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23rd November 2015

Dear Sir / Madam

**APPLICATION FOR CONFIRMATION THAT PRIOR APPROVAL IS NOT REQUIRED FOR
CHANGE OF USE FROM B1(a) OFFICES TO C3 DWELLINGS
79 FORTESSS ROAD, NW5 1AG**

On behalf of our client, "Live-Work Space (2011) LLP", we are seek confirmation from the London Borough of Camden that the prior approval of the authority is not required to implement "Class O" of Schedule 2 of the Town and Country Planning (General Permitted Development) Order (GPDO) 1995 (as amended) at the above building.

Approval was granted via appeal on 19th May 2015 confirming that prior approval for the change of use of the building from office to create 14 dwellings was not required (APP/x5210/A/14/2221432). This application is submitted to seek confirmation that prior approval is not required to change the use of the building to create 16 dwellings.

"Class O" states:

"Permitted development

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

Development not permitted

O.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 falling within Class C3 (dwellinghouses) was begun after 20th 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 listed or a scheduled monument.*

Conditions

O.2 Class O 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”.

In accordance with paragraph O.1 the proposed change of use at the application site is considered to be permitted development for the following reasons:

- a) The site is not located on article 1(6A) land;
- b) The building was in B1(a) use immediately before 30th May 2013;
- c) Not applicable at this stage;
- d) The site is not within a safety hazard area;
- e) The site is not within a military explosives storage area.
- f) The building is not listed or a scheduled monument.

Paragraphs N of the GPDO (1995) (as amended)

The following is provided in accordance with paragraphs N:

a) Written description of the proposed development

Change of use from offices (Use Class B1(a)) to 16 residential units (Use Class C3)

b) A plan indicating the site and the showing the proposed development

We enclose a site plan and drawings (floorplans) of the proposal to illustrate how the residential units could be laid out to aid officers in their understanding and assessment of the development.

c) The developer's contact address

“Live-Work Space (2011) LLP”, c/o CMA Planning, 113 The Timberyard, Drysdale Street, London. N1 6ND

d) The developer's email address

Correspondence via CMA Planning (charles.moran@cma-planning.co.uk)

Transport and Highways Impacts

The site is well served by public transport being within easy walking distance of Tufnell Park tube stations, whilst numerous bus routes serve the local area. This is reflected in the enclosed PTAL Summary Report which confirms that the site has a Public Transport Accessibility Level (PTAL) of 5 which represent a 'very good' level of accessibility.

The existing building on site comprises circa. 1,000sqm of B1 office floorspace (net useable space) which, when applying a typical ratio of 1 job per 19sqm, would be capable of accommodating approximately 55 jobs. Even if each of the proposed new dwellings was occupied by three person household this would represent a reduction in the total number of people operating from the site and, therefore, an overall reduction in movements.

In accordance with part 3, paragraph N of the GPDO 1995 (as amended) it is considered that the proposed change of use would not result in unacceptable highways and transport impacts. Accordingly, the prior approval of the local planning authority in relation to the transport and highways impacts is not considered necessary although the application is willing to submit a "car-free" unilateral undertaking prior to commencement of the development to restrict residents from applying for on-street parking permits.

