

Application ref: 2019/4352/P
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Date: 26 January 2021

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

Phone: 020 7974 4444

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Rundell Associates
12 Salem Road, London
London
W2 4DL
UK

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
40 Bedford Square
London
WC1B 3HX

Proposal:

External and internal alterations to the existing mews house including lowering of lower ground floor courtyard windows and replacement with door openings and replacement rooflights, all in association with change of use from office space (B1) to use of the basement as a gym for the occupiers of no. 40 Bedford square and the creation of 2 self-contained residential flats (C3 use) at ground, first and second floor level with independent access from no. 9 Bedford Avenue.

Drawing Nos: P001; P100; P100/1 rev P2; P100/2; P100/3; P100/4; P200 P3; P200/1 P3; P200/2 P3; P200/3 P3; P200/4 P3; P220 P3; P300 P4; P301 P4; P302 P4; P303 P4; P304 P4; P310 P4; P310/1 P4; P310/2 P4; P320 P3; Heritage Statement rev P4 prepared by Rundell Associates dated May 2020; P350 P1; P351 P1; P352 P1; P353 P1; P354 P1.

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:

P001; P100; P100/1 rev P2; P100/2; P100/3; P100/4; P200 P3; P200/1 P3; P200/2 P3; P200/3 P3; P200/4 P3; P220 P3; P300 P4; P301 P4; P302 P4; P303 P4; P304 P4; P310 P4; P310/1 P4; P310/2 P4; P320 P3; Heritage Statement rev P4 prepared by Rundell Associates dated May 2020; P350 P1; P351 P1; P352 P1; P353 P1; P354 P1.

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

- 4 Prior to occupation of the dwellings hereby approved, 3 cycle spaces shall be provided within the new flats and permanently retained 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.

Informative(s):

- 1 Reasons for granting permission.

The proposal includes change of use of the mews building from office use to two self-contained flats. The 2008 permission (ref 2008/5278/P) and subsequent amendments granted under 2010 permission (ref 2010/4417/P) included the conversion of the mews from office to 3 flats. Both permissions also included works to the main house to convert it to a single family dwelling. The works of conversion to the main house were undertaken within the 3 year time period but the works to the mews building were not carried out. Notwithstanding this, the permission has been implemented and the works to convert the mews to residential units can be carried out. In this instance it is not considered necessary to re-assess the proposal against policy E2 as the loss of employment floorspace has already been agreed on this site by the previous extant permissions and the principle of the change of use to residential is acceptable in line with policy H2.

The two new residential units would be located from ground to third floor level (the lower ground floor would be used as a gym for the main house) with the ground floor being occupied as a 1 bed unit and the upper floors as a 2 bed

unit. The flats would meet and exceed the national space standards for 1 and 2 bed units (74 sq. m and 97 sq.m). They would be dual aspect and would have access to satisfactory standards of daylight, sunlight, outlook and natural ventilation.

The proposal originally included the replacement of 3 window openings at lower ground floor level on the rear elevation with a larger door opening with folding doors. This was considered unacceptable in terms of impact on the listed building. Amendments have been received during the course of the application to drop the height of the window openings and install 3 door openings within the existing openings. A condition would be attached to the listed building consent to secure the details of the new door openings.

The 1980's roof would be refurbished and new skylights would be installed in the front roof slope. The existing slates would be reused on the façade facing Bedford Avenue where possible, which is good conservation practice. New welsh slates being used on the façade facing no. 40 Bedford Square. Given the slate roof forms part of an architecturally consistent terrace, it is critical the new slates complement the terrace as a whole. A condition would be required to secure the submission of a method statement and proposed roof plan showing the distribution of the slates across the entire roof plus the requirement for a sample of the new slate to be introduced to ensure it is a close match in terms of colour, texture and size. The proposal would include the replacement of the rooflights in the southern slope with conservation style rooflights. Only the position of the central rooflight would be modified and the other two rooflights would be reduced in size. This would preserve the character and appearance of the building and the surrounding conservation area. A condition would be attached to the listed building consent to secure the details of the new rooflights.

New vents would be installed behind the parapet on the western side elevation at second floor level. As no details have been provided. It would be necessary to condition the details of all new external vents and this would be secured as part of the listed building consent.

- 2 The minimal external changes that are proposed would not have a detrimental impact on the character or appearance of the listed building and conservation area. Special regard has been attached to the desirability of preserving the listed building, its setting and its features of special architectural or historic interest and of preserving or enhancing the character or appearance of the conservation area, under s66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

The windows in the rear elevation of the mews building are located within approximately 6m of the rear of the main house at no. 40. It must be noted that both the main house and the mews are within the same ownership. There would be direct views from the bay windows in the rear elevation of the main house into the windows in the rear elevation of the mews building. Any potential purchasers or tenants would be aware of this arrangement when deciding whether to purchase (or occupy) the new ground floor flat and would

thus be in a position to decide whether or not they are comfortable with the arrangement.

No outside amenity space would be provided for the 1 bed ground floor flat. There is an existing terrace area at the rear of the mews at first floor level. Although this is within 6m of the bay windows in the rear elevation of no. 40 it is an existing arrangement. It is considered that there would no impact on amenity of neighbouring occupiers in terms of daylight, outlook or privacy including no. 40 Bedford Square.

Policy T2 of the Camden Local Plan requires all new development to be car-free in the borough. As the proposal would result in the conversion of the mews into two single family dwellings, this policy would apply. Any future occupier or new occupier would not be able to apply for a residents parking permit. A car-free development would be secured by s106 legal agreement. Policy T1 promotes cycling within the borough and seeks to secure cycle parking facilities within developments. The proposed plans show 2 cycle spaces within the internal storage areas within the hallway and within the flats themselves. 3 cycle spaces would be required to be provided. There is space within the 2 flats to provide cycle parking. A condition would be attached to ensure the required number of spaces are provided prior to the occupation of the flats.

The site's planning history has been taken into account when coming to this decision. The Bloomsbury CAAC originally objected to the replacement of the sash windows with large door opening and use of the terrace. During the application process amendments were sought to replace the larger door opening with three door openings by dropping the cills of the existing windows to doors. The removal of the window at first floor level on the northern elevation to create access door to the existing terrace has been revised and the existing door opening on the western side elevation to access the existing terrace would remain. The CAAC were notified about the changes and have formally withdrawn the objection. No further objections were received prior to making this decision.

As such, the proposed development is in general accordance with policies A1, H3, D1, D2, T1, and T2 of the Camden Local Plan 2017, the London Plan 2016, and the National Planning Policy Framework 2019.

- 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 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).

- 5 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.
- 6 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.

- 7 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.
- 8 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.
- 9 The correct street number or number and name must be displayed permanently on the premises in accordance with regulations made under Section 12 of the London Building (Amendments) Act 1939.

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 positioned above the printed name and title.

Daniel Pope
Chief Planning Officer