

Delegated Report		Analysis sheet		Expiry Date:		02/11/2017	
		N/A		Consultation Expiry Date:		02/11/2017	
Officer				Application Number(s)			
Patrick Marfleet				2017/5066/P			
Application Address				Drawing Numbers			
8-9 Long Yard London WC1N 3LU				See decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Change of use of existing three storey building from C2 (residential institution) to D1 (state funded nursery) under Part 3, Schedule 2, Class T of the GPDO 2015.							
Recommendation(s):		Grant conditional Prior Approval					
Application Type:		GPDO Prior Approval Class T change of use from C2 to D1					
Conditions or Reasons for Refusal:		Refer to Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	00	No. of responses No. electronic	00 00	No. of objections	00
Summary of consultation responses:		A site notice was displayed at the site between 15/09/2017 and 06/10/2017. No responses received.					
CAAC/Local groups comments:		No responses received.					
Site Description							
The application site is a three storey building located in the south eastern corner of Long Yard. The property is flanked by the rear elevations of Millman Street to the east and the smaller two storey buildings of 10 and 12 Long Yard to the west which are of a similar style and fabric to the host building (yellow stock brick with blue engineered piers). The site is currently vacant but was recently lawfully used as a registered care home (Class C2) providing alcohol treatment services.							
The site is located within the Bloomsbury Conservation Area, it is not a listed building and is not identified as making a positive contribution to the character of the conservation area.							

Relevant History

2017/4692/P - External alterations including enlargement of front entrance opening on north elevation, lowering of window cill to south elevation to create new entrance, insertion of new window to east elevation, and installation of 7 rooflights. **Granted 19/10/2017.**

8800396 - Change of use from multiple residential occupation to use as a residential rehabilitation centre for alcoholics within Class C2 of the Town and Country Planning (Use Classes) Order 1987. **Granted 16/02/1989.**

Relevant policies

National Planning Policy Framework (2012)

The Town and Country Planning (General Permitted Development) (England) Order 2015: Part 3, Class T as amended.

Assessment

1.0 PROPOSAL

1.1 The application seeks Prior Approval permission under Class T, Part 3 of the GPDO (2015) for change of use of the existing building from a residential institution (Class C2) to a day time nursery (Class D1). No external alterations are proposed and this application is concerned solely with establishing the formal use of the premises.

2.0 Prior approval procedure

2.1 The Town and Country Planning (General Permitted Development) (Amendment) (England) Order (GPDO) 2015, Schedule 2, Part 3, Class T allows for the following permitted changes of use:

2.2 *Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class B1 (business), Class C1 (hotels), Class C2 (residential institutions), Class C2A (secure residential institutions) or Class D2 (assembly and leisure) of the Schedule to the Use Classes Order, to use as a state-funded school or a registered nursery.*

2.3 This prior approval change of use is curtailed by a number of limits contained within T.1 as well as a number of conditions set out within paragraph T.2

3.0 Assessment under Part 3, Class T of the General Permitted Development 2015

Compliance with subparagraph T.1

3.1 Development is not permitted by Class T if:

a) *permission to use the site for a use falling within Class D2 (assembly and leisure) of the schedule to the Use Classes Order has been granted only by virtue of Class J of this Part;*

3.11 Proposal complies – the site has been in lawful C2 use since 1988.

b) *the site is, or forms part of, a military explosive storage area;*

c) *the site is, or forms part of, a safety hazard area; or*

d) the building is a listed building or scheduled monument

3.12 Proposal complies – the site is not subject to any of the above designations.

3.13 The proposed change of use is therefore in accordance with the requirements of sub-paragraph T.1.

3.2 Compliance with subparagraph T.2

Development under Class T is permitted subject to the following conditions-

a) the site is to be used as a state-funded school or, as the case may be, as a registered nursery and for no other purpose, including any other purpose falling within Class D1 (non-residential institutions) of the Schedule to the Use Classes Order, except to the extent that the other purpose is ancillary to the primary use of the site as a state-funded school or, as the case may be, as a registered nursery;

b) before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the local planning authority will be required as to —

(i) transport and highways impacts of the development;

(ii) noise impacts of the development; and

(iii) contamination risks on the site,

the provisions of paragraph W (prior approval) of this Part apply in relation to that application.

Transport and highways impact of the development

3.3 Given the site's location within the Central London Area and its excellent access to a host of public transport facilities the proposed change of use is not considered to have a significant impact on the existing highways/transport infrastructure surrounding the site.

3.4 The Council's Transport Officer has advised that for the scheme to comply with the requirements of the London Plan, a minimum of 2-3 cycle parking space must be provided. The applicant has confirmed that these additional parking spaces will be accommodated elsewhere within the Great Ormond Street Hospital Campus and has included details of where the space will be located, which is considered acceptable. A compliance condition has been attached to the decision notice to ensure the additional spaces are provided.

Noise impacts of the development

3.5 The proposed nursery would be a daytime use largely operating within the hours of 9:00am and 5:30pm and is not considered to create unacceptable levels of noise as a result. Furthermore, the submitted Design & Access Statement advises that at any one time, there will be between 10-15 children outside of the building for playtime with no children outside between 12 and 2:00pm and none at all at weekends. No plant equipment is proposed to be installed at the site as part of this application. Therefore, the proposed use is considered acceptable in terms of its noise impact.

Contamination risks on the site

The historic use of the application site is Unknown Industrial and it is identified on the Council's constraints mapping system as a high risk site due to the potential for any works to cause ground

contamination.

No development or groundworks are proposed as part of this application. However, if any works were to be implemented in the future (for example if a play area were to be created in the rear yard) the applicant would be required to submit details of the works to the Council for approval, prior to their commencement. The Council's Environmental Health Officer has advised that these details should be secured by condition.

4.0 Conclusion

4.1 Prior approval is required and granted, subject to the imposition of conditions relating to:

- Cycle parking
- Contaminated land

4.2 Given the above, the proposal complies with Class T, Part 3 of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015.

5.0 **Recommendation: Grant Conditional Prior Approval**