

2023/2423/P – 108 Swain's Lane



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Photos for 2023/2423/P – 108 Swain's Lane, N6 6PH

1. Aerial view of 108 Swain's Lane.



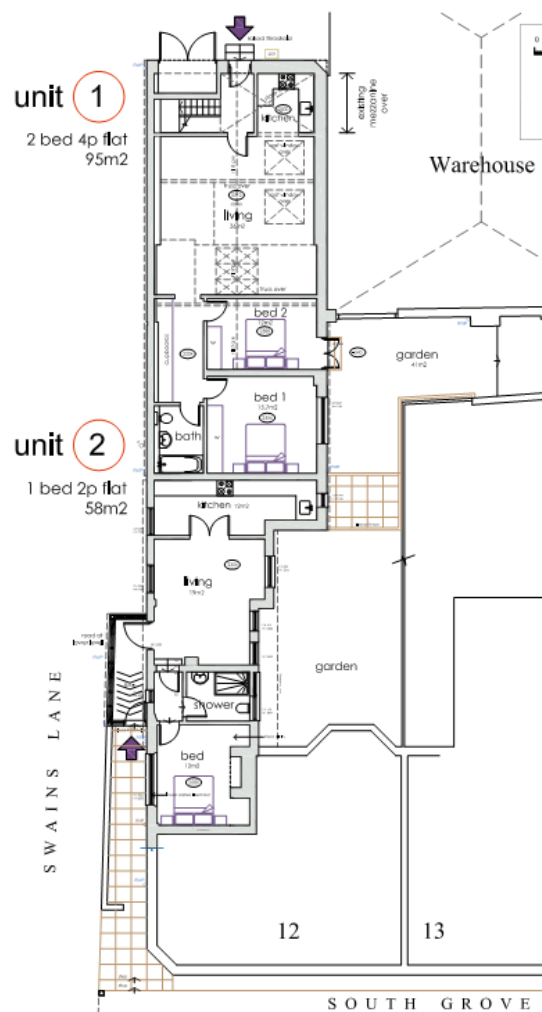
2. Existing view of elevation facing Swain's Lane (from north).



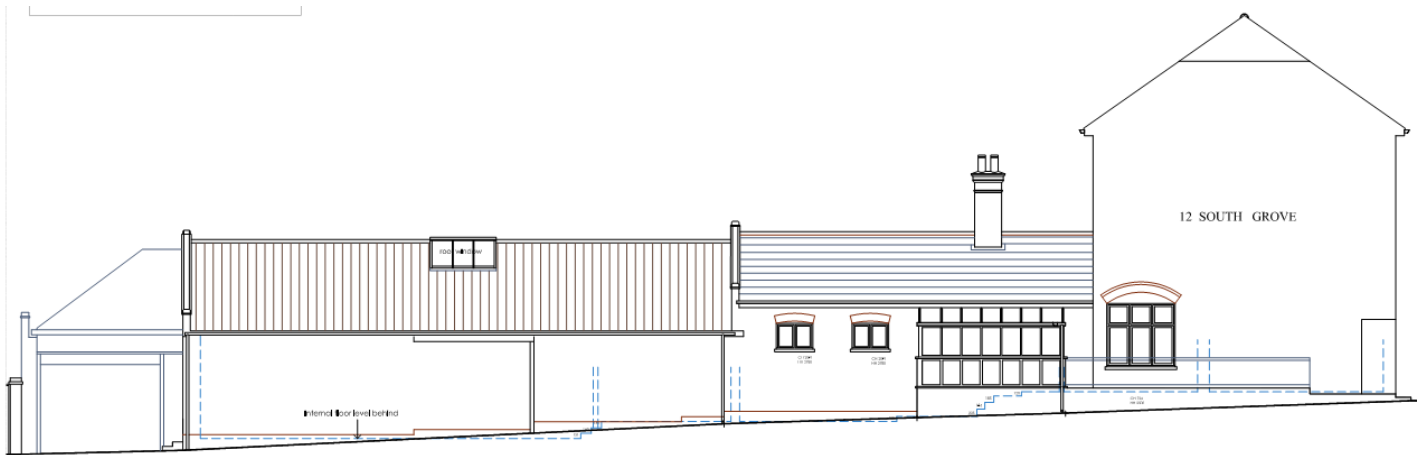
3. Existing view of elevation facing Swain's Lane (from south)



