

Application ref: 2021/2339/P  
Contact: Nora-Andreea Constantinescu  
Tel: 020 7974 5758  
Email: Nora-Andreea.Constantinescu@camden.gov.uk  
Date: 4 February 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](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

EngineRoom  
EngineRoom  
2 Cardinal Street  
Ipswich  
IP1 1LG  
Suffolk

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted Subject to a Section 106 Legal Agreement**

Address:

**53 Charlotte Street  
London  
W1T 4PA**

Proposal:

Change of use of basement from ancillary retail storage space (Class E) to a residential studio flat (Class C3), excavation of front lightwell and installation of metal railings.  
Drawing Nos: 100; 101; 102; 103; 104; 301 Rev F; 302 Rev C; 303 Rev F; 304 Rev C;  
Daylight Assessment by SP Planning dated 6 October 2021; Planning Statement by Bell Cornwell dated 30 July 2021.

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 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless

otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans - 100; 101; 102; 103; 104; 301 Rev F; 302 Rev C; 303 Rev F; 304 Rev C.

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

- 4 Before the relevant part of the work is begun, detailed drawings, and sample images of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:
  - a) Details including sections at 1:10 of all new windows and doors (including jambs, head and cill).
  - b) Details including sections at 1:10 of new railings to lightwell.

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 5 Prior to relevant part of work begun, details shall be submitted to and approved by the Council of the sound insulation of the floor/ ceiling/ walls separating the commercial part(s) of the premises from noise-sensitive premises in residential use. Details shall demonstrate that the sound insulation value  $D_{nT,w}$  and  $L'_{nT,w}$  is enhanced by at least 10dB above the Building Regulations value and, where necessary, additional mitigation measures are implemented to contain commercial noise within the commercial premises and to achieve the criteria of BS8233:2014 within the dwellings.

The details as approved shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:

The application site is part of Fitzrovia and Southwest Bloomsbury town centre, and the ground floor commercial unit falls within a secondary frontage as defined in CPG Town Centres. The retention of the retail provision is required to maintain the viability and vitality of the centre. The proposed residential unit

would only occupy part of the basement level currently used as storage, and therefore the commercial activities at the ground floor would be retained. As such, in terms of land use, the loss of ancillary retail use at basement level would be acceptable.

In terms of housing mix, the proposal includes a studio flat, which is a low priority for market residential homes in Camden; however, as housing delivery is an overall priority in Camden and nationally, the proposed residential provision is accepted.

The proposed residential accommodation would have one large room to include a kitchen, living and sleeping area, a separate bathroom and storage space. It would have an internal floor area of 59.4 sqm, which is beyond the national minimum requirements of 51.5 sqm for 2 person occupation. In terms of daylight and sunlight, the flat would be single aspect, with large glazed openings to the front lightwell. A Daylight/Sunlight assessment has been provided, which demonstrates that the Average Daylight Factor would be of 2.65% for the whole room, which exceeds the minimum of 2% for kitchens, due to the combined effect of a pair of glazed doors and a pair of windows.

In order to prevent harmful noise transmittance from the commercial unit above and at the rear to the new residential, details of sound insulation would be required by condition.

Overall, whilst the levels of outlook and sunlight to be received by the future occupants of the proposed flat would be very limited, the proposed residential accommodation would provide a reasonable standard of accommodation for this context in a central London commercial frontage.

Along the street, there are other properties which have open lightwells with railings. The proposed creation of a new lightwell would preserve the existing character along the street and therefore be supported in this instance. The proposal has been revised to retain the existing pavement lights adjacent to the entrance into the commercial unit and the flats, which would further preserve the character of the street. Details of the railings would be secured by condition to ensure their high quality design.

The front elevation of the basement level would open into the lightwell with glazed double timber doors and two large timber sash windows. The elevation has been revised to provide a more traditional response to the host building, terrace row and wider conservation area, and to preserve their character and appearance. Details of the new openings would be secured by condition, to ensure their high quality design and appearance.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

In terms of transport, Camden policies promote sustainable modes of transport to avoid increases of air quality and congestion. Therefore, the proposal would be secured as car-free development via a section 106 legal agreement, and 1

long-stay cycle parking space would be required in line with policy T1 and the London Plan. Given the site constraints, a financial contribution would be required for 1 Bike Hangar space (£700) to be secured via a section 106 legal agreement.

Given the proposal's nature, it is unlikely that significant impact on neighbouring amenity, in terms of loss of light, outlook or privacy, would be caused.

- 2 One objection was received from Bloomsbury Conservation Area Advisory Committee, which subsequently been withdrawn, subject to revisions and details of new openings and railings to be secured by condition. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, A4, A5, E1, E2, D1, D2, TC4, H6, H7, T1 and T2 of Camden Local Plan 2017. The development would also accord with the National Planning Policy Framework 2021 and the London Plan 2021.

- 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](http://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 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).

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 positioned above the typed name and title.

Daniel Pope  
Chief Planning Officer