

Application ref: 2021/5876/P  
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Date: 7 March 2022

**Development Management**  
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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 MA.2 of Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) Order 1995 (as amended)

Certificate of Lawfulness (Proposed) Prior Approval refused

The Council, as local planning authority, hereby confirm that their **prior approval is refused** 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:**  
**112 Cleveland Street**  
**London**  
**W1T 6PA**

### **Description of the proposed development:**

Change of use of basement and ground floors from commercial (Class E) to a self-contained flat (Class C3) and works to partially open the front lightwell and new pavement lights.

### **Information that the developer provided to the local planning authority:**

Drawing Nos: A001, A100, A101, A110, A120, A121, 19061-01 (Basement), 19061-02 (G/F), 19061 (elevation and section), Planning Statement Nov 2021, Transport technical note 6130/TN01, Flood risk assessment 1790-FRA-1-C, Contamination report 1790-P1E-1, Noise report 22910.NIA.01 Rev A, Daylight Sunlight report July 2021

**Reason(s) for refusal:**

1. The proposed loss of commercial space would result in harm to the character, vitality and sustainability of the conservation area, contrary to paragraphs 199 and 202 of National Planning Policy Framework 2021.
2. The proposed change of use, in the absence of a Section 106 legal agreement to secure the residential unit as car-free, would contribute unacceptably to parking stress and traffic congestion in the surrounding area and would not promote use of sustainable transport contrary to paragraphs 110 and 112 of National Planning Policy Framework 2021.
3. The proposed residential unit, in the absence of adequate provision of daylight and sunlight would provide substandard accommodation.

**Informative(s):**

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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 2021.

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

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