable housing contribution, would fail to maximise the supply of affordable to meet the needs of households unable to access market housing, contrary to policy H4 (Maximising the supply of affordable housing) of the Camden Local Plan 2017.

4.1.4. The proposed development, in the absence of a legal agreement securing a Construction Management Plan (CMP) and associated contributions to support the implementation of the CMP, would be likely to give rise to conflicts with other road users and be detrimental to the amenities of the area generally, contrary to policies A1 (Managing the impact of development), T4 (Sustainable movement of goods and materials) and DM1 (Delivery and monitoring) of the Camden Local Plan 2017.

4.1.5. The proposed development, in the absence of a legal agreement securing car-free housing, would contribute unacceptably to parking stress and congestion in the surrounding area and fail to promote more sustainable and efficient forms of transport and active lifestyles, contrary to policies T2 (Parking and car-free development) and DM1 (Delivery and monitoring) of the Camden Local Plan 2017.

4.1.6. The proposed development, in the absence of a legal agreement securing an Energy and sustainability plan which secures the carbon reduction targets of Part L1B of Building Regulations for retained thermal through the application of the energy hierarchy, would fail to ensure proper standards of sustainability in the development, contrary to policy CC1 (Climate change mitigation) of the Camden Local Plan 2017

