

The logo for SMPlanning, with 'SM' in a light blue font and 'Planning' in a white font, set against a dark rectangular background.

SMPlanning



80-83 Long Lane London, EC1A 9ET

22<sup>nd</sup> February 2023

Sent via email only:

FAO Edward Hodgson Planning

Dear Edward Hodgson

**Application Address:** 49-50 Cartwright Gardens, WC1H 9EL

**Application Reference:** 2023/0004/P & 2023/0325/L

I am writing on behalf of my clients, who are the freeholders of the adjoining property (48 Cartwright Gardens).

#### **Procedural Matters**

My client is surprised that by the covert way the planning application has been publicised. Despite being an immediate neighbour, my client did not receive a letter regarding the opportunity to comment on the application. It was only by chance that my client spotted the discreetly placed public notice, that appeared around 2 weeks before the comment deadline.

It is also surprising that numerous references have been made, in the submission, to a written advice note in response to pre-application enquiry reference 2022/1933/PRE, yet a copy has not been made public by the applicant or the Local Planning Authority. It is requested that a copy of the pre-application advice enquiry is made public and the consultation period extended, to enable my client and other interested parties to make comprehensive comments on the applications.

#### **The Proposal**

The application seeks planning permission for the change of use from hotel (Class C1) to shared living accommodation (Sui Generis) with associated internal and external works, landscaping and cycle storage.

### **Summary of Objection**

My client's objection is raised in respect of the proposed development, this objection arises due to the following matters:

- (i) The principle of the proposed change of use is not supported by the adopted development plan;
- (ii) The proposal will have adverse impacts on residential amenity with respect to noise, disturbance and loss of privacy;
- (iii) The proposal fails to preserve the special interest of the listed building;
- (iv) The proposal fails to provide a high-quality living environment for the future occupants;
- (v) The proposal fails to provide accessible housing;
- (vi) The application fails to demonstrate that the proposal will provide an appropriate air quality environment for future occupants;
- (vii) The proposal fails to provide adequate cycle parking;
- (viii) The proposal fails to provide suitable waste storage and collection arrangements;
- (ix) The submission fails to demonstrate that the development would achieve energy and water efficiency policy requirements.

### **Planning Policy**

The adopted development plan for London Borough of Camden comprises the London Plan 2021, Camden Local Plan 2017 and associated Supplementary Planning Documents.

The following policies and guidance documents are considered relevant to the content of this objection:

#### *London Plan (LP) 2021*

- Policy GG2 – Making the best use of land
- Policy GG4 – Delivering the homes Londoners need
- Policy D1 – London's form, character and capacity for growth
- Policy D3 – Optimising site capacity through the design-led approach
- Policy D4 – Delivering good design
- Policy D5 – Inclusive design
- Policy D6 – Housing quality and standards
- Policy D7 – Accessible housing
- Policy D12 – Fire safety
- Policy D13 – Agent of change
- Policy D14 – Noise
- Policy H1 – Increasing housing supply
- Policy H4 – Delivering affordable housing

- Policy H10 – Housing size mix
- Policy H16 – Large scale purpose built shared living
- Policy G5 – Urban greening
- Policy SI13 – Sustainable drainage
- Policy T4 – Assessing and mitigating transport impacts
- Policy T5 – Cycling
- Policy T6.1 – Residential car parking

#### Camden Local Plan (CLP) 2018

- Policy H1 - Maximising housing supply
- Policy H6 – Housing choice and mix
- Policy H10 - Housing with shared facilities
- Policy E3 – Tourism
- Policy A1 – Managing the impact of development
- Policy A4 – Noise and vibration
- Policy D1 – Design
- Policy D2 – Heritage
- Policy CC1 – Climate change
- Policy CC2 – Adapting to climate change
- Policy CC4 – Air quality
- Policy CC5 – Waste
- Policy T1 – Prioritising walking, cycling and public transport
- Policy T2 – Parking and car free development
- Policy T4 – Sustainable movement of goods and materials

#### Camden Supplementary Planning Guidance Documents

Access for all  
 Amenity  
 Air quality  
 Design  
 Energy efficiency and adaption  
 Housing  
 Transport  
 Bloomsbury conservation area appraisal

## **Detailed Objections**

### **(1) Principle of development**

London Plan Policy E10 sets out that London's visitor economy should be strengthened by maintaining a sufficient supply and range of serviced accommodation. Local Plan Policy E3 states that Camden will protect existing visitor accommodation in appropriate locations (including Central London).

