

15 June 2016

Regeneration and Planning
London Borough of Camden
5 Pancras Square
London
N1C 4AG

65 Gresham Street
London EC2V 7NQ
T: +44 (0)844 902 0304
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gva.co.uk

Dear Sirs,

Ground & First Floor of 167 - 177 Shaftesbury Avenue, London WC2H 8JR

**Application for a Lawful Development Certificate
Planning Permission ref: 2012/2774/P**

We act on behalf of 177 Shaftesbury Avenue Ltd in relation to the above site. Please find enclosed an application for a Certificate of Lawful Existing Use or Development ("CLEUD") to confirm that planning permission ref: 2012/2774/P dated 16th February 2015 has been lawfully implemented.

Application Content

Please find enclosed 1 x hard copy and 1 x CD of the following:

- Application Form
- Copy of Decision Notice for Planning permission ref. 2012/2774/P
- Copy of Decision Notice for Discharge of Details required by Condition 5 of Planning Permission 2012/2774/P Decision Notice
- Photographs to show that the consent has been lawfully implemented
- A cheque for the sum of £195 accompanies the application

Summary

Planning permission (ref. 2012/2774/P) for 167 - 177 Shaftesbury Avenue was granted on 16th February 2015 for the following description of development:

"Change of use at first floor level from offices (Class B1a) to six self-contained residential units (Class C3) comprising of 2 x 2 bedroom and 4 x 1 bedroom flats plus associated internal and external alterations to include a new ground level louvred, bin store door."

This permission was subject to conditions and a S106 legal agreement.

On 13th April 2016, the Council approved details of the Construction Management Plan (ref: 2015/3022/P) which was required prior to commencement under condition 5 attached to the planning permission. Furthermore, full Energy Efficiency and Renewable Energy and Sustainability Plans have been submitted to, and approved, by the Council as required by the S106 agreement and all relevant S106 & CIL monies have been paid by our client. Therefore, having discharged all of the relevant pre-commencement conditions and S106 clauses our client has proceeded to implement the consent on site.

Implementation

The following works were started on 23rd May 2016 in order to lawfully implement planning permission 2012/2774/P:

- The internal strip out of the first floor level of 166 – 177 Shaftesbury Avenue; and
- Demolition of internal walls

These works commenced on the 23rd May 2016, as evidenced by the contractor's letter of intent and photographs which accompany this submission. These works have clearly been undertaken once the relevant pre-commencement condition was discharged and well before expiry of the permission.

This application therefore seeks confirmation from the Council that planning permission ref. 2012/2774/P has been lawfully implemented.

Supplementary Ownership Information

Section 5 of the application form requires details of the Freeholder and sub-tenants to be set out. Please see a list of all parties at Appendix 1 of this letter.

The Town & Country Planning (Development Management Procedure) Order 2015 does not require these parties to be notified. As such, no notification has been carried out.

The lawful implementation of planning permission 2012/2774/P is beyond doubt as evidenced in the attached contractors letter of intent and photographs of the works carried out demonstrating that operational development has occurred. The matters to which this application relates are best verified by the applicants as they are the party as owners of the long lease and as they have carried out the works.

We look forward to receiving confirmation that the application has been validated. Should you require any additional information please contact Iain Buzza (020 7911 2054) at these offices.

Yours sincerely



GVA Grimley Ltd
On behalf of Mayfield Real Estate Group Ltd

Appendix 1

65 Gresham Street
London EC2V 7NQ

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F: +44 (0)20 7911 2560

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Status	Name/Company Name	Address
Leaseholder	KTS Group Limited	104 Cavell Street, London E1 2JA
Freeholder/Chargee	Khalid, Tahir and Shahid Sharif	33 Parkstone Avenue, Hornchurch RM11 3LN Brooklodge Farm, Stock Road, Stock, Ingatestone CM4 9PG Greenhayes, Thorndon Approach, Herongate, Brentwood CM13 3PA
Freeholder/Chargee	NSS Trustees Limited	Roman House, 296 Golders Green Road, London NW11 9PY
Chargee	Lloyds Bank PLC	
Chargee	Aura Finance Ltd	3rd Floor, Premiere House, Elstree Way, Borehamwood WD6 1JH

Appendix 2

Mr James Penfold
DP9
Pall Mall
London
SW1Y 5Q

Application Ref: **2012/2774/P**
Please ask for: **Ben Le Mare**
Telephone: 020 7974 **1278**

16 February 2015

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
167-177 Shaftesbury Avenue
London
WC2H 8JB

Proposal:

Change of use at first floor level from offices (Class B1a) to six self-contained residential units (Class C3) comprising of 2 x 2 bedroom and 4 x 1 bedroom flats plus associated internal and external alterations to include a new ground level louvred, bin store door.

Drawing Nos: Site Location Plan (EE-00); EE-01 - 04; PP-01; 02A; 03; 04; Design and Access Statement by Tasou Associates (May 2012); Planning Statement, by DP9 (dated May 2012); Sustainability Statement by Arup (dated May 2012); Energy Statement by Arup (dated May 2012); Noise Report by Sandy Brown (dated January 2012); Letter from REM Roberts (dated 11 July 2012); 6 Bike Two Tier Rack Plan and Two Tier Rack Spec 2 (dated 12/12/2012).

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.



Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan (EE-00); EE-01 - 04; PP-01; 02A; 03; 04; Design and Access Statement by Tasou Associates (May 2012); Planning Statement, by DP9 (dated May 2012); Sustainability Statement by Arup (dated May 2012); Energy Statement by Arup (dated May 2012); Noise Report by Sandy Brown (dated January 2012); Letter from REM Roberts (dated 11 July 2012); 6 Bike Two Tier Rack Plan and Two Tier Rack Spec 2 (dated 12/12/2012).

