

Application ref: 2022/3578/P
Contact: Josh Lawlor
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Date: 27 September 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
www.camden.gov.uk/planning

DK-CM
Unit 12
5 Durham Yard
Teesdale St
London
E2 6QF

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

**366 - 366a Kilburn High Road
London
NW6 2QH**

Proposal:

The renovation and utilisation of 12 railway arches in flexible Class E uses, the demolition of two units beneath and adjacent to the Metropolitan Railway bridge used as Class E use and a hot food takeaway (Sui Generis) with the replacement units to be used as flexible Class E units, the removal of non-compliant temporary prefab unit at 364 Kilburn High Road and improvements to the public realm including semi-mature trees, re-surfacing, and planters at Kilburn Mews, Kilburn High Street NW6 2QH.

Drawing Nos: 2108-S3-620, 2108-S3-617, 2108-S3-616, 2108-S3-615, 2108-S3-604, 2108-S3-603, 2108-S3-602, 2108-S3-601, 2108-S3-600, 2108-S3-304, 2108-S3-303, 2108-S3-302, 2108-S3-301, 2108-S3-300, 2108-S3-204, 2108-S3-203, 2108-S3-202, 2108-S3-201, 2108-S3-114, 2108-S3-113, 2108-S3-112, 2108-S3-111, 2108-S3-105, 2108-S3-101, 2108-S3-100

2108-S3-X-304, 2108-S3-X-303, 2108-S3-X-302, 2108-S3-X-301, 2108-S3-X-300, 2108-S3-X-204, 2108-S3-X-203, 2108-S3-X-202, 2108-S3-X-201, 2108-S3-X-114, 2108-S3-X-113, 2108-S3-X-112, 2108-S3-X-111, 2108-S3-X-102, 2108-S3-X-101, 2108-S3-X-100.

Transport Assessment dated July 2022, Noise Impact Assessment ref. 65207260, Design and Access Statement R2-221011

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-

2108-S3-620, 2108-S3-617, 2108-S3-616, 2108-S3-615, 2108-S3-604, 2108-S3-603, 2108-S3-602, 2108-S3-601, 2108-S3-600, 2108-S3-304, 2108-S3-303, 2108-S3-302, 2108-S3-301, 2108-S3-300, 2108-S3-204, 2108-S3-203, 2108-S3-202, 2108-S3-201, 2108-S3-114, 2108-S3-113, 2108-S3-112, 2108-S3-111, 2108-S3-105, 2108-S3-101, 2108-S3-100

2108-S3-X-304, 2108-S3-X-303, 2108-S3-X-302, 2108-S3-X-301, 2108-S3-X-300, 2108-S3-X-204, 2108-S3-X-203, 2108-S3-X-202, 2108-S3-X-201, 2108-S3-X-114, 2108-S3-X-113, 2108-S3-X-112, 2108-S3-X-111, 2108-S3-X-102, 2108-S3-X-101, 2108-S3-X-100.

Transport Assessment dated July 2022, Noise Impact Assessment ref. 65207260, Design and Access Statement R2-221011

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.

- 4 Prior to use, machinery, plant or equipment at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 5 Noise levels at a point 1 metre external to sensitive facades shall be at least 10dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the

plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 15dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

6 Notwithstanding what is shown on the drawings hereby approved, the final design of the bin storage unit on Maygrove Road shall be submitted to and approved by the local planning authority. Before this part of the scheme is implemented, detailed drawings, or samples of materials as appropriate, shall be submitted to and approved in writing by the local planning authority:

a) Details including sections at 1:10 of window and door openings

b) Plan, elevation and section drawings at a scale of 1:10;

c) 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 policy D1 and D2 of the London Borough of Camden Local Plan 2017.

7 Notwithstanding the provisions of Class E of the Schedule of the Town and Country Planning (Use Classes) Order, 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, the masterplan site shall not have more than 2 arches within Class E part (b) for the sale of food and drink for consumption (mostly) on the premises and shall have a minimum of 2 arches within Class E part E(g)(iii) for Industrial processes

Reason: To ensure that the future occupation of the arches do not adversely affect the immediate area by reason of a concentration of potentially disruptive uses and to maintain a stock of premises that are suitable for a variety of business activities in accordance with policies G1, E1, E2, CC1, D1 and A1 of the London Borough of Camden Local Plan 2017.

8 Before the development commences, details of secure and covered cycle storage area for 14 long stay and 30 short stay cycles 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 any of the new units, 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.

- 9 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details prior to the completion of the development, whichever is the sooner. Any trees or areas of planting including trees existing at the outset of the development other than those indicated to be removed which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies A2, A3 and D1 of the London Borough of Camden Local Plan 2017.

- 10 Until the relevant part of development takes place full details of hard and soft landscaping and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policies A2, A3, and D1 of the London Borough of Camden Local Plan 2017.

- 11 Notwithstanding what is shown on the drawings hereby approved, no external roller shutters shall be installed without consent from the Local Planning Authority.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D3 of the London Borough of Camden Local Plan 2017.

- 12 Obscure glazing

All windows facing the residential gardens to the north of the site shall be obscure glazed below 1.8m from floor level and subject to an opening limiter as per the approved plans. This glazing and opening limiter shall be retained permanently thereafter.

Reason: To ensure that the amenity of occupiers of residential properties in the area is not adversely affected by overlooking in accordance with Policy A1 of the London Borough of Camden local Plan 2017.

Informative(s):

- 1 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).
- 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 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.
- 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 This permission is granted without prejudice to the necessity of obtaining consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Application forms may be obtained from the Council's website, www.camden.gov.uk/planning or the Camden Contact Centre on Tel: 020 7974 4444 or email env.devcon@camden.gov.uk.

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)

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 centered on the page.

Daniel Pope
Chief Planning Officer