4. Proposed plan of 108 Swain's Lane



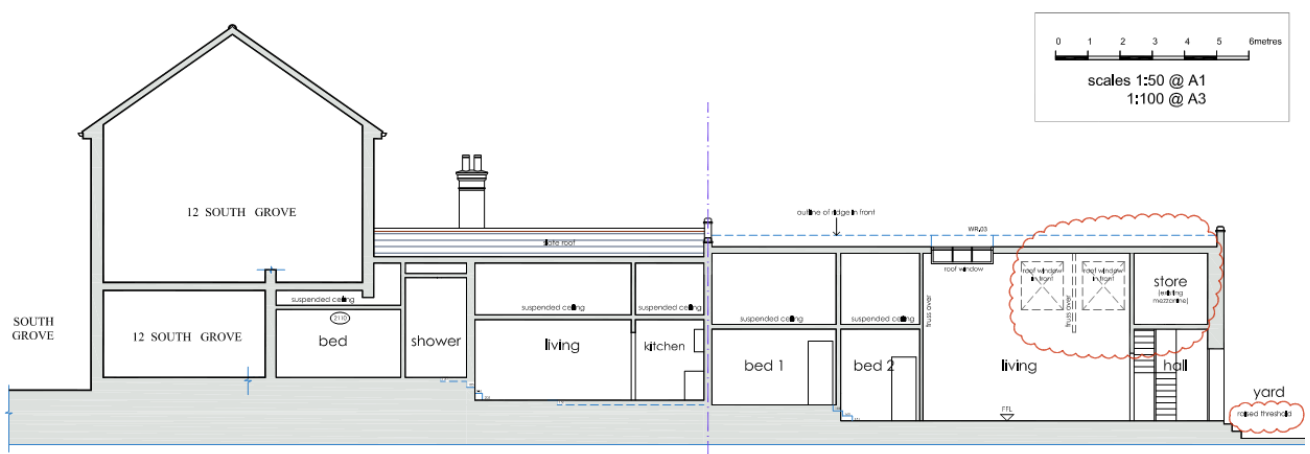
5. Existing and proposed east elevation facing Swain's Lane (no changes proposed)



6. Existing and proposed west elevation facing garden (no changes proposed)



7. Proposed section through 108 Swain's Lane



Delegated Report		Analysis sheet		Expiry Date:		31/08/2023	
(Members' Briefing)		N/A / attached		Consultation Expiry Date:		30/07/2023	
Officer				Application Number(s)			
Sam FitzPatrick				2023/2423/P			
Application Address				Drawing Numbers			
108 Swain's Lane London N6 6PH				Please refer to decision notice.			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Change of use from nursery (Class E) to residential (Class C3) comprising 1 x 1 bed flat and 1 x 2 bed flat.							
Recommendation(s):		Grant conditional planning permission subject to a Section 106 legal agreement.					
Application Type:		GPDO Prior Approval Class MA Change of use of Class E to Class C3					

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	03	No. of objections	00
Summary of consultation responses:	Site notices were displayed from 05/07/2023 to 29/07/2023. A press notice was published on 06/07/2023. No objections were received from members of the public, but two letters of support were received, as well as one comment to confirm no objection.			
Highgate Conservation Area Advisory Committee	An objection was received from the Highgate Conservation Area Advisory Committee, whose objections can be summarised as follows: <div><div>1. The plans do not confirm whether the bedrooms meet the required space standard;</div><div>2. The plans lack detail as there are only ‘existing’ elevation drawings and no section drawings;</div><div>3. The mezzanine layout is not clear enough and its impact on the kitchen ceiling height is not easily understood;</div><div>4. It is not clear that the daylight-sunlight study provides adequate light;</div><div>5. Cars queuing in traffic on Swain’s Lane may result in impacts for occupiers.</div></div> <u>Officer Response:</u> <div><div>1. Since the time of the objection lodged by the Highgate CAAC, the applicant provided revised drawings that corrected inaccuracies in the scale and confirmed that all bedrooms meet space standards;</div><div>2. As above, the applicant provided revised drawings (including section drawings) to correct inaccuracies and provide clarity where needed. Proposed elevation drawings were not deemed necessary as there are no proposed external changes as part of this application;</div><div>3. The section drawings demonstrate the set-up of the mezzanine and kitchen of the ‘unit 1’ Flat to an acceptable degree;</div><div>4. Please see part 5.8 of this report for assessment of the light impacts of the proposal;</div><div>5. Please see part 5.2 of this report for assessment of the transport and highways impact of the development.</div></div>			

