

7 TORRIANO MEWS, CAMDEN, LONDON, NW5 2RZ

PLANNING STATEMENT

CHANGE OF USE FROM OFFICES TO RESIDENTIAL

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1.0 INTRODUCTION

- 1.1 This Planning Statement has been prepared by NTA Planning LLP on behalf of Torriano Developments Ltd (the **Applicant**), regarding no. 7 Torriano Mews, Camden, London NW5 2RZ (the application **Site**).



- 1.2 The application Site comprises a three-storey end of terrace property within a row of similar units on Torriano Mews, (located off Torriano Avenue). The property is currently in use as offices (Use Class E). The Site also includes two designated car parking spaces opposite the building, as outlined in red on the Location Plan above.
- 1.3 The terrace is of modern design, originally constructed as offices in the 1990's. However, in recent years, four of the five units which make up the terrace have been converted to residential units (Use Class C3). Further information is provided in section 3 of this Statement.
- 1.4 The Site is not within a conservation area nor is it listed or in the vicinity of any listed buildings. The property is however subject to an Article 4 Direction which has withdrawn permitted development rights allowing a change of use from offices to residential use. The Site falls within the Kentish Town Neighbourhood Forum area.
- 1.5 The property has been marketed for use over the last circa 2 years, without success. The owner/occupiers (who have owned/occupied since the 90s) are in the process of vacating which will then leave the premises empty.
- 1.6 Accordingly, in line with recent approvals along the Mews, the applicants seek to change the use of the property to accommodate three self-contained flats, together with associated alterations to fenestration, and provision of cycle and waste storage.

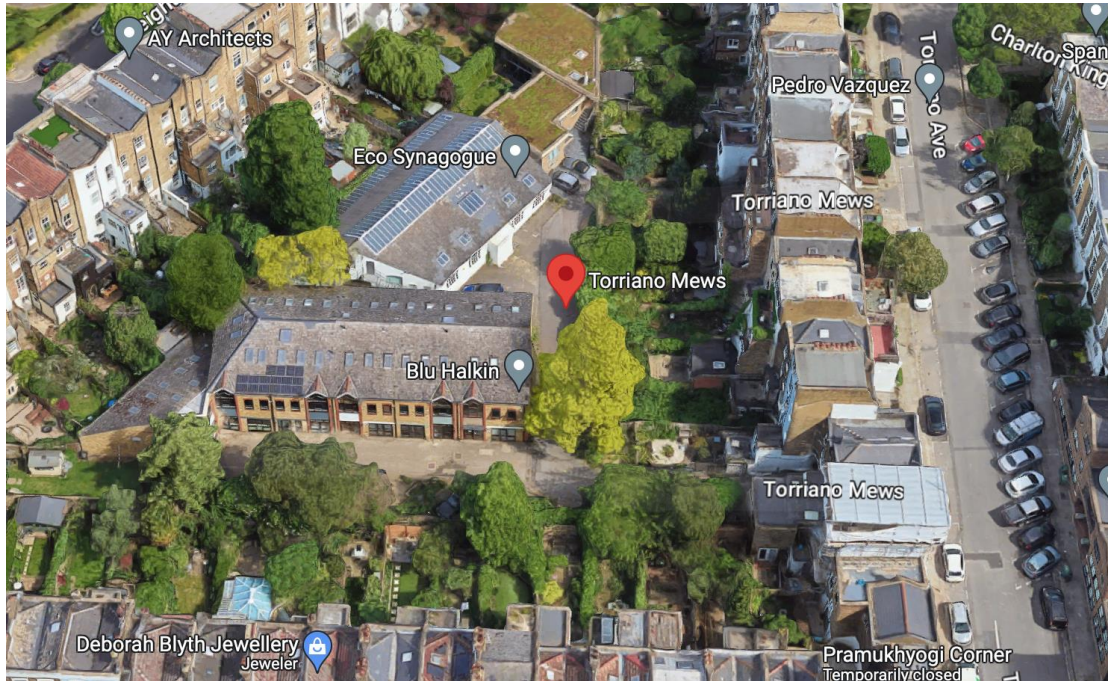
Structure of this Statement

- 1.7 Section 2 of this Statement provides a description of the Site and surrounding area.
- 1.8 Section 3 provides relevant planning history for the Site and surrounding area.
- 1.9 Section 4 provides a detailed description of the proposed works. This section should be read alongside the Design and Access Statement prepared by Inter Urban Studios (the project Architects).
- 1.10 Section 5 sets out the relevant planning policy context, followed by our assessment of the proposed development against relevant policies and other material considerations.
- 1.11 Finally, this statement is concluded at Section 7.
- 1.12 The planning statement is supported by the following documents.