Whilst the submitted socio-economic report suggests that the hotel operated at sub optimal capacity and there are other hotels on the street that provides a similar offer as the application site, no consideration has been given to renovating the site to providing an alternative hotel offer. A revised hotel offer could contribute positively to Camden's hotel room stock with associated social and economic benefits. The proposed development conflicts with London Plan Policy E10 and Local Plan Policy E3. If the findings of the socio-economic report are to be relied upon, they should be independently verified/ assessed by a suitably qualified person(s), at the applicants expense.

London Plan Policy H1 sets a target for Camden to deliver 10,380 additional homes by 2029. London Plan Policy H16 promotes purpose built shared living development, proving that they meet 10 criterion.

Camden Local Plan Policy H10 also supports the provision housing with shared facilities (houses in multiple occupation) providing that the design complies with any relevant standards, does not harm neighbour amenity, is secured as a long -term addition to the supply of low-cost housing or otherwise provides an appropriate amount of affordable housing.

The proposed development comprises predominantly small self-contained units. No mechanism has been presented to ensure that all units are for rent, with a minimum tenancy length of three months or provide a long-term addition to the supply of low-cost housing. The proposed communal facilities are inadequate to meet the needs of the intended number of residents. The communal kitchen is located at lower ground level, meaning that most residents would have to travel down up to 4 sets of stairs to use the shared kitchen. The quantum of external amenity space is small and its usability further reduced by it being spread across multiple small yards, in close proximity to only windows serving some units. Internal communal amenity space is extremely limited with no communal lounges or dining rooms proposed. No details of a concierge, linen provision or room cleaning service has been provided. No management plan has been submitted with the application. No affordable housing is proposed on site or is a cash in lieu contribution proposed. The proposal conflicts with London Plan Policy H16 and Local Plan Policy H10.

### **(2) Residential amenity**

London Plan Policy D3 requires development to deliver appropriate outlook, privacy and amenity. Local Plan Policy A1 seeks to protect the quality of life of occupiers and neighbours of development. Camden's Amenity CPG contains guidance on how design developments to avoid giving rise to adverse neighbour amenity impacts.

Whilst the proposed development does not extend the building, the proposal intensifies the use of the site, introducing a permanent residential use that would have a materially different level of impact with respect to overlooking and subsequent loss of privacy. The rear elevation of the building and associated windows appears to be between 7 and 9 metres from the nearest residential neighbour to the rear. The separation distance is significantly less than the Camden's recommended 18 metres between directly facing habitable windows. The proposal would have an unacceptable impact on neighbour privacy. Furthermore, the proposal will significantly increase the numbers of comings and goings from the site and intensify the use of the sites external amenity space, generating a significant level of noise and disturbance to the detriment of neighbouring amenity. The proposal conflicts with London Plan Policy D3, Camden Local Plan Policy A2 and Camden's Amenity CPG.

### (3) Heritage impact

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on decision makers to pay special attention to the desirability of preserving or enhance the character and/or appearance of Conservation Areas.

Camden Local Plan Policy D1 requires development to be of the highest architectural and urban design quality and have particular regard to design and visual impact, the context within which it is placed, and the contribution it makes to the landscape qualities of the area. The aim of this policy is reflected in London Plan Policy D4 (Good Design). Specific guidance in relation to achieving good design is provided in the 'Design' Camden Planning Guidance (CPG).

CLP 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. These aims are further reflected in London Plan Policy CH1 (Heritage Conservation and Growth).

