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10 March 2022

Our ref: LJW/KAH/KHU/HJH/U0017407

Your ref: PP-11088045

Dear Sir / Madam,

124 Theobalds Road, London, WC1X 8RX
Certificate of Lawfulness for a Proposed Use or Development

On behalf of our Client, Theobald Limited ('the Applicant'), we write to submit an application for a Certificate of Lawfulness for a Proposed Use or Development ('Certificate Application') under Section 192 of the Town and Country Planning Act 1990. This Certificate Application relates to proposed infill works within the internal atrium at 124 Theobalds Road, London, WC1X 8RX ('the Site').

For the reasons set out in this letter, the proposed infill works do not constitute development under Section 55 of the Town and Country Planning Act 1990. Nevertheless, and for the avoidance of doubt, this application is submitted in order to verify that the proposed works do not require planning permission.

Proposed Works

124 Theobalds Road is situated in the London Borough of Camden ('LBC') covering an area of 0.24 hectares. The building was completed in 1955 and comprises a basement, ground and eight upper floors which includes a central atrium running from the first floor up to the eighth floor, and covers a floorspace of approximately 11,900sqm. The Site is not a statutory listed building, nor does it fall within a conservation area.

As noted, at the centre of 124 Theobalds Road is a covered atrium, as shown on the enclosed existing plans and photographs. The atrium is entirely internal and is not visible from outside the building.

The Applicant intends to infill parts of the existing atrium at the Site to create additional office floorspace. The infill works to the atrium are proposed to the central areas at first floor to eighth floor levels where the atrium is currently set into the office floorplates. It is also proposed to infill the void above the current double height entrance at first floor level.

Lawfulness

Section 55(1) 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". It goes on to define the term 'building operations' as including:

- (a) Demolition of buildings;
- (b) Rebuilding;
- (c) Structural alterations of or additions to buildings; and
- (d) Other operations normally undertaken by a person carrying on business as a builder

Importantly, Section 55(2) confirms that for the purposes of the Act, the carrying out for the maintenance, improvements or other alteration of any building which affects only the interior of the building or does not materially affect the external appearance of the building, **shall not be taken to involve development of the land**.

The proposed works which are the subject of this Certificate application are all situated entirely within the central core of the building and would not affect its external appearance. As can be seen on the enclosed plans and photographs, the atrium is enclosed on all sides and is not visible from the outside of the building.

On this basis, given that the works would be internal and would not affect the external appearance of the building, they do not constitute development under the terms of Section 55 of the Town and Country Planning Act 1990 (as amended). We therefore consider that the proposed works would be lawful and look forward to receiving your confirmation of this as soon as possible.

Documentation

Accordingly, we submit the following documents via Planning Portal (ref: PP-11088045):

- Covering Letter (this document), prepared by Gerald Eve LLP;
- Site Plan @ 1:500 Scale, prepared by Orms Architects;
- Existing and Proposed Floor Plans & Existing Section, prepared by Orms Architects;
- Existing and Proposed GIA Floor Space, prepared by Orms Architects;
- Photographs of the Existing Internal Atrium to be infilled, prepared by Orms Architects.

Please do not hesitate to contact Kevin Henson (07920 540 410) or Harry Howat (07553 748 624) of this office should you have any questions regarding the above. We look forward to receiving notice of your receipt and validation of this application.

Yours faithfully,



Gerald Eve LLP

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