| Document | Prepared By |
|------------------------------------|-----------------------------|
| Application Form and CIL Form | NTA Planning LLP |
| Design and Access Statement (DAS) | Inter Urban Studios |
| Planning Drawings | Inter Urban Studios |
| Marketing Assessment | TSP Ltd |
| Supplementary Marketing Assessment | Forest Real Estate |
| Viability Assessment | S106 Affordable Housing Ltd |

2.0 DESCRIPTION OF THE SITE AND SURROUNDING AREA

- 2.1 The Site is located on Torriano Mews, which is accessed off the western side of Torriano Avenue (undercroft access at no.91 and no. 105 Torriano Mews).
- 2.2 Torriano Mews comprises a row of 6 terraced properties of which the Site occupies the eastern end. Please see Site Context image below.



SITE CONTEXT PLAN

- 2.3 The building is brick built, set under tiled roof. Outwardly, the building appears to be two storeys, however the property comprises three floors, with floorspace within the roof served by rooflights. The property was originally constructed in the 1990's and used as an office. The site has been owner/occupied by since the 90s, although they are due to vacate imminently.



APPLICATION PROPERTY (EDGED RED)

- 2.4 The ground floor accommodates 84.5sqm, the first floor accommodates 84.2sqm and the second floor accommodates 61.5sqm. All floors are currently in lawful use as offices (Class E). The Site has a total GIA of 230.2sqm.

- 2.5 The Site benefits from two designated car parking bays, directly opposite the property. The total Site area is 90sqm.
- 2.6 Whilst the terrace was originally built for office use, the character of the mews has changed over recent years, with most of the properties forming the terrace having been converted from offices (Use Class E) to residential accommodation (Use Class C3). The terrace is now predominantly residential in use and character. See Planning History section below for further information.
- 2.7 The surrounding area including, Torriano Avenue, Leighton Road and Leighton Grove are all residential streets consisting of large 3 storey plus basement terrace dwellings.
- 2.8 The Site benefits from a Public Transport Accessibility Leve (PTAL) of 4 (good), on a scale of 0-6.

3.0 PLANNING HISTORY

The Site

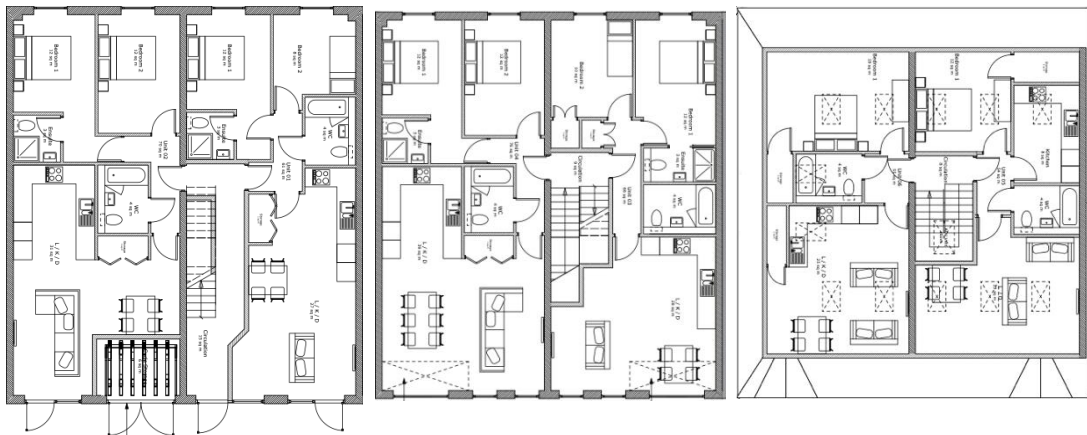
- 3.1 There are no available planning records relating to the application Site.

The Surrounding Area

- 3.2 Of six properties which form the terrace, four have been granted permission to convert from offices to residential use. These permissions have fundamentally altered the character and use of the Mews.
- 3.3 We provide a summary of the most pertinent cases below which have helped inform the proposals for the subject Site.

2020/4633/P - 4 -5 TORRIANO MEWS

- 3.4 Full planning permission was granted for the change of use from office (Use Class B1a) to residential to provide 6 flats (Use Class C3), including alterations to fenestration and addition of rooflight, smoke vent.
- 3.5 The property was marketed for a total of 17 months, there is no officer report available online, however it is clear the Council deemed the marketing period and evidence provided to be acceptable.
- 3.6 We provide an extract of the approved planning drawings below which illustrates the approved layout comprising one unit per floor in each building, with a total of 6 properties being created across the two buildings.
- 3.7 The development was approved subject to a legal agreement securing both affordable housing contributions and car free housing.

