

Application ref: 2020/5760/P
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Date: 21 May 2021

Development Management
Regeneration and Planning
London Borough of Camden
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Future Planning and Development
2
Wardrobe Place
London
EC4V 5AH

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
93 Charlotte Street
London
W1T 4PY

Proposal:
Conversion of the first floor from restaurant (Class E) to residential (Class C3).
Drawing Nos: 1828/04-201201; 2022-4-P-1; 2022-4-P-5; 2022-4-P10 and Design and Access Statement commissioned by Future Planning and Development dated December 2020.

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 The development hereby permitted shall be carried out in accordance with the following approved plans: 1828/04-201201; 2022-4-P-1; 2022-4-P-5; 2022-4-P10 and Design and Access Statement commissioned by Future Planning and

Development dated December 2020.

Reason:

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

- 3 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 principle of the change of use of the first floor from ancillary floor space to the restaurant used for office and storage (Class E) to residential (C3) to provide 1x studio flat is considered acceptable. The proposed change use of first floor would allow the unit to continue to meet its commercial function and contribute to Camden Local economy at basement and ground floor levels. The scheme would not conflict with policies TC1 or TC2 of the Local Plan 2017.

The proposed studio flat would utilise the private access point off Charlotte Street which serves the existing residential units. Thus, there would not be changes to how the residential units that would be accessed via the existing set of stairs. The development would provide additional housing supply in the area in accordance with policy H1. The site is located within a protected secondary shopping frontage, however, the proposals would not have a harmful impact on this frontage, which would remain in active use, in line with Policy TC2.

The proposal is to create a studio flat at first floor level with an internal floor area of approximately 37sqm, which complies with the minimum national requirement for a 1Bed 1person unit. This size of unit is the only size that could be secured due to the amount of floorspace available. The internal layout would be adequate in other respects including bedroom sizes and circulation space.

As a change of use to residential, Part M of the Building Regulations only requires that access is made no worse than previously existed. Particularly around the entrance and communal staircases. The applicant has attempted to include the majority of requirements so while the proposal does not fully comply the proposal is considered acceptable in this instance.

The proposed studio would be provided with adequate light and outlook. The first floor rooms would have windows which would provide adequate light and ventilation in accordance with CPG2. The awning above the first floor rear terrace is retractable and can either be extended across the terrace or retracted to the rear wall of the building.

With regard to refuse collection, the agent confirmed that refuse and recycling sacks are provided to the occupiers and that these are placed on the street for collection on collection day.

No external alterations are proposed as part of this scheme and the introduction of residential units is unlikely to have any harmful impacts on surrounding residential occupiers by way of noise and general disturbance. As the works are largely internal the development would also not be likely to result in a loss of light or outlook and the proposal is not considered to introduce material levels of overlooking through any of the windows to the front or rear. Thus, development would not result in an amenity impact on neighbouring properties.

In line with Policy T1 of the adopted Local Plan, the Council expects cycle parking to be provided in accordance with the standards set out in the London Plan. This development would require the provision of 1 space. However, given the first floor location and the limited floor space available, it is considered that the requirement for formal cycle parking facilities can be waived in this instance. The studio flat would need to be car-free in accordance with Policy T2, which includes limiting the availability of both off-street and on-street parking. This would be secured by a legal agreement if planning permission is granted, and would prevent future occupiers from obtaining on-street parking permits.

The application site's planning history was taken into account when coming to this decision. No objections were received to this application.

As such, the proposed development is in general accordance with policies H1, H4, H7, A1, A4, TC1, TC4, T1 and T2 of the London Borough of Camden Local Plan 2017. The London Plan 2021 and 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 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 are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 4 Under Section 25 of the GLC (General Powers) Act 1983, the residential accommodation approved is not permitted for use as holiday lettings or any other form of temporary sleeping accommodation defined as being occupied by

the same person(s) for a consecutive period of 90 nights or less. If any such use is intended, then a new planning application will be required which may not be approved.

- 5 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.

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', written in a cursive style.

Daniel Pope
Chief Planning Officer