

Application ref: 2023/0842/P  
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**Development Management**  
Regeneration and Planning  
London Borough of Camden  
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Groupwork  
15A Clerkenwell Close  
London  
EC1R 0AA  
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:  
**9 Parkway**  
**London**  
**Camden**  
**NW1 7PG**

Proposal:

Erection of mansard roof extension and two to three storey rear extensions with landscaped terraces in association with the change of use from office at upper floors to provide aparthotel accommodation with ancillary office space; relocation of plant equipment

Drawing Nos:

050 (RevD); 051 (RevD); 100 (RevD); 101 (RevD); 102 (RevD); 103 (RevD); 104 (RevD); 105 (RevD); 110 (RevD); 200 (RevD); 201 (RevD); 202 (RevE); 500 (RevD); 501 (RevE); 502 (RevE); 503 (RevE); 504 (RevE); 505 (RevE); 506 (RevB); 510 (RevK); 600 (RevE); 601 (RevE); 602 (RevG); Design & Access statement (dated Feb 2023); Noise impact assessment (prepared by RBA Acoustics, dated 22 March 2023); Energy and sustainability statement (prepared by eightversa (dated 30 March 2023); Covering note (dated 23/02/2023); and Acoustic Technical note (prepared by RBA acoustics, dated 30 January 2023)

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 and documents:

050 (RevD); 051 (RevD); 100 (RevD); 101 (RevD); 102 (RevD); 103 (RevD); 104 (RevD); 105 (RevD); 110 (RevD); 200 (RevD); 201 (RevD); 202 (RevE); 500 (RevD); 501 (RevE); 502 (RevE); 503 (RevE); 504 (RevE); 505 (RevE); 506 (RevB); 510 (RevK); 600 (RevE); 601 (RevE); 602 (RevG); Design & Access statement (dated Feb 2023); Noise impact assessment (prepared by RBA Acoustics, dated 30 March 2023); Energy and sustainability statement (prepared by eightversa (dated March 2023); Covering note (dated 23/02/2023); and Acoustic Technical note (prepared by RBA acoustics, dated 30 January 2023)

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 policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 Before the relevant part of the work is begun, manufacturer's specification details / samples for all facing materials to be submitted to / provided on site (as appropriate) and approved in writing by the Local Planning Authority.

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 policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 5 Prior to commencement of development, full details in respect of the living roof in the area indicated on the approved roof plan (drawing no. 274\_506\_RevB) shall be submitted to and approved by the local planning authority. The details shall include
- i. a detailed scheme of maintenance
  - ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used
  - iii. full details of planting species and density

The living roofs shall be fully provided in accordance with the approved details

prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, D1, D2 and A3 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 existing adjoining music venue use from the aparthotel rooms. 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 bedrooms) 47dB and 41dB (Leq), respectively and 51dB and 46dB (Leq) respectively within living rooms. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of future occupiers of the development are not adversely affected by noise and vibration from neighbouring premises in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017

- 7 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.

- 8 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.

- 9 The development hereby approved shall be constructed in accordance with the approved energy statement [Sustainability statement prepared by eight versa dated 30/03/2023] to achieve a 42.6% reduction in carbon dioxide emissions beyond Part L 2013 Building Regulations in line with the energy hierarchy, and a 4.3% reduction through renewable technologies. Prior to occupation, evidence demonstrating that the approved measures have been implemented shall be submitted and approved in writing by the Local Planning Authority.

Reason: To ensure the development contributes to minimising the effects of, and can adapt to a changing climate in accordance with policies CC1 and CC2 of the Camden Local Plan 2017.

- 10 The development hereby approved shall incorporate sustainable design principles (including SUDS) and climate change adaptation measures into the design and construction of the development in accordance with the approved sustainability statement [Sustainability statement prepared by eight versa dated 30/03/2023] . Prior to occupation, evidence demonstrating that the approved measures have been implemented shall be submitted and approved in writing by the Local Planning Authority.

Reason: To ensure the development contributes to minimising the effects of, and can adapt to a changing climate in accordance with policies CC1 and CC2 of the Camden Local Plan 2017.

- 11 Prior to the commencement of the development hereby permitted, details of the cycle storage for 4 cycles (as indicated on drawing no. 274-502 (Rev E)) shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall thereafter be implemented in full in accordance with the approved details before the use hereby permitted commences and shall be retained thereafter.

Reason: To ensure adequate cycle parking is available on site so as to promote sustainable modes of transport, and to safeguard the visual amenity of the area in accordance with policies A1 and T1 of the Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

The application involves a comprehensive redevelopment of the site to provide a mixed-use scheme comprising an aparthotel and office with the retention of the existing café / restaurant at basement and ground floor levels.

The rear part of the site, currently associated with the existing ground floor restaurant use, would be extended with a part two, part three storey extension to provide aparthotel accommodation. The main building, extended with a mansard roof, would comprise a combination of office and aparthotel accommodation. At ground floor level and basement, the existing café / restaurant use would continue to address the street.

An extant consent (ref. 2020/3627/P) proposed a mixed office and residential (Class C3) development with residential use in the main building. Since consent was granted, correspondence with the neighbouring Jazz Café has prompted officers to reflect on the compatibility of a permanent residential use with the Jazz Café, a valued and long-established cultural institution that the Council seek to protect under policy C3.

Policy H1 (part c) resists alternative development of sites identified for housing through a current planning permission unless it is shown that the site is no longer developable for housing. Whilst the site is technically still developable for housing, its provision could jeopardise the long-term operation of the Jazz Café were future residents to raise noise complaint(s) and possibly result in poor residential amenity in terms of noise and disturbance.