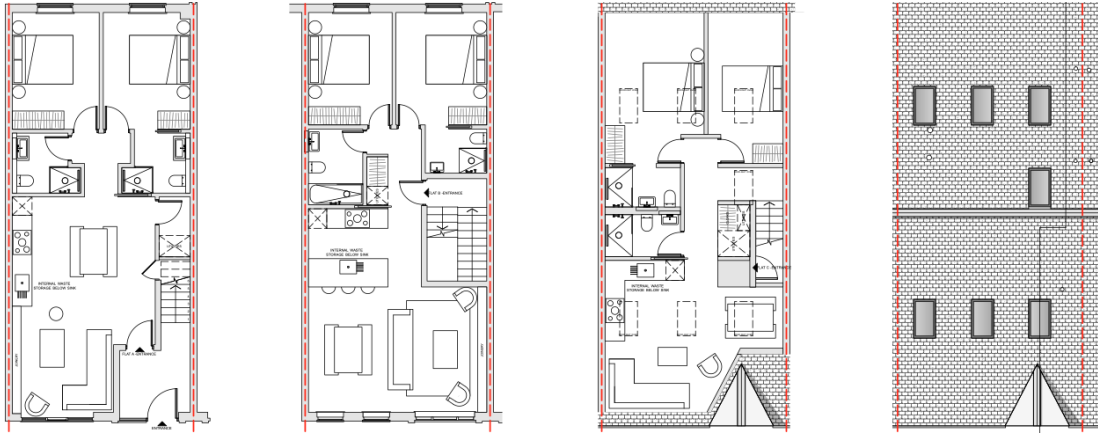


APPROVED GROUND, FIRST AND SECOND FLOOR LEVEL

2019/3494/P – 2 TORRIANO MEWS

- 3.8 Full planning permission was granted for the change of use from offices (Use Class B1a) to residential, to provide 3 flats (Use Class C3).
- 3.9 The officer delegated report acknowledged that the Council's CPG (Employment Sites and Business Premises, 2018), required continuous marketing for at least 2 years, but that para. 47 of the CPG stated that the Council would consider shorter marketing periods. The application was supplemented with a thorough marketing report which demonstrated that the property has been actively marketed for both sale and rent, albeit for less than 2 years, and the loss of offices space was accepted.
- 3.10 The quality of proposed residential accommodation was considered acceptable. We provide an extract of the approved plans below which again illustrate the layout of one flat per floor.

- 3.11 In terms of affordable housing, the Council's sliding scale was applied which secured a payment in lieu, via s106. The s106 also secured the development as car free.



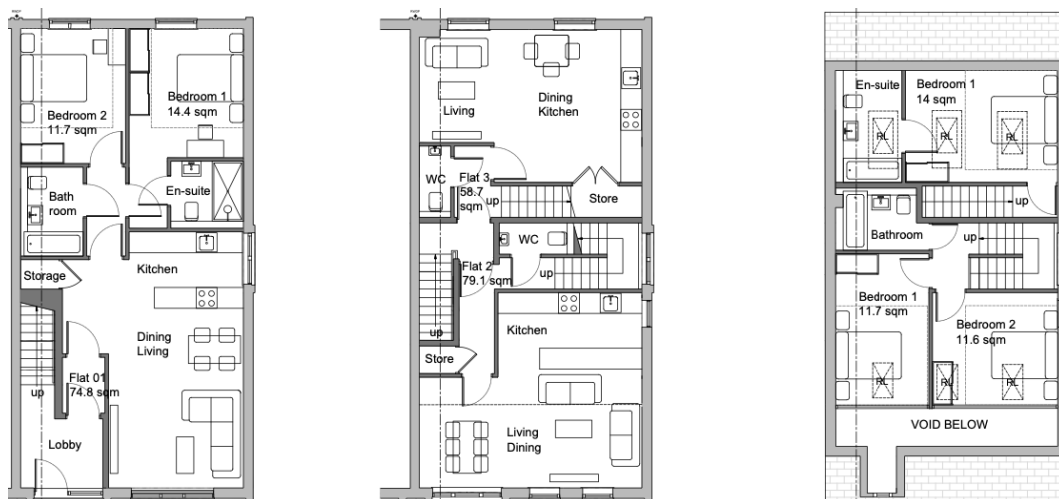
APPROVED GROUND, FIRST, SECOND AND ROOF PLANS

2014/0808/P – 3 TORRIANO MEWS

- 3.12 Before the Article 4 Direction Was introduced to the area (restricting office to resi permitted development rights) prior approval (under the former Class J of the GPDO) was granted for the change of use from offices (Class B1) to 3 x self-contained residential flats (class C3) in 2014.
- 3.13 The officer delegated report confirmed that prior approval was required and was granted, subject to a section 106 legal agreement securing the new units as car-free, on the basis that appropriate mitigation measures are in place to manage the transport impacts of the proposal. The proposal was deemed to comply with Class J2(a) of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013.

