

79 DEC 1948

London County Council

TOWN AND COUNTRY PLANNING ACT, 1947.

TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT) ORDER, 1948.

Town Planning Committee

Report by Architect and Director of Housing and Valuer.

Borough Council Holborn.

Case No. T.P. 29570

Application received 25th October, 1948.

By Messrs. Lander, Beccells & Grompton.

On behalf of The Governing Body of Rugby School.

Premises 89-97, Dams Conduit Street, Holborn.

Particulars of proposals For approval in principle to the erection of a block of single-storey lock-up shops on the site of the above-mentioned property.

REPORT.

The site is within an area tentatively scheduled for residential user in the Draft Development Plan. It formed part of the Holborn Borough Council's Great Ormond Street Housing Site and is now within an area likely to be affected by proposed extension of the Hospital for Sick Children and the Institute of Child Health, Great Ormond Street.

In August, 1943, an application to develop this site by the reinstatement thereon of war-damaged shop and dwelling properties was refused and in the following October application for a "postponement decision" in lieu of refusal was acceded to by the Committee. Subsequent applications were deferred until July, 1947.

The proposal to reinstate the war-damaged properties was considered undesirable in that it would have resulted in an over-development of the site and would perpetuate bad planning. Nevertheless it was, by Article 3 of the General Development Order of 1948 permitted development and, in these circumstances, the Committee on 8th September last, when reconsidering the case, decided it could not approve the proposal and invited the applicants' attention to their rights under Article 3 of the Town and Country Planning (General Development) Order, 1948.

This decision has been interpreted by the applicants as a refusal of planning consent and they have accordingly lodged an appeal with the Minister of Town and Country Planning, which they have requested should be held in abeyance pending further negotiations with the Council; evidently the result of the present application which is for approval, in principle, for the erection of a small block of single-storey lock-up shops until permanent redevelopment takes place.

When the proposal for redevelopment was under consideration, the Borough Council were asked if they would be prepared to indemnify this Council against any liability to purchase the site, incurred under Section 19 of the 1947 Act, if application were refused.

P.T.O.

The Borough Council whilst being prepared to agree to do this, having regard to the Ministry of Health's interest in the land, referred the Council to that authority (letter 11.8.48). The Minister of Health was also asked this question (letter 25.8.48) but no reply has yet been received, although this department has since been contacted, AND WAS INFORMED BY TELEPHONE THAT THE MINISTRY OF HEALTH ARE NOT PREPARED TO INDEMNIFY THE COUNCIL AGAINST REFUSAL DUE TO THE LONG TERM NATURE OF THE PROPOSED EXTENSION.

Existing user rights for shop and residential user attach to the site and it is not therefore seen that objection in principle could be sustained. Further, it is felt that a development of the type now proposed, even if carried out, need not jeopardise any proposals by the hospital authority and in the circumstances, the Committee is recommended to grant consent.

RECOMMENDATION

(a) CONSENT IN PRINCIPLE to the utilisation of the sites of Nos. 89-97, LAMBS CONDUIT STREET, in connection with the erection thereon of a block of single-storey lock-up shops.

INFORM APPLICANTS of the necessity for submitting detailed plans, sections and elevations of the proposed single-storey lock-up shops for the Council's consideration, as required by the Town and Country Planning (Making of Applications) Order, 1948

(b) ~~Solicitor's reference in respect of the pending appeal to be discharged.~~

(Sd) C. H. Waller.

(SGD.) ROBERT H. MATTHEW

Director of Housing and Valuer. Architect to the Council.

M.H.

ITEM NO.	RECOMMENDATION AGREED
1054/	CHAIRMAN / 14 DEC 1948
	TOWN PLANNING COMMITTEE.