

Application ref: 2019/2156/P
Contact: Kate Henry
Tel: 020 7974 3794
Date: 26 July 2019

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

Phone: 020 7974 4444

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Iceni Projects
Da Vinci House
44 Saffron Hill
London
EC1N 8FH

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**15 Grape Street
London
WC2H 8DR**

Proposal:

Change of use of second floor from office (Class B1a) to flexible use as office (Class B1a) or physiotherapy clinic (Class D1)

Drawing Nos: Site Location Plan at 1:1250; Unnamed plan: Existing and proposed floor plans; Farebrother letter, dated 20/04/2019; 15 Grape Street advert (Farebrother)

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: Site Location Plan at 1:1250; Unnamed plan: Existing and proposed floor plans; Farebrother letter, dated 20/04/2019; 15

Grape Street advert (Farebrother).

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

- 3 Notwithstanding the provisions of Class D of the Schedule of the Town and Country Planning (Use Classes) Order, 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, the premises shall not be used as a place of worship, a place for religious instruction or as a church hall.

Reason: To ensure that the future occupation of the building does not adversely affect the adjoining premises/immediate area by reason of noise and disturbance, in accordance with policies D1 and A1 and of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting

Policy E2 of the Local Plan seeks to resist development of business premises and sites for non-business use, unless it is demonstrated that the site or building is no longer suitable for its existing business use; and that 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 applicant has provided a summary of the marketing that has been undertaken. The property has been marketed from February 2016 and was refurbished in September 2017. Viewings have taken place (for this floor and others in the building) but the feedback is that the space does not lend itself to conventional B1 office use. The applicant initially failed to demonstrate whether the lease terms were attractive to the market and further information was later provided at the request of the Council; the rental price was not disclosed on the advert in the interest of being flexible to possible tenants.

Planning permission was granted for a change of use of the ground and lower ground floors of the application building from office use (Class B1) to a dentist surgery (Class D1) in 2018 (reference 2018/1160/P). At the time of that particular application it was noted that, whilst the Council generally resists the loss of office floorspace, the applicant had demonstrated that the premises had been marketed for over two years and it was noted that the dentist surgery would employ approximately 15 employees, which is comparable to office uses and therefore the employment floorspace would be maintained. It was also noted that the change of use would not compromise or harm the viable use of the existing office space on other floors of the host building and the space could be converted back to office space in the future.

In this case, the applicant is seeking a flexible use of office (Class B1a) or a physiotherapy clinic (Class D1). The proposed change of use is considered to be acceptable, on balance, insofar as the applicant has explored the possibility of retaining the space solely for office use (but without success) and the flexible

use would maintain employment space on site. Furthermore, as with the abovementioned application, it is not considered that the proposed change of use would impact on the ongoing use of other floors in the building and it would still be possible to use the space solely as an office in the future.

A suitable planning condition will ensure that space is not used as a place of worship, a place for religious instruction or as a church hall, as such uses would be likely to cause undue harm to neighbouring occupiers and the wider area without proper controls being put in place.

No external alterations are proposed. It is not considered that the proposed development would cause harm to the residential amenities of nearby and neighbouring properties due to the nature of the works.

Neighbouring occupiers were consulted on the application. One comment was received and has been duly taken into account prior to making this decision. The application site's planning history and relevant appeal decisions were taken into account when coming to this decision.

Considerable importance and weight has been attached to the harm and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under and s.72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

The proposed development is in general accordance with Policies A1, D1, D2, E1 and E2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2016; and the provisions of the National Planning Policy Framework 2012.

- 2 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).
- 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 written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer