

LDC (Proposed) Report		Application number	2022/0189/P
Officer		Expiry date	
Fast Track SC		5/05/2022	
Application Address		Authorised Officer Signature	
21 Bloomsbury Street London WC1B 3HF			
Conservation Area		Article 4	
n/a		Article 4 Direction (basements only)	
Proposal			
Infill of existing atrium.			
Recommendation:		Grant Certificate of Lawfulness	
<p>1.0 Introduction</p> <p>1.1 The application site is 21 Bloomsbury Street, London, WC1B 3HF. The application relates to a 5 storey commercial building inclusive of basement and ground level. Which occupies the corner plot of Bloomsbury Street and Bedford Avenue. The site is not listed nor located within, but is immediately adjacent to, the Bloomsbury Conservation Area boundary.</p> <p>1.2 The application seeks confirmation that the proposed infilling of an existing atrium (2nd floor) does not constitute development and is lawful such that planning permission would not be required.</p> <p>2.0 Applicants Evidence</p> <p>2.1 Drawing numbers: 4677-ST-EX-02-100-; 4677-ST-EX-02-099; 4677-ST-EX-01-002; 4677-ST-EX-01-001; 4677-ST-EX-02-106-; 4677-ST-EX-02-105; 4677-ST-EX-02-104; 4677-ST-EX-02-103; 4677-ST-EX-02-102; 4677-ST-EX-02-101; 4677-ST-PR-02-106-(1); 4677-ST-PR-02-105-(1); 4677-ST-PR-02-104-(1); 4677-ST-PR-02-103-(1); 4677-ST-PR-02-102-(1); 4677-ST-PR-02-101-(1); 4677-ST-PR-02-100-(1); 4677-ST-PR-02-099-(1);</p> <p>3.0 Assessment</p> <p>3.1 Development is defined by section 55(1) of the 1990 Town and Country Planning Act (TCPA) as 'the carrying out of building, engineering, mining or other operations, in, on, or</p>			

under land or the making of any material change in the use of any buildings or other land’.

For the purposes of this Act “building operations” includes—

- 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.

Section 55(2) of the TCPA states that the following operations or uses of land shall not be taken for the purposes of this Act to involve development of the land—

- a) the carrying out for the maintenance, improvement or other alteration of any building of works which—
 - (i) affect only the interior of the building, or
 - (ii) do not materially affect the external appearance of the building.

3.2 The applicant is considered to have provided sufficient evidence to demonstrate that the proposed works would only affect the interior of the building, furthermore given the modest increase in floorspace the proposal would not result in a material intensification of the existing use. As such, the proposal would not fall within the ‘meaning of development’ requiring planning permission as defined by Section 55 of the TCPA. Officers consider therefore that part 55(2)(i) therefore applies. Notwithstanding this, the works also would not materially affect the external appearance of the building (however it is noted that this criteria is not relevant as the works only affect the interior of the building).

3.3 The proposal is therefore lawful, as the works would not constitute development, and it is recommended that a certificate of lawfulness be granted.

4.0 RECOMMENDATION: Grant certificate of lawfulness