

LDC (Existing) Report		Application number	2020/5971/P
Officer		Expiry date	
John Sheehy		17/02/2021	
Application Address		Authorised Officer Signature	
15 Camden Park Road London NW1 9AX			
Conservation Area		Article 4	
Yes. Camden Square		No	
Proposal			
Use of the site as a children's home (Class C3b).			
Recommendation:		Grant certificate	

Legal Context:

Town and Country Planning Act 1990 (as amended)

Section 55 of the Town and Country Planning Act 1990 states that "development," means the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.

Paragraph (2)(a) and (2)(f) of Section 55 of the Town and Country Planning Act 1990 states:

'The following operations or uses of land shall not be taken for the purposes of this Act to involve development of the land –

(a) the carrying out for the maintenance, improvement or other alteration of any building of works which –

(i) affect only the interior of the building, or

(ii) do not materially affect the external appearance of the building,

(f) in the case of buildings or other land which are used for a purpose of any class specified in an order made by the Secretary of State under this section, the use of the buildings or other land or, subject to the provisions of the order, of any part of the buildings or the other land, for any other purpose of the same class.'

The building has been in use as a children's home (C3b) since 2017. It was previously used as a single family dwelling house (C3a). Both fall within the C3 use class. The proposal would not involve any exterior alterations.

Information has been submitted in support of this application which shows that the property will have a maximum occupancy of 6 people living together in a children's home. The home is registered with Ofsted ('the Regulators') who inspect the premises once a year. The home also adheres to the Children's Homes Regulations (England) 2015 as well as the Quality Standards set out by Ofsted.

There are two staff shifts: daytime (8am to 8pm) and night-time (8pm to 8am). Each shift has one staff. The night-time staff do not sleep in the home but stay awake. Care is provided in the form of domestic chores, cleaning and preparing meals for themselves and the children.

The floor plan includes a communal kitchen, living room, garden, a bathroom at first floor, shower rooms at basement and second floor and one WC at ground floor level. Bedrooms are at basement, first, second and third floors. The use falls within Class C3 (b).

Given the above and as the total occupancy will not be above six people living together it is not considered to result in the intensification of use.

The proposed residential use as described in the submitted application would not involve a material change of use and be similar to use as a single family dwelling house. The proposal as described within the application would not constitute development, and would not therefore require planning permission.

Recommendation: Approve