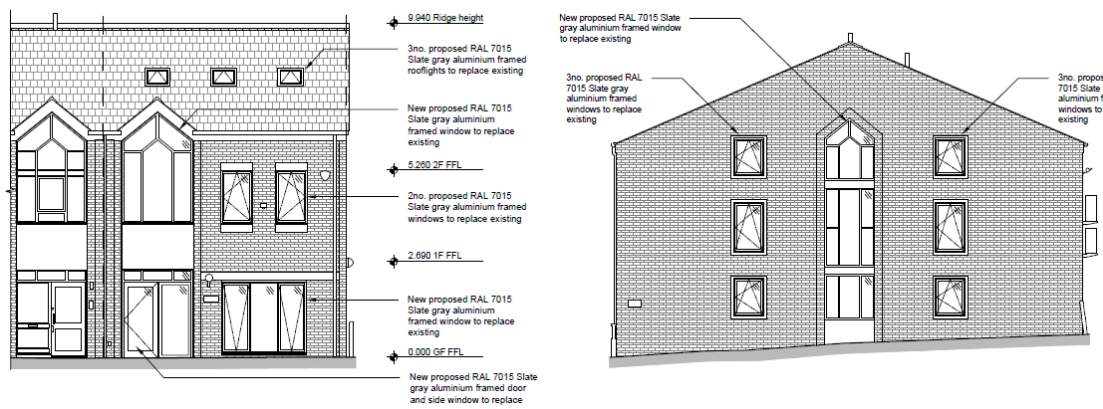
4.0 THE PROPOSED DEVELOPMENT

- 4.1 In line with the properties at nos. 2, 3, 4 and 5 Torriano Mews, the Applicants seeks to convert the existing office space to three residential flats comprising 1 x 1-bedroom (2 person) flat and 2 x 2-bedroom (4 persons) flats, located over three levels.
- 4.2 The ground floor will accommodate the one X 2 bed, 4 persons flat with bedrooms located to the rear, one with ensuite, a family bathroom and kitchen/dining/living room to the front of the property.
- 4.3 The first floor will accommodate the lower levels of the two duplex units which comprise the living/kitchen and dining areas. The second-floor level accommodates the upper levels of the duplex units, comprising a large double bedroom with en-suite bathroom for Flat 3 located to the rear, and two double bedrooms and bathroom for Flat 2 located towards the front of the property.
- 4.4 All flats will access a communal lobby at ground floor. From the lobby, the ground floor unit will have its own secure entrance. The two duplex units are served with secure entrances at the first-floor landing.
- 4.5 The total GIA for flat 1 is 74.8sqm, Flat 2 is 79.1sqm GIA, and Flat 3 is 58.7sqm GIA. All flats have been designed to meet Nationally Described Space Standards (NDSS).



PROPOSED GROUND, FIRST AND SECOND FLOOR LEVELS

- 4.6 Externally, the appearance will remain mostly unchanged. The existing glazing in the property is of poor quality, it is proposed to replace the existing windows, the entrance door, and rooflights with new aluminium frames. All new glazing will be double-glazed, and aluminium frames are proposed in slate grey (RAL 7015).
- 4.7 Taking advantage of the end of terrace location, on the side elevation it is proposed to add two new aluminium framed windows at each level, to provide improved sun and daylight to the habitable rooms of each self-contained flat. The new windows will also provide some additional outlook and improve the quality of the proposed dwellings. The existing central window on the side elevation, which spans the floors, is also proposed to be replaced with a new aluminium framed double glazed window, to match the other windows.

**PROPOSED FRONT AND SIDE ELEVATIONS**

- 4.8 Cycle parking for the dwellings is provided opposite the property, utilising the existing car parking bays; a total of 6 cycle parking spaces are provided within a secure and covered cycle hangar. The development will be secured as car free. It is proposed that the refuse/recycling will be located to the existing communal bin storage area located south-east of the site close to Torriano Avenue.

