

Application ref: 2024/3586/P
Contact: Lauren Ford
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Date: 24 December 2024

Development Management
Regeneration and Planning
London Borough of Camden
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Causeway Planning
86-90 Paul Street
London
EC2A 4NE
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

40 Mornington Terrace
London
Camden
NW1 7RS

Proposal:

Change of use from a hostel (supported housing) (Class C2) to a single family dwelling (Class C3).

Drawing Nos: Site Location Plan; Cover Letter, 25 August 2024; Places for People Letter, 23rd August 2024; 106186, 12.08.2024.

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 Site Location Plan; Cover Letter, 25 August 2024;

Places for People Letter, 23rd August 2024; 106186, 12.08.2024.

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

Informative(s):

1 Reasons for granting permission.

The application site comprises a five storied property located on the eastern side of Morningson Terrace. The subject building is part of a terrace of 27 houses that are Grade II listed and is within the Camden Town Conservation Area.

The applicant is seeking permission for a change of use from a hostel (Class C2) to a single-family dwelling (Class C3). No physical alterations are proposed to facilitate the change of use.

The property was in Class C3 use from its construction until 1987. An application (86000083) was granted in 1987 for a change of use from residential to hostel (Class C2). Since this time, the property was used by Origin Housing, providing supported housing for women with mental health and drug/alcohol support needs. The property was vacated in March 2024. The C2 use included seven single occupancy rooms. It also included an administration space and overnight sleeping accommodation for staff at lower ground floor level, as vulnerable tenants required 24/7 on-site monitoring and management. This use is considered ancillary to the Class C2 use.

Due to the occupation of the site by women with mental health and drug/alcohol support needs, Policy H8 (housing for order people, homeless people and vulnerable people) is relevant. This policy seeks to resist development that involves the net loss of housing floorspace for homeless people and vulnerable people, except in certain circumstances. This includes, (g) if it can be demonstrated that the existing homes are incapable of meeting contemporary standards for the support and/or care of the intended occupiers; or (h) adequate replacement accommodation will be provided that satisfied.

With respect to (g), the application documents state that the site is no longer considered viable for its current use due to the substantial investment in repair and improvement to bring the property up to modern requirements and provide the necessary support and care to its tenants, which would be limited by the listed status of the building.

With respect to (h), the application documents detail that one of the seven bedrooms had been vacant for some time, and that the remaining 6 tenants have been housed at a new facility at Ospringe Road (built by Clarion Housing for St. Mungos).

Policy H8 also states that where the Council is satisfied that a development involving the loss of housing for homeless people or vulnerable people is justified, we will expect it to create an equivalent amount of floorspace for an alternative form of supported housing, or for permanent self-contained housing

for people with support needs or for general needs (in Use Class C3), including an appropriate amount of affordable housing, having regard to Policy H4. As mentioned above, a new facility has been built, where the previous tenants have been housed. With respect to policy H4 (maximising the supply of affordable housing), a payment-in-lieu for an affordable housing contribution is required and shall be secured via a section 106 legal agreement in accordance with policy H4. Based on the GIA of 235 sqm, this would have a capacity for 2 homes (4% target). The payment-in-lieu arising would thus be 235 sqm x £5,000 per sqm x 4% = £47,000.

- 2 Given the information provided, in this specific instance and location, the proposed change of use, which includes a loss of Class C2 space is considered acceptable.

The dwelling would be a 4+ bedroom home which is identified as a lower priority dwelling size by policy H7. Notwithstanding this, the reinstatement of the listed building into its original and historic use is welcomed and supported by policy D2 and would provide a larger family home.

The new house would be secured as car-free via a section 106 legal agreement, in accordance with Policy T2. With respect to policy T1, it is considered that sufficient space exists within the rear garden of the property to accommodate cycles if required.

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

As such, the proposed development is in accordance with policies A1, T1, T2, H1, H4, H6, H7, and H8 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2023.

- 3 This permission is for a change of use only. You are advised that any internal or external alterations may require planning permission and listed building consent.
- 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 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.

- 6 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.

- 7 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 ("1990 Act") is that planning permission granted in England is subject to the condition ("the biodiversity gain condition") that development may not begin unless:
 - (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
 - (b) the planning authority has approved the plan.

The local planning authority (LPA) that would approve any Biodiversity Gain Plan (BGP) (if required) is London Borough of Camden.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are summarised below, but you should check the legislation yourself and ensure you meet the statutory requirements.

Based on the information provided, this will not require the approval of a BGP before development is begun because it is below the de minimis threshold (because it does not impact an onsite priority habitat AND impacts less than 25 square metres of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat).

++ Summary of transitional arrangements and exemptions for biodiversity gain condition

The following are provided for information and may not apply to this permission:

1. The planning application was made before 12 February 2024.
2. The planning permission is retrospective.
3. The planning permission was granted under section 73 of the Town and Country Planning Act 1990 and the original (parent) planning permission was made or granted before 12 February 2024.
4. The permission is exempt because of one or more of the reasons below:

- It is not “major development” and the application was made or granted before 2 April 2024, or planning permission is granted under section 73 and the original (parent) permission was made or granted before 2 April 2024.

- It is below the de minimis threshold (because it does not impact an onsite priority habitat AND impacts less than 25 square metres of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat).

- The application is a Householder Application.

- It is for development of a “Biodiversity Gain Site”.

- It is Self and Custom Build Development (for no more than 9 dwellings on a site no larger than 0.5 hectares and consists exclusively of dwellings which are Self-Build or Custom Housebuilding).

- It forms part of, or is ancillary to, the high-speed railway transport network (High Speed 2).

8 + Irreplaceable habitat:

If the onsite habitat includes Irreplaceable Habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements. In addition to information about minimising adverse impacts on the habitat, the BGP must include information on compensation for any impact on the biodiversity of the irreplaceable habitat. The LPA can only approve a BGP if satisfied that the impact on the irreplaceable habitat is minimised and appropriate arrangements have been made for compensating for any impact which do not include the use of biodiversity credits.

++ The effect of section 73(2D) of the Town and Country Planning Act 1990
If planning permission is granted under section 73, and a BGP was approved in relation to the previous planning permission (“the earlier BGP”), the earlier BGP may be regarded as approved for the purpose of discharging the biodiversity gain condition on this permission. It will be regarded as approved if the conditions attached (and so the permission granted) do not affect both the post-development value of the onsite habitat and any arrangements made to compensate irreplaceable habitat as specified in the earlier BGP.

++ Phased development

In the case of phased development, the BGP will be required to be submitted to and approved by the LPA before development can begin (the overall plan), and before each phase of development can begin (phase plans). The modifications in respect of the biodiversity gain condition in phased development are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024.

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

The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the website for submitting applications and offers a pre-application advice service.

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 centered on the page.

Daniel Pope
Chief Planning Officer