

Application ref: 2021/0507/P
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London Borough of Camden
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Russell Hanslip
5 Gardnor Road
London
NW4 1HA

Dear Sir/Madam

DECISION

In accordance with section 60 (2B) and (2C) of the Town and Country Planning Act 1990 (as amended by section 4(1) of the Growth and Infrastructure Act 2013)

Process set out by condition O.2 of Schedule 2 Part 3 Class O of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by SI 2008 No. 2362 and SI 2013 No. 1101)

Certificate of Lawfulness (Proposed) Prior Approval granted

The Council, as local planning authority, hereby confirm that their **prior approval is granted** for the proposed development at the address shown below, as described by the description shown below, and in accordance with the information that the developer provided to the local planning authority:

Address of the proposed development:

**16 Swain's Lane
London
N6 6QS**

Description of the proposed development:

Change of use from office (Class B1a) to residential (Class C3) at ground floor level to provide one 3 bedroom flat.

Details approved by the local planning authority:

Drawing Nos: First Floor Plan Existing; Ground Floor Plan Existing; Ground Floor Plan Proposed; North and East Elevation Existing; Site Plan; West and South Elevation Existing; Design and Access Statement (prepared by Hanslip & Company Ltd, dated January 2021).

Reason for approval:

- 1 The change of use from offices (Class B1a) to residential use (Class C3) at ground floor level to provide one self-contained unit is permitted under Schedule 2 Part 3 Class O of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

Informative(s):

- 1 Reasons for granting approval-

The proposed change of use from office (Class B1) to residential (Class C3) is permitted under Class O of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (GPDO). It is noted that there is no Article 4 direction in this location relating to the change of use.

The proposal complies with the 5 criteria of Part O.1 of Class O. The ground floor of the building was in use as an office (Class B1a) on 29th May 2013 and prior to this date. The site does not form part of a safety hazard area or a military explosives storage area, and the building is not listed nor a scheduled monument.

The proposal is considered to comply with the 5 criteria of Part O.2 of Class O and the provisions of paragraph W, which sets out the procedure for applications for prior approval under Part 3 of the GPDO.

The proposed change of use is likely to result in a material increase and change in the character of traffic generated within the vicinity of the site. It is therefore considered necessary to remove the occupier's ability to apply for parking permits by requiring the applicant to enter into a S106 legal agreement to ensure that the development is car-free. As there is an existing forecourt and integral garage used for parking by the existing office and the existing residential flats above, the Council's Transport officer has confirmed that the current on-site parking situation can be retained for the proposed development.

The submitted plans do not indicate the provision for any cycle parking space for the new residential unit. However, the Council's Transport officer considers that ample space exists within the property, including the garage and the external amenity space to the rear, to accommodate a minimum of two cycles. As such, the proposal is acceptable in line with the NPPF and no further details for cycle storage are required to be submitted.

The site is located within a local Flood Risk area for surface water flooding. However, as the proposed flat would not be below ground floor level, and as the proposals do not involve any external alterations, a flood risk assessment was not required in determining the application. The site is also not identified as potentially being contaminated land.

The proposed flat would have a GIA of approximately 119sqm, which exceeds the minimum floorspace requirement for a dwelling of this size. The proposed unit would be dual aspect with large windows and rooflights over two of the bedrooms and the open-plan kitchen/dining room, and so it is considered that all proposed habitable rooms would receive adequate natural light. All

surrounding neighbouring properties are residential, including the upper floors of No. 16, and so future occupiers would not be impacted by noise from commercial premises.

Given that no external works are proposed, it is not considered that the proposal would significantly harm the amenity of any adjoining residential occupiers in terms of loss of light, outlook or privacy.

Two objections were received. The objections do not relate to material considerations for the assessment of an application for prior approval under Class O of the GPDO. The site's planning history and relevant appeal decisions were taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, A4, H6, CC3, T1 and T2 of the London Borough of Camden Local Plan 2017 and with chapters 9, 14 and 15 of the National Planning Policy Framework 2019.

- 2 You are reminded of the need to provide adequate space for internal and external storage for waste and recyclables. For further information contact Council's Environment Services (Waste) on 020 7974 6914/5 or see the website <http://www.camden.gov.uk/ccm/content/environment/waste-and-recycling/twocolumn/new-recycling-rubbish-and-reuse-guide.en>.
- 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 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.

- 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 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.
- 7 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.
- 8 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ.

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 in regard to your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully



Daniel Pope
Chief Planning Officer

It's easy to make, pay for, track and comment on planning applications on line. Just go to www.camden.gov.uk/planning.

It is important to us to find out what our customers think about the service we provide. To help us in this respect, we would be very grateful if you could take a few moments to complete our online survey at the following website address:

www.camden.gov.uk/dmfeedback. We will use the information you give us to help improve our services.