

Application ref: 2023/0227/P
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Date: 11 October 2023

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
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planning@camden.gov.uk
www.camden.gov.uk/planning

Haines Phillips Architects
Tankerton Works
12 Argyle Walk
London
WC1H 8HA

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
63 Fortress Road
London
NW5 1AG

Proposal:

Conversion of existing 2x maisonettes into 1x maisonette on upper floors and 2x self-contained flats at lower ground and ground level; alterations to shopfront; creation of new lightwell on side elevation to serve lower ground floor flat; creation of new entrance to rear, to replace existing window; creation of roof terrace above existing outrigger to serve uppermost maisonette

Drawing Nos: 4204 - GA 001; 002 PL 2; 003 PL 2; 004 PL 3; 005 PL 3; 006 PL 3; 007 PL 3; 008 PL 3; 4204 - GA 311 PL 2; GA 312 PL 2; GA 313 PL 1; GA 314 PL 2; 4204 - GA 411 PL 2; GA 511 PL 1; GA 512 PL 2; GA 513 PL 2; 4204 - GA 801 PL 1; GA 802 PL 1; GA 803 PL 1 and Design and Access Statement by Haines Phillip Architects dated January 2023 REV1.

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; 4204 - GA 001; 002 PL 2; 003 PL 2; 004 PL 3; 005 PL 3; 006 PL 3; 007 PL 3; 008 PL 3; 4204 - GA 311 PL 2; GA 312 PL 2; GA 313 PL 1; GA 314 PL 2; 4204 - GA 411 PL 2; GA 511 PL 1; GA 512 PL 2; GA 513 PL 2; 4204 - GA 801 PL 1; GA 802 PL 1; GA 803 PL 1 and Design and Access Statement by Haines Phillip Architects dated January 2023 REV1.

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 of the London Borough of Camden Local Plan 2017.

- 4 The use of the roof as a terrace shall not commence until the screen, as shown on the approved drawings, has been constructed. The screen shall be permanently retained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies A1 and D1 of the London Borough of Camden Local Plan 2017.

- 5 The proposed cycle storage area for 3 x cycles as shown on the proposed lower-ground and ground floor drawings hereby approved, shall be provided in its entirety 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.

Planning permission is sought for the conversion of the existing 2x maisonettes (across the 4 floors) into 1x maisonette on the upper floors and 2x self-contained flats at lower ground and ground level; the creation of a new lightwell on the side elevation to serve the lower ground floor flat; the creation of a new entrance to the rear, to replace an existing window; and the creation of a roof terrace above the existing outrigger to serve uppermost maisonette. A number of the proposed works are similar to those approved under planning permission reference 2021/1919/P, dated 28/04/2022 (which granted permission to convert the 2x existing maisonettes into 4x self-contained flats).

The changes to the shopfront, the new lightwell to the side, the new entrance to the rear and the creation of bike and bin stores in the rear yard were all permitted through the previous permission (which remains extant) and remain acceptable in terms of the impact on the wider area and neighbouring occupiers.

The creation of the new roof terrace above the outrigger involves the erection of a 1.7m high planter screen (the details have been revised during the course of the application). A condition will ensure this is provided prior to use. The proposed roof terrace is designed to be set in off the edge by 505mm and it would measure 4.0m in depth and 2.9m in width.

Flat 1 (1-bed-2-person) measures 61 sqm; Flat 2 (1-bed-2-person) measures 51 sqm; and the maisonette on the upper floors would not change (116.5 sqm) all the units would exceed the Nationally Described Space Standards. The flats are considered to have sufficient levels of daylight and sunlight as well as sufficient ventilation. The internal layout of the resultant flats is considered acceptable.

With regard to housing mix, Policy H7 (Large and small homes) seeks to secure a range of unit sizes within developments, including large and small units, in order to address housing need in the Borough. The Dwelling Size Priorities Table states that 2 bedroom market units are a high priority and 1 bedroom flats are lower priority. The proposal would result in the loss of a two bedroom sized unit but it would result in an increase in the number of units overall, which is welcomed. Given the constraints of the host building there is limited scope to provide a larger dwelling as part of the proposals.

Policy T1 of the Local Plan promotes sustainable transport by prioritising walking, cycling and public transport in the borough. The London Plan requires 1.5 cycle parking spaces per 1-bed-2-person unit and 2 spaces for all other dwellings. Nevertheless, given the constraints of the site and the cycle parking that was approved as part of the previous permission, the cycle parking provision is considered to be acceptable.

Policy T2 of the Local Plan seeks to limit the availability of parking and requires all new developments in the borough to be car-free. The new dwellings will be secured as 'car-free' through a section 106 legal agreement.

Given the nature of the works, it is considered that there is no requirement from this particular application for a Construction Management Plan, Servicing Management Plan or any further transport related planning condition or planning obligation.

No material residential amenity impacts are raised. The proposed roof terrace would not have any direct views quality of residential accommodation for prospective occupiers would be acceptable, with the residential amenity being comparable to the remaining units in the development.

No comments from adjoining occupiers have been received as part of this application. The site history has been duly considered as part of the

assessment of this case.

- 2 As such, the proposed development is in general accordance with policies G1, H1, H4, H7, A1, A4, D1, T1 and T2 of the Camden Local Plan 2017 and Policy D3 (Design Principles) of the Kentish Town Neighbourhood Plan 2016. The proposed development also accords with the London Plan 2021; and the provisions of the National Planning Policy Framework 2021.
- 3 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).
- 4 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.
- 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) 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 Under Section 25 of the GLC (General Powers) Act 1983, the residential accommodation approved is not permitted for use as holiday lettings or any other form of temporary sleeping accommodation defined as being occupied by the same person(s) for a consecutive period of 90 nights or less. If any such use is intended, then a new planning application will be required which may not

be approved.

- 8 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

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the printed name and title.

Daniel Pope
Chief Planning Officer