

Planning Department  
London Borough of Camden  
2<sup>nd</sup> Floor, 5 Pancras Square  
c/o Town Hall, Judd Street  
London  
WC1H 9JE

19<sup>th</sup> August 2015

Our Reference: 15/170  
BY E-MAIL

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**  
**SCHEDULE 2, PART 3, CLASS O, GENERAL PERMITTED DEVELOPMENT ORDER (2015)**  
**PRIOR APPROVAL APPLICATION FOR CHANGE OF USE FROM OFFICE (CLASS B1A) TO**  
**RESIDENTIAL (CLASS C3)**  
**286-290 KILBURN HIGH ROAD, LONDON, NW6 2DB**

We write on behalf of our client, AFJ Properties Limited, to submit an application for prior approval at 286-290 Kilburn High Road, London, NW6 2DB. Prior approval is sought for:

***“Change of use of ground (part), first, second and third floors from office (Class B1a) to residential (Class C3).”***

This prior approval application is submitted in regard to the provisions set out in Schedule 2, Part 3, and Class O of the General Permitted Development Order (2015).

This is a straightforward application with no transport, land contamination or flooding issues. In any event, a transport note has been produced and is submitted as part of the application demonstrating that adverse transport, highways or parking impact would not arise from the development.

The site is in Class B1a use across all floors. We refer to the Council's 2002 determination ~~1~~PWX 0103835 dated 18<sup>th</sup> June 2002, in this regard.

No external development is required but if any is later found to be needed, planning application(s) will be submitted to the Council in due course.

**a. Site**

The site is located on the east side of Kilburn High Road in between junctions with Palmerston Road and Grangeway.

The site comprises a 4 storey building including the ground floor accommodation.

**b. Schedule 2, Part 3, Class O, General Permitted Development Order (2015)**

Schedule 2, Part 3, Class O of the General Permitted Development Order (2015) refers to changes of use permitted under a permission granted on an application.

Specifically, Class O relates to:

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

Development is not permitted under Class O if: -

- (a) The building is on article 2(5) land;

***The building is not located on article 2(5) land.***

- (b) The building was not used for a use falling within Class B1(a) (offices) of the Schedule to the Use Classes Order .

- i. On 29<sup>th</sup> May 2013, or;

***The building was in B1(a) (office) use on 29<sup>th</sup> May 2013.***

- ii. In the case of a building which was in use before that date but was not in use on that date, when it was last in use;

***The building was in B1(a) (office) use before 29<sup>th</sup> May 2013.***

- (c) The use of the building falling within Class C3 (dwellinghouses) of that Schedule was begun after 30<sup>th</sup> May 2016;

***The proposed change of use of the building from B1(a) (office) use to C3 (residential) would occur before 30<sup>th</sup> May 2016.***

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

***The site does not form part of a safety hazard area.***

- (e) The site is, or forms part of, a military explosives storage area;

***The site does not form part of a safety hazard area.***

- (f) The building is a listed building or is within the curtilage of a listed building; or

***The building is not listed nor is it within the curtilage of a listed building.***

- (g) The site is, or contains, a scheduled ancient monument.

***The site does not contain any scheduled ancient monuments.***

Development under Class O is permitted subject to the condition that before beginning the development, the developer must 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;

***A Transport Note has been prepared and is submitted as part of this prior approval application.***

- (b) Contamination risks on the site; and

***The site is not located on contaminated land and as such there are no contamination risks associated with the site.***

(c) Flooding risks on the site.

***The site is not located within a flood risk zone and as such there are no flooding risks associated with the site.***

Mindful of the above, this prior approval application fully meets the tests and conditions for Schedule 2, Part 3, Class O of the General Permitted Development Order (2015) and as such this planning application benefits from the permitted development rights afforded to it by Class O.

Further, any transport concerns noted by the Council in the previous prior approval application have been explored fully as part of this resubmission and are not found to have any basis for refusal of this resubmission.

### **c. Application Submission**

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The following documents, in conjunction with this letter, form the application:

- Completed application form;
- Site Location Plan 1:1250;
- Existing & Proposed Floorplans; and
- Transport Note.

In addition, a cheque payment made payable to the London Borough of Camden for the sum of £80.00 has been posted as the correct fee for this application.

We look forward to receiving confirmation of registration and validation. Please contact Stuart Walburn on 020 3725 3853 or [swalburn@iceniprojects.com](mailto:swalburn@iceniprojects.com) or Jack Brudenell on 020 3435 4207 or [jbrudenell@iceniprojects.com](mailto:jbrudenell@iceniprojects.com) in the first instance should you have any questions.

Yours faithfully



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cc. Helen Kyprianos . AFJ Properties Limited  
Enc.