

Hedley Clark
Yew Tree House
Sandy Lane
Kingsley
Hampshire
GU35 9NH

Application Ref: **2015/6811/P**
Please ask for: **Samir Benmbarek**
Telephone: 020 7974 **2534**

17 February 2016

Dear Sir/Madam

DECISION

In accordance with section 60 (2B) and (2C) of the Town and Country Planning Act 1990
(as amended by section 4(1) of the Growth and Infrastructure Act 2013)

Process set out by condition O.2 of Schedule 2 Part 3 Class O of the Town and Country
Planning (General Permitted Development) Order 1995 (as amended by SI 2008 No. 2362
and SI 2013 No. 1101)

Certificate of Lawfulness (Proposed) Prior Approval granted

The Council, as local planning authority, hereby confirm that their **prior approval is granted** for the proposed development at the address shown below, as described by the description shown below, and in accordance with the information that the developer provided to the local planning authority:

Address of the proposed development:

**3 Belsize Crescent
London
NW3 5QY**

Description of the proposed development:

Change of use of ground and first floor premises from office (Class B1a) to residential (Class C3) to provide x2 self-contained flats



Details approved by the local planning authority:

Drawing Nos: LP-01 Rev_00 (Location and Site Plan); EX-01 Rev_00; EX-02 Rev_00; EX-03 Rev_00; EX-04 Rev_00; EX-05 Rev_00; PA-01 Rev_00; PA-02 Rev_01; PA-03 Rev_01; PA-04 Rev_01; PA-05 Rev_01; Cover Letter

Reason for approval:

- 1 The change from office (B1) to 2 self-contained flats (Class C3) is permitted under (Class O) of Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015.
- 2 The proposed parking shown in the basement level shall be provided in its entirety prior to the first occupation of any of the new units, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the underlying aims of paragraphs 29, 32 and 35 of Chapter 4 (Promoting Sustainable Transport) of the National Planning Policy Framework 2012.

- 3 At least 28 days before development commences:
 - (a) a written programme of ground investigation for the presence of soil and groundwater contamination and landfill gas shall be submitted to and approved by the local planning authority; and
 - (b) following the approval detailed in paragraph (a), an investigation shall be carried out in accordance with the approved programme and the results and a written scheme of remediation measures [if necessary] shall be submitted to and approved by the local planning authority.

The remediation measures shall be implemented strictly in accordance with the approved scheme and a written report detailing the remediation shall be submitted to and approved by the local planning authority prior to occupation.

Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial/storage use of the site in accordance with policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Reasons for granting permission:

The proposed change of use from (B1) offices to (C3) residential use is permitted under Class O of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 which came into force on the

15th April 2015. The development is likely to result in a material increase/ material change in the character of traffic generated in the vicinity of the site. It is therefore considered necessary to remove the occupier's ability to apply for parking permits by requiring the applicant to enter a S106 legal agreement to ensure that the development is car free. In addition, secure and enclosed cycle storage spaces will be provided at the basement level in which within the circumstances and constraints of the site is considered acceptable.

The site is not identified as falling within a flood risk area and therefore a flood risk assessment was not required in determining the application. However, the site was identified by the Council's Environmental Health Department as potentially being contaminated land. Due to this, a condition will be attached to secure details on ground investigation and subsequent remediation work should contaminants be found.

Given that no external works are proposed, it is not considered that the proposal would significantly harm the amenity of any adjoining residential occupiers in terms of loss of light, outlook, enclosure or privacy.

23 neighbours were consulted; the Belsize Conservation Area Advisory Committee (CAAC) were consulted; a site notice was also displayed in close proximity to the application site and a press notice was displayed in the local paper. One objection was received which was duly considered. A comment of no objection was received from the Belsize CAAC. The site's planning history and relevant appeal decisions were taken into account when coming to this decision.

As such, the proposed development is in general accordance with chapters 4, 10 and 11 of the National Planning Policy Framework.

- 2 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 3 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 4 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

- 5 A Pre-Demolition Asbestos Survey may be required to be carried out before the refurbishment commences.

If so, the developer must provide an intrusive pre-demolition and refurbishment asbestos survey in accordance with HSG264 supported by an appropriate mitigation scheme to control risks to future occupiers. The scheme must be written by a suitably qualified person and shall be submitted to the LPA and must be approved prior to commencement of the development. The scheme as submitted shall demonstrably identify potential sources of asbestos contamination and detail removal or mitigation appropriate for the proposed end use. Detailed working methods are not required but the scheme of mitigation shall be independently verified to the satisfaction of the LPA prior to occupation.

- 6 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 7 Under Section 25 of the GLC (General Powers) Act 1983, the residential accommodation approved is not permitted for use as holiday lettings or any other form of temporary sleeping accommodation defined as being occupied by the same person(s) for a consecutive period of 90 nights or less. If any such use is intended, then a new planning application will be required which may not be approved.
- 8 You are advised that this proposal will be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL as the additional floorspace exceeds 100sqm GIA or one unit of residential accommodation. Based on the information given on the plans, the Mayor's CIL Charging Schedule and the Camden Charging Schedule, the charge is likely to be £6,110.00 (122.2sqm x £50) for the Mayor's CIL and £61,100.00 (122.2sqm x £500) using the relevant rate for uplift in that type of floorspace) for the Camden CIL.

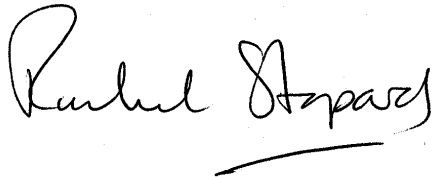
This amount is an estimate based on the information submitted in your planning application. The liable amount may be revised on the receipt of the CIL Additional Information Requirement Form or other changes in circumstances. Both CIL's will be collected by Camden after the scheme has started and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement and/or for late payment. We will issue a formal liability notice once the liable party has been established. CIL payments will also be subject to indexation in line with the construction costs index.

- 9 You are reminded of the need to provide adequate space for internal and external storage for waste and recyclables. For further information contact Council's Environment Services (Waste) on 020 7974 6914/5 or see the website <http://www.camden.gov.uk/ccm/content/environment/waste-and-recycling/twocolumn/new-recycling-rubbish-and-reuse-guide.en>.

- 10 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.

Your attention is drawn to the notes attached to this notice which tell you about your Rights of Appeal and other information.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Rachel Stopard', with a horizontal line underneath.

Rachel Stopard
Director of Culture & Environment

It's easy to make, pay for, track and comment on planning applications on line. Just go to www.camden.gov.uk/planning.

It is important to us to find out what our customers think about the service we provide. To help us in this respect, we would be very grateful if you could take a few moments to complete our online survey at the following website address: www.camden.gov.uk/dmfeedback. We will use the information you give us to help improve our services.