



GERALDEVE

Regeneration and Planning
London Borough of Camden
5 Pancras Square
London
N1C 4AG

72 Welbeck Street London W1G 0AY
Tel. 020 7493 3338
www.geraldeve.com

17 January 2022

Our ref: LJW/NLR/TEY/U0017870

Your ref: PP-10543553

Dear Sir or Madam,

**Certificate of Lawfulness for a Proposed Use or Development
21 Bloomsbury Street, London, WC1B 3HF**

On behalf of our client, Capital 38 Limited ('the Applicant'), we write to submit an application for a Certificate of Lawfulness for a Proposed Use or Development under Section 192 of the Town and Country Planning Act 1990. The Certificate application relates to proposed infill works within the internal atrium at 21 Bloomsbury Street.

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

No. 21 Bloomsbury Street occupies the corner plot of Bloomsbury Street and Bedford Avenue. The building is in commercial use and is set over basement, ground, and five upper floors. The two primary façades, which face onto Bloomsbury Street and Bedford Avenue are of high-quality Victorian architecture, featuring primarily red brick punctuated with stone detailing. The building is not listed, although it is identified as a 'positive' building in the Bloomsbury Conservation Area appraisal. As is evident from a desk-based search of the Council's planning records, the building has been subject to minor incremental works in recent years in addition to substantial redevelopment behind retained façades during the 1990s.

At the centre of 21 Bloomsbury Square is a large atrium with a glazed roof, as shown on the enclosed photographs and plans. The atrium is entirely internal, providing limited natural light to the surrounding office floorplates. There is a single, shallow terrace within the atrium at second floor level, which is currently used for storage.

The Applicant intends to partially infill the existing atrium to create additional office floorspace. The existing atrium is not consistent in size. The opening from lower ground to first floor level is smaller than the opening from third floor level to the fifth floor level. The widening of the atrium space at second floor level creates the existing internal terrace. The infill works will retain a compacted but consistent atrium from first floor to fifth floor level. Lower ground and ground floor level are subject to more modest infilling.

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 application are all situated entirely within the building and would not affect its external appearance. As can be seen on the enclosed photos and plans, the atrium is enclosed on all sides and covered by a glazed roof.

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 are lawful without the need for planning permission and look forward to receiving your confirmation of this as soon as possible.

Documentation

Accordingly, this application submission comprises the following:

- Signed and completed application forms; and
- Site Location Plan at 1:1250 Scale;
- Existing and proposed plans and sections showing the location of the proposed infill works;
- Photographs of the existing atrium to be partially infilled, showing the roof and demonstrating that these are internal to the building.

The application has been made online through the Planning Portal (reference: PP-10543553) and the requisite fee has been paid online.

We trust that the information submitted is sufficient to validate the application. Should you require anything further, please contact Natalie Rowland (0207 333 6220) or Tom Eyres (0207 333 6429).

Yours faithfully



Gerald Eve LLP