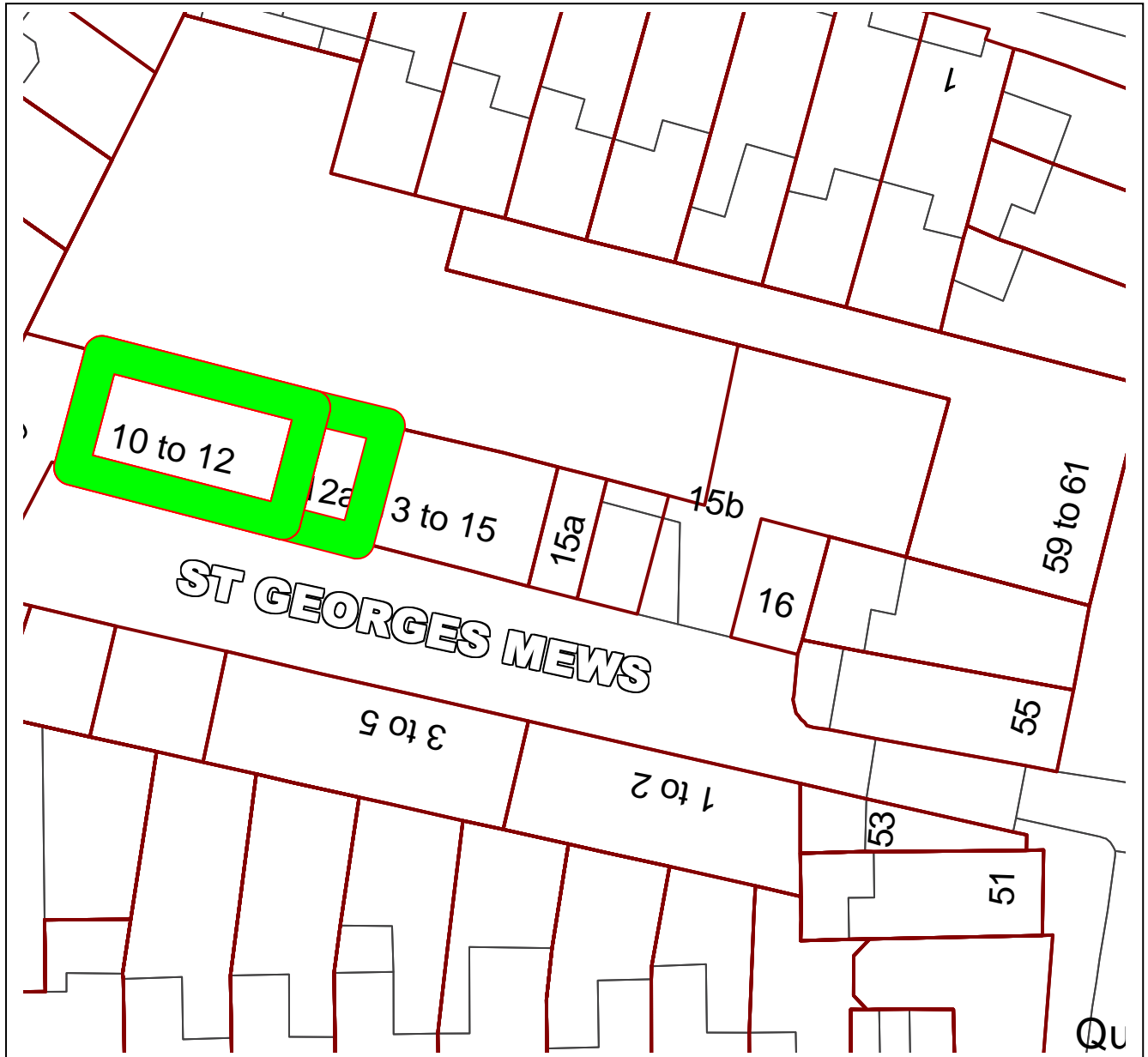


# 10-12A St George's Mews, London, NW1 8XE

ii) 2016/3559/P

Change of use from offices (B1a) to a 3bed, 6person residential unit (C3);  
associated alterations



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# 10-12A St George's Mews, London, NW1 8XE

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## ii) Site Photographs:

(1) Aerial photo (from the South)