Site Description

The application site is a ground floor day nursery (Class E) located in a single storey building on the west side of Swain's Lane, near the top of the road at the intersection with South Grove. The building contains a small outdoor amenity space to the rear.

The property is not listed, nor is it locally listed. It falls within the Highgate Conservation Area, as well as the Highgate Neighbourhood Forum.

Relevant History

Application site

2013/2060/P – Installation of decking and boundary fencing and continued use of external yard area for a play area in connection with existing children's day nursery (Class D1) (Retrospective).
Permission granted 05/06/2013.

2011/5567/P – Use as osteopathic clinic with rehabilitation/personal training gym and ancillary services (Class D1) at part ground floor level. **Certificate of lawfulness granted 09/01/2012.**

Relevant policies

Part 2A of the Environmental Protection Act 1990

Contaminated Land Statutory Guidance issued by the Secretary of State for the Environment, Food, and Rural Affairs in April 2012

National Planning Policy Framework 2023

The Town and Country Planning (General Permitted Development) (England) Order (GPDO) 2015 (as amended) – Schedule 2, Part 3, Class MA

Technical Housing Standards – Nationally Described Space Standards 2015

The London Plan 2021

Camden Local Plan 2017

- **G1** Delivery and location of growth
- **A1** Managing the impact of development
- **A4** Noise and vibration
- **D1** Design
- **D2** Heritage
- **CC3** Water and flooding
- **T1** Prioritising walking, cycling, and public transport
- **T2** Parking and car-free development

Highgate Conservation Area Appraisal and Management Strategy 2007

1. The Proposal

- 1.1. Prior Approval is sought under Schedule 2, Part 3, Class MA of the GPDO 2015 (as amended) for a change of use of the ground floor level from a Class E commercial unit to two Class C3 residential dwellings. This new Class MA was introduced into the GPDO legislation on 1st August 2021.
- 1.2. The proposed change of use would create two flats consisting of a 4-person flat with two bedrooms, measuring 12sqm and 15.7sqm and a 2-person flat with one 12sqm bedroom. There are no proposed external alterations that would constitute development.

2. Revisions

- 2.1. It should be noted that when the application was first submitted, the drawings did not accurately reflect the bedroom sizes, as the annotations given were incorrect. Additionally, section drawings were not provided. Following officer comments, the existing drawings were revised and new section drawings were submitted to demonstrate the correct room sizes.

3. Prior Approval Procedure

- 3.1. The Town and Country Planning (General Permitted Development) (England) Order (GPDO) 2015 (as amended), Schedule 2, Part 3, Class MA, allows for a change of use of a building from a use falling within Use Class E (commercial, business, and service) to a use falling within Use Class C3 (residential dwelling) of that Schedule, subject to a prior approval process and conditions being satisfied.
- 3.2. Development that accords with the criteria within MA.1 (a)-(g) is permitted by this Class, subject to a number of conditions listed within sub-paragraph MA.2 (1)-(6). As such, the prior approval procedure requires the developer to apply to the Local Planning Authority (LPA) for a determination as to whether the prior approval of the authority would be required in regard to transport and highways impacts, contamination risks, flooding risks, impacts of noise from commercial premises, and provision of adequate natural light.
- 3.3. Where the building is located in a conservation area (and 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 must be assessed. In an area which the LPA considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses, the impact on intended occupiers of the development of the introduction of residential use must be considered.
- 3.4. Where the development involves the loss of services provided by a registered nursery or a health centre maintained under section 2 or 3 of the National Health Service Act 2006, the impact on the local provision of the type of the service lost must be determined. Finally, where the development meets the fire risk conditions criteria as specified within sub-paragraph MA.2, determination of the fire safety impacts on the intended occupants of the building is required.
- 3.5. Paragraph W sets out the procedure for applications for prior approval under Part 3. This application seeks to ascertain whether the proposed change of use would constitute permitted development and whether prior approval is required. Part W (13) of the legislation notes that the LPA may grant prior approval unconditionally or subject to conditions reasonably related to the subject matter of the prior approval.