5.0 RELEVANT PLANNING FRAMEWORK

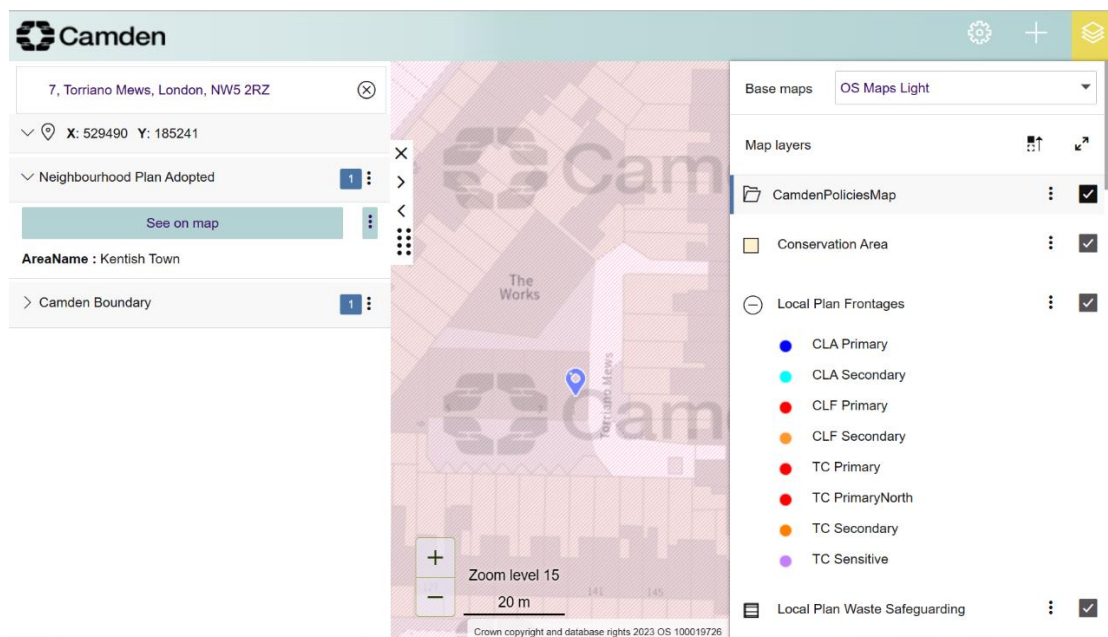
5.2 The relevant planning policy framework for this application comprises the following:

- National Planning Policy Framework (2021) (NPPF)
- The London Plan (2021)
- Camden Local Plan (2017)
- Kentish Town Neighbourhood Plan
- Camden Planning Guidance (CPGS) including Employment Sites and Business Premises (Jan 2021); Amenity (2021); Housing (2021); Transport (2021); etc.

5.3 According to the Council's Proposals Map, the Site's only designation is that it falls within the Kentish Town Neighbourhood Plan Area.

5.4 There are no listed buildings in the vicinity nor does the site fall within a Conservation Area, nor any protected views.

5.5 The site is within residential Charging CIL Zone 2; it and Controlled Parking Zone.



CAMDEN PROPOSALS MAP EXTRACT

6.0 PLANNING ASSESSMENT

6.1 Having regard to the above planning policy framework, the principal material planning considerations at this stage are.

- A. Principle of Development (Change of Use from Offices to Residential)
- B. Quality of Accommodation
- C. Affordable Housing
- D. Design
- E. Neighbouring Amenity
- F. Transport

We consider each matter in turn below and assess each one against national, regional, and adopted strategic and local planning policies.

A. PRINCIPLE OF DEVELOPMENT (CHANGE OF USE FROM OFFICES TO RESIDENTIAL)

Loss of Office Use

6.2 Local Plan Policy E2 (Employment Premises and Sites) states that Camden will resist development of premises and sites for non-business use unless it is demonstrated to the Council's satisfaction:

- a. The site or building is no longer suitable for its existing business use, and,
- b. That the possibility of retaining, reusing, or redeveloping the site or building for similar or alternative type and size of business use has been fully explored over an appropriate period of time.

6.3 Further guidance is found in the Employment Sites and Business Premises SPG which states that the Council will require evidence of marketing exercise to support an application involving the loss of employment uses, in line with Local Plan policy E2. As a minimum, the Council will expect marketing exercise to include the following.

