

25 January 2022



**CLIFFORD RANCE**  
**A S S O C I A T E S**  
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Development Management  
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Dear Sirs

77 BARTHOLOMEW ROAD, KENTISH TOWN NW5

The above property currently consists of a lower ground floor self-contained flat – for which a Certificate of Lawfulness was granted on 12 November 2021 (ref 2021/3773/P) – leaving the upper ground, 1<sup>st</sup> 2<sup>nd</sup> and 3<sup>rd</sup> floors as a separate self-contained unit.

#### The proposal

The owner of the property now wishes to extend the area of the lower ground floor flat to incorporate the ground floor, significantly enlarging the unit from a 1-bed (the existing plan does show a 2<sup>nd</sup> bedroom but it falls substantially below the minima in the Technical Housing Standards) to a 3 bed with access to the garden from both lower ground and ground floor levels. The gross internal area will be 106m<sup>2</sup>, which exceeds the Technical Housing Standards for a 6-person 3-bed on 2 floors. This will therefore be a good family sized unit with access to the garden.

That would leave the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> floors still as a separate unit, with 3 bedrooms and access to the existing roof terrace. The gross internal area of this unit will be 133m<sup>2</sup>, which again exceeds the Technical Housing Standards for a 6-person 3-bed on 3 floors. This will therefore still be a good family sized unit.

The property then becomes 2 potentially family sized units.

#### Considerations

In the case of a property used for most non-residential purposes – for example, shops – combining 2 units of occupation would not amount to a change of use but the such a change in relative unit size would not require planning permission but residential use is unusual in that planning can relate to the individual unit of occupation.

The applicant original applied for permission to reconfigure the 2 units but the application acknowledged that permission may not actually be required. The property as a whole will remain in residential use and there is no change in the number of units. There is no loss of residential use and no material change in character. The application was given the ref 2021/6051/.

On 17<sup>th</sup> January 2022 Miriam Baptist of your department emailed to state

'Dear Mr Rance,

I can confirm planning permission is not required for the alterations to the properties as described. Shall I set a refund in motion for this application?

As you will appreciate, the owner would like more formal documentation and hence this application.

I trust the application is in order but if not please contact me.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'C C Rance'.

Clifford Rance MRTPI