There is no planning history for the site demonstrating planning permission/listed building consent has been granted for the unsympathetic subdivision of the of the original planform or the amalgamation of the two properties. The proposed development fails to reinstate the historic plan form or improve the plan form of the building. The proposal largely reinstates and adds further unsympathetic subdivision to rooms, further reducing legibility of the historic plan form and obscures internal features of interest through the installation of fixed furniture, to the detriment of its special interest. In addition, the proposal requires the installation of numerous vents, resulting in the loss of historic fabric and harming the appearance of the building. The proposal fails to preserve or enhance the special interest of the listed building.

The submission is not clear on what works and methods are being proposed to the listed building. To enable the local planning authority to assess the application, a detailed schedule of works, cross referenced to relevant detailed drawings and servicing plans should accompany the submission.

The proposal does not offer any public benefits that would outweigh the harm to the special interest of the listed building, in line with the National Planning Policy Framework, planning and permission and listed building consent should be refused.

#### (4) Quality of living environment

London Plan Policy D6 sets out that all new dwellings should be of high-quality design, provide adequately sized rooms, ventilation, daylight and privacy and private outdoor amenity space. Camden Local Plan Policy H6 requires all new residential dwellings to meet the Nationally Described Minimum Space Standards. Camden's Housing CPG provides design principles for the delivery of new homes including internal space standards, accessible housing requirements, requirements for dual aspect dwellings, receipt of adequate light, good quality outlook, privacy, adequate circulation space, ceiling heights, storage and stacking. Camden's Amenity CPG highlights that interior and external spaces that are overlooked and lack privacy can affect the quality of life of occupants.

The proposed development offers a poor quality living environment for future occupants. The proposed units are single aspect, many are north facing, with a deep plan form, resulting in poor natural light penetration. A daylight sunlight assessment should accompany the submission. The rooms facing shared amenity space raise concerns regard to occupant privacy and the usability of those external spaces (courtyards B & C). Many of the units are self-contained flats that fall significantly below nationally described space standards for 1 bed roomed 1 storey dwellings. The internal communal amenity areas are very limited (a single kitchen/ dining room, a laundry room and incidental corridor seating). There is no meaningful living or dining space proposed, resulting in occupants having no choice but to eat their food and socialise in their rooms which are dominated by furniture. The quantum of external amenity space is very low and its quality is very poor, with small spaces, enclosed by built form, receiving low levels of natural light and being in close proximity to primary windows of residential units. Public open space does not offer the same level of convenience and privacy and private amenity space and is no substitute for on site provision. The proposal is clearly overdevelopment of the site. The proposal conflicts with London Plan Policy D6 and Camden Local Plan Policy H6.

#### (5) Accessible housing

LP Policy D5 supports the creation of inclusive neighbourhoods by seeking to ensure that developments achieve the highest standards of accessible design. CLP Policy C6 sets out that the council will expect all buildings to meet the highest practicable standards of accessible design. Camden's Access for All CPG reiterates that the council expects all development (including developments that alter/ refurbish existing buildings) to be inclusively designed and promote equal opportunity. It also states that the council will balance the requirement to provide inclusive access with the conservation of heritage assets.

The proposal contains no accessible housing. No consideration to providing accessible housing or feasibility assessment appears to have been undertaken. The proposal does not seek to promote equal opportunity, contrary to London Plan Policy D5 and Camden Local Plan Policy C6.

#### (6) Air quality

CLP Policy CC4 sets out that the Council will ensure that the impact of development on air quality is

mitigated and ensure that exposure to poor air quality is reduced in the borough. The policy continues to set out that where development is likely to expose residents to high levels of air pollution, air quality assessments should be submitted. Furthermore, it states that developments that introduce sensitive receptors (including housing) in locations of poor air quality will not be acceptable unless they have been designed to mitigate the impact.

The site is located in an air quality management area. The proposal introduces new residential units in an area that is potentially subject to high levels of air pollution. Insufficient information has been submitted with the application to confirm compliance with Local Plan Policy CC4.

