

Application ref: 2018/0268/P
Contact: John Diver
Tel: 020 7974 6368
Date: 24 October 2018

Development Management
Regeneration and Planning
London Borough of Camden
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London
WC1H 9JE

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JMS Planning & Development Ltd
Valley Farm
Rumburgh Road
Wissett
IP19 0JJ

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

**49 Marchmont Street
London
WC1N 1AP**

Proposal:

Subdivision of existing 2x flats at first-to-third floor levels (1x2bed, 1x1bed) to create 3x flats (3x 1bed) (Class C3) including the replacement of rear dormer windows and associated alterations; retrospective permission for extended flue to rear.

Drawing Nos: 01, 02, 03, 04, 05, 06, 07, 08, 09, 10 Rev D, 11 Rev E, 12 Rev D, 13 Rev D, 14 Rev C, 15 Rev D, 16 Rev C, 17 Rev E, 18 Rev E.

Supporting documents: Heritage Assessment prepared by Bridget Shephard, Architect; Planning and Design and Access statement prepared by JMS Planning & Development Ltd; Survey of Significance (ref.19 - 26); Conditions Surveys (ref 27-34); Covering Letter (dated 15 Jan 18);

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 D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: 01, 02, 03, 04, 05, 06, 07, 08, 09, 10 Rev D, 11 Rev E, 12 Rev D, 13 Rev D, 14 Rev C, 15 Rev D, 16 Rev C, 17 Rev E, 18 Rev E.

Supporting documents: Heritage Assessment prepared by Bridget Shephard, Architect; Planning and Design and Access statement prepared by JMS Planning & Development Ltd; Survey of Significance (ref.19 - 26); Conditions Surveys (ref 27-34); Covering Letter (dated 15 Jan 18);

Reason:

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

- 4 The development hereby approved shall achieve a maximum internal water use of 110 litres/person/day. The dwelling/s 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 CC1, CC2, CC3 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

The proposed development would involve the rationalisation of internal spaces to sub-divide the existing 2 units into 3, fully self-contained residential units (C3). In principle, this provision would accord with policy H1. Although the resulting mix of units would include an overprovision of units of lower priority (1bed), in light of the constraints of the site associated with its listed status and spatial restriction this is not objectionable in line with policy H7. Due to the scale of development, there would be no expectation for affordable housing contribution in line with policy H4.

Although the proposed units are slightly below the DCLG minimum standard for 1 bedroom units, officers note that they would meet requirements for studios and that revisions requested by officers to retain historic fabric and plan form (forming 1beds to preserve significance of the LB) have led to this shortfall. In light of the heritage significance of the host building and that the unit would be otherwise well designed with a high standard of amenity, this minor shortfall in

internal areas is not objectionable on balance. For instance, the proposed units would be dual aspect, receive good levels of natural light, outlook and ventilation and are located in the heart of Bloomsbury, benefiting from the amenities of the local area. A condition will secure water saving measures to be installed for the unit prior to first occupation.

The proposed alterations would not include any extensions to the host property and minimal external changes. Following the submission of revisions to address officer's concerns it is not considered that the external changes would result in any harm to the character and appearance of the host building or terrace and to preserve the character of the Bloomsbury Conservation area in line with policies D1 and D2.

The development would not include extensions to the building and residential uses at upper floors are established. As such, the continued use would not prejudice the residential amenities of any neighbouring resident. Increasing the height of the existing flue from the GF commercial unit to terminate above the level of the existing dormer window would improve the existing situation by increasing odour desperation rates. The development is therefore considered to remain in accordance with policy A1.

The new residential unit will be secured as car-free through a S106 agreement to encourage sustainable lifestyles and reduce impact on the highway network in accordance with policy T2. The proposed development would not include the provision of covered cycle storage, contrary to policy. Officers note however that the host building has very limited space and to form such provision at ground floor level would necessitate a loss of commercial floor area. Given that the area has the highest possible level of public transport accessibility level (6b PTAL) this is not considered to constitute a reason for refusal in this instance.

No comments have been received prior to making this decision. The site's planning history and relevant appeal decisions were taken into account when coming to this decision. 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.

As such, the proposed development is in general accordance with policies G1, H1, H4, H6, H7, D1, D2, T1, T2 and A1 of the Camden Local Plan 2017. The development also accords the London Plan (2016) and the NPPF (2012).

- 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 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.

- 3 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that 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, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 4 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. 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.
- 5 In good time, prior to the start of construction (or if appropriate, demolition) on site, the contractor shall discuss and agree with the Council's Engineering Service Network Management team (tel: 020-7974 2410) detailed arrangements for the transportation of goods and materials to and from the site. The Council will prosecute those responsible for any breaches of the provisions of the Highways and Litter Acts which occur as a result of construction on the site.
- 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 You are advised that Section 44 of the Deregulation Act 2015 [which amended the Greater London Council (General Powers) Act 1973)] only permits short term letting of residential premises in London for up to 90 days per calendar year. The person who provides the accommodation must be liable for council tax in respect of the premises, ensuring that the relaxation applies to residential, and not commercial, premises.
- 8 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.

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:

Yours faithfully

A handwritten signature in black ink that reads "David T. Joyce". The signature is written in a cursive style with a large 'D' and 'J'.

David Joyce
Director of Regeneration and Planning

