

KR Planning
183 Seafield Road
Bournemouth
Dorset
BH6 5LJ

Application Ref: **2015/0830/P**
Please ask for: **Mandeep Chaggar**
Telephone: 020 7974 **6057**

17 April 2015

Dear Sir/Madam

DECISION

In accordance with section 60 (2B) and (2C) of the Town and Country Planning Act 1990
(as amended by section 4(1) of the Growth and Infrastructure Act 2013)

Process set out by condition J.2 of Schedule 2 Part 3 Class J of the Town and Country
Planning (General Permitted Development) Order 1995 (as amended by SI 2008 No. 2362
and SI 2013 No. 1101)

Certificate of Lawfulness (Proposed) Prior Approval granted

The Council, as local planning authority, hereby confirm that their **prior approval is granted** for the proposed development at the address shown below, as described by the description shown below, and in accordance with the information that the developer provided to the local planning authority:

Address of the proposed development:

Marlborough House
179-189 Finchley Road
London
NW3 6LB

Description of the proposed development:

Change of use from offices (Class B1a) on 2nd and 3rd floors to 18 residential units (Class C3), comprising 2 studio units, 14 x 1 bed units and 2 x 3 bed units.



Details approved by the local planning authority:

Drawing Nos: S.00, 350/2PD01, 350/2PD02, 350/2PD03.

Reason for approval:**Informative(s):**

1 Reasons for granting permission.

The proposed change of use from offices to residential use is permitted under Class J of the Town and Country Planning (General Permitted Development) Order 1995 (as amended). The development would result in 18 additional units and is likely to result in a material increase to traffic generated within the vicinity of the site, thus the Council will seek to secure this unit as car-free as the site is in a highly accessible location within the Finchley Road Controlled Parking Zone. It is therefore considered necessary to remove the occupier's ability to apply for parking permits by requiring the applicant to enter into a S106 legal agreement to ensure that the development is car-free. The proposed plans indicate an area for cycle parking within the rear ground floor passageway. A minimum of 20 covered, secure and fully enclosed cycle parking spaces would need to be provided in order to meet the minimum requirements of the London Plan. However, given the constrained nature of the site, which has limited space to accommodate these, it is considered that a lower standard of provision is accepted.

The site is not identified as being at risk of surface water flooding and no external works are proposed nor excavation of basement floors.

The NPPF notes that the planning system should contribute to and enhance the local environment by remediating contaminated land, and that the responsibility for ensuring a safe development rests with the developer. Given that the application is for a change of use within the building only and the ground itself is not being disturbed, it is unlikely that contamination will be an issue here. There is also no outdoor space which would be disturbed and so the impact is considered acceptable.

No objections have been received and the site's planning history and relevant appeal decisions were taken into account when coming to this decision.

As such, the proposed development is in general accordance with chapters 4, 10 and 11 of the National Planning Policy Framework.

2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which 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, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).

- 3 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 are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 4 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 5 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.

Your attention is drawn to the notes attached to this notice which tell you about your Rights of Appeal and other information.

Yours faithfully



Ed Watson
Director of Culture & Environment

It's easy to make, pay for, track and comment on planning applications on line. Just go to www.camden.gov.uk/planning.

It is important to us to find out what our customers think about the service we provide. To help us in this respect, we would be very grateful if you could take a few moments to complete our online survey at the following website address: www.camden.gov.uk/dmfeedback. We will use the information you give us to help improve our services.