

Our ref: J0052 – 61 Swinton Road: ltr 01 11.01.15  
Your ref: 61 Swinton Street: Application Resubmission

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London Borough Camden  
Planning & Environment  
Planning Application Administration  
Planning & Environment  
5 Pancras Square  
London  
N1C 4AG

11<sup>th</sup> January 2016

Dear Sir/Madam,

**Full Planning Application submission in respect of the change of use, conversion and refurbishment of 61 Swinton Street, London Borough Camden, WC1X 9NT**

**Introduction**

This covering letter accompanies a Full Planning Application submitted by Divine Ideas on behalf of the Applicant; Mr Sanchit Patel in respect of 61 Swinton Street (hereafter known as 'the site').

The description of development is as follows;

*“Conversion of public house (Use Class A4) with ancillary accommodation to bistro (Use Class A3) at ground and basement floor levels, the provision of 2 no. self contained apartments at ground and first floor levels (Use Class C3) and 10 room hotel (Use Class C1), and erection of a three storey rear extension and light well to the front’.*

**Background**

This application submission follows a similar proposal advanced by the same Applicant in respect of the same application site. The previous scheme sought Full and Listed Building Consent (LPA reference; 2014/3316/P and 2014/6518/L, respectively) for the conversion of the public house to create a bistro, hotel and residential use. These applications were however refused by way of decision notice dated 20<sup>th</sup> March 2015 on the grounds of height and width of the rear extension, absence of a sustainability report, layout of the 2-bedroom flat, loss of the public house, absence of legal agreement, proposed double glazing, introduction of light wells and loss of the building historic envelope.

The Applicant subsequently appealed the Council's decision to refuse the application (s) and the proposal was considered by the Planning Inspectorate by means of written representations. The Inspectors decision notice, dated 17<sup>th</sup> November 2015 (attached), allowed the appeal insofar as Listed Building Consent was concerned on the basis of paragraph 26 which explains that,

*“On the listed building appeal, the plan layout for the proposed extension would mirror the existing building and leave its historic layout and fabric almost entirely intact; the height would be the same as the existing building and the roof form would be appropriate in relation to the existing alongside; and the depth would*

*give a rear building line acceptable in relation to those on either side. The proposed light wells on Swinton Street would mean the re-introduction of a feature related to the building's original residential use, in keeping with what is to be seen to the east, albeit with the loss of features associated with the use as a public house. Retaining single-glazed windows on the frontage can be secured by condition."*

Notwithstanding the above, The Inspector considered that there was no option but to dismiss the appeal for Full Planning permission in view of the absence of a legal agreement, explaining at paragraph 27 that,

*"There is no doubt, however, that the absence of an agreement to secure car-free housing represents the omission of something necessary to make the development acceptable in planning terms and also contrary to what is sought by way of Core Strategy Policies CS11 and CS19 and Development Policy DP18. Appeal ref. APP/X5210/W/15/3065814 must therefore be dismissed."*

In view of the above it is the case that Listed Building Consent has been granted by the Planning Inspectorate but in the case of Full Planning permission this was dismissed solely on the grounds of the omission of a legal agreement relating to the car free housing. In this context, the Applicant will commit to a S106 agreement which addresses the car free housing point and it is envisaged that this will be drafted and agreed with Council during the course of determination. On this basis and it is the case that the revised application addresses the Inspector reasons for dismissing the previous appeal.

## Planning Policy

As part of the revised application the Applicant has considered if there have been any material changes to adopted planning policy considered by the Inspector in arriving at his decision which may need to be accounted for as part of this revised application.

The planning policy context relevant to the previous planning application and the subsequent appeal proposal includes the following documents and associated planning policies.

Policy Document	Planning Policies	Comments
National Planning Policy Framework March 2012	Section 6 – Delivering a wide choice of high quality homes.  Section 12 – Conserving and Enhancing the Historic Environment	No update to guidance following publication during March 2012 and therefore no change to policy guidance following Inspector Decision.
The London Plan – The Spatial Development Strategy for London, Consolidated with Alterations since 2011 (March 2015)	Chapter 3 – London's People (Policies 3.3 Increasing House Supply, 3.4 Optimising Housing Potential, 3.5 – Housing Quality).  Chapter 4 – London's Economy (Policies 4.5 – London's visitor infrastructure).  Chapter 7 – London's Living Spaces & Places (Policies 7.4 Local Character, 7.6 Architecture, 7.8 Heritage assets and archeology and 7.9 Heritage-led regeneration.	No update to the London Plan following further alterations amendments made during March 2015 which were in place prior to the appeal being determined.
Camden Local Development Framework – Camden Core Strategy 2010-2025 (adopted 8 <sup>th</sup> November 2010)	Policies; CS1 (Distribution of growth), CS5 (Managing the impact of growth and development), CS8 (promoting a successful and inclusive economy CS9 (achieving a successful Central London) CS11 (Sustainability) CS14 (Promoting high quality places and conserving our heritage) CS19 (delivering and monitoring the Core Strategy).	No update to the Core Strategy following adoption during November 2010 and therefore no change to relevant policies following Inspector decision.
Camden Local Development Framework – Camden	DP2 (making full use of Camden's capacity for housing) DP13 (employment premises and sites) DP14 (Tourism development and visitor accommodation) DP16 (transport implications of development) DP17 (walking, cycling and public transport) DP18	No update to the Development Policies document following adoption during