Contamination Risks on the Site

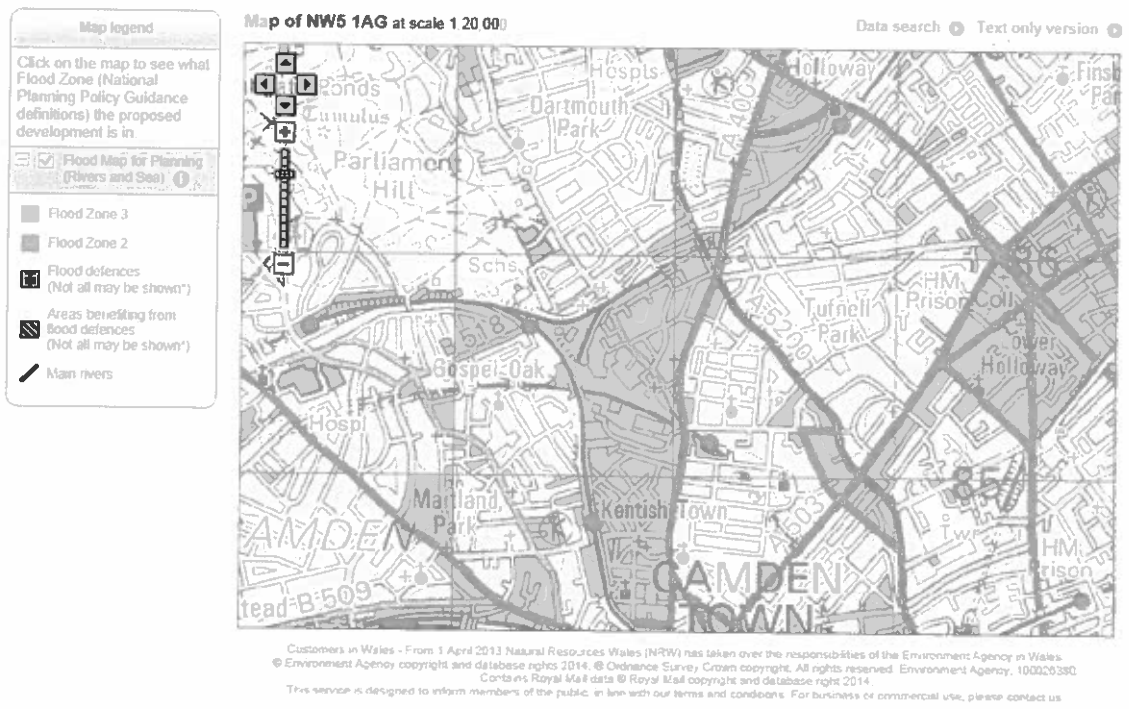
The building was originally built for storage and light-industrial purposes; however, it has been used as office accommodation for a number of years following extensive internal refurbishment. The proposed change of use would occur entirely within the envelope of the existing building and so would not give rise to any significant contamination risks.

In accordance with part 3, paragraph N of the GPDO 1995 (as amended) it is not considered that the change of use would result in unacceptable contamination risks. Accordingly, the prior approval of the local planning authority in relation to contamination risk is not considered necessary.

Flooding Risks

As illustrated on the Flood Map below (taken from the Environment Agency website), the site falls within Flood Zone 1 which is identified as falling outside the floodplain and / or an area liable to flooding (less than 1 in 1000 year risk).

In accordance with part 3, paragraph N of the GPDO 1995 (as amended) it is not considered that the proposed change of use would result in unacceptable flood risks. Accordingly, the prior approval of the local planning authority in relation to flood risk is not considered necessary.



Conclusions

In conclusion the proposed change of use from offices to create 14 residential units has been established via appeal decision reference APP/X5210/A/14/2221432. This application seeks confirmation that prior approval is not required to create 16 residential units within the building.

For the reasons set out above, it is considered that the proposed change of use will not give rise to any unacceptable transport or highways impact nor are there any unacceptable contamination or flood risks arising from the development.

We, therefore, do not consider that the prior approval of the local planning authority is required in connection with the proposed change of use in order to implement Part O of the GDPO (1995) (as amended)

This application for prior approval comprises the following documentation:

- (1) Application covering letter
- (2) Site Plan identifying the building
- (3) Existing and proposed floorplans

We also enclose a cheque for £80-00 in respect of the prior approval application fee.



We trust that the enclosed is in order and look forward to receiving acknowledgement shortly that the application has been formally registered. In the meantime should you require clarification on any issues or wish to discuss this matter further please do not hesitate to contact us.

Yours sincerely

A handwritten signature in black ink, appearing to be 'C Moran', is positioned above the printed name.

Charles Moran
CMA Planning Ltd

