

Application ref: 2021/0886/P
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Date: 13 April 2022

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk

www.camden.gov.uk/planning

Clark
71-75 Shelton Street
London
WC2H 9JQ

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

Unit 2

44 St Paul's Crescent

London

NW1 9TN

Proposal:

Change of use from ground floor office (Class B1) to residential (Class C3) to form additional space for the dwelling above on 1st and 2nd floors.

Drawing Nos: A003: S 01, P 00, P 00E, P01E, P 02E; Letter about marketing (Chestertons 10 July 2021); Letter terminating lease of ground floor offices (Wintech December 2020)

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the

following approved drawing: A 003 P 00

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 The ground floor plan hereby approved (shown on drawing A 003 P 00) shall only be used as part of the new single dwelling house at the site and not as a separate residential unit.

Reason: To ensure that the future occupation of the building does not adversely affect the immediate area by reason of noise, traffic congestion and excessive on-street parking pressure etc in accordance with policies A1 and T2 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:

The principle of the change of use of existing offices to alternative uses is covered in Policy E2 of the Camden Local Plan. The policy advises that development of business premises for non-business uses will be resisted unless it can be demonstrated that the site or building is no longer suitable for its existing business use and that the possibility of retaining, reusing or redeveloping the site or building for similar or alternative type and size of business has been explored over an appropriate period of time.

The application includes a letter from the previous occupier of the ground floor offices (Wintech Ltd) setting out the reasons why the premises are no longer suitable for their business. The layout and accessibility are two of the reasons why they can no longer operate from the premises. In accordance with the requirements of policy E2, the application also includes a letter from the letting agents, Chestertons, explaining that, despite being marketed for over 2 years since August 2018, no realistic offers have been received for the property due to the lack of demand for the office use. The proposal is therefore not considered to result in the loss of viable offices contrary to policy E2.

Residential is indicated as a priority use in the Local Plan and the proposal would provide additional residential floorspace. A number of other units at 44 St Paul's Crescent have obtained planning permission for change of use of office floorspace to residential, such as at Unit 6 (planning permission ref 2014/4600/P granted subject to a legal agreement 09/11/2015), Unit 8 (planning permission 2014/1180/P granted subject to a legal agreement 07/08/2014) and Unit 1 (planning permission 2012/2792/P granted subject to a legal agreement 18/04/2013). The proposed enlarged unit to create a three bedroom house would exceed the minimum size requirement in the National Housing Standards; the room sizes would exceed these minimum space requirements and the new bedroom would receive adequate natural light.

A condition is to be attached to prevent the new residential floorspace being used as a separate unit of accommodation as this would raise additional planning issues which should be considered under a fresh planning application.

No external alterations are proposed and the proposed change of use would not harm the character or appearance of the area or the amenity of any neighbouring occupiers.

Policy T2 of the Local Plan seeks to achieve car-free development across the Borough. The new house compared to the existing flat is likely to generate additional parking demand, the unit already has an existing offstreet parking space and it is noted that similar conversions here as mentioned above have been subject to car-free legal agreements. It is therefore considered reasonable to require a car-capped legal agreement to prevent future occupiers from obtaining any further onstreet car parking permits.

No objections have been received prior to making this decision. The planning history of the site and other properties at 44 St Paul's Crescent have been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, D1, E2 and T2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2021.

- 2 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).
- 3 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.
- 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 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.

- 6 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.

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 about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer