

Application ref: 2021/1849/P
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GAA Planning
Suite 1, First Floor
Aquasulis
10 - 14 Bath Road
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SL1 3SA

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 O.2 of Schedule 2 Part 3 Class O of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by SI 2008 No. 2362 and SI 2013 No. 1101)

Certificate of Lawfulness (Proposed) Prior Approval granted

The Council, as local planning authority, hereby confirm that their **prior approval is granted** 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:

**136 Royal College Street
London
NW1 0TA**

Description of the proposed development:

Change of use of the basement and ground floor from office use (Class B1a) to a residential unit (Class C3).

Details approved by the local planning authority:

Drawing Nos: 19023-GAA-XX-B1-DR-T-2017-P05; 19023-GAA-XX-GF-DR-T-2016-P05; 19023-GAA-XX-XX-DR-T-2207-P04

Reason for approval:

- 1 Change of use from offices (Class B1a) to residential use (Class C3) at ground and basement level to provide a 1 x 3 bed self-contained residential unit is permitted under Schedule 2 Part 3 Class O of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

Informative(s):

- 1 Reasons for granting approval-

The proposal has been revised to from a 3 bed unit to a 1 bed unit in order to allow adequate level of light to all habitable rooms.

The proposed change of use from office (Class B1) to residential (Class C3) is permitted under Class O of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (GPDO). The 2020 Regulations provide transitional provisions which retain the effect of the permitted development rights based on the pre-1st September use classes. A building or use will continue to enjoy any permitted development rights to which it is currently entitled during the "material period" - which means prior approvals submitted between the period between 1 September 2020 and 31 July 2021. It is noted that there is no Article 4 direction in this location relating to the change of use.

The proposal complies with the 5 criteria of Part O.1 of Class O. The ground floor and basement of the building was in use as an office (Class B1a) on 29th May 2013 and prior to this date. The site does not form part of a safety hazard area or a military explosives storage area, and the building is not listed nor a scheduled monument.

The proposal is considered to comply with the 5 criteria of Part O.2 of Class O and the provisions of paragraph W, which sets out the procedure for applications for prior approval under Part 3 of the GPDO.

The proposed change of use is likely to result in a material increase and change in the character of traffic generated within the vicinity of the site. It is therefore considered necessary to remove the occupier's ability to apply for parking permits by requiring the applicant to enter into a S106 legal agreement to ensure that the development is car-free.

There is space provision for cycle parking spaces for the new residential unit at basement level. As such, the proposal is acceptable in line with the NPPF and no further details for cycle storage are required to be submitted.

The site is not in an area of locally higher flood risk as defined in the Local Plan, and the policy restrictions for those areas do not apply. The proposed flat would not be below ground floor level, and as the proposals do not involve any external alterations. The site is also not identified as potentially being contaminated land.

The proposed flat would have a GIA of approximately 130sqm, which exceeds the minimum floorspace requirement for a dwelling of this size. The proposed

unit would receive adequate natural light. All surrounding neighbouring properties are residential, and so future occupiers would not be impacted by noise from commercial premises.

Given that no external works are proposed, it is not considered that the proposal would significantly harm the amenity of any adjoining residential occupiers in terms of loss of light, outlook or privacy.

No objections were received and the site's planning history and relevant appeal decisions were taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, A4, H6, CC3, T1 and T2 of the London Borough of Camden Local Plan 2017 and with the National Planning Policy Framework 2021.

- 2 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 3 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 5 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how

much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice. Camden adopted new CIL rates in October 2020 which can be viewed at the above link.

- 6 If an up- to-date asbestos register is not available, it is recommended that an asbestos risk assessment is conducted in accordance with HSE guidance so that any ACMs present can be managed accordingly.

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

It's easy to make, pay for, track and comment on planning applications on line. Just go to www.camden.gov.uk/planning.

It is important to us to find out what our customers think about the service we provide. To help us in this respect, we would be very grateful if you could take a few moments to complete our online survey at the following website address: www.camden.gov.uk/dmfeedback. We will use the information you give us to help improve our services.