(2) Front elevation of property #1





(3) Pan of front elevation



(4) Access stair to upper floor units #1



(5) Access stair to upper floor units #2



(6) Typical internal fit out #1

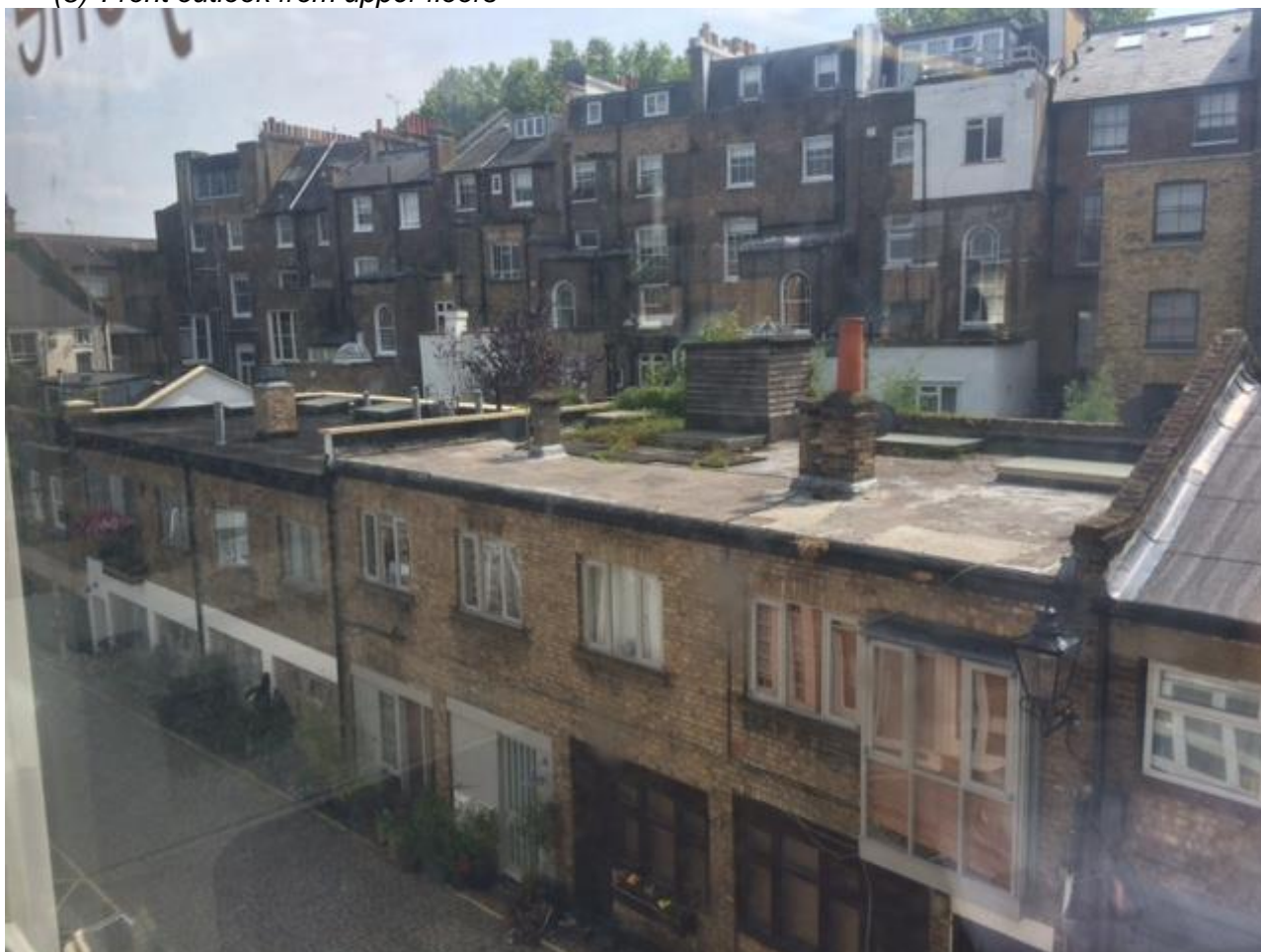




*(7) Typical internal fit out #1*



*(8) Front outlook from upper floors*



(9) Rear outlook from upper floors



(10) Character of mews











<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>09/09/2016</b>	
<b>(Members Briefing)</b>		N/A / attached		<b>Consultation Expiry Date:</b>		<b>18/08/2016</b>	
<b>Officer</b>				<b>Application Number(s)</b>			
John Diver				2016/3559/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
10-12A St George's Mews, NW1 8XE				See Draft Decision Notice			
<b>PO 3/4</b>		<b>Area Team Signature</b>		<b>C&amp;UD</b>		<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>							
Change of use from offices (B1a) to a 3bed, 6person residential unit (C3); associated alterations							
<b>Recommendation(s):</b>		Granted Conditional Permission subject to Section 106 Legal Agreement					
<b>Application Type:</b>		Full Planning Permission					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							

