

Planning Potential  
Magdalen House  
148 Tooley Street  
London  
SE12TU

Application Ref: **2017/1341/P**  
Please ask for: **Robert Lester**  
Telephone: 020 7974 **2188**

28 April 2017

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 refused

The Council, as local planning authority, hereby confirm that their **prior approval is refused** 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:**

**35a Broadhurst Gardens  
London  
NW6 3QT**

#### **Description of the proposed development:**

Conversion of recording studios (Class B1) to residential (Class C3) providing 1 x 2 bed flat  
(Class O, Prior Approval Application)



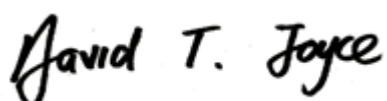
**Information that the developer provided to the local planning authority:**

Drawing Nos: Cover Letter (No ref), 013.100.E 01 (Existing Layout), 013.100.E 01 (Proposed Layout), Juan Lopez Legal Opinion dated 21/04/2017.

**Reason for refusal:**

- 1 Insufficient evidence has been submitted to demonstrate that the existing building was in use as an office within Class B1(a) of the schedule to the Use Classes Order on or prior to 29th May 2013. Therefore, the existing building was not in use as an office within Class B1(a) on or prior to 29th May 2013. As such, the proposal does not accord with the criteria of Schedule 2, Part 3, Class O, Paragraph O.1(b) and Paragraph W (3) (a) of the Town and Country Planning (General Permitted Development Order) 2015 (as amended).
  
- 2 The proposal, in the absence of a Section 106 legal agreement to secure the residential unit as a car capped development, would contribute unacceptably to parking stress and traffic congestion in the surrounding area and would not promote the use of sustainable transport. Thus, it would be contrary to Schedule 2, Part 3, Class O Condition O.2(a) and Paragraph W (3) (b) and (10) (b) of the Town and Country Planning (General Permitted Development Order) 2015 (as amended), policies CS11 (Promoting sustainable and efficient travel) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Core Strategy 2010, policy DP18 (Parking standards and the availability of car parking) of the London Borough of Camden Development Policies, policy T2 (Car-free development and limiting the availability of parking) of the London Borough of Camden Draft Local Plan and the National Planning Policy Framework chapter 4, paragraphs 29, 30, 35 and 39.

Yours faithfully



David Joyce  
Director of Regeneration and Planning

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