

Application ref: 2019/6423/P
Contact: Sofie Fieldsend
Tel: 020 7974 4607
Email: Sofie.Fieldsend@camden.gov.uk
Date: 8 July 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

MATHESON WHITELEY
1-5 ORSMAN ROAD
London
London
N15RA

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

47 Theobald's Road
London
WC1X 8SP

Proposal:

Alterations to shopfront and rear fenestration, replacement rear rooflights and rear roof extension at first floor all in association with the change of use from A2 (Solicitors) to D1 (Art Gallery).

Drawing Nos: 001; 002; 003; 004; 005; 006; 010; 011; 012 Rev.A; 013 Rev.A; 014 Rev.C; 015 Rev.A; 016 Rev.A and 020 Rev.A.

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 policies 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:

001; 002; 003; 004; 005; 006; 010; 011; 012 Rev.A; 013 Rev.A; 014 Rev.C; 015 Rev.A; 016 Rev.A and 020 Rev.A.

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

- 4 Prior to occupation of the D1 unit details of the external security grill to the front entrance including detailed elevations, sections and plans shall be submitted to and approved in writing by the local planning authority.

Reason: To safeguard the appearance of the premises and the character of the immediate area and to maintain security in accordance with the requirements of policies C5, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 5 The D1 unit hereby permitted shall not be occupied until the whole of the cycle parking provision shown on the approved drawings is provided. The whole of the cycle parking provision shall be permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

- 6 Notwithstanding the provisions of Class D1 of the Schedule of the Town and Country Planning (Use Classes) Order 1987 (as amended), or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, the building shall only be used for an art gallery and for no other purpose.

Reason: To ensure that the future occupation of the building does not adversely affect the adjoining premises/immediate area by reason of noise, traffic congestion and excessive on-street parking pressure in accordance with policies A1, A4, and T1 of the Camden Local Plan 2017.

- 7 The use hereby permitted shall not be carried out outside the following times 9am-5pm Mondays to Sundays and bank holidays.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, A1, A4 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reasons for granting permission:

The proposal involves the change of use of the entire building of 278.8sqm from A2 (Solicitors) to D1 (Art Gallery). This is acceptable in principle as A2 uses are not a protected use and it is noted that the site falls within a Central London Area which should contain a variety of uses to maintain vibrancy and choice. An Art Gallery (D1 use) would be an appropriate use in this location in line with Policy TC2, it is noted that there are no existing art galleries within this parade. It is not considered to cause harm to the character, function, vitality and viability of this Central London Area.

Following negotiations with the applicant the proposed shopfront was revised to reinstate traditional shopfront features. The shopfront will reintroduce a timber stall riser, recessed front entrance and a traditional fascia which are acceptable in terms of their detailed design, material and siting and will enhance the host property and the street.

Whilst a more traditional recessed shopfront is welcomed, it will be necessary to ensure anti-social behaviour is discouraged in line with policy C5, an external security shutter is proposed. Details of the external security shutter over the front entrance will be secured by condition.

On the rear, the existing rooflights will be replaced with those of the same scale and siting. At first floor the roof will be marginally extended to accommodate a new lift which will improve the accessibility of the building in line with Policy C6. It will be finished in aluminium coping. This minor extension will not be visible from the public realm and will not project above the existing rear slanted rooflights. It is considered that these alterations to the rear are acceptable in terms of their detailed design, scale, and material and siting.

The proposed development is not considered to impact on the character and appearance of the host building or wider Bloomsbury Conservation Area or harm the setting of the adjoining listed building at Conway Hall.

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.

Given the minor nature, scale and siting of the external alterations it is not considered that the development would result in harm to neighbouring residential property's amenity in terms of loss of privacy, overlooking, light, a sense of enclosure or a material impact on the amenity of neighbouring properties in terms of noise given the commercial nature of the area.

3 short stay cycle parking spaces are required to comply with the London Plan and have been provided at basement level in the lightwell and a store. A cycle ramp will be provided on the stairs to provide access. The Council's Highways officers have advised that, due to the lack of business permits available in this location the proposal would not be required to be car free in this instance.

No objections were received prior to making this decision. The planning history of the site and surrounding area were taken into account when coming to this decision.

As such, the proposed development is in general accordance with polices A1, A4, C5, C6, D1, D2, T1, TC2, and TC4 of the London Borough of Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and 2019 (intended to publish) and the National Planning Policy Framework 2019.

- 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 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.
- 4 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.
- 5 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 'DP', is positioned above the printed name and title.

Daniel Pope
Director of Economy, Regeneration and Investment