## Consultations (ii) - 10-12A St George's Mews, NW1 8XE

Adjoining Occupiers:	No. notified	13	No. of responses	01	No. of objections	19
<p><b>Summary of consultation responses:</b></p>	<p>The application was advertised via site notice from 22/07/2016 and in the local press on 28/07/2016.</p> <p>A letter of objection written by Matt Bailey of Planning Sense was received that was signed by 19 occupiers of the commercial/residential units along St George's Mews (NW1 8XE). The objections raised in relation to the St George's Mew proposals can be summarised as follows:</p> <p><i>(Officer comment: It should be noted that the following comments were received prior to the submission of additional evidence in the form of two reports completed by two local surveyors/estate agents, the objectors were notified of these submissions but no further objection comments were received)</i></p> <ol style="list-style-type: none"> <li>1. Principal argument that land swap justifies the loss of office space fundamentally flawed and that the loss of the existing business accommodation in the Mews is detrimental to current and future local employment.</li> <li>2. St George's Mews property is better suited for employment use as it is             <ol style="list-style-type: none"> <li>2.1. Purpose built for office use</li> <li>2.2. Existing accommodation is in reasonable/good condition</li> <li>2.3. Provides a range of unit sizes</li> <li>2.4. Is fully occupied with no long term vacancies, with existing tenants not wishing to relocate</li> <li>2.5. Is well suited to the creative industries</li> <li>2.6. Contributes to a local cluster of employment uses that is not harmful to residential properties and contribute to the local economy.</li> </ol> </li> <li>3. Developing a habitable modern dwelling in with land-swap justification is not sustainable development</li> <li>4. Article 4 directions on the whole Mews safeguards this local employment cluster and B1a use in this location would be more appropriate given the other commercial uses in the immediate context</li> <li>5. Proposed use for office purposes is on balance less appropriate than the continued use of the Mews premises</li> <li>6. Principal desire behind development is to obtain a mews address regardless of impact upon employment floorspace</li> <li>7. Net internal areas outlined in D&amp;A statement do not accord with VOA records</li> <li>8. An improved space at the Mews has the potential to provide much better and more flexible office accommodation than at Gloucester Avenue.</li> <li>9. The changes of use result in the disruption of 5 businesses being forced to relocate, the costs of conversion of the existing residential property to office use would far exceed the cost of refurbishment of the existing office space at the Mews and would result in extensive and unnecessary disruption to existing businesses and residents in both locations</li> </ol> <p><u><i>Officer's Response:</i></u></p> <ol style="list-style-type: none"> <li>1. Please see para. 2.4-2.7 within body of report below.</li> <li>2-5. Please see para.2.8-2.19.</li> <li>6. Please see para.2.19</li> <li>7. Please see para.2.5</li> <li>8. Whilst the potential for other alternative developments on the site is</li> </ol>					



	<p><i>outside the scope of this assessment, it is noted that the property is limited via its external access stair. Any attempts to modernise the existing office building would require the relocation of this stair internally to meet Building Regulation standards, which would necessitate a considerable loss of floor area. The potential for the building to be refurbished under its current use is therefore considered unlikely.</i></p> <p><i>9. It is acknowledged that the proposed change would require the existing tenant(s) to relocate, however, this is outside of planning control and the owner of the property (the applicant) could alter any existing lease arrangement at any given time. The applicant has confirmed that the existing businesses would be given the opportunity to relocate into the Gloucester Avenue property if they so wish. Regarding disruption to local residents, please see para.2.25–2.26.</i></p>
<p><b>CAAC/Local groups comments:</b></p>	<p>A letter of objection was received from the Primrose Hill CAAC. Their comments raised can be summarised as follows:</p> <ol style="list-style-type: none"> <li>1. The application site is subject to an Article 4 Direction, which endured modification by the Security of State. The loss of employment space can therefore be seen as a very real problem for the CA.</li> <li>2. Development contrary to local policies CS1, DP1, DP10 and DP13 – with no marketing evidence submitted.</li> <li>3. Policy PH2 of the Primrose Hill Conservation Area Statement seeks to retain uses which form part of the established character of the conservation area. The retention of employment space is thus critical to employment and economic growth; it is also an essential component of sustainability and makes a key part of the character of the CA.</li> <li>4. Development contrary to NPPF by means of the test of sustainability.</li> <li>5. Residential unit would be lacking in amenity space.</li> </ol> <p><u>Officer's Response:</u></p> <p><i>1-3. The chief justification for the proposed development is that there would be no loss of B1a office space within the local area/Conservation Area. Please also see paras.2.3 – 2.19</i></p> <p><i>4. The proposed land use swap is considered to represent sustainable development in accordance with the criteria set out in the NPPF as it would cause limited harm and would result in a number of public benefits, including energy efficiency rates.</i></p> <p><i>5. Please see para.2.27 – 2.30</i></p>

## Site Description

The application site is located on the northern side of St George's Mews close to the western end. It is a part 2, part 3 storey building with a flat roof. The mid-century building has a plain, brick-faced construction and is somewhat utilitarian in appearance, reflecting the fact that it would have most likely been purpose built for a light industrial/office use. It currently hosts a number of business (5 tenants) accommodated across three floors, with access to the upper floors from an external stair to the North as well as an internal access up to the first floor unit. The mews is characterised by residential units on the south side (converted stables) and a mixture of commercial uses on the north. It is noted that an Article 4 direction on the property prevents change of use from office to residential as permitted development. The property is within the Primrose Hill Conservation Area, but is not a listed building.

## Relevant History

The following planning history is relevant to the assessment of these applications:

### 10-12A St George's Mews, NW1 8XE

**8501534** Planning permission granted on the 31/10/1985 for the 'Installation of new glazed frontages for existing workshop'.

No other planning history for the application property.

### Nearby area (St George's Mews)

**CTP/H9/17/D/7184** Planning permission granted at 1 & 2, St. Georges Mews on the 17/07/1969 for the 'Conversion of 1 & 2, St. Georges Mews, Camden, into two self-contained residential units with two garage spaces and including an extension to form a new second storey'.

**H9/17/H/22761R** Planning permission granted at no.6 on the 19/08/1976 for the 'Partial conversion of existing ground floor garages to provide a larger residential unit'.

**H9/17/37/25284R** Planning permission granted at no.7 on the 13/01/1978 for the 'Change of use, alterations to the front elevation and works of conversion, including the erection of a glazed mansard roof with roof terrace at the rear, to form a single residential unit'.

**H9/17/H/35927** Planning permission granted at no.3 St. Georges Mews on the 25/05/1983 for the 'Conversion into a single dwelling house with integral garage'

## Relevant policies

### **National and Regional Policy**

National Planning Policy Framework 2012  
London Plan 2016

### **LDF Core Strategy and Development Policies**

- CS5 (Managing the impact of growth and development)
- CS6 (Providing quality homes)
- CS8 (Promoting Camden's economy)
- CS9 (Achieving a successful Central London)
- CS11 (Promoting sustainable and efficient travel)
- CS14 (Promoting high quality places and conserving our heritage)
- CS18 (Dealing with our waste and encouraging recycling)



DP13 (Employment sites and premises)  
DP24 (Securing high quality design)  
DP25 (Conserving Camden's heritage)  
DP26 (Managing the impact of development on occupiers and neighbours)  
DP28 (Noise & vibration)  
DP29 (Improving access)

### **Supplementary Planning Policies**

CPG 1 Design 2015  
CPG 5 Town Centres, Retail and Employment 2013  
CPG 6 Amenity 2011

### **Primrose Hill Conservation Area Statement (2000)**

## **Assessment**

### **1. Introduction / Proposal**

- 1.1. 10–12a St Georges Mews is a three storey commercial building currently used for office purposes (B1a). Planning permission is sought for the conversion of the property into a 3 bedroom, 6 person dwellinghouse (C3). It is noted that the applicant has submitted the proposal in combination with a planning application for the opposite change of use (i.e. from residential to office) at another property in the local area under 2016/3556/P at Flat 5, 136 Gloucester Avenue, NW1 8JA. These applications are being considered simultaneously and both submissions would be the subject of a land swap agreement secured via a bilateral Section 106 Legal Agreement to ensure that there would not be the loss of a residential or office unit. It is noted that the proposed change of use at St Georges Mews would not be acceptable without the land use swap agreement.
- 1.2. No external alterations are proposed, although the applicant has confirmed that if these land use application were to be granted, permission for some minor external alterations would be sought for the St George's Mews property at a later stage.

