

Application ref: 2022/1484/P
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Date: 17 August 2022

Development Management
Regeneration and Planning
London Borough of Camden
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WC1H 9JE

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planning@camden.gov.uk
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
5 Peto Place
London
Camden
NW1 4DT

Proposal:

Change of use of basement level from office (Class use E) to residential (Class use C3) as self-contained flat. (Retrospective)

Drawing Nos: 22556_P_01; 22556_P_02; 2556_P_04 Revision B; 22556_P_06 Email from Business Rates Officer dated 22/03/2022; Cover Letter by Boyer dated 19/05/2022; Official copy of register of title NGL621951 dated 21.11.2013.

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 plans:

22556_P_01; 22556_P_02; 2556_P_04 Revision B; 22556_P_06 Email from Business Rates Officer dated 22/03/2022; Cover Letter by Boyer dated 19/05/2022; Official copy of register of title NGL621951 dated 21.11.2013.

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

- 3 The development hereby approved shall achieve a maximum internal water use of 105litres/person/day.

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.

Informative(s):

- 1 Reasons for granting permission:

The application relates to a Grade II four storey listed building, with basement, along with the terrace row it is part of. Historic England listing mentions the existing basements as part of the terrace row and therefore acknowledges historically these were associated with the main dwellings above. The site lies at south side of Albany Street within a largely residential area.

Land registry details show that since 1988 the premises include 9 Albany Street and 5 Peto Place as one residential property. 5 Peto Place is accessed from the front lightwell and rear of the site. There are no internal links between the basement and the upper floors.

The basement level of the application building, which relates to 5 Peto Place, has been used as an office for at least 10 years by the applicant who occupies the residential upper floors. The business uses ceased two years ago and the occupier has converted the space back to its residential. Business rates officers confirmed the commencement of business activity in April 2005, and end of activity on November 2021.

Whilst the premises are located within Central London Area, they are not within a protected frontage or commercially designated area. Policies E1 and E2, aim to protect premises or sites that are suitable for continued business use. As the basement of the host building has been originally designed for residential use, reverting to residential would bring the property back to its viable use consistent with its conservation which would contribute positively to the surrounding residential area, which is in accordance with NPPF (2021) para 197. As such, given the current circumstances it is considered that the site is no longer suitable for its existing business use, and the possibility of retaining, reusing or redeveloping the site for similar or alternative type and size of business, would not be considered appropriate given the historic significance of the heritage asset as a residential building.

No internal alterations are proposed to support the proposed residential use.

The proposed residential accommodation would be dual aspect with one window facing the front lightwell and a full glazed roof on the existing rear projection. The internal layout separates the bedroom from the living space in a traditional manner. The flat would have just over 73sqm which exceeds the national minimum requirement of 50sqm for a 1bedroom 2persons flat. Given the site orientation with east (front), west (rear), and surrounding grand buildings, the central areas of the flat receive limited sunlight and daylight. However, the basement accommodation is consistent with the original design and significance of the listed building and considered acceptable in these circumstances.

The site was used by a single occupier along with the upper floors, and that is the intention with this proposal. Neither the previous residential or commercial uses at basement level were restricted to car-free so the reversion back again to residential would not increase unit numbers or any other demand on parking. As such it would not be proportionate or appropriate in this instance to secure the basement unit as car-free.

The additional residential floorspace is less than 100sqm so there is no requirement to make a contribution to affordable housing.

Given the proposal does not include any external alterations, it is likely that no impact on neighbouring amenity would be caused as a result. No objections were received prior making this decision. 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 H1, H3, H6, H7, D1, D2 of Camden Local Plan 2017. The development would also accord with the National Planning Policy Framework 2021 and the London Plan 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 You are advised that Section 44 of the Deregulation Act 2015 [which amended the Greater London Council (General Powers) Act 1973] only permits short term letting of residential premises in London for up to 90 days per calendar year. The person who provides the accommodation must be liable for council tax in respect of the premises, ensuring that the relaxation applies to residential, and not commercial, premises.
- 5 The planning permission granted relates to the change of use of the building and not to any internal or external works that may have been undertaken to the listed building. Any works to a listed building that affect its special character will require separate Listed Building Consent.

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