- a. Use of a reputable local or national agent with a track record of letting employment space in the borough
- b. A visible letting board on the property (constant through the marketing period)
- c. Marketing material should be published on the internet, including popular online property databases such as Focus and should include local or specialist channels where appropriate – e.g. jewellery-specific press in Hatton Garden, through Business Improvement Districts, the GLA's Open Workspace Group or other workspace providers;
- d. Existing lawful use of the advertised premises should be included in the marketing materials;
- e. Continuous marketing over at least 2 years from when the letting board is erected and the property is advertised online (i.e. not simply from when agents were appointed) to the date of the submission of the planning application;
- f. Advertised rents should be reasonable, reflecting market rents in the local area and the condition of the property;
- g. Lease terms should be attractive to the market:
 - be for at least three years, with longer terms, up to five years or longer, if the occupier needs to undertake some works.
 - and/or include short term flexible leases for smaller premises which are appropriate for SMEs;
 - appropriate rent-free periods should be offered to cover necessary fit out or refurbishment costs.
- h. A commentary on the number and details of enquiries received, such as the number of viewings and the advertised rent at the time, including any details of why the interest was not pursued; and
- i. Where there is an existing employment use then we will require evidence that the tenant intends to move out.

- 6.4 The Site has been extensively marketed since June 2021. A marketing report has been completed for the Site by TSP and accompanies this planning application. A further marketing report has also been provided by Forest Real Estate who have more recently marketed the premises.
- 6.5 The property has been marketed for just under 2 years. Whilst this falls marginally short of the Local Plan expectations, the Council advise in their Employment and Office Space SPG that they will consider shorter marketing periods in the following circumstances.
- a. where the premises have been actively marketed for sale for at least 12 months up to the date of the submission of the planning application; or
 - b. where the premises have been completely vacant for at least three continuous years up to the date of the submission of the planning application; or
 - c. where the premises have the benefit of a valid planning permission involving demolition and or redevelopment of the premises.
- 6.6 The property has been advertised for sale for at least 12 months in compliance with criterion a. Additionally, it should be noted that with regards to Number 4-5 Torriano Mews which was granted permission for the change of use from offices to residential in October 2020, that property was only marketed for 18 months which started in March 2019. The Council raised no issues with this timeframe. The same applied to no.2 Torriano Mews, where the change of use was granted.
- 6.7 The enclosed marketing information demonstrates that the building is no longer suitable/attractive for its existing business use, and that the possibility of retaining and reusing the Site for similar type and size of business use has been explored through an active marketing campaign.
- 6.8 It is also clear from the recent planning history along the Mews, including nos, 2, 3, 4 and 5, that the issues pertaining commercial use at the Application Site are not isolated. All of the above properties have been granted permission to change their use from offices to residential, with number 2, 4 and 5 having been granted the changes of use in the last 3-4 years, under the current Local Plan.
- 6.9 Accordingly, the principle of the proposed loss of offices is acceptable and should be supported.

Proposed Residential Use

- 6.10 It is proposed to accommodate three self-contained flats (use class C3).
- 6.11 The NPPF, states that *“To support the government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay”*.
- 6.12 The NPPF paragraph 69 further states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built out relatively quickly. To promote the development of a good mix of sites, local planning authorities should, amongst other things, *“(c) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes; and (d) work with developers to encourage the sub-division of large sites where this could help to speed up the delivery of homes”*. The above is further emphasized in section 11 (making effective use of land) of the NPPF.
- 6.13 The London Plan echoes the NPPF. Policy GG2 (Making the best use of land) seeks to create successful sustainable mixed-use places that make the best use of land. The Policy states that those involved in planning and development must enable the development of brownfield land, and sites within and on the edge of town centres, as well as utilising small sites, prioritise sites which are well-connected by existing or planned public transport and proactively explore the potential to intensify the use of land to support additional homes and workspaces, promoting higher density development, particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport,

walking and cycling, and apply a design-led approach to determine the optimum development capacity of sites.

- 6.14 London Plan Policy GG4 (Delivering the Homes Londoners Need) further states that to create a housing market that works better for all Londoners, those involved in planning and development must ensure that more homes are delivered, support the delivery of the strategic target of 50 percent of all new homes being genuinely affordable, and create mixed and inclusive communities, with good quality homes that meet high standards of design and provide for identified needs.
- 6.15 At a local level, Camden's Policy H1 (Maximising Housing Supply) states that the Council will secure the delivery of at least 16,800 new homes across the borough between 2016 and 2031. This will be achieved through regarding self-contained housing as the priority land use of the Local Plan, working to return vacant homes to use and ensure that new homes are occupied, resisting alternative development of sites identified for housing or self-contained housing through a current planning permission or a development plan document unless it is shown that the site is no longer developable for housing and where sites are underused or vacant, expecting the maximum reasonable provision of housing that is compatible with any other uses needed on the site.
- 6.16 The Policy further states that in seeking to maintain the housing supply, the Council will adjust the type and mix of housing sought, having regard to the financial viability of development, the sales or capital value of different house types and tenures and the needs of different groups.
- 6.17 The Site lends itself to the development of housing. It is in a predominantly residential area with the majority of the Mews units being converted from office space to residential flats.
- 6.18 The principle of residential use should be strongly supported.

