

Application ref: 2022/4455/P  
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Date: 26 April 2023

**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)

Mr Aimilios Davlantis Lo  
71-73 Shelton Street  
Covent Garden  
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:  
**73-75 Kenton Street**  
**London**  
**WC1N 1NN**

#### **Proposal:**

Change of use from office (Class E) to a mixed-use building, with office use (Class E) on the lower ground floor and a dwelling unit (Class C3) on ground, first and second floors; replacement of windows, entrance door, railings and concrete plinth on front elevation and disabled access alterations

Drawing Nos: A0.1, A0.2, A0.3, A0.4, A0.5, A0.6, A0.7, A0.8, A0.9, A0.10, A0.11, A0.12, A0.13, A0.14, A0.15, A0.16, A0.17, A0.18, A0.19, A0.20, A0.21, A0.22, A0.23 (All drawn 09/03/2023), Site Plan, Location Plan, Design and Access Statement (March 2023), Planning Statement (March 2023), Real Estate Support Letter (06/06/2022)

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- A0.1, A0.2, A0.3, A0.4, A0.5, A0.6, A0.7, A0.8, A0.9, A0.10, A0.11, A0.12, A0.13, A0.14, A0.15, A0.16, A0.17, A0.18, A0.19, A0.20, A0.21, A0.22, A0.23 (All drawn 09/03/2023), Site Plan, Location Plan, Design and Access Statement (March 2023), Planning Statement (March 2023), Real Estate Support Letter (06/06/2022)

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 Before the relevant part of the work is begun, detailed drawings, or samples 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 windows (including jambs, head and cill), external doors, railings and gates;

b) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).

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 Secure and covered cycle storage for 2 bicycles shall be provided in its entirety in accordance with the approved drawings prior to the first occupation of the new residential 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.

- 6 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 or the Town and Country Planning (General Permitted Development) Order 2015 (or any orders revoking and re-enacting those orders with or without modification), the proposed business unit on lower ground floor shall only be used for Class E (g) (i) offices and for no other purposes whatsoever.

Reason: To safeguard the amenities of the adjoining premises and the area in accordance with policies T1, A1 and A4 of the Camden Local Plan 2017.

Informative(s):

1 Reasons for granting permission.

Policy E2 of the Local Plan notes that the future supply of office space in the borough can meet projected demand and the Council will consider alternative uses for older office premises. The application building was originally built as a light industrial building. Whilst the building has room layouts and sizes that are flexible or suitable for modern office accommodation, the condition is still not ready for incoming tenants and work would need to be done to ensure it was. Sufficient marketing evidence has been submitted demonstrating the use as an office is not viable. Overall the property was listed on two websites, to be taken as split up into floors and as one property. On Costar it was marketed from 10/2021 to 02/2023 with all of the floors being advertised and on StoreFront the floors were managed separately from 01/2022 to 02/2023. Neither advert garnered any interest to rent the site nor has the site been fully vacant since June 2021. Whilst the claim that the rates were '20% lower' than average rates for the area cannot be confirmed, it is clear from the listings that the prices are approximately average or even slightly lower. The feasibility of retaining this quality of office space on site has also been discussed within a real estate letter which confirms that this type of office space does not attract interest.

Although the proposal includes the reduction of office floorspace, it allocates a level of re-provision on the lower ground floor of 90.6sqm which will be improved, modernised and be suitable for a small or start-up business. On balance, whilst the marketing exercise overall was under two years, it is considered that it is still robust and thorough and that the re-provision and improvement of the office accommodation on site is of benefit as well as the addition of accessible housing. A condition will be placed on the decision to ensure this re-provides specifically Class E (g) office space. This scheme means that the loss of part of the building to residential use is mitigated by provision of some quality offices and by housing which is identified as the priority land use in the Local Plan. Therefore the proposal complies with policies E2 and H1. In relation to policy H2, due to the fact the proposal is a small site that is not proposing any major external alterations, the provision of one residential unit is considered acceptable.

A condition is imposed to ensure that the lower ground floor remains in office use and does not transfer into another use within Class E which may have different impacts on local traffic and amenity conditions.

The alteration of the large front windows from uPVC to steel frames is supported. Currently the uPVC appears a poor intervention within the context of the positive contributor to the conservation area and negatively detracts from its character. Steel frames mean the overall finish will appear 'cleaner' whilst also providing a nod to the industrial history of the site. The restoration of the other window frames, maintaining timber frames to the front elevation, is also

supported. These are overall positive changes to the appearance and character of the building and conservation area.

In relation to fenestration details including new entrance doors and the front railings and gates, these are considered sympathetic and are appropriately scaled. More details of design and materials of windows, railings and other facing materials are required by condition.

Whilst the lift overrun will project through the pitched roof of the building, it is only by a limited amount and it will be set back enough from the frontage that it will not have an impact on the streetscene and conservation area.

- 2 The proposal is considered to preserve the character and appearance of the conservation area. 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.

Disabled access is proposed for both the residential and the business components of the building. All wheelchair accesses are provided with step-free level thresholds, as the exterior lightwell lift connects pavement level to the office at lower ground level and a chair lift inside the residential entrance connecting street level to raised ground level. This is welcomed under policy C6.

The housing unit includes a 4 bedroom, 8 person dwelling over three floors. According to the national space standards a dwelling of this size should be at least 130sqm. The proposed dwelling is measured at 217sqm in total which exceeds this figure. The quality of accommodation is acceptable with triple aspect floors, a good level of outlook and privacy and a good level of defensible space from the pavement.

Further in terms of amenity, the property will be dual aspect and has numerous windows to the elevations which means the daylight and outlook is acceptable. The side elevation windows are close to the rear of the properties on Tavistock Place but without significant external alterations this arrangement is staying the same.

An affordable housing contribution would be required as the development provides more than 100sqm new residential floorspace. The proposed development would provide a single family unit of 217.1 sqm (GIA) and therefore has a capacity for two new homes based on the calculation set in Housing CPG (2021) and Policy H4. A payment-in-lieu of affordable housing is therefore considered acceptable for this site with an affordable housing target of 4% (2% per home capacity). The required amount would be  $(217.1\text{sqm} \times 4\% \times £5000) = £43,420$  which would be secured by S106 agreement.

The proposal includes acceptable cycle parking for both the residential and commercial unit, with two spaces for the residential unit (secured by condition) and four for the commercial unit. The new residential dwelling will need to be car-free to accord with Council policy T2 on reducing private car use and will be secured by a S106 legal agreement.

The proposal would not cause any adverse impacts on the amenity of adjoining residential occupiers in terms of loss of light, outlook or privacy; the reprovided office and new residential unit will not cause additional noise disturbance.

No objections have been received prior to 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 E2, H1, H2, H4, H6, T1, T2, C6, A1, D1 and D2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 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 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).
- 5 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.

- 6 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.

- 7 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.

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>.

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully

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

Daniel Pope  
Chief Planning Officer