

Planning – Development Control  
Camden Council  
Camden Town Hall  
London  
WC1H 8ND

Our ref: AY-4021

**3<sup>rd</sup> March 2025**

Dear Sir/Madam

**11 Murray Street, London, NW1 9RE**  
**Town And Country Planning (General Permitted Development) Order 2015 (As Amended)**  
**Schedule 2, Part 3, Class MA**

Bell Cornwell LLP ('us'; 'we'; 'our') write on behalf of our client, Holly Lodge Pension Scheme (the 'Applicant'), to submit an application in respect of 11 Murray Street, London, NW1 9RE (the 'site/building') seeking 'Prior Approval' of a proposed change of use of the commercial unit within the property (which extends across ground floor and basement levels) from (Class E) Commercial, Business and Service use, to 1no. (Class C3) dwellinghouse – in accordance with Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the 'GPDO').

For clarity, this application is submitted in accordance with the planning permission granted for the works involving the extension of the building at the rear on the ground floor and modifications to the front façade at the basement level. Please refer to Planning Permission Reference: 2024/4393/P for further details.

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

### **Application documentation**

The following documents are provided together with this covering letter, in support of the application.

- Completed Application Form and ownership certificates
- Completed Community Infrastructure Levy Form 1
- Site Location Plan prepared by Atec Global Design Solutions



- Application drawings prepared by Atec Global Design Solutions, refs:
  - General arrangement as existing – Location Plan (Dwg No. N2411/00/01)
  - Floor plans as existing (Dwg No. N2411/00/02)
  - Ground floor plan, section S1 and elevations, as existing (N2411/00/03)
  - Basement plan, section S2 and elevations, as existing (N2411/00/04)
  - Back roof plan, sections S1 & S2 and elevations, as existing (N2411/00/05)
  - Detail of front openings to basement, as existing (N2411/00/06)
  - Detail of back lightwell and rooflight, as existing (N2411/00/07)
  - General arrangement as proposed block plan (N2411/01/01 Rev A)
  - Floor plans as proposed (N2411/01/02 Rev A)
  - Ground floor plan, section 1 and elevations, as proposed (N2411/01/03 Rev A)
  - Basement plan, section 2 and elevations, as proposed (N2411/01/04 Rev A)
  - Back roof plan, sections S1 & S2 and elevations, as proposed (N2411/01/05 Rev A)
  - Detail of front openings to basement, as proposed (N2411/01/06 Rev A)
  - Detail of back lightwell and rooflight, as proposed (N2411/01/07 Rev A)
  - General arrangement as proposed block plan (N2411/02/01)
  - Floor plans as proposed (N2411/02/02)
  - Ground floor plan, section 1 and elevations, as proposed (N2411/02/03)
  - Basement plan, section 2 and elevations, as proposed (N2411/02/04)
  - Back roof plan, sections S1 & S2 and elevations, as proposed (N2411/02/05)
  - Detail of front openings to basement, as proposed (N2411/02/06)
  - Detail of back lightwell and rooflight, as proposed (N2411/02/07)
- Daylight and Sunlight Assessment prepared by T16 Design
- Transport Technical Note prepared by Pulsar Transport Planning

For clarification the application fee of £125 (+£70 admin fee) has been paid by the applicant via secure online payment via the Planning Portal website.

### **The site**

The site comprises a terraced, four storey (plus basement) building located on the western side of Murray Street. The application site comprises the ground floor and basement levels of the building which was used lawfully as an office (Class E) until 28<sup>th</sup> February 2025 when the premises was vacated.

The first, second and third floors of the site (which are not subject of these proposals) contains a single, 3-bedroom maisonette (Class C3), which is accessed via a separate entrance directly off Murray Street (to the right-hand side of the frontage).

Murray Street is a no-through road between Camden Road and Agar Grove. Opposite the property is the London Irish Centre.