B. QUALITY OF ACCOMMODATION

- 6.19 The Council has adopted the Nationally Described Space Standards (NDSS) for dwellings. The space standards set out the minimum gross internal floor areas for dwellings as well as requiring certain minimum sizes of bedrooms.
- 6.20 All three units exceeds the minimum standards, including their overall flat size, bedrooms, storage etc. Regarding overall flat sizes, flat 1 providing 74.8sqm for a single storey 2 bed, 4 persons flat. Flat 2 providing 79.1sqm for a 2 bed, 4 persons flat over 2 floors, and flat 3 provides 58.7sqm for a 1 bed, 2 persons flat over 2 floors. See compliance with NDSS below.

| Flat No/Size | NDSS requirement | Proposed | Compliant? |
|----------------------|------------------|----------|------------|
| 1/ 2b4p | 70sqm | 74.8sqm | Yes |
| 2/ 2b4p (two storey) | 79sqm | 79.1sqm | Yes |
| 3/ 1b2p (two storey) | 58sqm | 58.7 | Yes |

FLAT SIZE COMPLIANCE WITH NDSS

- 6.21 None of the flats are served with external amenity space, however, given the established character of the building and the fact that the proposals seek to change the use of an existing structure, and having regard to the approved precedents along the Mews, it is considered that the lack of external space is acceptable in this case.
- 6.22 Each of the units would provide an acceptable quality of accommodation in terms of access to daylight and sunlight, with each unit being triple aspect with a good outlook.

C. AFFORDABLE HOUSING

- 6.23 Local Plan Policy H4 seeks to maximise the supply of affordable housing, subject to viability. A viability assessment has been undertaken by S106 Affordable Housing Ltd and accompanies this application. The assessment concludes that the proposed change of use cannot meet the Council's affordable housing targets due to the scheme's overall viability. Please see accompanying report.

D. DESIGN

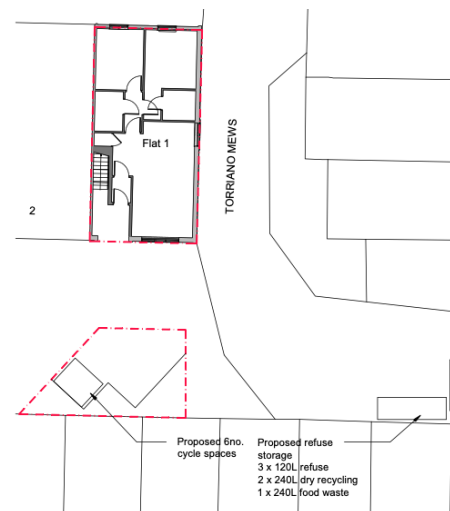
- 6.24 Paragraph 124 of the NPPF states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 6.25 Paragraph 127 adds that developments should function well and add to the overall quality of the area, be visually attractive as a result of good architecture, layout, and appropriate and effective landscaping, be sympathetic to local character and history, establish a strong sense of place, whilst optimizing the potential of the site to accommodate and sustain an appropriate amount and mix of development.
- 6.26 Local Plan Policy D1 states that all developments, among other objectives, to achieve high quality design should respect local context and character and preserve or enhance the historic environment and heritage assets in accordance with Policy D2 Heritage. The Council will require all development, including alterations and extensions to existing buildings, to be of the highest standard of design and will expect developments to consider the following.
- Character, setting, context and the form and scale of neighbouring buildings.
 - The character and proportions of the existing building, where alterations and extensions are proposed.
 - The prevailing pattern, density, and scale of surrounding development.
 - The impact on existing rhythms, symmetries, and uniformities in the town scape.
 - The composition of elevations.
 - The suitability of the proposed design to its intended use.
 - Inclusive design and accessibility.
 - Its contribution to public realm and its impact on views and vistas, and,
 - The wider historic environment and buildings, spaces, and features of local historic value.
- 6.27 The established context of the Site is residential, with four of the six properties forming the terrace already converted from offices to residential.
- 6.28 Notwithstanding the above, there is very little external alteration proposed to the building. The existing glazing in the property is of poor quality so it is proposed to replace the existing windows, the entrance door, and roof lights. All new glazing will be double-glazed, and aluminium framed in slate grey (RAL 7015).
- 6.29 The Applicants also propose two new aluminium framed windows on each floor of the side elevation to give additional sun and daylight to the habitable rooms of each self-contained flats. The new windows will give outlook to the outside and improve the quality of the proposed dwellings. The new windows are ordered, of an appropriate size in keeping with other windows, and retain a symmetry to the side elevation. It is also proposed to replace the existing central tall window on the side elevation to a new aluminium framed double glazed window. The brick surround holds characteristic value to the building and will be retained.
- 6.30 Cycle storage and refuse storage are proposed in place of parking bays. The cycle store proposed is the FalcoPod Bike Hanger, which will provide both secure and covered storage. See drawing number PL-10.

