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| Camden CouncilPlanning – Development ControlCamden Town HallLondonWC1H 8ND |

Dear Sir/Madam

**13-15 JOHN’S MEWS, LONDON, WC1N 2PA**

**TOWN & COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 2021 (AS AMENDED)
SCHEDULE 2, PART 3, CLASS MA – PRIOR APPROVAL FOR CHANGE OF USE FROM COMMERCIAL TO DWELLINGHOUSE**

We write on behalf of the applicant, Highgate Luxury Properties Limited (“the Applicant”), to submit an application (“Application”) for determination as to whether the prior approval of the London Borough of Camden (“LBC”) is required for the proposed change of use from office (Use Class E) to residential (Use Class C3) at 13-15 John’s Mews, London, WC1N 2PA (“Site / Building”).

The description of development is as follows:

*‘Change of use from commercial (Use Class E) to residential (Use Class C3) to create 2 self-contained dwellings under Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)’.*

This application seeks LBC’s confirmation that prior approval is not required in exercising permitted development rights, allowing the change of use of the existing office space.

**Site and Planning Context**

The Site is located at 13-15 John’s Mews, London. It is within the Bloomsbury area of the London Borough of Camden, which is a mixed use residential and commercial area, which has undergone much change over time. John’s Mews itself is a mews to the rear of John Street, where the majority of properties have been converted to residential already.

The Site comprises two interlinked properties (nos. 13 and 15), both of two storeys arranged over ground and first floor levels. Both properties are traditional mews buildings with rendered front facades. The mews were originally constructed in the 1800s to serve the houses on John Street. However, the existing buildings were built post-war as the majority of the area was badly damaged during the Second World War.

The existing building occupies the entirety of the plot, which is rectangular in nature. The building directly fronts the street (John’s Mews) and is mid-terrace, therefore being flanked on both sides by other mews buildings.

The building previously provided a workshop at ground floor level with garage space to park two cars. The rear of the ground floor provides ancillary kitchen and bathroom/toilets with the first floor providing office space across both buildings.

The lawful use of the Site is former Class B1 (workshop/garage/office), which is confirmed through various planning history over the past decade. This use is now Class E (business, commercial and service use). The Site was last occupied in Class E use on 16th December 2022 and is currently vacant.

The existing building is not listed, but it is located within the Bloomsbury Conservation Area and both buildings are identified in the Appraisal and Strategy document as a positive contributor within the Great James Street / Bedford Row sub-area.

The Site is designated as the following:

* Central Activities Zone (CAZ);
* Bloomsbury Conservation Area; and
* Protected Viewing Corridor 6A.1 – Blackheath Point to St Paul’s Cathedral.

The Site is located within Flood Zone 1 (low probability of flooding). It has a Public Transport Accessibility Level (PTAL) of 6a, which is ‘excellent’.

**Permitted Development Rights**

The application is made in accordance with Schedule 2, Part 3, Class MA (Offices to Dwellinghouses) of the Town and Country Planning (General Permitted Development) Order 2021 (as amended) (GPDO) which permits development consisting of a change of use of a building and any land falling within its curtilage from a use falling within Class E(g)(i) to a use falling within Class C3 (dwellinghouses).

Permitted Development Rights under Part 3 Class MA Part MA.1 sets out the criteria for which development is not permitted under this right these reasons are considered within the table below:

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| **Part MA.1 – Development is not permitted by Class MA -**  | **Assessment** |
| Unless the building has been vacant for a continuous period of at least 3 months immediately prior to the date of the application for prior approval | The Site was last in use as Class E (formerly B1) on 16 December 2022. Following from this, squatters entered the building and were lawfully removed on 4 May 2023 (please see attached Writ of Possession), the building has remained continuously vacant since this date. |
| Unless the use of the building fell within one or more of the classes specified in sub-paragraph (2) for a continuous period of at least 2 years prior to the date of the application for prior approval; | The lawful use of the Site is former Class B1 (workshop/garage/office) which is confirmed through various planning history over the past decade. This use is now Class E (business, commercial and service use). |
| If the cumulative floor space of the existing building changing use under Class MA exceeds 1,500 square metres; | The culmulative floorspace subject to this application is 222.4 sqm. |
| If land covered by, or within the curtilage of, the building—1. is or forms part of a site of special scientific interest;
2. is or forms part of a listed building or land within its curtilage;
3. is or forms part of a scheduled monument or land within its curtilage;
4. is or forms part of a safety hazard area; or
5. is or forms part of a military explosives storage area;
 | The Site is not located wtihin any of the stipulated designations. |
| If the building is within—1. an area of outstanding natural beauty;
2. an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981(1);
3. the Broads;
4. a National Park; or
5. a World Heritage Site;
 | The Site is not located wtihin any of the stipulated designations. |
| If the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained; | The Site is not occupied under an agricultural tenancy. |
| Before 1 August 2022, if—1. the proposed development is of a description falling within Class O of this Part as that Class had effect immediately before 1st August 2021; and
2. the development would not have been permitted under Class O immediately before 1st August 2021 by virtue of the operation of a direction under article 4(1) of this Order which has not since been cancelled in accordance with the provisions of Schedule 3.
 | N/A – application post-dates 1 August 2022. However, we confirm the Site is not located wtihin any current Article 4 direction.  |

