

Application ref: 2023/0753/P
Contact: Kristina Smith
Tel: 020 7974 4986
Email: Kristina.Smith@camden.gov.uk
Date: 14 November 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

NTA Planning LLP
46 James Street
London
W1U 1EZ

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

**7 Torriano Mews
London
NW5 2RZ**

Proposal:

Change of use from offices (Class E) to provide 3 flats (Class C3); installation of 2 new windows on side elevation; erection of cycle and refuse store

Drawing Nos: PL-01; PL-02; PL-03; PL-04; PL-05 (Rev B); PL-06; PL-07; PL-08; PL-09; PL-10; PL-11

Planning statement prepared by NTA planning; Design and Access Statement prepared by Inter Urban Studios; Marketing Assessment prepared by TSP Ltd; Supplementary Marketing Assessment prepared by Forest Real Estate; Viability Assessment prepared by S106 Affordable Housing Ltd; Updated Viability Assessment dated 6th April prepared by S106 Affordable Housing Ltd.

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: PL-01; PL-02; PL-03; PL-04; PL-05 (Rev B); PL-06; PL-07; PL-08; PL-09; PL-10; PL-11
Planning statement prepared by NTA planning; Design and Access Statement prepared by Inter Urban Studios; Marketing Assessment prepared by TSP Ltd; Supplementary Marketing Assessment prepared by Forest Real Estate; Viability Assessment prepared by S106 Affordable Housing Ltd; Updated Viability Assessment dated 6th April prepared by S106 Affordable Housing Ltd.

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 and policy D3 of the Kentish Town Neighbourhood Plan 2016.

- 4 Prior to the occupation of the development hereby permitted, all windows on the east elevation of the building, as labelled on drawing no. PL-07 (Rev B), shall be fitted with obscure glass and, where applicable, be inward opening comprising a restrictive mechanism to prevent views out. The windows shall be retained as such for the duration of the development.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with policy A1 of the Camden Local Plan 2017.

- 5 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.

- 6 Prior to occupation of any of the residential units, details of secure and covered cycle storage area for 6 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.

- 7 Prior to the commencement of the use hereby permitted, details of waste and recycling storage for the development shall be submitted to and approved in

writing by the local planning authority. The waste and recycling storage shall be provided in accordance with the approved details prior to the commencement of the use hereby permitted, and shall thereafter be retained solely for its designated use.

Reason: To ensure suitable provision for the occupiers of the development, to encourage the sustainable management and collection of waste, and to safeguard the visual amenity of the area in accordance with policies A1, A4, D1, CC5 of the Camden Local Plan 2017.

Informative(s):

1 Reasons for granting permission.

The proposal would change the use of the site from office to three residential units together with associated external changes. Policy E2 resists the loss of employment floorspace unless it is demonstrated that there is no realistic prospect of future employment use. The premises has been marketed for 19 months from June 2021 until January 2023. The property was marketed on the main online platforms at a rate lower than the market average for the area. The main reasons given by prospective tenants / buyers were the distance from a transport hub and the inefficiency of a multi floor layout. The only offers received were from owner occupiers with a view to convert to residential. Whilst the two years marketing evidence stipulated by Policy E2 hasn't quite been met, the applicant has demonstrated well over a year's worth which is consistent with the marketing activity of other sites on the mews that have converted to residential. Furthermore, CPG Employment sites allows for flexibility in certain circumstances where marketing evidence has been carried out for at least a year. As such, the loss of employment floorspace in this location has demonstrated to be acceptable.

In terms of the appropriateness of the site for housing, the mews has gradually shifted from commercial to residential use over recent years plus the wider area is predominantly residential and so the principle of residential in this location is acceptable.

The residential offer comprises two 2-beds and one 1-bed which is compliant with policy in that it provides a good proportion of a high priority dwelling size. All units would exceed the space standards, have a rational and efficient layout and receive good outlook and daylight. There are two duplexes situated over first and second floor levels to allow for living rooms and kitchens to be at first floor where there is better outlook compared to the second floor which is at loft level and obtains its outlook largely from rooflights.

The two new windows proposed on the side elevation are deemed acceptable in design terms. Elsewhere on the building, windows would be replaced and upgraded to match the existing appearance.

Owing to the residential uplift exceeding 100 sqm and 1 new unit, an affordable housing contribution is required. Given the capacity is fewer than 10 units, a payment-in-lieu is accepted. The contribution has been calculated based on an uplift of residential floorspace of 230.2sqm (GIA) which results in an affordable

housing target of 4% (based on a 2% target per 100sqm). The affordable housing floorspace provision is 9.208sqm for which £5,000 per sqm is sought resulting in a payment in lieu of £46,040. The applicant submitted a viability assessment which was then independently audited. The audit concluded that the full policy compliant PIL was viable. The applicant agrees to this and it shall be secured by a section 106.

Two new windows would be installed in the east elevation at second floor level. These would be obscure glazed to prevent views into the rear gardens and windows of properties on Torriano Avenue. It is noted that the separation distance between windows is more than the 18m stipulated in CPG Amenity; however, the distance to the rear gardens would be less and as such mitigation is considered appropriate. There are no other amenity concerns with the application.

The two existing parking bays will be used to accommodate bin and bike storage, details of which shall be secured by condition to ensure acceptable design. The cycle parking provision would be for 6 bikes which exceeds policy requirement and is welcomed. All 3 units would be secured as car-free via a Section 106 agreement.

- 2 Three objections were initially received and one later withdrawn following revisions to the scheme. The objections were all regarding overlooking of rear windows and gardens associated with the creation of new window openings in the east elevation. These have since been reduced in number from 6 to 2 and obscure glazed.
The planning and appeal 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, E2, H1, H4, H6, H7, T1, T2, D1 and D2 of the Camden Local Plan 2017 and policy D3 of the Kentish Town Neighbourhood Plan 2016. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework.
- 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 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or Environment Department (Street Naming & Numbering) 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



Daniel Pope
Chief Planning Officer