Extension of the statutory time period (56 days)

- 3.6. Paragraph W 11(c) requires that the LPA must notify as to whether prior approval is given or refused before the expiry of 56 days following the date on which the application

was received. In this case, in which it is considered that the approval should be subject to the completion of a signed Section 106 legal agreement to secure the development as car free and the contributions towards cycle parking, it is necessary to extend the statutory 56 day period in order to allow for such an agreement to be reached between the applicant and the LPA.

- 3.7. Paragraph W 12 allows for such a circumstance as this, and as such, the applicant has agreed in writing with the LPA to extend the statutory 56 day period until the Section 106 agreement has been finalised.

4. Assessment under Schedule 2, Part 3, Class MA of the GPDO

- 4.1. Development is not permitted by Class MA –

(a) 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;

- 4.2. Proposal complies: Based on the information provided by the applicant, the premises has been vacant for more than 3 months prior to the date of the application, since February 2022.

(b) 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;

- 4.3. Proposal complies: The lawful use of the building for at least two years prior to the date of this application has been for a day nursery use, previously Class D1 (non-residential institution) prior to 1st September 2020, and since Class E (commercial, business, and service) on and after 1st September 2020. This is confirmed through Council records and planning history at the site, including the certificate of lawfulness granted in January 2012.

(c) if the cumulative floor space of the existing building changing use under Class MA exceeds 1,500 square metres;

- 4.4. Proposal complies: The existing gross internal area (GIA) floorspace proposed for the change of use is shown on the drawings as measuring approximately 153sqm.

(d) if land covered by, or within the curtilage of, the building –

- (i) is or forms part of a site of special scientific interest;**
- (ii) is or forms part of a listed building or land within its curtilage;**
- (iii) is or forms part of a scheduled monument or land within its curtilage;**
- (iv) is or forms part of a safety hazard area; or**
- (v) is or forms part of a military explosives storage area;**

- 4.5. Proposal complies: The application site does not fall within any of the areas indicated in points (d), (i)-(v) above.

(e) if the building is within –

- (i) an area of outstanding natural beauty;**
- (ii) an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981;**
- (iii) the Broads;**
- (iv) a National Park; or**
- (v) a World Heritage Site;**

- 4.6. Proposal complies: The application site does not fall within any of the areas indicated in points (e), (i)-(v) above.

(f) if the site is occupied under an agricultural tenancy, unless the express consent of

both the landlord and the tenant has been obtained; or

4.7. Proposal complies: The site is not occupied under an agricultural tenancy.

(g) before 1 August 2022, if –

(i) 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

(ii) 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.

4.8. Proposal complies: The proposed development does not fall within Class O of this Part.

4.9. In light of the above, the proposal would accord with paragraph MA.1, falling within the remit of development permitted subject to prior approval under paragraph MA.2.

5. Compliance with Paragraph MA.2

5.1. Where development is in compliance with paragraph MA.1, development is permitted subject to the conditions that before beginning the development, the developer must apply to the local planning authority for a determination as to whether prior approval of the authority will be required as to:

(a) Transport impacts of the development, particularly to ensure safe site access;

5.2. The Council has considered the transport impacts of the proposed change of use and whether to seek appropriate mitigation measures to mediate against any highways impacts. The site has good access to public transport via buses in the immediate area, including along Highgate High Street and Highgate West Hill. The Highgate Underground Station is also approximately just under 15 minutes' walk away from the site. The development would be likely to result in a material increase and change in the character of traffic in the vicinity of the site if the future residents of the new residential unit were able to apply for resident parking permits. In order to ensure that the development promotes sustainable modes of transport and mitigates against any potential worsening of local traffic, parking, and air quality conditions, the development would be expected to be 'car-free'. This would ensure that new residents could not apply for parking permits, and this would be secured by a Section 106 legal agreement.

