

Application ref: 2019/6020/P
Contact: Kristina Smith
Tel: 020 7974 4986
Date: 15 April 2020

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 and Warning of Enforcement Action

Address:

20-22 Theobalds Road
London
WC1X 8PF

Proposal:

Conversion of a HMO (Class C4) to create 9 self-contained units (Class C3) (7x1-bed; 2x2-bed) with associated refurbishment to the facades and internal alterations

Drawing Nos: Location Plan; Covering letter (dated 28th November 2019); Heritage Impact Schedule Ref. 1806.601a: Nr20 Theobalds Road, London WC1; 20 Theobald's Road - HERITAGE and DESIGN & ACCESS STATEMENT: Significance, Impact Assessment and Justification Statement (prepared Stephen Levrant Heritage Architecture Ltd) with tracked changes; 22 Theobald's Road - HERITAGE and DESIGN & ACCESS STATEMENT: Significance, Impact Assessment and Justification Statement (prepared Stephen Levrant Heritage Architecture Ltd) with tracked changes;

Existing: (20 Theobalds Road) Existing Elev - Third Floor; GROUND FLOOR - ELEVATION A AS EXISTING; GROUND FLOOR - ELEVATION B AS EXISTING; GROUND FLOOR - ELEVATION D AS EXISTING; FIRST FLOOR - ELEVATION A AS EXISTING; FIRST FLOOR - ELEVATION B AS EXISTING; FIRST FLOOR - ELEVATION C AS EXISTING; FIRST FLOOR - ELEVATION D AS EXISTING; FRONT ELEVATION AS EXISTING; (22 Theobalds Road): Existing Elev - Third Floor; 032-TWA-XX-02-DR-AX-01011; 032-TWA-XX-03-DR-AX-01012; 032-TWA-XX-03-DR-AX-08020; GROUND FLOOR - ELEVATION A AS EXISTING; GROUND FLOOR - ELEVATION B AS EXISTING; GROUND FLOOR - ELEVATION C AS EXISTING; GROUND FLOOR - ELEVATION D AS EXISTING; FIRST FLOOR - ELEVATION A AS EXISTING; FIRST

FLOOR - ELEVATION B AS EXISTING; FIRST FLOOR - ELEVATION C AS EXISTING;
FIRST FLOOR - ELEVATION D AS EXISTING; FRONT ELEVATION AS EXISTING

Proposed: (20 Theobald's Road) 032-TWA-XX-02-DR-AX-11001 (Rev A); 032-TWA-XX-02-DR-AX-01001; 032-TWA-XX-03-DR-AX-01002; 032-TWA-XX-03-DR-AX-08010; 032-TWA-XX-03-DR-AX-11002; 032-TWA-XX-03-DR-AX-18010

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The Council has considered your application and decided to grant permission subject to the following condition(s):

Conditions and Reasons:

- 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:

Location Plan; Covering letter (dated 28th November 2019); Heritage Impact Schedule Ref. 1806.601a: Nr20 Theobalds Road, London WC1; 20 Theobald's Road - HERITAGE and DESIGN & ACCESS STATEMENT: Significance, Impact Assessment and Justification Statement (prepared Stephen Levrant Heritage Architecture Ltd) with tracked changes; 22 Theobald's Road - HERITAGE and DESIGN & ACCESS STATEMENT: Significance, Impact Assessment and Justification Statement (prepared Stephen Levrant Heritage Architecture Ltd) with tracked changes;

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ELEVATION B AS EXISTING; FIRST FLOOR - ELEVATION C AS EXISTING;
FIRST FLOOR - ELEVATION D AS EXISTING; FRONT ELEVATION AS
EXISTING

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Reason:

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

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

The application site has been subject to unlawful internal works and sub-divisions during a period of use as a HMO. These HMO units feature very poor standard of accommodation and would not be eligible for a HMO licence in order to formalise this use. As the HMO use was never permitted, is substandard and without licence, there is no objection to its loss.

Planning consent has recently been granted (under references 2018/5286/P and 2018/5310/P) to convert no's 20 and 22 into 7 residential units, comprising 5 x 1-bed units and 2 x 3-bed units in total. These planning consents have now been implemented and are a significant material consideration in the assessment of this application.

The applicant now wishes to provide two 1-beds and two 2-beds in lieu of the two approved 3-bed units. In total, this application would create 9 self-contained units including 7 x 1-bed units and 2 x 2-bed units. The scheme would retain two 'high' priority units as well as seven 'lower' priority units according to the Council's Dwelling Size Priority Table. Considering the desire to minimise intervention into the listed building as well as the spatial limitations of the building, this proposed unit mix is considered acceptable in this instance. As the conversion would not increase residential (Class C3) floorspace, the scheme would not be expected to contribute towards the supply of affordable housing in accordance with policy H4.

All of the units proposed would meet or exceed the minimum floor areas set out by the Nationally described housing standards (2015). All units would be dual aspect, maintain good floor-to-ceiling heights and have access to good outlook and natural light. The unit at lower ground floor level would abut a lightwell to the rear that is

accessible by staff of the offices to the rear of the site. Whilst it is noted that there may be a risk of overlooking into the rear habitable room of this unit, it is also the case that a residential use is already in situ and, 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.

Throughout negotiations, Council officers worked with the applicant to design a scheme that minimised intervention to historic fabric whilst securing optimal use and therefore the long-term longevity of the heritage asset. The scheme reinstates plan form and historical features where possible.

The only external alteration proposed would be the restoration of a timber sash window to the rear bay at lower ground floor level as well as repairs to the other existing windows and brick work. The rear window would replace an unsympathetic modern door and is considered to represent a moderate benefit of the scheme. It is therefore considered that the proposed development would preserve the character and appearance of the host dwelling, streetscene and the Bloomsbury Conservation area.

No cycle storage is proposed due to space and heritage constraints. In this instance, this is considered acceptable especially given the high PTAL rating of the site. 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 all 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.

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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.

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, H3, H4, H7, H10, C5, A1, A4, D1, D2, CC2, 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 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).

- 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 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.
- 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.
- 7 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.

- 8 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.

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.


ENFORCEMENT ACTION TO BE TAKEN

The Council has authorised the Planning Department to instruct the Borough Solicitor to issue an Enforcement Notice alleging breach of planning control

You can find advice in regard to 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