

Application ref: 2022/3984/P
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NTA Planning LLP
46 James Street
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W1U 1EZ
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

**89 Holmes Road
London
Camden
NW5 3AU**

Proposal:

Erection of a single storey rear extension at second floor, two storey mansard roof extension with terraces to increase HMO accommodation. PV panels, creation of new entrances on the side and front elevations on ground floor and retention of C3 dwelling
Drawing Nos: 21046-001, 21046-010, 21046-E-100, 21046-E-200, 21046-E-300, 21046-P-100 (Rev F), 21046-P-200 (Rev B), 21046-P-300 (Rev A), Design and Access Statement Addendum (03/05/2023), Heritage Appraisal (September 2022), Daylighting, Sunlighting and Overshadowing Report (09/09/2022), Kingspan Example of Mansard roof build-up, Kingspan Example of flat roof build-up, Standard GypFloor Silent document

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 21046-001, 21046-010, 21046-E-100, 21046-E-200, 21046-E-300, 21046-P-100 (Rev F), 21046-P-200 (Rev B), 21046-P-300 (Rev A), Design and Access Statement Addendum (03/05/2023), Heritage Appraisal (September 2022), Daylighting, Sunlighting and Overshadowing Report (09/09/2022), Kingspan Example of Mansard roof build-up, Kingspan Example of flat roof build-up, Standard GypFloor Silent document

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 policy D1 and D2 of the London Borough of Camden Local Plan 2017 and policy D3 of the Kentish Town Neighbourhood Plan 2016.

- 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) and external doors;

b) Manufacturer's specification details of all facing materials including the roof tiles and windows (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 policy D1 and D2 of the London Borough of Camden Local Plan 2017 and policy D3 of the Kentish Town Neighbourhood Plan 2016.

- 5 Prior to first occupation of the buildings, detailed plans showing the location and extent of photovoltaic cells to be installed on the building shall have been submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems. The cells shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate on-site renewable

energy facilities in accordance with the requirements of Policy G1, CC1 and CC2 of the London Borough of Camden Local Plan 2017.

- 6 Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of the sound insulation of the floor/ ceiling/ walls separating the commercial part(s) of the premises from the dwellings. Details shall demonstrate that the sound insulation ensures that noise levels in the 63Hz and 125Hz octave centre frequency bands (Leq) should be controlled so as not to exceed (in habitable rooms) 47dB and 41dB (Leq), respectively'. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To safeguard the amenities of the adjoining premises 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 Inkerman Conservation Area, where the site is located in, forms a dense, homogenous environment in the heart of Kentish Town. The majority of the buildings are residential in character integrated with institutional, educational and light industrial uses. Most of the buildings were built between the 1850s and 1860s. 89 Holmes Road is a public house known as George IV and is located on the corner of Holmes Road and Willes Road. The site is recognised as a positive contributor to the character and appearance of the conservation area and contains a public house use (sui Generis), a single residential unit (C3) and HMO accommodation on the upper floors. The proposal is essentially to increase the HMO accommodation on through extensions .

This application is following pre-application advice under 2022/1054/PRE where a two storey mansard and extension was proposed. Following a full assessment the principle was considered acceptable but the height needed reducing to conform to the building's hierarchy. Extensive negotiations have taken place during the pre-app and application processes to reduce the height of the extension whilst accommodating the proposed two storeys.

The proposal includes a two storey mansard extension with the first floor sitting behind the existing 2.3m high parapet wall and the second storey projecting above. The revised height respects the hierarchy of the building and retains a good amount of subordination. The extension projects 3.0m above the parapet and reads as a single storey mansard roof extension. The chimney stack is also being reinstated and therefore providing a retention of one of the characteristics of the existing roof form. Overall, the proportions of the extension in relation to the host building are respected and conform to extensions typical of these buildings which is considered acceptable

The proposed extension is lower than the main part of the adjacent listed building and does not obscure, compete with or dominate the building. The

architecture of the extension compliments the surrounding context creating a sensitive setting to the adjacent building. The building heights and form in close proximity to the site are varied and therefore as a result the proposed extension is not considered to harm the significance or the ability to appreciate the significance of the listed building as a result of changes to its setting.

The DAS Addendum confirms that the roof extension will be finished in slate material with Spanish or Welsh slate being preferred. A pre-commencement condition will be placed on the application to secure the submission and approval of details of this and other facing materials.

The rear elevation is proposed to be extended slightly to accommodate the rear extension. The new brickwork should match the existing in bond and mortar joint. The submission and approval of a brick sample will be secured by condition.

- 2 Overall, the proposed extensions are considered to preserve the character and appearance of the Inkerman Conservation Area as well as the setting of the neighbouring listed buildings.

