

3017/08-1512PON01

11 December 2015



Director of Planning
London Borough of Camden
5 Pancras Square
C/O Town Hall
Judd Street
London
WC1H 9JE

4 Underwood Row London N1 7LQ
t 020 7324 2662 f 020 7324 2663
e info@metropolispd.com
w metropolispd.com
w metropolisgreen.com

Dear Sir,

**TOWN AND COUNTRY PLANNING ACT 1990
SECTION 192 AS AMENDED BY SECTION 10 OF THE PLANNING
AND COMPENSATION ACT 1991
TOWN AND COUNTRY PLANNING (DEVELOPMENT
MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015
BASEMENT AND GROUND FLOOR, 104 – 105 SAFFRON HILL,
LONDON, EC1N 8HB**

On behalf of our Client, CHP Management Ltd, Metropolis Planning and Design have prepared this application to obtain a Lawful Development Certificate (LDC) for the proposed use of basement and ground floor level at 104 – 105 Saffron Hill, London, EC1N 8HB is within B1 Use Class.

The application is compliant with the Guidance Notes for applications seeking a LDC for an existing use and the Town and Country Planning Act 1990, Section 192 as amended by section 10 of the Planning and Compensation Act 1991 and the Town and Country (General Development Procedure) Order 2015.

The purpose of this application is to confirm that the ground and basement floors of the property could be lawfully used for any purpose falling within B1 Use Class.

Site Context

104 – 105 Saffron Hill is a basement and ground plus four storey building within the Hatton Garden Conservation Area. The building is not Listed. The site lies within a number of other site specific policy designations including the Central London Activities Zone, an archaeological priority area, a protected view (2A.1 Parliament Hill to St Paul's) and the Hatton Garden Area.

metropolis pdg ltd
Registered in England No. 9441629
Registered Office as above

trading as
metropolis planning and design
metropolis green
metropolis architectural studio

directors
Greg Cooper DIP TP DIP UD MRTPI
Paul O'Neill MA (Hons) MRTPI
Miranda Pennington BA

The Existing Tenant

The existing building comprises residential units at upper floors with the basement and ground floors, the subject of this application, currently occupied by NTR Metals a global precious metals refining company.

NTR Metals is a global company operating in over 75 locations across the world. The company offers commercial and industrial refining options including gold, silver, platinum and palladium in addition to bullion minting and precious metals market maker.

The company serves more than 30,000 companies (jewellers, pawnshops and precious metal exchanges) ranging from small, independent businesses to large corporations and is not open to the public.

As confirmed on their website, NTR Metals is a fully-integrated precious metals company that acquires, refines and mints precious metal bullion products for commercial clients. By integrating a broad spectrum of precious metals products and services, they create operating efficiencies that benefit scrap and precious metal bullion customers.

NTR have leased and occupied the ground floor and basement of the building since 2010.

Planning History

The property has an extensive planning history dating back to 1959 which mainly relates to the use of the upper floors.

In 1959 (ref: TP70528/02/01/59) and 1986 (ref: 8601459) permission was refused for the change of use of the fourth floor (1959 application) and the entire property (1986 application) from light industrial use to office accommodation.

Both applications were prior to the introduction of the Town and Country Planning (Use Classes) Order in 1987 and the associated circulars which introduced light industrial uses (B1c) into the B Use Class and allowed the change between light industrial uses and office uses to be undertaken as permitted development.

In 1988 permission was granted for alterations to the front elevation (ref: 8800490) which was followed in 1989 by advertisement consent for the internally illuminated lettering to the fascia sign (ref: 8980021).

Application ref 2007/3392/P was submitted in July 2007 for the partial demolition of the 4th and 5th floor and erection of a new part fourth part fifth floor level including the change of use of floors one to four from **office** to residential use to create five units. This application was followed by an application in 2008 (ref: 2008/0252/P) for the change of use of second, third and fourth floors from office to residential which was refused on the 13th August 2009.

In 2010 application ref 2010/0949/P was submitted and approved for the change of use from **office** at second, third and fourth floor level to create three residential units. Again this application was closely followed in 2011 (ref: 2011/1963/P) by a change of use application from office to one residential unit at first floor level which was permitted on the 30th June 2011.

The upper floors of the premises are now in residential use with the ground floor and basement of the property occupied by NTR Metals.

It is apparent from the above history that at some point between 1987 and 2007 the use of the upper floors of the building was changed from light industrial to office use under permitted development rules.

