

Attn: Planning Department
Camden Council
6th Floor
Camden Town Hall Extension
Argyle Street
London WC1H 8EQ

Date: 29th July 2014

Ref: 0441/2014.08.01_Camden Planning

Dear Sir/Madam

Re: 12/13 Stucley Place, London NW1 8NS.

We write to apply on behalf of our client the Avondale Pension Scheme for prior approval or confirmation that prior approval is not required to implement under Schedule 2 of the General Permitted Development Order 1995 (as amended) a change of use to Class 3 (dwellinghouses) from Class B1(a) (offices) within the building at 12/13 Stucley Place.

Specifically it is proposed to change the use of the existing offices on lower ground, ground and first floors to residential accommodation comprising 2 no. two bed dwellings and 2 no. one bed dwellings.

Schedule 2 of the GPDO was amended on 30th May 2013 to include Class J which states the following:

"Permitted development

J. Development consisting of a change of use of a building and any land within its curtilage to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order from a use falling within Class B1 (a) (offices) of that Schedule.

Development not permitted

J.1 Development is not permitted by Class J where –

- a) the building is on article 1(6A) land;*
- b) the building was not used for a use falling within Class B1(a) (offices) of the Schedule to the Use Classes Order immediately before 30th May 2013 or, if the building was not in use immediately before that date, when it was last in use;*
- c) the use of the building for falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order was begun after 30th May 2016;*
- d) the site is or forms part of a safety hazard area;*
- e) the site is or forms part of a military explosives storage area;*
- f) the building is a listed building or a scheduled monument.*

Conditions

J.2 Class J development is permitted subject to the condition that before beginning the development, the developer shall apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to –

- a) transport and highways impacts of the development;*
- b) contamination risks on the site; and*
- c) flooding risks on the site,*

and the provisions of paragraph N shall apply in relation to any such application".

We set out below the reasons that the proposed change of use constitutes permitted development:

Permitted development

The development does not fall into any of the 'not permitted' categories:

- a) The site is not located on article 1(6A) land;
- b) The building was last in use as class B1(a) offices prior to 30th May 2013;
- c) Not applicable at this stage;
- d) We understand the site is not within a safety hazard area. We are seeking the Council's confirmation within this application;
- e) We understand that the site is not within a military explosives storage area. We are seeking the Council's confirmation within this application; and
- f) The building is not a listed building.

Background to existing office use:

The building has been in continuous office use since November 2004 when Avondale Pension Scheme purchased the building and the current occupiers Avondale Construction Limited moved into it. The building acts as company's headquarters and offices. The company is engaged in construction activities and the management team occupy the building. The building is arranged as offices on lower ground, ground and first floor with offices, meeting rooms, WCs and kitchenette. Up to fifteen staff work permanently within the building. Avondale have a separate goods yard where equipment and materials are stored. No construction equipment or materials are stored at the building.

The records show that the existing buildings use prior to 30th May 2013 was offices B1 (a) and has been since November 2004.

Conditions:

Transport and Highways Impact.

The site is in an area with a PTAL rating of 6 and therefore sustainable transport solutions are desirable. There is no existing off-street parking and on-site parking is not proposed. To alleviate any pressure to on-street parking in the vicinity the owner, Avondale Pension Fund, is willing to make a unilateral undertaking that the residential dwellings will be car-free prior to the commencement of the development. We are happy for this to be made a condition of the approval or to agree the wording and submit the undertaking before determination of the prior approval. We await the council's comments on this. Commitment to a car free scheme will ensure no severe transport impacts will arise from the conversion from offices to residential. Where possible suitable storage for cycles is identified on the proposed layouts to encourage sustainable transport options.

Contamination Risks.

There is no development or excavation proposed in the change of use and there is no garden area associated with the proposed use, therefore there will be no pathways between occupants and potential historic contaminants and therefore low risk. The land is therefore not 'contaminated land' as defined by the Environmental Protection Act 1990 and there is no requirement for further site investigation, or remediation.

Flood Risk

A review of the Environment Agency's Flood Maps shows that the site is not located within an area at risk of flooding from rivers and sea or from reservoirs. There would be no external changes or additional hard surfacing associated with the change of use.

The above reports demonstrate that the proposed change of use would not result in unacceptable highways and transport impacts that there are no risks from contamination or flooding and therefore prior approval is not required.

The following is provided in accordance with the requirements of paragraph N:

- a) Written description of the Proposed Development:
Change of use from offices (use class B1a) to 2 residential units (use class C3) on ground and basement levels and 2 no residential units (use class C3 at 1st floor .
- b) Plans of the Proposed Development :
The proposed floor plans show the existing & proposed layout of the residential conversion to provide 2 no. two bed dwellings and 2 no. one bed dwellings. No external alterations or works to the building are proposed at this stage. Any external alterations required to facilitate the change of use will be the subject of a planning application.
- c) Developer's Contact Address:
Avondale Pension Scheme
12/13 Stucley Place
London NW1 8NS C/O Agent.
- d) Developer's Email Address:
All correspondence should be with the Developer's agent, KCA.

Conclusions

The transport and highways impacts in relation to the proposed change of use to 4 new residential units are considered acceptable. It has been demonstrated that the site is not considered contaminated land and is not within a flood risk zone and therefore there are no contamination or flood risks associated with the site.

We do not consider that the prior approval of the local planning authority in relation to the above change of use is required and our client can implement Part J of the GPDO (1995) (as amended).

The following documents and drawings are submitted in support of the application :

1. This Covering Letter;
2. Completed application form;
3. Drawings package including site location plan and proposed floor plans, prepared by KCA;
4. Flood Risk Statement prepared by KCA;
5. Letter from Avondale confirming existing B1(a) use.

We also enclose a cheque for £80 in payment of the application fee with a hard copy of this letter. Should you have any queries regarding the application please let me know. I trust that you will acknowledge receipt and determine it within 56 days. I look forward to hearing from you.

Yours sincerely



Kiran Curtis
on behalf of Kiran Curtis Associates
Encl.