### **2. Assessment**

- 2.1. The principal considerations material to the determination are as follows:
- The principle of the proposed land use (Land Use)
  - The visual impact upon the character and appearance of the host property, local area and conservation area (Design and Heritage)
  - The impacts caused upon the residential amenities of any neighbouring occupier (Residential Amenity)
  - Quality of residential accommodation (Residential standards)
  - Highways / Transport

#### **Land Use**

- 2.2. DP13 of the Local Development Framework advises the Council will resist a loss of business use unless it can be demonstrated that a building is no longer suitable for the existing business use or evidence can be provided that retaining, reusing or redeveloping the site has been explored over a period of time. It also states that when it can be demonstrated that a site is not suitable for any business use other than B1(a) offices, the Council may allow a change to permanent residential uses or community uses. Paragraph 13.3 of DP13 lists the criteria the Council will assess change of use against.
- 2.3. The St George's Mews property is currently leased to a number of small businesses and is fully occupied in office (B1) use. It is therefore clear that the existing site retains a demand for office use in the local area, and no marketing evidence has been submitted to justify the loss of office

space proposed. The need to protect existing office space within the Borough is demonstrated via the adoption of a Borough wide, site specific Article 4 Direction which removes the prior approval route for office to residential conversions. The Article 4 Direction was informed by the 'Office to Residential Permitted Development Rights Impact Study' prepared by TBR's Economic Research Team (2014). As the retention of office space within the Borough is a strategic aim of the Borough and no marketing evidence has been submitted; the proposed conversion of the property would, in its own right, be objectionable and would be refusable.

- 2.4. In this instance, the applicant has justified the conversion of the office space at St George's Mews via the replacement of that land use elsewhere in the local area. This application has been submitted in tandem with another application (2016/3556/P regarding Flat 5, 136 Gloucester Avenue). The applicant is seeking a land use swap between the two properties (each a change of use for the respective sites) which would be secured via a bilateral section 106 legal agreement.
- 2.5. A comparison of the schedule of Gross Internal Areas (GIA) and existing and proposed Net Internal Area (NIA) for the two sites are set out below:

	<b>(i) Flat 5, 136 Gloucester Avenue</b>	<b>(ii) 10-12A St. George's Mews</b>
<b>GIA:</b>	285.4 sqm	280.6 sqm
<b>Existing NIA:</b>	222.6 sqm (C3)	241.8 sqm (B1a)*
<b>Proposed NIA:</b>	211.5 sqm (B1a)	237.2 sqm (C3)

*(\*The objection letter received from of Planning Sense during the public consultation process highlighted a discrepancy between the VOA stated NIA figures for the St. George's Mews property and that quoted in the D&A statement. As a general rule, the Council's policies refer to GIA as being the appropriate measurement for changes of use and this is the usual appropriate measurement. This is due to the fact that the NIA measurement excludes circulation spaces, facilities and toilets; which could be revised to suit tenants needs without planning permission. Notwithstanding this, the applicants were asked to explain this discrepancy. Outlined in an email dated 19.08.2016; the agents for the application set out the measurements prepared by Studio Kyson and confirmed that these were in accordance with the RICS Code of Measuring Practice, 6th Edition. The applicant states that the discrepancy of 4.98sqm between the Studio Kyson and VOA figures represents a 2% measuring error based on the VOA figures, which are less accurate than those prepared for the purposes of this application. On this basis, the areas quoted above are considered to be accurate.)*

- 2.6. As the two properties have a similar GIA (a difference of 4.8sqm – equivalent to an increase of 1.7% from the existing office area), are within the same local area meaning that they would service the same local population, the proposed land use swap would have a very limited harm in land use terms. As such, the relevant assessment for the overall acceptability for the joint applications is to test which of the two properties is most appropriate for future/continued office use, and whether there would be any other public benefits derived from the proposed change.
- 2.7. After consulting the Council's Economic Development team, the applicant was asked to supply evidence of the suitability of each property for office use. In response the applicant commissioned two reports, undertaken by two different surveyors (both being RICS qualified) to review each property and advise on their views regarding the proposed use swap.