#### (7) Cycle parking

CLP Policy T1 and T2 look to promote more sustainable methods of transport such as cycling, walking and public transport. Policy T2 looks for all new development within the borough to be car free and that they will not issue on-street or on-site parking permits in connection with new development.

The proposal is for residential development whereby there is a policy requirement to provide 31 secure long stay cycle parking spaces and 2 short stay cycle parking spaces for future occupants. The proposal provides no long stay or short stay cycle parking spaces. Instead, the proposal includes 10 foldable bikes, for hire, which are to be stored at lower ground level. The proposed arrangement offers no choice for future occupants who may have and want to keep their bicycle. No mechanism has been presented to ensure that the bikes remain affordable, well maintained and be retained in perpetuity. The proposed storage/ access arrangement is not convenient, it requires users to have the strength to carry a foldable bike a long distance, including upstairs to enable use. The proposed arrangement does not promote equal opportunity or promote the use of sustainable modes of transport and conflicts with London Plan Policy T4 and Local Plan Policies T1 and T2.

#### (8) Waste storage and collection arrangements

Local Plan Policy CC5 seeks to ensure that developments include adequate facilities for the storage and collection of waste and recycling. Camden's Design CPG along with the technical waste planning guidance sets out expectations with respect to waste storage and collection. This includes a requirement for communal bins and internal storage arrangements for different waste streams, not have to carry waste more than 30 metres from their front door, for storage areas that are adequately ventilated, collection points provided at ground level and a 3 by 3 metre bulky goods storage point to be provided.

The proposed waste storage area is located internally at lower ground floor level, resulting in residents having to navigate several flights of steps, in some cases more than 30 metres, to take waste to the storage area. Furthermore, the proposed arrangement requires waste to be moved from lower ground level to ground level, again up steps, for collection. No details have been provided with respect to arrangements for recyclable waste and bulky waste. No evidence has been provided to demonstrate that the store would be suitably ventilated or maintained. The proposed waste storage and collection arrangements are inadequate, contrary to Local Plan Policy CC5 and Camden's Design CPG and technical waste planning guidance.

(9) Sustainability

Local Plan Policies CC1 sets out that the Council will encourage all new development to minimise the effects of climate change and meet the highest feasible environmental standards. Policy CC2 requires all development to adopt appropriate climate change adaption measures including reducing surface water runoff, including sustainable drainage systems and incorporating bio-diverse roofs. The Energy Efficiency and Adaption CPG sets out that all development should consider the feasibility of on-site renewable energy generation and in areas of poor air quality there is an expectation of zero emissions buildings. In relation to heritage assets, the guidance advises that applicants should work with heritage and conservation officers to determine an acceptable strategy and where carbon reduction targets cannot be met, the applicant will need to provide evidence that is the case.

The proposal does not seek to maximise water and energy efficiency or provide specific details of how energy and water efficiency will be achieved in a manner sympathetic to the special interest of the building. No measures have been proposed to reduce surface water run off or incorporate bio-diverse roofs. No information has been provided as to why achieving water and energy efficiency improvements are not feasible. The proposed development conflicts with Local Plan Policies CC1 and CC2 and the Energy Efficiency and Adaption CPG.

**Conclusion**

For the reasons outlined above the proposed development is considered to be unacceptable in principle, have an unacceptable impact on the special interest of the listed building, have adverse impacts on neighbour amenity, provide a poor quality living environment for future occupants, result in the overdevelopment of the site, fails to encourage the use of sustainable modes of public transport, fails to provide accessible housing or maximise energy and water efficiency. The proposal conflicts with the adopted development plan and therefore are no material planning considerations that outweigh the identified conflicts with the adopted development plan. It is therefore respectfully requested that the applications are refused.

If there are any questions or required points of clarification, please feel free to contact me.

Yours sincerely

**James Dawe**  
**Principal Planner**  
**SM Planning**