The applicant confirms that the Site fulfils the relevant criteria in accordance with condition MA.2. of Class MA and LBC does not currently have any Article 4 Directions to remove this right in this location. On this basis, the proposed development is considered permitted development.

Under the Conditions of Class MA (2), before commencing the development, the developer must apply to the local planning authority for determination as to whether the prior approval of the authority will be required in relation to:

1. transport and highways impacts of the development;
2. contamination risks on the site;
3. flooding risks on the site;
4. impacts of noise from commercial premises on the intended occupiers of the development;
5. where –
6. the building is located in a conservation area, and
7. the development involves a change of use of the whole or part of the ground floor, the impact of that change of use on the character or sustainability of the conservation area;
8. the provision of adequate natural light in all habitable rooms of the dwellinghouses;
9. where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building;
10. that the cumulative floor space of the existing building changing under Class MA is within 1,500 square metres; and
11. that dwellings created comply with nationally described space standards.

It must also meet the fire risk condition if the building contains two or more dwellinghouses and satisfies the height condition (18 metres in height or contains 7 or more storeys). This is not applicable in this case.

In accordance with the requirements set out in Schedule 2, Part 3, Class MA of the GPDO, we enclose the following documents to support this application:

1. A written description of the proposed development, in the form of this cover letter and the accompanying application form;
2. Existing and proposed plans indicating the Site and showing the proposed development. These consist of the following:
	* Site Location Plan
	* Existing Plans, prepared by Studio Three;
	* Proposed Plans, prepared by Studio Three;
3. Geo-Environmental Report, prepared by Chelmer Consultancy Services;
4. Internal Daylight Assessment, prepared by T16;
5. Basement Impact Assessment, prepared by Chelmer Consultancy Services;
6. Basement Impact Assessment Addendum Letter, prepared by Chelmer Consultancy Services;
7. Writ of Possession Letter and;
8. CIL Form, prepared by Montagu Evans;

**The Proposed Development**

This application seeks LBC’s confirmation that Prior Approval is not required in exercising Permitted Development rights, allowing the change of use of existing commercial floorspace (Use Class E to provide 2 residential units (Use Class C3).

**Application Summary**

A summary of each consideration is set out below:

*Evidence of Vacancy*

The Site was last in use as Class E (formerly B1) on 16 December 2022. Following from this, squatters entered the building and were lawfully removed on 4 May 2023, the building has remained continuously vacant since.

The Site was advertised as vacant (formerly Class E use) on the Loopnet website (please see: <https://www.loopnet.co.uk/Listing/13-15-Johns-Mews-London/18903614/>). Further, the Site was auctioned through Allsop Auctioneers on the 2nd of November 2023 (please see: <https://www.allsop.co.uk/lot-overview/vacant-freehold-well-located-pair-of-linked-two-storey-mews-properties-with-planning-in-london/r231102-428>), providing photographic evidence that the Site is vacant.

*Noise*

The Site is located within a predominantly residential area, and there are no surrounding commercial uses that are likely to give rise to noise issues. Both adjacent properties, at no. 11 and no. 17 John’s Mews are in residential use and the properties directly to the east on John Street are also used as dwellings.

To the south is the Saint George of the Martyr C of E Primary School, on the opposite side of John’s Mews. The nearest commercial premises is Bedford House, located on both John Street and John’s Mews, although this is in office use and therefore unlikely to give rise to any noise issues.

Accordingly, the impacts of noise from commercial premises on the intended occupiers of the proposed development are considered to be negligible, and therefore acceptable.

*Transport*

In light of the requirements set out within the General Permitted Development Order, this section considers the transport and highways impacts of the development.

The Site has a Public Transport Accessibility Level (PTAL) of 6a, and therefore benefits from ‘excellent’ links to the public transport network, owing to its location within Central London. The Site is situated within walking distance of both Chancery Lane and Holborn Underground stations to the south, Farringdon to the east and Russell Square to the west, providing a number of options on the Underground network. In addition, numerous bus services stop on Theobalds Road and Gray’s Inn Road.

