

Application ref: 2021/0396/P
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Date: 9 November 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

25 Inwood Court, Rochester Square
London
NW1 9HS

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

**93 Agar Grove
London
NW1 9UE**

Proposal:

Change of use of a part of the ground floor from minicab command center (Class E) to a one bedroom flat (Class C3). Alterations and fenestration insertion/replacement at ground floor

Drawing Nos: 032(P)001; 032(P)021 Rev.A; 032(P)041; 032(P)042; 032(P)043; 032(P)044 Rev.A; 032(P)045; letter from Hunters dated 25/3/21 and Marketing evidence and use viability assessment by lungo studio dated May 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 The development hereby permitted shall be carried out in accordance with the

following approved plans:

032(P)001; 032(P)021 Rev.A; 032(P)041; 032(P)042; 032(P)043; 032(P)044 Rev.A; 032(P)045; letter from Hunters dated 25/3/21 and Marketing evidence and use viability assessment by lungo studio dated May 2021.

Reason:

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

- 3 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.

- 4 Prior to occupation, details of secure and covered cycle storage area for 1 cycle 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 the new unit, 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.

Informative(s):

- 1 Reasons for granting permission:

The development will convert the existing ground floor office into a residential flat (Class C3). Normally the Council will resist the loss of business space, however in line with Policy E2 marketing and sufficient justification has been provided. The site has been vacant for more than 5 years, is poor quality and given its location outside a town centre and its constrained/small footprint viable options for continued office use are limited. It is noted that the site is surrounded by primarily residential use and the upper floors are also in residential use. On balance its loss in this instance is acceptable and residential as a priority land use would be appropriate in this location.

The existing shopfront has been significantly altered and is considered to have a poor quality appearance that detracts from the host property and streetscene in this part of the Camden Square Conservation Area. It is noted that the existing windows have been blocked up and the proposal will restore it to its original condition. The proposal provides a more traditional shopfront appearance, increasing the amount of glazing and showing proportionate stall raisers. It would also relocate the existing corner entrance to the existing communal entrance on Canteloves Road. The external alterations are considered to enhance the host property, streetscene and conservation area.

The proposed residential dwelling would comply with the minimum space standards for a 1bed unit at 50.6sqm. Obscured glazing up to a height of 1.6m

from floor level would be installed on the shopfront to ensure privacy while maintaining adequate light and outlook. While this is not ideal, given its open corner location at ground floor balanced against the desirability of maintaining a shopfront appearance, this would be considered acceptable and still provide adequate quality accommodation.

The new dwelling will be secured via a S106 legal agreement as car-free in accordance with policy T2. While the scheme shows the provision of 2 cycles within the small side courtyard at ground floor, transport officers consider given the space constraints that only one wall mounted Sheffield stand could be provided. Details and provision of the cycle parking are secured by condition.

Two long stay cycle parking spaces are required, and although these aren't shown on the plans, it is considered they could be easily provided at basement or ground level and as such, details shall be secured by condition.

Due to the location and nature of the proposed development, it is not considered that the works would impact on the amenity of any adjoining residential occupiers in terms of outlook, daylight, noise or privacy.

No objections were received to the application. The planning and appeal history of the site and surrounding area has been taken into account when coming to this decision.

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 (ERR) 2013.

As such, the proposed development is in general accordance with policies H1, H4, H6, H7, C5, E2, D1, D2, T1, T2 and A1 of the Camden Local Plan 2017. The development also accords with the NPPF 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 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 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.
- 7 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ.
- 8 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:

[https://www.gov.uk/appeal-planning-decision.](https://www.gov.uk/appeal-planning-decision)

Yours faithfully

A handwritten signature in black ink, appearing to read 'DP', is centered on the page.

Daniel Pope
Chief Planning Officer