



Application ref: 2019/0667/P
Contact: Josh Lawlor
Tel: 020 7974 2337
Date: 15 August 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

People & Space Limited
2 Tower House, Tower Center
HODDESDON
EN11 8UR
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
33 Bayham Street
London
NW1 0AA

Proposal:
Change of use from house in multiple occupation (sui generis) to residential children's home (C3b).
Drawing Nos: Planning Statement_REV_A, Cover Letter, Site Location Plan, Elevations_C141_04, Proposed Plans_C141_03_REV_A, Existing Plans_C141_02

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 [Planning Statement_REV_A, Cover Letter, Site Location Plan, Elevations_C141_04, Proposed Plans_C141_03_REV_A, Existing Plans_C141_02]

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

- 3 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 or the Town and Country Planning (General Permitted Development) Order 2015 (or any orders revoking and re-enacting those orders with or without modification), the site shall only be used as a young persons' care home registered with Ofsted under the Children's Homes Regulations where up to three young people live as a family and receive on-site care and supervision at all times from qualified carers, and for no other purposes whatsoever including any other C3 use.

Reason: To ensure that the property continues to provide a suitable alternative low cost shared housing, in accordance with Policy H10 of the Camden Local Plan (2017).

Informative(s):

1 Reason for granting permission-

The building is a licensed House in Multiple Occupation (HMO) (class sui generis). The HMO is licensed for up to 7 people living in a relatively small rooms (overall floor area of 75 sq m excluding corridors). At the date the license was issued in September 2014 two units had shared facilities and two units were self-contained. The building has been self-contained after the HMO license was issued however the building still operates as a single planning unit and HMO (class sui-generis).

The proposal seeks to change the use from a licensed HMO (sui-generis) to residential children's homes (C3(b)). This is where up to six people live together as a single household and receive care. Policy H10 states the council will resist development that involves the net loss of housing with shared facilities (HMOs) or the self-containment of any part of such housing unless adequate replacement housing with shared facilities will be provided. The proposed use would offer a form of shared living, but would be less intensive, and provide a common area for occupiers on the ground floor.

The proposed use would be a form of supported housing, and a suitable alternative to the 'long-term addition to the supply of low cost housing' sought by Policy H10. As indicated, part of the supporting text to Policy H10 supports securing a use of this kind where an HMO cannot be retained. To satisfy the requirement in Policy H10 to secure the replacement housing as a long-term low cost housing the 106 agreement will secure the use proposed for a minimum of five years.

It is not considered that there is an overconcentration of HMOs on to street that is causing disturbance and harm to neighbouring residential amenity. The proposal would not create a harmful concentration of C3b units or cause harm to nearby residential amenity beyond the existing. The Councils Environmental Health Private Sector Housing Team have been consulted on the proposal and raise no objection to the proposal.

Policy H8 encourages housing for 'vulnerable people', which includes looked-after children. This policy supports small supported living schemes, which are homes shared by no more than six people living as a household with support available, sometimes on-site, this accurately describes the proposal. The Council's Child services department have been consulted and support the proposed OFSTED registered residential unit/home for 'looked After Children (children and young people in the care of local authorities)'. The proposal would enable Camden to keep their looked after children in the borough maintaining their community links.

Criteria (c) to (e) are concerned with the accessibility of the facility to services, the contribution to a mixed, inclusive and sustainable community, and harm to residential amenity. Given the proximity to Camden High Street, tube stations and numerous bus services, the location is highly accessible. Given the small scale of the facility, the reduction in the intensity of the use (the HMO licence provides for up to 7 occupiers, the proposed facility will provide for 4 occupiers), and the presence of a qualified carer on site, the facility would be expected to contribute to the mix and inclusiveness of the community without harm to residential amenity.

Policy T2 requires all new residential development, including changes of use, with new occupiers to be car free. There is a separate legal agreement to secure the development as car-free housing. This will prevent future occupants from applying for on street car parking permits. A covered and secure cycle storage for two bicycles is provided to the ground floor rear yard.

One objection was received prior to making this decision, which has been duly considered. The proposal is in general accordance with the Camden Local Plan 2017, with regard to policies H4, H8, H10, A1, T2, T1, D1 and D2. The proposal also accords with the London Plan 2016 and NPPF 2019

- 2 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.
- 3 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.

- 4 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.
- 5 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).
- 6 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.

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