In terms of policy H2, although located in a town centre with a proposed uplift of over 200sqm, self-contained housing is not considered a requirement given the potential incompatibility of a residential use with surrounding uses and therefore a contribution to market or affordable housing will not be sought. This approach is supported by part d of H2 policy text.

Policy E3 recognises the importance of the visitor economy and supports tourist development and visitor accommodation. It allows for the development of smaller-scale visitor accommodation in town centres and provides a number of criteria that it must comply with including being accessible, not harmful to the balance and mix of uses in the area and not lead to the loss of permanent residential accommodation. The use and its scale is considered to be very compatible with the site and its surroundings.

- 2 The main building is currently in use as office space at first, second and third floor levels. The proposal would see this reduced to office space at first floor level only resulting in a loss of 58 sqm of office floorspace. Loss of employment floorspace is generally resisted by policy E2; however, in this case the loss is relatively small and the applicant has demonstrated, using the baseline employment calculation from CPG Employment sites and business premises, that the aparthotel use with reduced quantum of office would generate a slight uplift (0.2 FTE jobs) compared to the existing situation. A key driver of policy E2 is not to lose business use and the aparthotel would continue to keep the premises in a business use.

The aparthotel and office space would be accessed via a dedicated door off Parkway which leads up to a reception at first floor level. Access to accommodation is achieved through landscaped terraces and external stairs or via the internal stair to the upper floors in the main building.

The proposed mansard extension would continue the established form of roof extension at no.11 and would be sensitively designed so as to complement the Victorian terrace. The character and appearance of the conservation area would be preserved.

In the context of the surrounding built environment, which includes large extensions to non-residential uses, the additional massing of the rear extension would infill the space and avoid appearing as a bulky addition. The aparthotel broadly comprises two blocks that have been sculpted by combining landscaped terraces and access paths. The careful consideration of the placement of the massing enables each unit to receive sufficient daylight despite the tightly constrained site.

The proposal would introduce an aparthotel in close proximity to the Jazz Café,

a long-established cultural institution. To help protect the premises from future noise complaints which may pose a risk to its ongoing operation, an Agent of Change obligation will be secured via Section 106. This requires the owner to notify future guests that they are staying in a noisy location and places the responsibility on the incoming development to soundproof. An enhanced sound insulation scheme that accounts for noise and low bass frequencies has been recommended by the Council's Environmental Health officer.

The proposed plant installation has been supported by a noise impact assessment which has been reviewed by the Environmental Health officer who considers the proposal to be acceptable in environmental health terms subject to conditions.

- 3 As the scheme is a minor development, there are no specific carbon reduction targets that need to be achieved although a reduction target of 19% is set as best practice. The scheme meets and exceeds the target carbon reduction with a 46.9% target. The energy and sustainability strategy includes ASHPs, rainwater harvesting, greywater recycling, biodiverse roofs as well as pre-fabricated CLT construction. Both energy and sustainability measures shall be secured by condition and details to evidence compliance with the submitted sustainability statement shall be required prior to occupation.

Cycle parking for the aparthotel/office use is proposed in the courtyard area at first floor level. This location is not ideal, although it is accepted that there is very limited space available for cycle parking at ground floor level. It is noted there is also plentiful short stay cycle parking directly outside the property in the form of several Sheffield stands. The development shall be secured as car-free.

The application site is located in Camden Town centre in close proximity to a very busy junction. Access to the rear of the site is very limited and so the main point of access to the site is likely to be from Parkway. The construction process for this site is expected to be challenging and so it is therefore considered necessary to secure a Construction Management Plan, associated Implementation Support Contribution of £4,075.60 and Impact Bond of £7,874 by means of the Section 106 Agreement in order to ensure that the process is appropriately managed. A highways contribution is not considered necessary in this instance.

The proposal is considered to preserve the character and appearance of the conservation area. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

One objection was received from Camden Town CAAC but was later withdrawn following a discuss. It objected to the provision of short term lets instead of permanent residential accommodation which the CAAC raised as a wider issue in Camden Town. 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 G1, H1, H2, D1, D2, C3, A1, A3, A4, E1, E2, E3, CC1, CC2, CC3, TC1, TC2, T1,

T2, T4 and DM1 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework.

- 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](http://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 You are reminded of the need to provide adequate space for internal and external storage for waste and recyclables. For further information contact Council's Environment Services (Waste) on 020 7974 6914/5 or see the website <http://www.camden.gov.uk/ccm/content/environment/waste-and-recycling/twocolumn/new-recycling-rubbish-and-reuse-guide.en>.
- 8 The Health and Safety Executive (HSE) states that work-related stress and poor mental health should be treated with the same significance as risks of poor physical health and injury. The Council views this as particularly pertinent to the construction industry, a predominantly male environment where the risk of suicide is around 3.5 times higher than men in general. Approximately one-third of construction workers report increased levels of anxiety every day. The Council strongly encourages developers of major construction sites to sign up to one of two construction industry led initiatives, Building Mental Health (Building Mental Health - Home) or Mates in Mind (Home Page), train a proportionate number of staff in Mental Health First Aid, and offer drop-in sessions/or spaces at construction sites for workers.

The Council will support the construction industry working in Camden with an offer of free Mental Health First Aid and other training, and information on local resources and signposting to sources of help.

- 9 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at [www.camden.gov.uk/cil](http://www.camden.gov.uk/cil) for more information, including guidance on your liability, charges, how to pay and who to contact for more advice. Camden adopted new CIL rates in October 2020 which can be viewed at the above link.
  
- 10 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



Daniel Pope  
Chief Planning Officer