

Application ref: 2018/6380/P  
Contact: Adam Greenhalgh  
Tel: 020 7974  
Date: 9 May 2019

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

Phone: 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

Firstplan  
Bramah House  
65-71 Bermondsey Street  
London  
SE1 3XF

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**70 Charlotte Street  
London  
W1T 4QG**

Proposal: Change of use of the rear part of the first floor level from office (Use B1a) to ancillary restaurant (Use A3) space to serve the existing ground floor and basement level restaurant

Drawing Nos: Location Plan, 164-TGA-B1-DR-A: 0010A P01, 0011A P01, 0109A P01, 0110A P01, 0111A P01, Marketing Report (February 2019), Marketing Brochure (Robert Irving Burns), Covering Letter and Planning Statement (First Plan)

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 plan; 164-TGA-B1-DR-A-0111A P01

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

Informative(s):

- 1 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).
- 2 Reasons for granting permission.

The change of use of 71.3 sq m within the rear part of the first floor, from self-contained office space to ancillary space for the ground floor and basement restaurant would be an appropriate town centre use in the Central London location.

Policy E2 (Employment premises and sites) seeks to protect premises that are suitable for continued business use, in particular premises for small businesses and those that support the functioning of the Central Activities Zone (CAZ) or the local economy.

However, the policy includes an exception if a. where the site or building is no longer suitable for its existing business use, and b. the possibility of retaining, reusing or redeveloping the site or building for similar or alternative type and size of business use has been fully explored over an appropriate period of time.

The application includes a marketing report which addresses the suitability of the premises for business use and the issue of reusing the premises for business use.

The premises have limited natural light and are on split levels, being accessed by stairs with no lift.

Since December 2017 the premises have been marketed for business use, including by commercial agents Robert, Irving and Burns with no interest is being shown in such a use. There has been no interest in a business use due to the physical constraints of the premises.

The Marketing Report is considered to satisfy the criteria for an exception to the retention of a business use and the proposed use as ancillary A3 space to the existing ground floor and basement use is appropriate under policies TC1, TC2 and TC4.

No external alterations are proposed and so there would be no harm to the character and/or appearance of the Conservation Area.

No objections were received following statutory consultation.

The sites 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 [ERR] 2013.

As such, the proposal is in general accordance with Policies E2, TC1, TC2, TC4 and A1 of the Camden Local Plan 2017. The proposed development also accords with the policies of the London Plan 2016 and National Planning Policy Framework.

- 3 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

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 2019.

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, appearing to read 'DPope', is positioned in the upper left corner of the page.

Daniel Pope  
Chief Planning Officer