

Application ref: 2023/5006/P  
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Date: 24 June 2024

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

Phone: 020 7974 4444

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Robert Savage Associates  
11  
Eton Garages  
Lancaster Grove  
London  
NW3 4PE  
United Kingdom

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted and Warning of Enforcement Action**

Address:

**3 Lambolle Place  
London  
NW3 4PD**

Proposal:

Change of use of ground floor from car repair garage (Class B2) to office (Class E).  
Replacement of existing garage doors with windows and roller shutters at front elevation.  
Erection of front boundary wall with vehicle gates and pedestrian door (part-retrospective).

Drawing Nos: (Prefix 10643/) TP/01, TP/02, TP/03A, TP/04A, TP/05A, Design and Access Statement

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:

(Prefix 10643/) TP/01, TP/02, TP/03A, TP/04A, TP/05A, Design and Access Statement

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

- 3 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 Notwithstanding the provisions of Class E of the Schedule of the Town and Country Planning (Use Classes) Order, 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, the premises shall not be used as the uses listed under subsections (a), (b) and (f).

Reason: To ensure that the future occupation of the building does not adversely affect the adjoining premises/immediate area in accordance with policies G1, CC1, D1, A1 of the London Borough of Camden Local Plan 2017.

- 5 Before the development commences, details of a Sheffield cycle stand for two (2) cycles shall be submitted to and approved by the local planning authority. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and permanently retained 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.

Informative(s):

- 1 Reasons for granting permission.

The lawful use of the site is Class B2 (general industrial) at ground floor level, with the site historically being used as a neighbourhood auto repair shop. The upper levels of the property are in residential use (Class C3). The auto repair shop was determined to not be viable and has since vacated the site, and the ground floor of the property converted to offices (Class E) without planning permission. Policies E1 and E2 safeguard existing sites that continue to meet the needs of industry and employers; however, the focus of the policy is the protection of employment floorspace with 'industry' referring to various commercial uses. Policy E1(g) supports Camden's industries by safeguarding existing employment sites and premises in the borough that meet the needs of industry and other employers, while E1(a) supports businesses of all sizes, in particular start-ups and small- and medium-sized enterprises.

In this instance, the B2 industrial floorspace was provided in the form of a

neighbourhood-scale auto repair shop totalling 67.3sqm GIA. The immediate area is characterised by residential dwellings, with some existing auto repair shops remaining at nos. 2 and 4; the upper levels of the subject site are also in residential use. Given that Class B2 uses are considered to have a detrimental impact on the amenity of nearby residential uses (such as noise, vibration, smell, fumes, smoke, etc.), the site is more appropriately suited to remain in employment use but as Class E.

Use Class E comprises a wide range of commercial uses; however, some are unlikely to be suited to the site due to its location outside of a town centre and its proximity to residential uses which may be incompatible with certain activities. Thus, the permitted Class E uses shall be limited to those listed under subsections (c) provision of financial or professional services; (d) indoor sport, recreation or fitness; (e) medical or health services; and (g) uses which can be carried out in a residential area without detriment to its amenity (this includes offices but also comprises research and development and light industrial). These uses are considered to have a high employment yield, thus complying with the aims of Policies E1 and E2, while also having limited impacts on transport.

Overall, the change of use from Class B2 to Class E is acceptable given the employment use of the site would remain, thus supporting the opportunity for small businesses to occupy the site, while also improving the amenity of nearby residential occupiers.

Along the front elevation, the existing garage doors were replaced with full height glazed windows and doors within the existing openings, completed without planning permission. The existing roller shutters have remained in place. The current proposal seeks to improve the front fenestration by relocating the left side opening to align with the bays on the upper levels, as well as installing a second external door. The works to the front elevation are considered to improve the overall character of the building, as well as the wider Conservation Area.

The brick front boundary wall, brick piers, and metal roller shutter gate were also erected without planning permission. The installed metal roller shutter gate is considered to be inappropriate in design and scale, and harmful to the character of the wider the Conservation Area. Amended plans have been submitted demonstrating the removal of the installed metal roller shutter gate and replacement with a timber gate of a slightly lower height. The proposed gate is considered appropriate in scale, height, design, and materiality, as timber is more appropriate for use within the Conservation Area. The brick boundary wall and piers are consistent with the height and materiality of nearby boundary treatments and are thus considered acceptable.

- 2 An enforcement case has been opened due to the unauthorised works and change of use. An informative has been included which requires the metal roller shutter gate be replaced with the approved timber gate within three months of the date of this decision.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Belsize Conservation Area, under s.72 of

the Listed Buildings and Conservation Area Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

In line with Policy T1 of the Local Plan, it is expected cycle parking at developments to be provided in accordance with the standards set out in the London Plan. For office uses, the requirement is for 1 space per 75 sqm for long stay and 1 space per 500 sqm for short stay, which would give a requirement for 1 long stay space for this development. Whilst no cycle parking stands are shown on the submitted plans, it is considered that the provision of a Sheffield cycle stand (2 spaces) within the front forecourt of the site shall be secured by condition.

The site currently benefits from a crossover and off-street parking for at least 1 vehicle. It is proposed that this parking area be retained for the office/residential use. Given the presence of the tall front boundary wall and roller shutter, it is considered on balance that this is acceptable. It is considered unnecessary to secure this development as Business parking permit free given that there is an existing business use at the site and an off-street parking space.

Given the scale and scope of the proposed works, they are not anticipated to have any impact on the amenity of any neighbouring residential occupier with regards to loss of light, outlook, or privacy.

The Belsize CAAC initially objected citing concerns with the installed metal roller shutter gate but has since withdrawn their objection after revised plans were submitted for a timber gate. No further objections were received following statutory consultation. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with Policies A1, D1, D2, E1, E2, and T1 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2023.

### 3 ENFORCEMENT ACTION TO BE TAKEN

A front boundary wall, wall piers, metal roller shutter gate and entrance door has been erected without planning permission. This consent relates to the retention of the front boundary wall, wall piers, and entrance door, but replacement of the metal roller shutter gate, which is considered to harm the character and appearance of the host building and surrounding conservation area, with a timber gate.

If the metal roller shutter gate has not been replaced with the approved timber gate (and all constituent materials removed and damages made good) within THREE (3) months from the date of this decision, it is recommended that the Director of Supporting Communities will instruct the Borough Solicitor to issue an Enforcement Notice alleging a breach of planning control.

### 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 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 6 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.
- 7 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](http://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.

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 2023.

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 in the upper left corner of the page.

Daniel Pope  
Chief Planning Officer