Comparison of sites to establish the most appropriate location for office use

- 2.8. CPG5's (Part 7 Employment sites and business premises) criteria for change of use from offices includes the age of the premises, quality of premises, demand for office space in the location and whether the premises currently provide for small or medium businesses. It also states that the priority for replacement of office use is housing.



### *Location*

- 2.9. When describing the office provision of the Primrose Hill area; the 2014 TBR report describes the local area as an employment hub that developed from the former railway and piano workshops in Gloucester Avenue and Chalcot Road and around the Regents Park Road shopping terrace and is provided good tube access via the nearby Chalk Farm station (para 5.1.4). In terms of the distribution of employment uses within the Primrose Hill centre, the report states that office uses are “are widely spread and co-located with residential property” and serve a particular concentration of creative industries.
- 2.10. Both of the sites are within the same Borough ward and are located approximately 400m apart. They thus serve the same local area and future employees based at either property would likely use/support the same local services. St George’s mews features a mixture of residential and office uses and the proposed residential use would be compatible with the established character of uses within the mews. Similarly, the local area around the Gloucester Avenue property features a similar mix of office/residential uses and an office use would be compatible here. Office and residential uses are generally considered to be compatible uses, especially in Camden.

### *Access*

- 2.11. In terms of access the St George’s property has a PTAL rating of 3 (moderate) and the Gloucester Avenue property a rating of 4 (good). The Gloucester Avenue property would therefore be more suitable for commuting workers as it is closer to Chalk Farm station; however it is accepted that the difference is not significant considering the proximity of the two properties.
- 2.12. In terms of personal access arrangements into the buildings, the existing building at St Georges Mews is poor in comparison to the Gloucester Avenue property. As outlined in the site description section, the existing access to the upper (2<sup>nd</sup> and 3<sup>rd</sup>) floors is via a very narrow external stair which would not comply with modern building regulation standards. Conversely, as the Gloucester Avenue property has been recently refurbished, its internal stairs have been built to modern standards and are much less hazardous. Although the Gloucester Avenue property currently features a few steps down to ground floor level, it is considered that the ground floor of this property could easily be adapted for step free access in accordance with building control requirements, offering a greater area of step free office space between the two (ground floor area of 122sqm compared to 84sqm at St George’s Mews). Subject to the application of a condition requiring the installation of an access ramp to meet building stand requirements, the proposed swap would therefore lead to an increase in the level of step free office space within the Borough.
- 2.13. Both properties feature vehicular access via fairly narrow cross overs from the main roads; however the Gloucester Avenue property would have the advantage of featuring drop off/delivery space and a turning area that would not be used by any other business.

### *Quality of building*

- 2.14. In terms of the quality of the buildings the Gloucester Avenue property has recently undergone a refurbishment to a very high standard. It’s of a much higher quality than the St George’s Mews property in terms of its energy efficiency, as well as design finish and appearance. The St George’s Mews property, being a mid-century light industrial workshop building, it now appearing dated and features windows, doors, heating systems and lighting which would not meet modern standards. This was outlined in both submitted reports and is not contended. Both properties receive good levels of natural light and feature decent floor to ceiling heights.

### *Suitability for SMEs/flexibility in floor plates*

- 2.15. A particular concern outlined by the Council’s Economic Development team when first consulted was that the replacement office property would offer less flexibly in terms of division and would be less suitable for SMEs.

- 2.16. The existing building on St George's mews can (and currently is) accommodate up to 5 separate tenants. Due to the access arrangements however it would not be feasible for a single tenant to occupy more than one floor and the sizes of the lettable units are fixed above the ground floor level (with it not being feasible to sub-divide upper floors due to the access arrangements).
- 2.17. Within the submitted reports are outlines of the various options available in terms of the sub-division of the Gloucester Avenue property. It is the view of these surveyors that the property could be subdivided to accommodate up to 6 separate tenants, or lease the entire property to a single occupier. This level of flexibility is beneficial for SME's/MME's as outlined in CPG5. The Council's Economic Development Team confirmed that they do not contend these statements. Submitted reports state that the Gloucester Avenue property, due to its high standard finish, efficiency and access; would be particularly attractive to creative SMEs' which are concentrated in this area according to the 2014 TBR report.