11 Murray Street is within a designated Neighbourhood shopping and service centre. There is an existing parade of shop fronts, many of which have been converted to residential use (8-10 Murray St. included) at ground level with residential flats in the upper floors. All buildings to the northwest from the immediately adjacent 12 Murray Street all the way to Camden Road are residential. The streetscape of Murray St has a unified appearance due to the architectural language of shopfronts at ground level, with filigree metalwork at first floor level - above the fascia signs. There is a varied roofline along Murray Street, where mansard and dormer roof developments have taken place.

The site has good access to the existing public transport network and has PTAL 3 rating. Camden Road Overground station lies a 0.4 mile walk southwest of the Site which provides good regular east-west rail links. Camden Underground station lies a 0.7 mile walk west of the Site and this provides a good regular service to central London, the city and High Barnet via the Northern Line. There are also several bus routes available in the vicinity of the site.

The building is unlisted, though is situated in the Camden Square conservation area.

The Site is located within Flood Zone 1 (low probability of flooding).

### Planning history

The relevant planning history for the site (taken from Camden Council's online records) is summarised in the schedule below.

Ref:	Description	Decision/date
2024/4393/P	Erection of a single storey rear extension and alterations to the windows and doors in the front lightwell.	Granted 03/02/2025
2019/5514/P	Use as office (Class B1).	Granted 18/12/2019

Camden Council has not introduced any Article 4 Direction removing the permitted development right provided by Schedule 2, Part 3, Class MA of the GPDO. Accordingly, the applicant has recognised this situation presents an opportunity to secure residential conversion of the retained commercial premises (Class E) – as this permitted development right does not allow Local Planning Authorities to stop existing commercial properties from being converted to residential use by applying any Local Plan policies resisting this change (from both a land-use and design perspective).



To enhance the internal daylight levels within the proposed residential unit and improve the overall standard of accommodation, a full planning application was submitted for a scheme to extend the building at ground floor level, thereby enlarging the living area. Furthermore, the existing windows and door to the front light well were deemed inadequate; hence, a proposal to significantly enlarge these openings was put forward to increase both natural light and ventilation in the internal spaces.

Accordingly, planning permission (2024/4393/P) on was secured on 3<sup>rd</sup> February 2025 for these works as listed in the schedule above.

This application for “prior approval” under Schedule 2, Part 3, Class MA of the GPDO is therefore made on the basis that all the external alterations already approved by planning permission 2024/4393/P are incorporated.

### **The requirements for a Class MA “prior approval application”**

Schedule 2, Part 3, Class MA of the GPDO permits:

*‘Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (‘Commercial, Business and Service’) of Schedule 2 to the Use Classes Order to a use falling within Class C3 (dwellinghouses) of Schedule 1 to that Order.’*

The proposed development complies with the criteria necessary to permit the change of use pursuant to Class MA.1(d). The building is not listed, it does not contain a scheduled monument, it is not Article 2(5) land, nor does it form part of a safety hazard area or military explosives storage area.

Class MA.2 requires an application for determination as to whether the prior approval of the authority will be required. To assess whether prior approval is needed, the Local Planning Authority (‘LPA’) can only review matters in relation to the following:

- a) transport impacts of the development, particularly to ensure safe site access;
- b) contamination risks in relation to the building;
- c) flooding risks in relation to the building;
- d) impacts of noise from commercial premises on the intended occupiers of the development;
- 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;



- f) the provision of adequate natural light in all habitable rooms of the dwellinghouses;
- 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; and
- h) where the development involves the loss of services provided by—
  - (iii) a registered nursery, or
  - (iv) a health centre maintained under section 2 or 3 of the National Health Service Act, the impact on the local provision of the type of services lost; and
- i) where the development meets the fire risk condition the fire safety impacts on the intended occupants of the building.

Please note, criteria (g), (h) and (i) of MA.2(2) – identified in grey text – are not relevant to this application, as the site is not within or close to any “*area of general or heavy industry, waste management, or storage and distribution*”, there is no health centre or nursey on site and the building extends to less than 18m (so the fire risk condition does not apply).