The Existing Use of Ground Floor and Basement

The ground floor and basement of the property are currently used by NTR metals as a mix of workshop and offices.

The ground floor and basement are assessed for rates as 'Offices and premises'.

The nature of activities at the property would indicate that the lawful existing use of the property falls within Class B1 of the Use Classes Order (as amended).

The planning history of the property does not identify any restrictions imposed by condition on the ground floor or basement of the property.

Given the history of the upper floors of the property, and the use and occupation of the ground floor of the premises it is clear that the activities undertaken would fall within Class B1 of the Use Classes Order. Given this history, and the prevailing provisions of the Use Classes Order, confirmation is sought, via the grant of a Certificate of Lawful Proposed Use that would enable the ground floor and basement to be used for any purpose within Class B1 of the Use Classes Order.

Certificate of Lawfulness Criteria

In accordance with Section 192 of the Act, applications for Lawful Development Certificates for a Proposed Use are required to include the following information:

(a) Specify the land to which it relates

The application relates to basement and ground floor level at 104 – 105 Saffron Hill.

(b) Describe the use, operations or other matter in question (in case of any use falling within one of the classes specified in an order under 55(2)(f), identifying it by reference to that class);

Proposed Uses within Class B1 of the Use Classes Order

(c) Give the reasons for determining the use, operations or other matter to be lawful;

Planning permission is not required for the change of use within the same use class under section 55 of the Town and Country Planning Act 1990 as it does not constitute 'development' as no material change of use will occur.

This is reflected within paragraph 012 of the National Planning Policy Guidance which states,

"Movement from one primary use to another within the same use class is not development, and does not require planning permission"

This is also confirmed within the definition of Business Use within the Town and Country Planning (Use Classes) Order 1987 which states,

"Class B1. Use for all or any of the following purposes –

- (a) As an office other than a use within A2 (financial and professional services),*
- (b) For research and development of products or processes, or*
- (c) For any industrial process,*

Being a use which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit"

The unit is currently occupied by a company which undertake precious metal refining and the existing use is considered to fall within the range of uses outlined in Class B1 of the Order.

(d) Specify the date of the application plan for the certificate

The 'date of the application' is the date as shown on this covering letter, 4th December 2015.

As such, please find enclosed the following material to support this application,

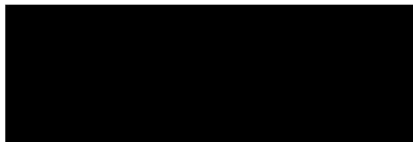
- Completed Application Forms;
- Completed CIL Forms;
- Site Location Plan;
- Existing Plans of basement and Ground Floor
- The appropriate Application Fee being £192.50 (half the normal planning fee).

I trust that this is sufficient to validate and subsequently issue a Certificate of Lawfulness that would enable the ground and basement floor of 104 – 105 Saffron Hill to be used for B1 purposes.

For the avoidance of doubt, this application seeks confirmation through the grant of a Certificate of Lawfulness for a Proposed Use, to confirm that the undertaking of any activities at “the premises” (namely: ground floor and basement of 104 – 105 Saffron Hill, London, EC1N 8HB) falling within Class B1 of the Use Classes Order would be considered lawful.

I look forward to receiving your written acknowledgment shortly.

Yours sincerely



Paul O'Neill
Director

Encl

Appendix 1 – VOA Records Basement and Ground Floor 104 – 105 Saffron Hill

Basement and Ground Floor, 104 – 105 Saffron Hill

Applicant: CHP Management Ltd

Job ref: 3017

Appendix 1 VOA Records

Address of property: **BST & GND FLRS 104-105, SAFFRON HILL, LONDON, EC1N 8QS**

Rating list: **2010 (Current)**

With effect from: **01 Apr 2010**

Description: **OFFICES AND PREMISES**

Billing authority: **CAMDEN**

Billing authority reference: **01049010410501**

Special category code: **203 - Offices (Inc Computer Centres)**

Basis of measurement: **NIA**

Valuation scheme reference: **118569**

Unadjusted £ m2/unit: **£270.00/m2**

Valuation

Ref.	Floor	Description	Area m2/unit	£ m2/unit	Value
1	Basement	Store	42.62	£94.50	£4,028
2	Ground	Office	61.44	£270.00	£16,589
Total area:			104.06	Subtotal:	£20,617
Total value:					£20,617
Rateable value:					£ 20,500