

13th June 2022
Our Ref: 21.5083

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London
SE1 9HF

T 0203 268 2018

Planning Department
London Borough of Camden
Crowndale Centre
218 Eversholt Street
Somers Town
London
NW1 1BD

Dear Sir/Madam,

Re: 96-98 Shoot Up Hill, NW2 3XJ – Lawful Development Certificate for a proposed use in relation to a change of use from existing Class E to Residential (Class C3) made under Class MA of The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) Order 2021

We write on behalf of our client, Spacious Development Ltd., to submit a Lawful Development Certificate application (LDC) in relation to the above site. The LDC seeks confirmation that under the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, changing the use of the existing day care centre (Class E(f)) to residential accommodation (Class E) would be lawful under Class E of the above order and would not require planning permission.

The site received Prior Approval (ref. 2021/4154/P) on 13th January 2021 for:

“Prior approval for the change of use of the existing day care centre (Class E(f)) to 9 residential flats (Class C3) under Class MA of the General Permitted Development Order (GPDO)”.

There are three conditions attached to the draft decision notice which are as follows:

1. No development shall commence until:
 - (a) a written Preliminary Risk Assessment (PRA) and scheme of investigation has been submitted to and approved by the local planning authority in writing; the PRA must take account of the historical and environmental context of the site and can be based on a desk study or the Enhanced Environmental Information Review detailed below; and
 - (b) following the approval detailed in paragraph (a), a written scheme of remediation measures has been submitted to and approved by the local planning authority in writing.

The remediation measures shall be implemented strictly in accordance with the approved scheme and a written report detailing the remediation shall be submitted to and approved by the local planning authority in writing prior to occupation.

Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial/storage use of the site in accordance with policies G1, D1, A1, and DM1 of the London Borough of Camden Local Plan 2017



2. Prior to occupation, details of secure and covered cycle storage area for 14 cycles shall be submitted to and approved by the local planning authority. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

3. The development hereby approved shall achieve a maximum internal water use of 110 litres/person/day. The dwelling/s shall not be occupied until the Building Regulation optional requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with Policies CC1, CC2, CC3 of the London Borough of Camden Local Plan 2017

The application was submitted on 24th August 2021 under Class MA of the GDPO and was subsequently validated on 26th August 2021 and therefore should have been determined by 21st October 2021 (within the 56 day period allowed). However, the application was not determined within this time limit and therefore approval should be granted by default. This application for a Lawful Development Certification has been submitted to confirm the lawful use of the site for residential use as sought under the Class MA application for prior approval.

We seek the Council's confirmation that the change of use would be lawful within Class MA of the Use Classes Order, as amended, and that planning permission is not required. We trust the submitted information is sufficient and we look forward to receiving confirmation that the application has been registered and validated. Should you have any queries or require further information, please do not hesitate to contact me.

Yours sincerely,



Sean Breslin
Senior Planner

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