

DP5670/TH/OMJ
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FAO: David Peres Da Costa
Camden Council
Planning - Development Control
Camden Town Hall
London
WC1H 8ND

Dear Mr Peres Da Costa,

1 TRITON SQUARE, NW1 3AN
APPLICATION FOR CERTIFICATE OF LAWFUL DEVELOPMENT

We are writing on behalf of our client British Land Property Management ('The Applicant') to support an application for a Certificate of Lawfulness of Proposed Use or Development (CLOPUD) under Section 192 of the Town and Country Planning Act 1990. The Application seeks to confirm that the proposed use of floorspace for life sciences and innovation uses at 1 Triton Square ('The Site') pursuant to planning application reference 2024/0409/P, is lawful and does not require full planning permission.

Site Context

The Site has a complex planning history with the current uses confirmed as majority office (B1) alongside a retail and leisure element (A1, A3, A4 and D2) via planning permission (ref: 2016/6069/P) that was granted 21 November 2017 for the:

'Erection of 3 storey extension at roof (6th floor) level of 1 Triton Square to provide additional office floorspace (Class B1) with relocated plant above, creation of roof terraces at 6th floor level, reconfiguration of ground floor including infill of Triton Square Mall including flexible retail (A1, A3 and A4), affordable workspace (B1) and reprovision of gym (D2); erection of part 6, part 9 storeys residential building to provide 22 flats (10 x 3-bed, 11 x 2-bed and 1 x 1-bed) (Class C3) following demolition of St Anne's Church (Class D1); hard and soft landscaping including garden at junction of Longford Street and Triton Square; reconfigured vehicle and pedestrian accesses; and other ancillary works.'

The above planning permission has been implemented and the redeveloped building has been practically completed to shell and core with toilets and lift lobbies fitted out, in anticipation of further fit out prior to occupation. The planning permission comprised the below floor areas totalling 45,951sqm of B1 office floorspace.



	Use Class	Floorspace (GEA)
Existing	B1 – Office	29,079sqm
	D1 – Non-residential institutions	953sqm
	D2 – Assembly and leisure	2,134sqm
Proposed	B1 – Office	44,923sqm
	B1 Office (Affordable Workspace)	1,028sqm
	D2 – Assembly and leisure	1,881sqm
	A1, A3, A4 (Flexible) – Shops, restaurants, cafes and drinking establishments	348sqm
	D1 – Non-residential institutions	-953sqm
	C3 Dwellinghouses	2,784sqm
Total net additional non-residential floorspace		16,014sqm

The previous occupier who had entered into lease for the office use of the space, terminated their lease and as a result further fit out of the office floor space was not commenced. The subsequent occupier also terminated their lease before fit out of the office floor space could begin.

Therefore it is considered that the works carried out in respect of the above planning permission have instituted the office use (B1), having regard to the legal tests relating to what constitutes the institution of a use. Further detail can be found in the accompanying legal note.

The space is currently vacant and represents a great opportunity for life sciences uses given the Site's location within Camden's thriving Knowledge Quarter. Accordingly The Applicant submitted an application for the re-positioning of The Site for life sciences and innovation uses (ref: 2024/0409/P) on the 3rd of February 2024:

'The re-positioning of 1 Triton Square for life science and innovation uses to provide lab and office space involving plant work to roof (flues and new plant room), installation of gas store to west side of site, cryogenic storage at ground floor level on eastern side, amendments to existing façade to provide new louvres (all elevations) and ancillary works.'

Following amendments to the Town and Country Planning (Use Classes) Order 1987 which came into effect from 1 August 2021, Class B1 uses (including B1(a) offices) have been subsumed along with various other uses into Class E (Commercial, Business and Services). Confirmation by way of this CLOPUD that the office element (Use Class B1) is considered the lawful use, will allow life sciences and innovation uses which fall under Class E (Class E(g)(ii) as per the above application (ref: 2024/0409/P).

This Covering Letter should be read in conjunction with the accompanying Legal Note and Statutory Declaration prepared by Herbert Smith Freehills and British Land respectively. The submission pack includes further information as evidence of the previous uses on Site.

Submission Documents



Please find enclosed herewith the following plans and documentation, which in addition to this letter, comprise the application:

- Planning Application Form, prepared by DP9;
- Site Location Plan, prepared by Arup;
- Legal Note, prepared by Herbert Smith Freehills;
- Statutory Declaration, prepared by Herbert Smith Freehills;
- Evidence submitted as per the office use:
 - 1 Triton Square Handover Form, prepared by British Land;
 - Project Mint Weekly Newsflash, prepared by M3 Consulting;
 - Disinfection Certificate, prepared by Guardian Water;
 - Lift Isolations, prepared by Jackson group;
 - Gas Isolation, prepared by Oprimum;
 - Gas Isolation Certs, prepared by Optimum;
 - UKPN Disconnections Certs, prepared by UK Power Networks Ltd; and
 - Triton Square Isolation Photos.

The application has been submitted via the Planning Portal, together with the requisite application fee of £359.00.

We look forward to receiving confirmation of receipt and registration of the enclosed application in due course. Should you have any queries or require any further information, please do not hesitate to contact Tom Horne or Oscar Mansfield Jones of this office.

Yours faithfully

DP9 Ltd.

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