5.3. In line with Policy T1 of the Camden Local Plan, developments such as this would be required to provide adequate storage for cycles, which should be secure, accessible, and covered. However, given the constraints of this site, it is considered that providing on-site cycle storage would not be feasible and would likely not be fully accessible. As such, it has instead been agreed that a contribution of £2,800 towards off-site cycle storage will be sought, which would be secured by a Section 106 legal agreement.

(b) Contamination risks in relation to the building;

5.4. A Contamination Report was submitted with the proposal, as the historical land uses in the area include a former builder's yard mapped to the south of the site, which is considered to pose a low risk of having the potential to cause ground contamination. It is possible that elevated concentrations of concern could be present on site, taking into account the presence of heavy metals present in soil within Camden. The submitted report has been reviewed by the Council's Environmental Health Contaminated Land Officer, who has noted that the report does not include a conceptual site model identifying the potential sources, pathways, and receptors for contaminants of concern. As such, the report is not considered to be a Phase I Desk Study in line with LCRM Stage 1 risk assessment. Given the potential of contaminants of concern at the site and the proposed residential use with a

private rear garden, the submission of a preliminary land contamination risk assessment would be secured by condition.

(c) Flooding risks in relation to the building;

- 5.5. The application site is not located within a Local Flood Risk Zone and the area is at low risk of surface water flooding according to the Environment Agency's Surface Water Flood Risk maps. Whilst a Flood Risk Assessment has not been submitted, both proposed units would include raised thresholds at entry points, which would alleviate concerns surrounding water ingress. The proposal is considered to be appropriately designed to reduce the risk of surface water flooding to future occupiers of the property.

(d) Impacts of noise from commercial premises on the intended occupiers of the development;

- 5.6. The application site is not adjoined by any commercial premises; there is a warehouse immediately to the west, but otherwise the surrounding properties are mostly residential. It is not considered that any noise from neighbouring premises would have a significant adverse impact on the proposed residential units in terms of noise. The existing residential character of the area is also such that the proposed units would not be considered to have any significant adverse impact on the existing residential properties along Swain's Lane and the adjacent South Grove. The application is supported by a noise impact assessment, which demonstrates that the existing external fabric of the building would be sufficient in controlling noise break-in and would provide a suitable residential environment without mitigation measures being necessary. Indeed, it is expected that the proposed residential use would have less noise impact than the existing nursery use.

(e) Where –

(i) the building is located in a conservation area, and

(ii) 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;

- 5.7. The application site is located within the Highgate Conservation Area. The proposed change of use would not involve any external alteration that would materially change the appearance of the property or impact the appearance of the conservation area. The existing lawful use of the property is not considered to contribute to the character of the conservation area, so its change of use to residential is not likely to have any significant negative impact on the character or sustainability of the conservation area.

(f) The provision of adequate natural light in all habitable rooms of the dwellinghouse;

- 5.8. A Daylight and Sunlight Assessment has been submitted, which assesses the provision of natural light to the habitable rooms of the proposed development. This document confirms that all habitable rooms would either meet or exceed the minimum required threshold set out in BRE guidelines, and that the amenity area attached to unit 1 would have a good level of direct sunlight. The proposed development would therefore benefit from adequate natural light levels in all habitable rooms and complies with this condition.

(g) The impact on intended occupiers of the development of the introduction of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses;

- 5.9. The area where the application site lies is not considered by the LPA to be important for general heavy industry, waste management, storage and distribution, or a mix of such uses.