London Plan Policy T6 (Car parking) and T6.1 (Residential parking), sets out the starting point for new residential development in areas with high PTAL ratings to be car free. The Proposed Development would be car free. The Site is located within the Kings Cross Area Controlled Park Zone (CPZ). The Applicant is willing to enter into a legal agreement to restrict future occupiers from being able to obtain parking permits.

London Plan Policy T5 (Cycling) outlines minimum cycle parking requirements, with 1 long stay space per studio or 1 person 1 bedroom, 1.5 long stay spaces per 2 person 1 bedroom dwelling and 2 long stay spaces per all other dwellings.

Cycle parking will be provided in accordance with the London Plan minimum standards with 3no. cycle parking spaces provided in total. 1no. cycle parking space is provided for No. 13 Johns Mews and 2no. cycle parking spaces are provided for No.15 Johns Mews.

Cycle parking is required to be designed to best practice standards and shall be secure, sheltered, integrated, conveniently located, adequately lit, step-free and accessible. Cycle parking shall include an adequate element of parking suitable for accessible bicycles and tricycles. The proposed cycle parking will be situated within the proposed dwellings.

Safe access to the development is afforded directly from the street on John’s Mews.

Communal waste and recycling facilities are provided at ground floor level through the creation of a new secure indoor bin store. Regular servicing of residential developments, such as that proposed, is generally limited to the collection of general waste and recyclables within the LBC area.

As such the Proposed Development is not anticipated to give rise to any major transport issues. It therefore meets the test of the NPPF and paragraph 111, which states that:

*“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*

In conclusion therefore the proposals are acceptable in traffic and sustainable transport terms.

*Contamination*

The Site has been subject to previous planning permissions for conversion to residential, which has included works to create a basement level. As part of these applications, significant assessment work has been undertaken to assess the suitability of the site for residential use and the impact of works on the ground.

The Geo-environmental Interpretative Report prepared by Chelmer Consultancy Services confirms that the Site is considered to have a low contamination risk with no recent or known historic land uses that pose a risk. In any event, this Application does not propose to break ground and the Site is approved for residential use. As such, there is not considered to be a contamination risk with this application.

*Flooding*

The site is located entirely within Flood Zone 1 and as such, flood risk is considered to be low. The completed development would not be subject to significant levels of flood risk when considered over a 100-year projected development lifetime. The Site is predominately at a very low risk of surface water flooding, with a small area at a low risk. As such, the proposal is acceptable in respect of flooding.

*Adequate Natural Light*

The Application is accompanied by an Internal Daylight Assessment, prepared by T16 Design which considers the natural light to be received within each of the new residential units. The Assessment indicates that in the event that minimum Target Daylight Factor criteria are met, future occupiers of dwellings will receive sufficient daylight in line with BRE Guidelines.

The report demonstrates that the light within the proposed development has shown acceptable levels of daylight, meeting and exceeding the Target Daylight Factor BRE guidelines.

As such it is concluded that the proposed development is acceptable in daylight and sunlight terms.

*Conservation Area Impact*

The Site resides within the Bloomsbury Conservation Area and the building has been identified as making a positive contribution to the conservation area. The contribution consists in the general appearance of the two-storey fronts which, although much altered and covered in modern render, recall the original stable and coach houses buildings which once lined the east side of the mews.

Notwithstanding the above, the alterations required to facilitate the change of use do not affect the front or rear elevation of the Building with the proposed dwellings capable of utilising the existing building with no need for external physical works. Given that the proposal does not include any elevational changes, there will be no impact on character and appearance of the Bloomsbury Conservation Area and the property would still be read as a former coach house and mews building.

*Fire Safety*

The building is less only two storeys and under 18 metres, as such no Fire Statement is required to be submitted as part of this prior approval.

**Closing**

On the above basis, it is considered that the proposed change of use complies with the criteria and conditions set out in Class MA of the GPDO, and therefore Prior Approval should not be required (or if it is required, that it should be granted) in respect of this development.

The application is submitted along with the requisite fee of £314, as set out in the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2017 (as amended). A fee of £314 has been submitted via the Planning Portal today, calculated on the basis of £125 per dwelling plus £64 service charge.

We trust the submitted information is satisfactory and look forward to receiving confirmation that this application has been registered. Should you have any questions or queries, please do not hesitate to contact Peter Bovill (peter.bovill@montagu-evans.co.uk / 07818 012 456), James Huish (james.huish@montagu-evans.co.uk / 020 7312 7484) or Olivia Fuller (olivia.fuller@montagu-evans.co.uk / 07780 493 924) at this office.

Yours sincerely,

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**Montagu Evans LLP**