#### *Other benefits of the land swap*

- 2.18. As outlined in previous sections, it should be noted that were the proposed land swap approved, both properties would need to demonstrate accordance to the latest building regulation standards prior to their use. Although no external alterations are proposed, in order to achieve these standards the St George's Mews property would require significant internal refurbishment to improve energy and heating performances. Furthermore, in order to remain in accordance with the Council's policies DP22, DP23 and DP32; the new dwelling would need to meet sustainability requirements including maximum internal water usage limits. The requirement to meet modern building regulation standards and sustainability requirement as well as the car free legal agreement would therefore necessitate a drastic increase to the sustainability of the St George's Mews property.
- 2.19. A particular driver for the proposed land use swap is due to the Gloucester Avenue property's location immediately adjacent to railway sidings, which (although high level of insulation for noise was installed to this property) still results in a lower residential standard as a result of noise and vibration. The only external amenity space looks out directly onto the railway line. When considering the two properties, it is therefore relevant to note that irrespective of the existing office use; the St George's Mews property is considered to be much better suited for the sensitive residential use. Conversely it is not considered that this proximity to the rail sidings would mean that the Gloucester Avenue property would be any less attractive to less sensitive uses such as offices. The proposed land use swap would therefore result in a higher standard of residential accommodation in addition to the economic and sustainability benefits outlined above.

#### **Design and Heritage**

- 2.20. The proposal would not include any external alterations. Notwithstanding this, the character of a local area can be comprised of the uses of buildings, not just their external appearance.
- 2.21. As previously outlined, St George's mews has as established character of both residential properties as well as small commercial units such as workshops and offices. As a result of the land use swap there would be no considerable loss of office space or residential space within the local area. Both of the properties would have new uses that would complement their surroundings. Therefore, the proposal would not lead to a detrimental impact upon the character of the local area; preserving the character of the conservation area. In order to ensure that the Council retains full control over external alterations to the property so as to ensure any alterations are appropriate for the character of the mews and conservation area, a condition is recommended that removes permitted development rights for dwellinghouses. Any external changes to the building would require planning permission which would be assessed on merit.
- 2.22. The proposal is considered to preserve the character and appearance of the conservation area. Special attention has been paid to the desirability of preserving or enhancing the character



or appearance of the Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

### **Residential Amenity**

- 2.23. With regard to the use of the St George's Mews property for residential purposes, it is not considered that this would lead to any harmful impact upon the residential amenities. This property features front (at all levels) and rear fenestrations (at first floor level and above). The front of the property sits opposite a number of residential units on the opposite side of the mews, however as no.10-12a is at such a contrasting scale to the rest of the properties within the mews, the level of the first floor windows are considerably higher than those on the opposite dwellings. As such, no direct overlooking into these rooms would be afforded. It is also worth noting that the existing relationship of properties within the mews is established and that front facing windows are generally more visible from views from the surrounding properties than the rear of properties. The upper floors of the property would remain the tallest for some distance and there would be no opportunity to overlook habitable rooms from the views afforded from these levels.
- 2.24. Directly to the rear of the property is a large, barrel roofed work/live space, however as this roof features only light domes facing towards the rear of the property, no overlooking of this property would result. Similarly to Gloucester Avenue, as the proposal works would not include any external alteration to the existing property it would also not lead to any reduction in outlook or levels of light.

### **Residential Standards**

- 2.25. The proposed 3 bed, 6 person unit would exceed the nationally described space standards in all aspects apart from access to private outdoor amenity space. As this is not a possibility within the site and the resulting unit would benefit from a sizable kitchen/living area as well as being within 100m of Primrose Hill Park, this is not objectionable. The property features a good level of glazing and would receive high levels of natural light. The unit would be dual aspect and would afford an impressive outlook at upper floors. The habitable rooms provided at ground floor would front onto the mews which is public accessible, however this relationship is not uncommon for mews properties and the main living space and master bedroom would retain fully privacy.
- 2.26. Policy DP18 seeks to ensure that developments provide the minimum necessary car parking provision and that the Council will expect development to be car free in areas of high accessibility. Paragraph 5.9 of CPG7 defines highly accessible areas as those that have a PTAL rating of 4 and above. Although the site has a PTAL rating of only 3; it is noted that it is situated within a CPZ which is already considerably overstretched, and the local area is serviced by a number of bus routes. As the Council's emerging policies require all new residential units (regardless of location) to be car free, and the application site is classified as having a good level of accessibility, the proposed units would need to be car free. A head of term to secure this has therefore been added to the draft Section 106 Legal Agreement which must be signed prior to the issuing of the decision.
- 2.27. In terms of cycle storage; development is usually expected to provide storage in line with the minimum requirements set out in Chapter 6 of the London Plan 2016; this requires storage to be internal and secure. No cycle storage has been shown on proposed plans, however as the ground floor level would feature a large utility room, it is expected that adequate storage could be provided in this location. A condition requiring the submission of details of cycle storage facilities is therefore recommended.
- 2.28. Subject to the above recommended condition and legal agreement for car free housing, it is considered that the proposed unit would allow for an acceptable standard of accommodation for future occupiers.

