

Application ref: 2021/5188/P
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Date: 26 April 2023

Development Management
Regeneration and Planning
London Borough of Camden
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Beamish Planning Consultancy
Apartment 231
River Crescent
Waterside Way
Nottingham
NG2 4RE

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

**21A Brownlow Mews
London
WC1N 2LA**

Proposal:

Change of use of premises from a head office and control centre of both a courier company and a private hire vehicles business (Sui Generis) to a use falling within Class E(g)(i) (offices)

Drawing Nos: Covering letter prepared by Beamish Planning Consultancy dated 22/10/2021 and associated Appendices 1, 2, and 3; Site location plan; 003; 004; 005a; Travel Plan prepared by Mode Transport Planning dated August 2022.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the

following approved plans: Covering letter prepared by Beamish Planning Consultancy dated 22/10/2021 and associated Appendices 1, 2, and 3; Site location plan; 003; 004; 005a; Travel Plan prepared by Mode Transport Planning dated August 2022.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 Notwithstanding the provisions of Class E of Part A of Schedule 2 of The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, the building shall only be used for office purposes within Class E (g)(i) and for no other use.

Reason: To ensure that the future occupation of the building does not adversely affect the adjoining premises/immediate area by reason of noise, traffic congestion and excessive on-street parking pressure in accordance with policies A1, A4 and T1 of the London Borough of Camden Local Plan 2017.

- 4 Secure and covered cycle storage areas for 5 commercial long-stay cycle spaces and 1 commercial short-stay cycle space shall be provided in accordance with the approved plan 005(a). The approved facilities shall be provided in their entirety prior to the first occupation of any of the commercial property and permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

- 5 The use hereby permitted shall not be carried out outside the following times- 07:00 to 20:00 (Monday to Friday)

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 6 Following the installation of the cycle facilities secured by condition 4, photographs of the cycle facilities post-implementation shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

- 7 The ground floor internal floorspace shall not be used as an off-street car parking space.

Reason: To ensure the development promotes sustainable transport for all and reduces air pollution in accordance with the requirements of policies T2 and CC4 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reasons for granting permission.

Land use

The proposal includes a change of use of a courier company to offices. There is no protection afforded to a courier company (Sui Generis use) and the principle of the change of use is therefore considered acceptable.

Policies E1 and E2 encourages business uses and this approach is also supported in the Council's CPG guidance on Employment sites and business premises. The ground and first floors would provide approx. 370 sqm of employment floor space that would be occupied by an architects firm. The ground floor plan is shown as an open plan office space with additional studio accommodation on the first floor. The building is currently vacant and the existing use has ceased. From the planning history it would appear that there were approx. 10 staff employed at the site with a fleet of cars and vans for hire. The new use would employ approximately 30 full-time staff and 20 part-time staff. It would operate between the hours of 08:00 to 18:00 Monday to Friday. The increase in employees on site is in line with the aspirations of policies E1 and E2 and the use is considered appropriate in this location.

The provisions of the Class E use class includes a number of uses such as office, cafes, restaurants, indoor sports facilities, medical or health services and day nursery's. Each of these uses have different impacts in relation to activities associated with each use including noise and disturbance from the number of visitors coming and going, traffic generation and parking issues. The application form submitted states that the premises would be used as an architect's office which is Class E1 (g)(i). Other uses within the E1 use class, such as light industry within (g)(iii), have potential to harm local amenity through increased noise and disturbance, parking and transport impacts. In order to ensure that the premises cannot be used by other uses within the E1 use class without assessment through the submission of a planning application, a condition is proposed to be attached restricting the use of the premises to an office use only within Class E1 (g)(i) (so that any other type of E1 use would require planning permission).

The planning application includes information regarding the proposed hours of operation which includes 08:00 to 18:00 (Monday to Friday). These are typical office hours which is considered acceptable. Given the enclosed nature of the mews and the close proximity of local residents to the proposed use, a condition is attached to control the opening hours in line with those suggested by the applicant (07:00 to 20:00 hours Monday to Friday) which is considered reasonable. The office would employ 30 full time employees and 20 part-time employees. The proposal has the potential to harm neighbouring and local amenity due to comings and goings and the appropriateness of the proposal would be subject to an assessment on residential amenity and transport implications which is discussed in the amenity and transport paragraphs below.

Design

No physical changes would be proposed as part of the development. The character of the mews is a mix of commercial and residential uses with a predominance of residential units on the eastern side of the street. Given the history of the site, the existing use and the continued commercial nature of the

proposed office use, the proposal would not have a harmful impact on the character or appearance of the Bloomsbury conservation area.

Amenity

No physical changes would be proposed as part of the development. The proposal would not impact on the amenity of the neighbouring occupiers in terms of privacy, outlook or daylight and sunlight.

2 Reasons for granting permission (continued):

In respect of the office use, the Council would need to ensure that noise levels and associated disturbance from general day-to-day activities of the office use do not compromise the quality of living for nearby residential occupiers. This would be associated with the activities taking part mainly with the coming and goings of people to and from the site. In order to manage the day-to-day use of the premises, a draft Operational Management Plan is required to be submitted and final details would be secured through a s106 legal agreement, with the ability for this to be updated and monitored as necessary. The Plan should include the details of the use of the unit, the hours of use, noise control, and access and entrances into the premises. There should be a code of conduct and complaints procedure that includes contact details and response times for complaints. This will allow residents to monitor and provide feedback regarding the use. It is considered that the measures and procedures would be likely to prevent material harm relating to noise and general disturbance if implemented.

Transport

Car-free: The development would be required 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 and would prevent future occupiers from obtaining on-street parking permits.

The proposed ground floor plan indicates that the existing garage would be divided into a bike storage and an "empty area". The "empty area" is measured to be approximately 5 metres in length. Standard small cars are typically 3.58m to 4.27m. There is concern that a vehicle could park in the "empty area" and overhang onto the public highway. The proposed elevations also still show a garage door as there are no changes proposed to the external elevations. Consequently a condition would be attached to ensure that the ground floor internal floorspace would not be used as an off-street car parking space.

Cycle parking: There are currently 6 cycle parking spaces within the ground floor of the building. These would be retained as part of the proposal. Normally the spaces should be divided into long stay spaces (5 cycle space) and short stay spaces (1 cycle space). In this instance, it is anticipated that the property will be occupied by one company rather than more than one organisation. Therefore combining the long stay and short stay cycle spaces is accepted here. The agent has confirmed that Sheffield standards would be used which is considered acceptable. A condition would be attached securing the provision of photographs of the cycle facilities post-implementation.

Travel plan: The cover letter suggest that up to 50 employees would work from

the offices. The development would lead to an increase number of people travelling to and from the site for primarily work reasons. The impact of this would be mitigated by securing a Local (Workplace) Travel Plan and associated monitoring and measures contribution of £4,925 by s106 legal agreement in accordance with Policy A1.

No objections have been received prior to making this decision. The planning history of the site have been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies E1, E2, A1, A4, CC4, D1, D2, T1 and T2 of the London Borough of Camden Local Plan 2017. The proposed development also accords with policies of the London Plan 2021 and the National Planning Policy Framework 2021.

- 3 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 4 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 5 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 6 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-planning-decision>.

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the printed name and title.

Daniel Pope
Chief Planning Officer