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Hampstead House  
Dept 97  
176 Finchley Road  
LONDON  
NW3 6BT

Application Ref: **2017/6533/P**  
Please ask for: **Obote Hope**  
Telephone: 020 7974 **2555**

9 April 2018

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:

**22 - 24 Kingsford Street  
London  
NW5 4JT**

#### Description of the proposed development:

Change of use from offices (Class B1a) to residential use (Class C3) at first floor level to provide 1 x 1Bed self-contained unit (Class C3).



**Details approved by the local planning authority:**

Drawing Nos: Site location plan, 113-A-01-01 and 113-X-01-01.

**Reason for approval:**

- 1 The change of use from offices (Class B1a) to residential use (Class C3) at first level to provide one self-contained unit is permitted under Schedule 2 Part 3 Class O of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).
- 2 Before the development commences, details of secure and covered cycle storage area for one bicycle 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 units, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

- 3 In the event that additional significant contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of of the Environment Agency's Model Procedures for the Management of Contamination (CLR11), and where mitigation is necessary a scheme of remediation must be designed and implemented to the satisfaction of the local planning authority before any part of the development hereby permitted is occupied.

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 policies G1, D1, A1, and DM1 of the London Borough of Camden Local Plan 2017.

- 4 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 policies G1, D1, A1, and DM1 of the London Borough of Camden Local Plan 2017.

- 5 Evidence shall be submitted to confirm that the building was built post 2000 or 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, the details shall be submitted to the LPA and must be approved prior to commencement to 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.

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 policies G1, D1, A1, and DM1 of the London Borough of Camden Local Plan 2017.

#### 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 15 April 2015. The development is likely to result in a material increase / material change in the character of traffic generated within 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 into a S106 legal agreement to ensure that the development is car free.

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.

The submitted plans do not indicate the provision for cycle parking space for the new residential unit. Paragraph 8(b) of the prior approval legislation states that the local planning authority shall have regard to the NPPF as if the application were a planning application in relation to the three categories that can be considered by the Council. Paragraph 29 of the NPPF states that "the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice

about how they travel." In paragraph 35 it goes on to advise that "developments should be located and designed where practical, to give priority to pedestrian, cycle movements and have access to high quality public transport facilities." The development site has side passage secured by gates; and where it is possible to secure the provision of cycle storage. Owing to the available on-site space, the applicant has agreed to the provision of cycle storage which would be secured by planning condition.

Site notices were displayed close to the application site. No objections have been received. The sites 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 2012.

- 2 You are advised that any works of alterations or upgrading not included on the approved drawings which are required to satisfy Building Regulations or Fire Certification may require a further application for listed building consent.
- 3 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, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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.
- 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>.
- 5 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.
- 6 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ.
- 7 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.

- 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 £????(???sqm x £50) for the Mayor's CIL and £????(???sqm x £500/£450/£250/£175/£150/£45/£40/£30/£25 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 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.

You can find advice in regard to your rights of appeal at:

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

Yours faithfully



David Joyce  
Director of Regeneration and Planning

It's easy to make, pay for, track and comment on planning applications on line. Just go to [www.camden.gov.uk/planning](http://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](http://www.camden.gov.uk/dmfeedback). We will use the information you give us to help improve our services.

Executive Director Supporting Communities

