

London Borough of Camden  
Planning Department

12/12/2018

**282 Finchley Road NW3 7AD**

**Prior Notification Application for the Proposed Change of Use from Offices (B1) to 8no 1bed Self-Contained Flats**

To whom it may concern:

Please find enclosed an application under Town and Country Planning (General Permitted Development) Order 2015 Schedule 2, Part 3, Class O for the conversion of B1 units to 8no residential flats.

Attachments include:

1. Application form
2. Existing and Proposed Floorplans
3. Location Plan
4. PTAL Report
5. CIL questions
6. Flood Map
7. Evidence of B1 Use

There was a previous application for this site 2018/4695/P for the conversion to 4no self contained flats which was approved on 04/12/2018. This application mirrors the previous one with the difference that it proposes a different configuration and number of proposed flats.

We show compliance with the current legislation below:

*O. Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class B1(a) (offices) of the Schedule to the Use Classes Order, to a use falling within Class C3 (dwellinghouses) of that Schedule.*

**Development not permitted**

**O.1** Development is not permitted by Class O if—

(a) the building is on article 2(5) land; **it is not on article 2(5) land**

(b) the building was not used for a use falling within Class B1(a) (offices) of the Schedule to the Use Classes Order—

(i) on 29th May 2013, or it was in use as offices on that date. This was established and accepted in the previous application, nevertheless we have re attached an evidence pack showing B1 use:

- The property has been in continuous use as offices B1(a) since at least July 1994 when the current owner (then Wisprole Investments) purchased the premises. (see attached copy of original purchase agreement 'FYD\_Purchase contract dated 1994'.)
- The VOA records indicate that a Notice of Alteration was issued on 8th January 2008, and business rates have been continually paid since that date (ie in excess of 10 years). See attached document 'FYD\_VOA Notice of alteration'.
- The applicant has provided a set of letterhead for companies that operate from the premises – see attached document 'Letterheads of companies at 282 Finchley Rd'.
- The applicant has provided an affidavit to certify the continued use of the premises as offices for the last 24 years – see attached document 'Affidavit declaration'.

We conclude that there can be no doubt that the existing use is B1(a) and has been used for a use falling within Class B1(a) (offices) since and prior to May 2013.

*(ii) in the case of a building which was in use before that date but was not in use on that date, when it was last in use; N/A*

*(c) the use of the building falling within Class C3 (dwellinghouses) of that Schedule was begun after 30th May 2016; N/A*

*(d) the site is, or forms part of, a safety hazard area; N/A*

*(e) the site is, or forms part of, a military explosives storage area; N/A*

*(f) the building is a listed building or is within the curtilage of a listed building; or N/A*

*(g) the site is, or contains, a scheduled monument. N/A*

## Conditions

*0.2 Development under Class O is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—*

*(a) transport and highways impacts of the development; The site is within a controlled parking zone. It has a very high PTAL rating of 5 and is therefore considered easily accessible by public transport. Moreover, the smaller proposed flats would mean it is less likely that occupiers were to own cars. Nevertheless, if it was felt that a S106 agreement is needed to secure Camden Councils approval, the applicant would agree to attach a S106 agreement to receive this approval. The proposed residential development consists of 8 x 1 bed units. The London Plan would require 1 x cycle parking spaces per 1-bedroom property. Hence, 8 no. cycle parking spaces would provide that. There is ample space on the front forecourt to provide a covered storage unit which would provide 8 cycle spaces. We propose to provide that.*

*(b) contamination risks on the site; and none*

*(c) flooding risks on the site, The site does not fall within a flood zone, see attached Environmental Agency flood map*

(d) Impact of noise from commercial premises on the intended occupiers of the development. **There are no commercial premises in the proximity of the site which may pose any detrimental impact on residential amenity. The site is essentially in a residential area with similar residential properties neighbouring it.**

This proposal therefore complies with all the requirements of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2, Part 3, Class O and prior approval should be granted.

Should you require any information, please do not hesitate to contact me at [anthony@eatownplanning.co.uk](mailto:anthony@eatownplanning.co.uk) or 0330 221 0449.

Kind Regards

Anthony Adler

**Director**

EA Town Planning LTD