- (h) Where the development involves the loss of services provided by –**
(i) A registered nursery, or
(ii) A health centre maintained under section 2 or 3 of the National Health Service Act 2006,
the impact on the local provision of the type of services lost; and

5.10. The proposed development would involve the loss of a registered nursery (though it has now closed and is vacant). However, the applicant has provided information to demonstrate that the nursery service is no longer required and the impact on the local provision is acceptable. This includes reported statistics from Camden Council sourced from the latest Childcare Sufficiency Assessment that shows that there are currently sufficient childcare places in Camden to meet demand. The covering letter submitted with the application also identifies a large number of nursery facilities constituting a total capacity of 2167 – all of which are within approximately 2 miles of the application site. This makes clear that the loss of this nursery will not materially impact the local provision of childcare services.

- (i) where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building.**

5.11. Paragraph MA.3 states that development will meet the fire risk condition referred to above if the development relates to a building which will –

- (a) contain two or more dwellinghouses; and*
(b) satisfy the height condition in paragraph (3), read with paragraph (7), of article 9A (fire statements) of the Town and Country Planning (Development Management Procedure) (England) Order 2015:

5.12. 9A – (3) The height condition is that –

- (a) the building is 18 metres or more in height; or*
(b) the building contains 7 or more storeys.

5.13. Although the proposed development does contain two dwellinghouses, it is not either 18 metres in height or contains 7 or more storeys. As such, the fire safety impacts on the intended occupants of the building is not required to be determined as part of this application.

6. Additional matters

6.1. Paragraph W(10) of the GPDO requires that the local authority, when determining the application:

- (a) take into account any representations made to them as a result of any consultation under sub-paragraphs (5) or (6) and any notice given under sub-paragraph (8);**

6.2. As detailed in the ‘Consultations’ section of this report, three responses were received from members of the public, two of which were to support the application and one of which was to comment with no objection. The Highgate Conservation Area Advisory Committee did object, and the responses to the content of their objection is detailed in the aforementioned section and throughout this report.

- (b) National Planning Policy Framework issued by the Department for Communities and Local Government in March 2012, so far as relevant to the subject matter of the prior approval, as if the application were a planning application.**

6.3. Paragraph 135 of the National Planning Policy Framework (NPPF) 2023 states that planning policies and decisions should ensure that developments create places “*with a high*

standard of amenity for existing and future users". The NPPF does fall short of providing specific standards for protecting the amenity of adjoining and nearby properties. Nevertheless, the proposal is not considered likely to result in any undue harm to existing residential amenity for future occupiers of the development or existing neighbouring residential occupiers given the nature of the proposal.

- 6.4. Article 3 (9A) requires all new units to comply with the nationally described space standards. For 1 bedroom 2-person units located within 1 storey, the requirement is for 50sqm GIA, and for 2 bedroom 4-person units located within 1 storey, the requirement is for 70sqm GIA. The two units proposed by this application measure approximately 58sqm and 95sqm respectively, which exceeds the space standards for units of their size.

7. Community Infrastructure Levy (CIL)

- 7.1. As the proposal results in two new dwellings, it may be liable for the Mayor's and Camden's Community Infrastructure Levy (CIL). As such, a standard informative would be attached to any decision notice drawing CIL liability to the applicant's attention.

8. Conclusion

- 8.1. The proposal complies with the criteria and conditions in MA.1 and MA.2 of Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and therefore is acceptable and can be granted prior approval.

9. Recommendation

- 9.1. Grant prior approval subject to the completion of a Section 106 legal agreement securing the new residential unit as car-free and a financial contribution in lieu of on-site cycle storage.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 26th February 2024, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Application ref: 2023/2423/P
Contact: Sam Fitzpatrick
Tel: 020 7974 1343
Email: sam.fitzpatrick@camden.gov.uk
Date: 16 February 2024

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

SM Planning
80-83 Long Lane
London
EC1A 9ET

Dear Sir/Madam

DECISION

In accordance with section 60 (2B) and (2C) of the Town and Country Planning Act 1990 (as amended by section 4(1) of the Growth and Infrastructure Act 2013)

Process set out by condition MA.2 of Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) Order 1995 (as amended)

Certificate of Lawfulness (Proposed) Prior Approval granted

The Council, as local planning authority, hereby confirm that their **prior approval is granted subject to a section 106 legal agreement** for the proposed development at the address shown below, as described by the description shown below, and in accordance with the information that the developer provided to the local planning authority:

Address of the proposed development:

108 Swain's Lane
London
N6 6PH

Description of the proposed development:

Change of use from nursery (Class E) to residential (Class C3) comprising 1 x 1 bed flat and 1 x 2 bed flat.