Development Policies 2010-2025 (adopted 8 <sup>th</sup> November 2010)	(parking standards and limiting the availability of car parking) DP19 (managing the impact of parking) DP20 (movement of goods and materials) DP21 (development connecting to the highway network) DP22 (Promoting sustainable design and construction) DP24 (Securing high quality design) DP25 (Conserving Camden's heritage) DP26 (Managing the impact of development on occupiers and neighbours)	November 2010 and therefore no change to relevant policies following Inspector decision.
Camden Planning Guidance 2011	CPG1 (Design), CPG 2 (Housing), CPG 3 (Sustainability), CPG 6 (Amenity) and CPG 8 (Planning Obligations)	All documents remain unchanged following adoption with the exception of CPG1, CPG2, CPG3, CPG 4 and CPG 8. However, these documents were adopted 17 <sup>th</sup> July 2015 and so there has been no change in policy following Inspector decision.
Bloomsbury Conservation Area Appraisal and Management Strategy 2011	General	The Conservation Area appraisal and management strategy remains unaltered following adoption in April 2011 and so there has been no change in policy following Inspector decision.

Having had regard to the above schedule of planning policies it is evident that there have been no updates following the Inspector decision 30<sup>th</sup> November 2015 which give rise to further issues for consideration or alter the outcome of the Inspectors decision in respect of the dismissed appeal.

### Supporting Application Material

The submission format meets the requirements agreed with the Council during previous pre-application discussions and comprises the documents outlined below;

- The original and 3no. copies of the applications forms;
- The original and 3 copies of the completed, dated Ownership Certificate;
- The original and 3 copies of the completed, dated Article 12 Agricultural Holdings Certificate;
- The original and 3 copies of the plan which identifies the land to which the application relates drawn to an identified scale and showing the direction of North;
- CIL forms
- Planning Application Drawings, prepared by Divine Ideas Architects;
- Design and Access Statement, prepared by Divine Ideas Architects;
- Heritage Statement (Architectural History Practice)
- Daylight/Sunlight Assessment, prepared by Divine Ideas Architects;
- Lifetime Homes and Wheelchair Housing, prepared by Divine Ideas Architects;
- Waste Management Strategy, prepared by Divine Ideas Architects; and
- Structural Statement, prepared by Michael Chester & Partners;

In respect of the requisite application fee it should be noted that DCLG Circular 04/2008 allows for the same applicant to submit an application without paying a fee where an application has been refused, withdrawn or where an appeal has been rejected by the Secretary of State so long as the character or description of development is the same. In view of the circumstances surrounding this application as illustrated above, a fee for the determination of this application is not required.

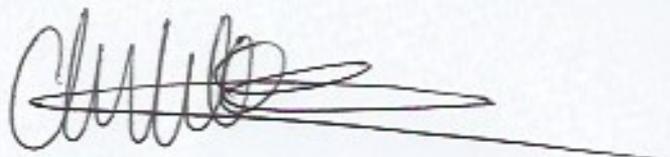
#### Conclusion

This application represents a resubmission of an appeal determined by the Planning Inspectorate which was dismissed solely on the basis of the absence of a legal agreement relating to car free housing. It should be noted that a s106 agreement dealing with this matter will be agreed during the course of determination and so the Inspectors concerns have been addressed.

A review of the relevant planning policy context has identified that there have been no updates following the Inspectors decision which give rise to additional considerations or alter the outcome of that decision. Having regard to this context there is no reason as to why this revised application should be refused.

We trust that the enclosed material is suitable for the purposes of validating the application submission. However should you have any queries please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Chris Pittock', with a long horizontal flourish extending to the right.

**Chris Pittock**  
Planning Director Spenthorpe

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