### **3. Conclusion**

- 3.1. Overall, it is considered that whilst the proposed development would usually remain contrary to policy and be objectionable, the proposed “land use swap” would mean that there would be no loss of office space within the local area, and that the swap would represent an improvement over the existing situation in terms of the location and quality of employment floorspace and proposed residential accommodation respectively.
- 3.2. Subject to the legal agreement, the overall conversion of the two sites would thus not cause harm and would lead to public benefits in the form of a significant improvements to the sustainability and efficiency of the St Georges Mews property; an increase to the level of wheel chair accessible employment space within the local area; and would result in an improved residential provision. Subject to the legal agreement and recommended conditions, the proposed conversion is therefore considered to be acceptable in this instance.

### **4. Recommendation**

- 4.1. Grant conditional permission subject to section 106 legal agreement
- 4.2. Recommended principal clauses:
- Land Swap - The use of no.10-12a St Georges Mews shall not commence until the unit at 136 Gloucester Avenue has been fully refurbished and is available for rental as office space.
  - Car Free

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 4th July 2016, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'***





Rolfe Judd Planning  
Old Church Court  
Claylands Road  
London  
SW8 1NZ  
United Kingdom

Application Ref: **2016/3559/P**

21 December 2016

Dear Sir/Madam

**DRAFT**

**FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION**  
Town and Country Planning Act 1990 (as amended)

**DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT**

Address:

**10-12A St George's Mews**  
**London**  
**NW1 8XE**

Proposal: Change of use from offices (B1a) to a 3bed, 6person residential unit (C3); associated alterations

Drawing Nos: 0500, 0501, 0502, 0503, 1000, 1001, 1002, 1100, 1101, 1102, 1200, 1202, 2000, 2001, 2002; Planning Statement ref P6354, Design and Access Statement dated June 2016.

Supporting documents: Covering Letter dated 24 June 2016, Letter from Rolfe Judd dated 07 November 2016, Appraisal of Site Suitability report #1 (BDG Sparkes Porter dated 2 Nov 2016), Appraisal of Site Suitability report #2 (Dutch & Dutch dated 17 Oct 2016), Email confirmation of areas dated 19 Aug 2016.

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

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 The development hereby permitted shall be carried out in accordance with the following approved plans: 0500, 0501, 0502, 0503, 1000, 1001, 1002, 1100, 1101, 1102, 1200, 1202, 2000, 2001, 2002; Planning Statement ref P6354, Design and Access Statement dated June 2016.

Supporting documents: Covering Letter dated 24 June 2016, Letter from Rolfe Judd dated 07 November 2016, Appraisal of Site Suitability report #1 (BDG Sparkes Porter dated 2 Nov 2016), Appraisal of Site Suitability report #2 (Dutch & Dutch dated 17 Oct 2016), Email confirmation of areas dated 19 Aug 2016.

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

- 3 Before the development commences, details of secure and covered cycle storage area for 2 cycles shall be submitted to and approved by the local planning authority. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new dwelling, and 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.

- 4 The development hereby approved shall achieve a maximum internal water use of 110 litres/person/day. The dwelling shall not be occupied until the Building Regulation optional requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CS13 (Tackling climate change through promoting higher environmental standards), DP22 (Promoting sustainable design and construction) and DP23 (Water)

- 5 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking and re-enacting that Order, no development within Part 1 (Classes A-H) [and Part 2 (Classes A-F)] of Schedule 2 of that Order shall be carried out without the grant of planning permission having first been obtained from the local planning authority.

Reason: To safeguard the visual amenities of the mews and conservation area and to prevent over development of the site by controlling proposed extensions and



alterations in order to ensure compliance with the requirements of policies CS14 and CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24, DP25 and DP26 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 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to be paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to [CIL@Camden.gov.uk](mailto:CIL@Camden.gov.uk)

- 4 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>.

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.

Yours faithfully

**DRAFT**

Supporting Communities Directorate

**DECISION**