Reason:

For the avoidance of doubt and in the interest of proper planning.

- 4 The lifetime homes features and facilities, as indicated on the drawings and documents hereby approved shall be provided in their entirety prior to the first occupation of any of the new residential units.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 of the London Borough of Camden Local Development Framework Development Policies.

- 5 No part of the development hereby approved shall be commenced until a Construction Management Statement setting out measures for ensuring highway safety and managing transport, deliveries and waste (including recycling of materials) throughout the demolition and construction period, has been submitted to and approved by the local planning authority. The measures contained in the Construction Management Statement shall at all times remain implemented during construction.

Reason: In order to protect the pedestrian environment and the amenities of the area generally and to ensure the continued free flow of traffic in the area in accordance with policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP21, DP22, DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 6 The cycle parking facility shown on the approved drawings shall be provided in its entirety prior to the first occupation of any of the new units, and thereafter permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 of the London Borough of Camden Local Development Framework Development Policies.

- 7 Details of mechanical and passive ventilation systems, double glazed windows and secondary glazing shall be submitted to, and approved in writing, by the local planning authority. All such measures shall be provided in their entirety prior to the first occupation of any of the new units and thereafter be retained and maintained in accordance with the manufacturers' recommendations.

Reason: To safeguard the amenities of the occupiers of the premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 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).
- 2 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 Compliance and Enforcement team [Regulatory Services], 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.
- 3 Reasons for granting permission.

The proposed development is in general accordance with the London Borough of Camden Local Development Framework Core Strategy, with particular regard to policies CS1 (Distribution of growth), CS3 (Other highly accessible areas), CS5 (Managing the impact of growth and development), CS6 (Providing quality homes),

CS11 (Promoting sustainable and efficient travel), CS13 (Tackling climate change through promoting higher environmental standards), CS14 (Promoting high quality places and conserving our heritage), CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity), CS18 (Dealing with our waste and encouraging recycling) and the London Borough of Camden Local Development Framework Development Policies, with particular regard to policies DP2 (Making full use of Camden's capacity for housing), DP3 (Contributions to the supply of affordable housing), DP4 (Minimising the loss of affordable housing), DP5 (Homes of different sizes), DP6 (Lifetime homes and wheelchair homes), DP13 (Employment premises and sites), DP16 (The transport implications of development), DP17 (Walking, cycling and public transport), DP18 (Parking standards and limiting the availability of car parking), DP19 (Managing the impact of parking), DP21 (Development connecting to the highway network), DP22 (Promoting sustainable design and construction), DP24 (Securing high quality design), DP26 (Managing the impact of development on occupiers and neighbours), DP28 (Noise and vibration), DP29 (Improving access), DP31 (Provisions of, and improvement to, open space and outdoor sport and recreation facilities).

- 4 The applicant is considered to have sufficiently justified the conversion of existing Class B1a office floorspace into 2 x 2 bedroom and 4 x 1 bedroom Class C3 residential units. Furthermore, having regard to the relevant viability considerations, the time that has elapsed since the original section 106 Agreement and changing circumstances of the site, and the need to approach decision-taking in a positive way to foster the delivery of sustainable development in line with para. 186 of the NPPF the development is considered provide much needed residential accommodation within the area which would not be to the detriment of the living conditions of the occupiers of the host building or the existing transport network.
- 5 With regard to condition no. 4 you are advised to look at Camden Planning Guidance for further information and if necessary consult the Access Officer, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 5124) to ensure that the internal layout of the building is acceptable with regards to accessibility by future occupiers and their changing needs over time.
- 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 In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink, appearing to read 'Ed Watson', with a stylized flourish at the end.

Ed Watson
Director of Culture & Environment

Appendix 3

Michelle Geddes
177 Shaftesbury Avenue Limited
177 Shaftesbury Avenue
London, WC2H 8JR

Application Ref: **2015/3022/P**
Please ask for: **Hugh Miller**
Telephone: 020 7974 **2624**

13 April 2016

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Approval of Details Granted

Address:
167-177 Shaftesbury Avenue
London
WC2H 8JB

Proposal: Discharge of condition 5 (Construction Management Statement) granted under reference 2012/2774/P dated 16/02/15; change of from offices to self-contained residential flats.

Drawing Nos: Location Plan; Revised Construction Management Statement dated 18/08/2015; Access and deliveries plan - EE00; Window removed -1st Floor plan EE02; Site Access deliveries PP01; Window removed - Elevation PP03.

The Council has considered your application and decided to approve the details.

Informative(s):

1 Reasons for approval:

Discharge of condition 5 (Construction Management Statement/ CMP) granted under reference 2012/2774/P dated 16/02/15; change of from offices to self-contained residential flats.



The applicant has submitted revised details following concerns raised by officers. This has been assessed by Transport Planners who are satisfied that the approved scheme can be implemented with minimal impact on local residents, pedestrians and businesses.

1x written representation was received; and it raised no objection provided on-site details are displayed to facilitate communications between the applicant, the public and local residents. Development sites are generally required to display contact details and this site is no exception. The full impact of the proposed development has already been assessed. The site's planning history and relevant decisions were taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies CS5 and CS14 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP21, DP24, DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

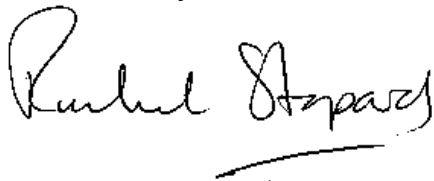
- 2 You are reminded that condition 7 (Details of mechanical and passive ventilation systems, double glazed windows and secondary glazing) of planning permission granted on 16/02/2015 (reference 2012/2774/P) remain outstanding and require details to be submitted for consideration and approved.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

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

Rachel Stopard
Director of Culture & Environment