

Application ref: 2018/4815/P
Contact: Alyce Keen
Tel: 020 7974 1400
Date: 11 December 2018

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

Ms Joanna Morfey
Basement, 9,
Chalcot Gardens
London
NW3 4YB

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Front Lower Ground Floor
9 Chalcot Gardens
London
NW3 4YB

Proposal:

Change of use from nursery (Class D1) to residential (Class C3) in the front part of the lower ground floor.

Drawing Nos: 0-004 Existing - Nursery School D1 Use
0-004 Proposed - Residential Use C3

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 The development hereby permitted shall be carried out in accordance with the following approved plans:

0-004 Existing - Nursery School D1 Use

0-004 Proposed - Residential Use C3

Reason:

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

Informative(s):

1 Reasons for granting permission.

The proposal is for the front part of the lower ground floor to change use from nursery (Class D1) to residential as part of the existing dwellinghouse (Class C3).

A Certificate of Lawfulness was approved in 2009 for the front part of the basement as a nursery, (Class D1) (area not subject to planning permission 9500804) as a D1 nursery began more than ten years before the date of the application 2009/3418/P. The lawful use of the rear part of the basement (subject to planning permission 9500804) is a C3 residential, with a personal permission for J Morfey to use it as a D1 nursery until she vacates the premises.

Policy C1 (g)(ii) states that if the existing premises are no longer required or viable in their existing use and there is no alternative community use capable of meeting the needs of the local area. Where it has been demonstrated to the Council's satisfaction there is no reasonable prospect of a community use, then our preferred alternative will be the maximum viable amount of affordable housing.

The front portion of the basement to continue operating as a nursery would be impractical, as it would not have access to the rear garden for amenity space and other facilities that aids in the operation of the nursery. This arrangement is also likely to inhibit other community uses from occupying the space as well, especially since the rear portion of the floor will once again be residential. In these circumstances of the rear portion of the basement reverting to residential because of the personal permission the front part of the basement reverting to a priority land use of residential is considered acceptable.

As no external alterations would be formed, the proposal would not cause harm to the amenity of neighbouring residents in terms of a loss of privacy, outlook or daylight.

No comments were received prior to making this decision. The sites planning history was taken into account when coming to this decision.

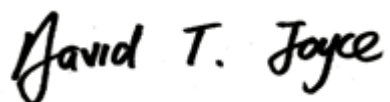
As such, the proposed development is in general accordance with policies C2, D1 and A1 of the Camden Local Plan 2017.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2018.

You can find advice about your rights of appeal at:

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

Yours faithfully

A handwritten signature in black ink that reads "David T. Joyce". The signature is written in a cursive, slightly slanted style.

David Joyce
Director of Regeneration and Planning