E. NEIGHBOURING AMENITY

- 6.31 Camden Local Plan Policy A1 - Managing the Impact of Development - states that the Council will seek to protect the quality of life of occupiers and neighbours and will only grant permission for developments that do not cause unacceptable harm to amenity. Factors that are considered, amongst others are, visual privacy, outlook, sunlight, daylight, and overshadowing.
- 6.32 In terms of visual privacy and outlook, the units have been arranged to avoid little overlooking or loss of privacy for neighbours as possible. Where new windows are proposed, there are existing windows already in situ on the same façade, and therefore there would be no worsening of the existing situation.
- 6.33 There are not additions to the building form and thus the proposal will not result in any change in terms or daylight/sunlight or overshadowing to any surrounding properties.
- 6.34 The application site is understood to be the last property in the terrace in commercial use. All other properties are converted to residential. Accordingly, the conversion to residential use will be consistent with the setting and overall, is considered to result in an improved residential setting for all.
- 6.35 Finally, the development will be delivered as car free and therefore will reduce vehicular comings and goings from the site, improving neighbouring amenity in that regard.

F. TRANSPORT

- 6.36 In line with policy T2 Parking and Car-Free Development, the development will be car free and parking permits for future occupiers will be restricted this will be secured via a S106 agreement.
- 6.37 All residents and guests will arrive by foot, cycle, or public transport. In line with Policy T1 (Prioritising Walking, Cycling and Public Transport), cycle parking is provided for all three residential units.
- 6.38 The units will be served by a total of 6 x cycle parking spaces which is in line with London Plan Guidance.
- 6.39 The cycle storage unit is located opposite the property in the location of the two existing car parking spaces. The proposed storage unit is the FalcoPod Hanger, which will provide both secure and covered storage (see drawing PL-10).



CYCLE PARKING OUTLINED IN RED ABOVE

- 6.40 Finally with regard to refuse storage, there is an existing communal refuse storage area towards the entrance of the Mews. It is proposed that the refuse will be located within the existing communal bin storage area.
- 6.41 As set out in the Camden Planning Guidance: Design January 2021 - Waste Collection in Camden, the volume per dwelling with three bedrooms or less per week is: 120 litres for general waste, 140 litres of mixed dry recycling, and 23 litres of food waste. The development proposes: 3no. 120L General refuse bins 2no. 240L Mixed dry recycling bins 1no. 240L Food waste bin, in accordance with standards.

7.0 SUMMARY AND CONCLUSIONS

- 7.1 This Planning Statement has been prepared by NTA Planning LLP, in support of the proposed change of use of No. 7 Torriano Mews from offices (Class E) to residential (Class C3).
- 7.2 No. 7 Torriano Mews is currently in use as a self-contained office which is arranged over three storeys covering the ground, first and second floors. The accommodation is largely open plan, however there are some individual portioned offices on each floor.
- 7.3 The property has been extensively marketed for a period of approximately 2 years, but without success. The owner/occupiers are now vacating the premises which will leave the Site vacant. The property is understood to be the last remaining property within the terrace use as offices, with all others having been granted planning permission for a change of use to residential in recent years.
- 7.4 The provision of new housing and the change of use of redundant office space is supported by all tiers of policy provided this can be demonstrated by the applicant through a marketing assessment. A marketing assessment accompanies this statement.
- 7.5 It is proposed to change the use of the property from offices (Use Class E) to three residential units (Use Class C3). One x 1 bed, 2 persons flat and two x 2 bed, 4 persons flats are to be provided. All 3 units have been designed to accord with nationally described internal space standards.
- 7.6 The proposal will be provided as car free. Cycle parking is provided opposite the Site in replacement of the existing two car parking spaces. 6 cycle parking spaces are provided in line with London Plan guidance, with the secure and covered FalcoPod cycle hangar.
- 7.7 Very limited external changes are proposed, including replacement windows and doors, and some additional windows to the east/flank elevation of the property, to improve the overall quality and use of the building as residential.
- 7.8 The application is supported by all relevant technical documents to allow the Council to materially assess the acceptability of the proposed development.
- 7.9 For the reasons set out herein, and within the supporting documents, we respectfully request the permission is granted.