Details approved by the local planning authority:

Drawing Nos:

1187-01; 1187-03; 1187-04; 1187-05; 1187-06; 1187-07; 1187-08; 1187-09; 1187-13 Rev F; 1187-19 Rev A; Covering Letter (prepared by SM Planning, dated 24/05/2023); Transport Statement (prepared by RGP, dated April 2023); Contamination Report (prepared by Landmark Information, dated 17/01/2023); Flood Map (prepared by Environment Agency, dated 13/10/2022); Noise Impact Assessment (prepared by KP

Condition(s):

- 1 The proposal complies with the condition MA.1, MA.2 and MA.3 of Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 2 No development shall commence until:
 - (a) a written preliminary risk assessment report is submitted to and approved in writing by the local planning authority. This report shall comprise: a desktop study which identifies all current and previous uses at the site and surrounding area as well as the potential contaminants associated with those uses. A conceptual site model should be produced indicating potential pollutant linkages between sources, pathways, and receptors, including those in the surrounding area and those planned at the site; and a qualitative risk assessment of any potentially unacceptable risks to identified receptors. All works must be carried out in compliance with LCRM (2020) and by a competent person.

Subsequent parts are subject to the findings of the desk study:

- (b) No development shall commence until a site investigation is undertaken and the findings are submitted to and approved in writing by the local planning authority.

The site investigation should assess all potential risks identified by the desktop study and should include a generic quantitative risk assessment and a revised conceptual site model. The assessment must encompass an assessment of risks posed by radon and by ground gas. All works must be carried out in compliance with LCRM (2020) and by a competent person.

- (c) No development shall commence until a remediation method statement (RMS) is submitted to and approved in writing by the local planning authority. This statement shall detail any required remediation works and shall be designed to mitigate any remaining risks identified in the approved quantitative risk assessment. This document should include a strategy for dealing with previously undiscovered contamination. All works must be carried out in compliance with LCRM (2020) and by a competent person.

- (d) Following the completion of any remediation, a verification report demonstrating that the remediation as outlined in the RMS have been completed should be submitted to and approved in writing by the local planning authority. This report shall include (but may not be limited to): details of the remediation works carried out; results of any verification sampling, testing or monitoring including the analysis of any imported soil and waste management documentation. All works must be carried out in compliance with LCRM (2020) and by a competent person.

Reason: To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled

waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours, and other offsite receptors, in accordance with Policies G1, D1, A1, and DM1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 It is a requirement of the above condition that the development must be completed within a period of 3 years starting with the date prior approval is granted.
- 2 It is a requirement of the above condition that any new dwellinghouse hereby approved shall remain in use as a dwellinghouse within the meaning of Class C3 of Schedule 1 to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the use as a dwellinghouse.
- 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 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.

- 5 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).
- 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.

- 7 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice. Camden adopted new CIL rates in October 2020 which can be viewed at the above link.
- 8 You are advised that Section 44 of the Deregulation Act 2015 [which amended the Greater London Council (General Powers) Act 1973]] only permits short term letting of residential premises in London for up to 90 days per calendar year. The person who provides the accommodation must be liable for council tax in respect of the premises, ensuring that the relaxation applies to residential, and not commercial, premises.
- 9 You are reminded of the need to provide adequate space for internal and external storage for waste and recyclables. For further information contact Council's Environment Services (Waste) on 020 7974 6914/5 or see the website <http://www.camden.gov.uk/ccm/content/environment/waste-and-recycling/twocolumn/new-recycling-rubbish-and-reuse-guide.en>.

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 in regard to your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Daniel Pope
Chief Planning Officer

It's easy to make, pay for, track and comment on planning applications on line. Just go to www.camden.gov.uk/planning.

<p>It is important to us to find out what our customers think about the service we provide. To help us in this respect, we would be very grateful if you could take a few moments to complete our online survey at the following website address: www.camden.gov.uk/dmfeedback. We will use the information you give us to help improve our services.</p>
