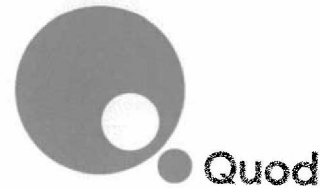


our ref: TV/Q50105
your ref:
email: Tom.Vernon@quod.com
date: 24 April 2015



Development Control
Planning Services
London Borough of Camden
5 Pancras Square
London N1C 4AG

Dear Sirs,

61 CHARLOTTE STREET
TEMPORARY CONVERSION OF EXISTING OFFICE (USE CLASS B1A) TO (RETAIL) GALLERY (USE CLASS A1)
UNDER GENERAL PERMITTED DEVELOPMENT ORDER, SCHEDULE 2, PART 4, CLASS D

I am instructed by our client, Merchant Land Investments Ltd, to give prior notification for a temporary change of use of the ground floor of No. 61 Charlotte Street, London, from office (Use Class B1a) to Gallery (Use Class A1) for a temporary period of up to two years under Class D of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015.

This prior notification is supported by the following documentation necessary for Camden Council to determine the application:

- Site Plan;
- Plan demarking the area of floorspace for the temporary gallery; and
- Completed notification form.

This application relates solely to the ground floor of No.61 Charlotte Street with the temporary gallery space not to exceed 150m² (GIA).

a) The Existing Building

The existing building comprises four floors of vacant office accommodation (Use Class B1a). This application relates solely to an area of the ground floor.

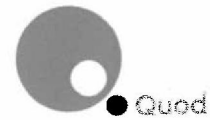
The site is located within the Central Activities Zone and the Charlotte Street Conservation Area. Nearby urban context comprise similar terraced properties, along with a number of larger individual buildings in the near vicinity. To the south-east of the site, the buildings (Nos. 59, 57, 55, 53 and 46) comprise Class A retail uses at ground floor. Similarly, to the north-west of the site 67 and 69 Charlotte Street, comprise a restaurant and a café at ground floor.

The site has a PTAL rating of 6b (Excellent) and is located close to Goodge Street Underground Station.



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b) Permitted Development Rights Tests

On 30th May 2013, an amendment to the General Permitted Development Order (1995 as amended) (GPDO) was introduced. It enabled development consisting of a change of use of a building and any land falling within its curtilage from a use falling within Class B1 (business) (amongst others) to a flexible use falling within Class A1 (shops) (amongst others), for a single continuous period of up to 2 years.

No. 61 Charlotte Street has lawful use as B1(a) on all floors and is therefore capable of a temporary change of use to Use Class A1 under Class D of the amended Order. Development is dependent on a number of further pre-conditions (paragraph D1) as set out below:

D.1 Development is not permitted by Class D if—

(a) the change of use relates to more than 150 square metres of floor space in the building;

(b) the site has at any time in the past relied upon the permission granted by Class D;

(c) the site is, or forms part of, a military explosives storage area;

(d) the site is, or forms part of, a safety hazard area;

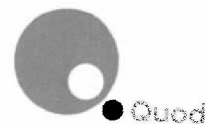
(e) the building is a listed building or a scheduled monument; or

(f) the building is a specified building and the development is undertaken during the specified period, regardless of whether any notification has been given in accordance with paragraph D.2(a).

The change of use relates to the ground floor area which does not exceed 150m² of floorspace in the building. No.61 Charlotte Street has not previously relied upon permission granted by Class D, nor does the site form part of a safety hazard area or a military explosives storage area. The building is not listed or a scheduled monument. Finally the building is not a “specified building” and the development is not the subject of a “specified period” (as identified by paragraph C3).

Therefore all of these prohibitions are not applicable and would not prevent the proposed temporary change of use.

In addition, Class D development is subject to six conditions. We respond to these six conditions (D2 of the GPDO as amended) as follows:

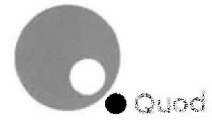


Condition (paragraph D2 of the GPDO as amended)	Response
(a) the developer must notify the local planning authority of the date the site will begin to be used for one of the flexible uses, and what that use will be, before the use begins;	I hereby notify Camden Council that the ground floor area of 61 Charlotte Street will convert from office use (Class B1a) and begin use as a Gallery (Class A1) under Class D of the GPDO (as amended) on 24 th April 2015.
(b) at any given time during the 2 year period referred to in Class D the site is used for a purpose or purposes falling within just one of the use classes comprising the flexible use;	The area will be used solely for Class A1.
(c) the site may at any time during the 2 year period change use to a use falling within one of the other use classes comprising the flexible use, subject to further notification as provided in paragraph (a);	It is the intention to operate the solely as a gallery (Use Class A1) for the duration of the temporary two year period. However further notification of any change to an alternative flexible use will be submitted to Camden Council should it be required.
(d) for the purposes of the Use Classes Order and this Order, during the period of flexible use the site retains the use class it had before changing to any of the flexible uses under Class D;	Accepted.
(e) the site reverts to its previous lawful use at the end of the period of flexible use;	Accepted. The use will revert to Use Class B1(a) at the end of the period, subject to any subsequent permissions.
(f) in the case of a building which is not a community asset, which is used for a purpose falling within Class A4 (drinking establishments) of the Schedule to the Use Classes Order, the conditions set out in paragraphs C.2(f)(i) to (iii) apply.	Not applicable to 61 Charlotte Street.

c) Conclusion

With reference to the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015, there are no prohibitions that would prevent the change of use.

The supporting information clearly demonstrates that there are no reasons why the temporary change of use should not be appropriate for the conversion of the existing ground floor office (Use Class B1a) to a gallery (Use Class A1) for a temporary period of up to two years.



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I trust you have sufficient information with regard to the acceptability of this notification, please do not hesitate to contact me should you have any further questions.

Yours sincerely



Tom Vernon
Associate
