

Application ref: 2022/5389/P
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Date: 6 September 2023

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

Phone: 020 7974 4444

planning@camden.gov.uk
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LRJ Planning Ltd.
Pen-y-Rhiw
Redbrook Road
Newport
NP20 5AB

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
258 Kilburn High Road
London
NW6 2BY

Proposal:
Change of use from commercial office (Use Class E) to create a 1 bedroom flat (Use Class C3).
Drawing Nos:

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- 1811/22/Int-P02, 1811/22/Int-P03a, 1811/22/Int-P04

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

- 3 Before the development commences, the cycle storage area/stand for 1 x cycles, as shown on the floorplan hereby approved shall 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.

- 4 The development hereby approved shall achieve a maximum internal water use of 110litres/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.

Informative(s):

- 1 Reasons for granting permission:

The existing office (Class E), located at first floor level in the rear extension to no.258, has a GIA of 61 sqm and has been used by the freeholder/applicant in an ancillary fashion to their primary business located at Bar & Restaurant Gucci Tallava - 258 Kilburn High Road (Basement). The office space was used for administrative purposes for the restaurant business Gucci Tallava which has operated as a bar/restaurant for many years. The applicant states that as a result of COVID-19, the business has had reduced trade and there is no longer a need for the office space. As such, the site is no longer required for its business use and the chances of another business using the space with its limited floor area are considered to be very limited. It is noted that the only business that has used the site has been of an ancillary nature related to the primary restaurant use rather than providing office space for a stand-alone business operation. As such, the Council does not insist on the marketing of the property in this instance.

The principle of residential use is supported in land use terms and it is noted that the floors above are already in residential use. Furthermore, self-contained housing is the priority use of the Local Plan 2017. The application has been revised to a 1-bedroom flat so that there is a reasonable outlook for the main lounge /dining area as well as the bedroom. Two roof lights have also been added over the kitchen area for additional light given the limited outlook and daylight available to the southwest. The applicant has provided a note on the internal daylight levels which shows that the living room and bedroom receive BRE complaint lux levels. The floor area would comfortably exceed the minimum of 39 sqm for a 1 bedroom flat. The flat would be accessed from a door at no.256 Kilburn High Road which would provide good natural surveillance.

The two roof lights are acceptable in terms of design and appearance and would not be perceptible from the street.

There would be no impact on neighbouring residential amenities as the works are internal.

The development would be secured as car-free to remove rights to on-street parking permits. There would be space within the flat to store 1 x cycle space. This is shown on the plans and is secured by condition.

No objections were received prior to the determination of this application. The planning history of the site and surrounding area were considered when coming to this decision.

As such, the proposed development is in general accordance with policies E1, E2, H1, A1, T1, T2, and D1 of the Camden Local Plan 2017. The proposed development also accords with The London Plan 2021, and the National Planning Policy Framework 2021.

- 2 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.
- 3 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.

- 4 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.

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 grey rectangular background.

Daniel Pope
Chief Planning Officer