Special regard has been attached to the desirability of preserving the adjacent listed building, its setting and its features of special architectural or historic interest, and the desirability of preserving or enhancing the character or appearance of the conservation area, under s.66 and s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

In relation to Policy H10, which aims to ensure there is a continued provision of housing with shared facilities to meet the needs of small households and provide low cost housing, the increase in HMO accommodation is not at the expense of other types of accommodation only increasing the provision on site. Therefore whilst there is an increase, the concentration of the uses in the area is not changing as it only increases the size of an existing HMO. As discussed below the proposal also meets relevant standards for HMOs and therefore the proposal is in compliance with policy H10.

The new HMO rooms all exceed HMO accommodation standards with them all measuring at least 9.1sqm. All units contain en-suites and access to shared kitchen facilities which are shown on plan. This means the new accommodation meets the acceptable standards as outlined within Camden's HMO standards document and is therefore considered acceptable. The proposal also includes amenity space for the future occupants which is supported. In terms of the existing residential unit, this is not changing and therefore is not considered within this assessment.

In terms of amenity impact, no new uses are proposed at the site. Although the proposals will intensify the HMO use above an existing pub, it is not considered that this will have a detrimental impact on the operation of the pub once it has reopened in terms of the 'agent of change' principle, as the proposed additional HMO rooms will be located 1-2 storeys above the existing HMO rooms and there will be additional mitigation. For example, even though this would introduce more noise sensitive uses close to the pub, the risk to the ongoing

operation of the pub would be further mitigated by a condition will also secure the installation of enhanced sound insulation to reduce potential noise impacts from the pub on future residents of the HMO.

The mansard will be read as approximately a single storey above the parapet wall. Along Holmes Road there is already relatively large buildings in the listed centre and college meaning the development will be barely seen from habitable windows and only affect longer views along the street. This is the same situation from Spring Place and means that outlook, enclosure, privacy or daylight/sunlight are not considered significant.

The proposals include a terrace located to the rear of the extension which will be approximately 11sqm. Whilst this is in relatively close proximity to the neighbouring school, the terrace will be located behind the parapet wall, which stands at 2.3m from the floor level which will ensure that there is no loss of privacy through overlooking.

The proposed windows have been designed to respect the proportions of the building and also as to not significantly increase overlooking. The proposed front and side rooms to the mansard will be double height and will therefore not facilitate direct views into windows of neighbouring properties, further mitigating against any amenity problems.

- 3 In relation to Willes Road, the properties directly opposite (no.71 - no.83) with the windows located approximately 12.1m away on the other side of the street. The mansard has been designed as to angle away from the parapet wall which mitigates its impact considerably. In terms of outlook the windows, even on the upper floors will not have views blocked significantly by the extension and there is not a significant increase in the sense of enclosure either. The proposed windows would follow the existing window arrangement and so issues of privacy will not be impacted significantly.

A daylight/sunlight assessment has been provided which measures the impact on neighbouring windows for 65, 71-77, 83 and 85 Willes Road in terms of daylight/sunlight. These are the properties that would be impacted the most as a consequence of the extensions. The report concludes that the extensions would have a minimal impact on daylight/sunlight for these properties and all retain a similar level of Vertical Sky Component (VSC) than existing. The maximum reduction for VSC is 1.7% which is low and the impact in terms of daylight/sunlight is therefore considered acceptable.

The development would need to be car-free in accordance with Policy T2, which includes limiting the availability of both off-street and on-street parking. This would be secured via a s106 legal agreement. Given the site constraints, and that it has been sufficiently demonstrated that cycle parking cannot be provided on site, a financial contribution will be secured via a s106 agreement for 12 Bike Hangar spaces for long-term cycle parking and Sheffield stands for short term cycle parking.

Moreover the Construction Management Plan (CMP) pro forma is considered acceptable by the Council's Highways officer which includes the restriction of delivery hours during term time to avoid the relevant hours set out in the

Healthy School Street Scheme. A full CMP, implementation support contribution and impact bond will also be secured via s106 agreement.

In relation to the sustainability aspect of the scheme, the proposal includes solar PV panels on the roof which will be flush with the roof so as not to incur any additional heritage or design impact. Details and maintenance will be secured via condition. Furthermore the replacement of the green wall on one of the elevations is welcomed and positively contributes to the biodiversity of the site. Details for this will also be secured via condition.

One objection has been received prior to making this decision. This objection raised concerns in relation to CMP and the amenity impacts which have been addressed above. 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, A3, H10, CC1, CC2, T1, T2, C4, D1 and D2 of the Camden Local Plan 2017 and policies D3 and CC3 of the Kentish Town Neighbourhood Plan 2016. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2021.

- 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 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.
- 6 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.

- 7 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.
- 8 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 9 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.

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



Daniel Pope
Chief Planning Officer