



Application ref: 2018/5337/P
Contact: John Diver
Tel: 020 7974 6368
Date: 26 March 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
www.camden.gov.uk/planning

Daniel Watney Llp
165 Fleet Street
LONDON
EC4A 2DW

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
22A Theobald's Road
London
WC1X 8PF

Proposal:

Change of use from Office (Class B1) to residential (Class C3) to create a 1-bedroom self-contained flat and associated external alterations including the reinstatement of a rear bay window, demolition of part of a modern office toilet block.

Drawing Nos: N2420 000. (Prefix: 22a Theobalds No. N2422) 000, 200, 209, 210.

Supporting documents: 22a Heritage and DAS Statement prepared by Stephen Levrant Heritage Architecture Ltd (Oct 2018); Daylight letter prepared by TFT (dated 16 Oct 2018); Covering Letter prepared by Daniel Watney (dated 29 Oct 2018).

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: N2420 000. (Prefix: 22a Theobalds No. N2422) 000, 200, 209, 210.

Supporting documents: 22a Heritage and DAS Statement prepared by Stephen Levrant Heritage Architecture Ltd (Oct 2018); Daylight letter prepared by TFT (dated 16 Oct 2018); Covering Letter prepared by Daniel Watney (dated 29 Oct 2018).

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

- 4 The dwelling hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwelling 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. [Delegated]

The application site is the lower ground floor of a five storey listed Georgian townhouse. It was historically converted to provide access to the office development to the rear/off Kings Mews as well as form ancillary storage space and kitchenette for that office use. Despite being circulation and ancillary space only, the use of the lower ground floor level is therefore established as office (B1a). Through a combination of the change of use and partial demolition of modern rear extension, the development would result in the loss of c.67sqm of office floorspace.

Policy E2 (Employment premises) seeks to protect office premise unless the unit would be unsuitable for its existing business use and that there is limited potential for that use to be retained. In this case, the existing floorspace is used as ancillary/circulation space only and does not host any desks or primary workspace. This is due to its limited area, the lack of natural light (a result of partitions added to form corridors) as well as the fact that much more suitable accommodation is offered in the rear modern block. The lower ground floor level is not considered to represent a suitable location for a retained office use and its conversion back into a residential use would facilitate a number of

heritage benefits to be secured. Though the proposal would technically reduce the amount of office floorspace within the terrace, it would not practically result in any fewer employees and works commencing to refurbish the rest of the terrace (see ref. 2018/5337/P) would also mean that the overall standard of office floorspace retained is significantly improved. Access to the rear office block would still be maintained via the main entrance further along the row (@no.12-18) and so the loss would not be detrimental to the viability of the retained office use. Whilst the loss of office floorspace is regrettable, self-contained housing is the priority land use of the Local Plan and would represent the optimum viable use for the listed building. Given the legal imperative for the preservation and enhancement of the national heritage asset and the potential benefits to be secured through the works, on balance, the loss of c.67sqm is not considered to warrant a reason for refusal in this instance. It is also noted that permission was historically granted for the same change of use, though was never implemented (ref. PS9704837R2).

The resulting unit would be a one bedroom, two person apartment with a minimum floor area and storage provision in excess of the national minimum standards (58sqm/50sqm minimum). The unit would be dual aspect, with both habitable rooms being functional and fit for purpose with adequate floor to ceiling heights (2.8m). Outlook would be provided from both habitable rooms. Though the bedroom would look out into the front lightwell, views to the sky and street would be afforded and the depth of the lightwell would not lead of an overbearing sense of enclosure. The unit would abut a lightwell to the rear that is accessible by staff of the offices to the rear. Whilst it is noted that there may be a risk of overlooking into the rear habitable room, given the propensity for the office use to cease after c.17:30pm, the risk to privacy is not considered to jeopardise residential amenity to a degree that might warrant a refusal. Similarly, the submitted daylight report shows that the front bedroom would feature good levels of natural light (ADF 2.8%). However, it also shows that the North facing habitable room would be slightly below BRE target (ADF 1.3% / 1.5% target). Whilst this is not desirable, the shortfall is relatively small and the proposed unit would otherwise be well designed and fit for purpose. In light of the above, it is considered that the unit would offer a suitable standard of accommodation and is supported on this basis.

- 2 The only external alterations proposed would be the partial demolition of the modern rear extension and the replacement of the historic rear bay window with timber sash windows. Whilst being beneficial to the significance of the building, these works would not be visible from any public place and so would preserve the character and appearance of the host dwelling, streetscene and the Bloomsbury Conservation area. Consideration of the impact to the listed building is made under the associated LBC.

The proposed conversion is not considered to result in any harm to neighbouring residents in terms of light, outlook or privacy. The use of the building as self-contained flats is not considered to result in any noise or disturbance issues. Due to the limited scope of the operational development, the completion of works is not considered to result in any detrimental impact upon neighbouring residents.

No cycle storage is proposed for the new units, however due to the spatial

restriction, desire to avoid intervention into the historic property as well as the high level of public transport accessibility this is considered acceptable in this instance. In order to ensure that the creation of these new units does not result in increased pressure upon the local traffic and parking conditions, the decision would be subject to a s106 agreement to secure the new units as car-free. In order to ensure that the new units are installed with water saving equipment, a condition will be added. Due to the listed status of the building and the fact that its entrance features steps, it is not deemed appropriate to require the units to be wheelchair accessible in this instance.

No comments were received in response to the public consultation. Confirmation has been received that Historic England do not oppose the works or wish to comment. The planning history of the site has been 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.66 and 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 the Camden Local Plan 2017 with particular regard for policies G1, H1, H4, H6, H10, C1, C5, C6, E2, A1, A4, D1, D2, CC2, CC3, T1 and T2. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework 2019.

- 3 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 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.

- 5 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.

- 6 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.
- 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 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.

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



Daniel Pope
Chief Planning Officer