For clarity, Paragraph W of the GPDO sets out the detailed requirements for an application to a LPA for a determination as to whether the prior approval of the authority will be required. Complementary to this, Clause 9(A) of the GPDO clarifies that such proposals must achieve required minimum size standards, as “*Schedule 2 does not grant permission for, or authorise any development of, any new dwellinghouse—*

*(a) where the gross internal floor area is less than 37 square metres in size; or*

*(b) that does not comply with the nationally described space standard issued by the Department for Communities and Local Government on 27th March 2015.*

For clarity, the proposed layout for the maisonette is fully compliant with these requirements.

### **The Proposed Development**

This application seeks Camden Council’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 1 residential unit (Use Class C3).

### **Assessment of the Proposed Development**

#### Transport Impacts



In light of the requirements set out within the General Permitted Development Order, this section considers the transport and highways impacts of the development. A Transport Technical Note ('TTN'), prepared by Pulsar Transport Planning, has been provided in support of the application.

The site has a Public Transport Accessibility Level (PTAL) of 3, on a scale of 1 (poor) to 6 (excellent). This is supported by local public transport services such as Camden Road Overground Station, approximately 600m walk-distance southwest of the site. The station is located within Zone 2 and is served by the Mildmay Line, which operates between Richmond/Clapham Junction and Stratford. Approximately 8-9 services per hour operate in each direction from Camden Road. Camden Underground station lies a 0.7 mile walk west of the Site and this provides a good regular service to central London, the city and High Barnet via the Northern Line.

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 CA – N Camden Square 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 2no. cycle parking spaces provided in total. The cycle parking spaces will be provided in a secure, lockable shed in the rear garden.

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 garden of the proposed dwelling.

Safe access to the development is afforded directly from the street on Murray Street.

As detailed in the TTN, Servicing and refuse collection would continue as per the existing site and in line with arrangements for other dwellings along Murray Street, with bins presented kerbside ahead of regular Council collection.

As such the Proposed Development is not anticipated to give rise to any major transport issues. It therefore meets the test of the NPPF (2024) and paragraph 116, 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 is assessed to have a low risk of contamination, with no recent or historically significant land uses that would present a potential hazard. Furthermore, this application does not entail any ground disturbance, as the proposed works to facilitate the conversion to residential use will be conducted entirely within the existing building's framework. Consequently, it is determined that there is no contamination risk associated with this application.

#### Flooding

The site is located entirely within Flood Zone 1 and as such, flood risk is 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. As such, the proposal is acceptable in respect of flooding.

#### 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. 10 and no. 12 Murray Street are in residential use and the property directly to the west, no. 40 Stratford Villas is also used as residential dwellings.

The nearest commercial premises to the site is at 1 Cobham Mews to the south. The building is currently occupied by a landscape architecture practice whose offices close at 6pm Monday – Friday and is closed on Saturdays and Sundays. Therefore, this use is highly 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.

#### 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 the new residential unit. 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 Camden Square Conservation Area. The building is not specifically mentioned in the Camden Square Conservation Area Appraisal and Management Strategy (March



2011). We consider the building makes a neutral contribution to the conservation area, having been altered over time.

Notwithstanding the above, the alterations required to facilitate the change of use have already been granted planning permission permitted under application reference 2024/4939/P. The LPA's assessment of these works concluded as follows:

*“Overall, the visual impact from the proposed single storey rear extension and fenestration alterations to the front lightwell are considered acceptable and are not considered to be detrimental to the appearance and character of the host property or the conservation area. The proposed development is considered to be in accordance with Policies D1 and D2 of the London Borough of Camden Local Plan 2017”<sup>1</sup>.*

This application proposes no further elevational changes and therefore there will be no impact on character and appearance of the Camden Square Conservation Area.

#### Fire Safety

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

#### **Conclusions**

Prior Approval is sought for the proposed change of use of the existing (Class E) Commercial, Business and Service floorspace at 11 Murray Street, which is provided at ground floor and basement levels.

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.

We look forward to receiving confirmation that the application has been validated. In the meantime, if you require any further information have any queries, please contact Alex Yearsley of this office (details below).

Yours faithfully,

**BELL CORNWELL LLP**

**ALEX YEARSLEY**

Principal Planner

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<sup>1</sup> Delegated Report – 2024/4393/P – Paragraph 2.8