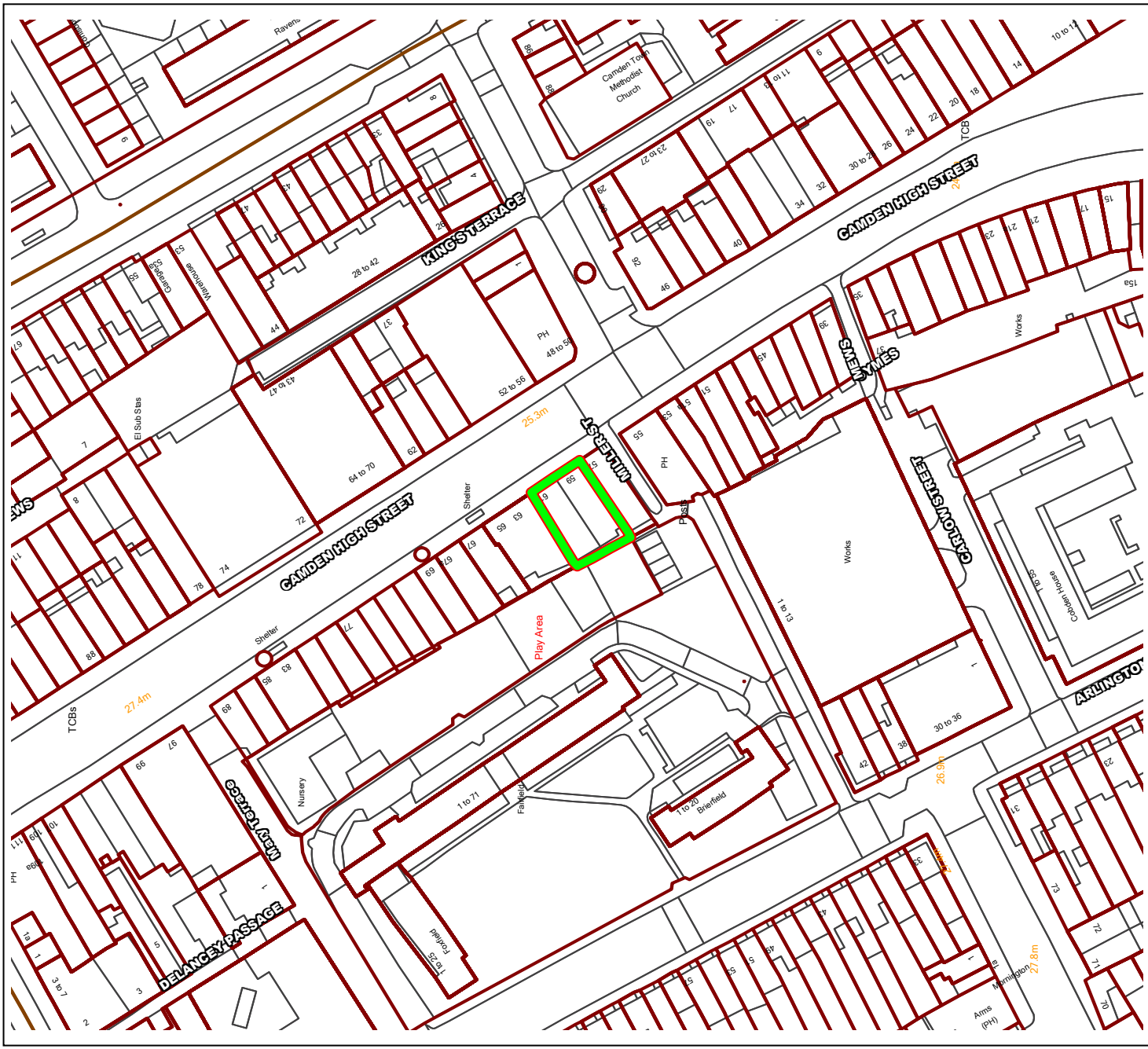


59-61 Camden High Street - 2023/4561/P



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Photos and Plans for 2023/4561/P – 59-61 Camden High Street, NW1 7JL

1. Aerial view of 59-61 Camden High Street (Front)



2. Aerial view of 59-61 Camden High Street (Rear)



3. Existing front elevation of 59-61 Camden High Street



4. Existing rear elevation of 59-61 Camden High Street (from Miller Street)



5. Existing front elevation (left) and rear elevation (right)



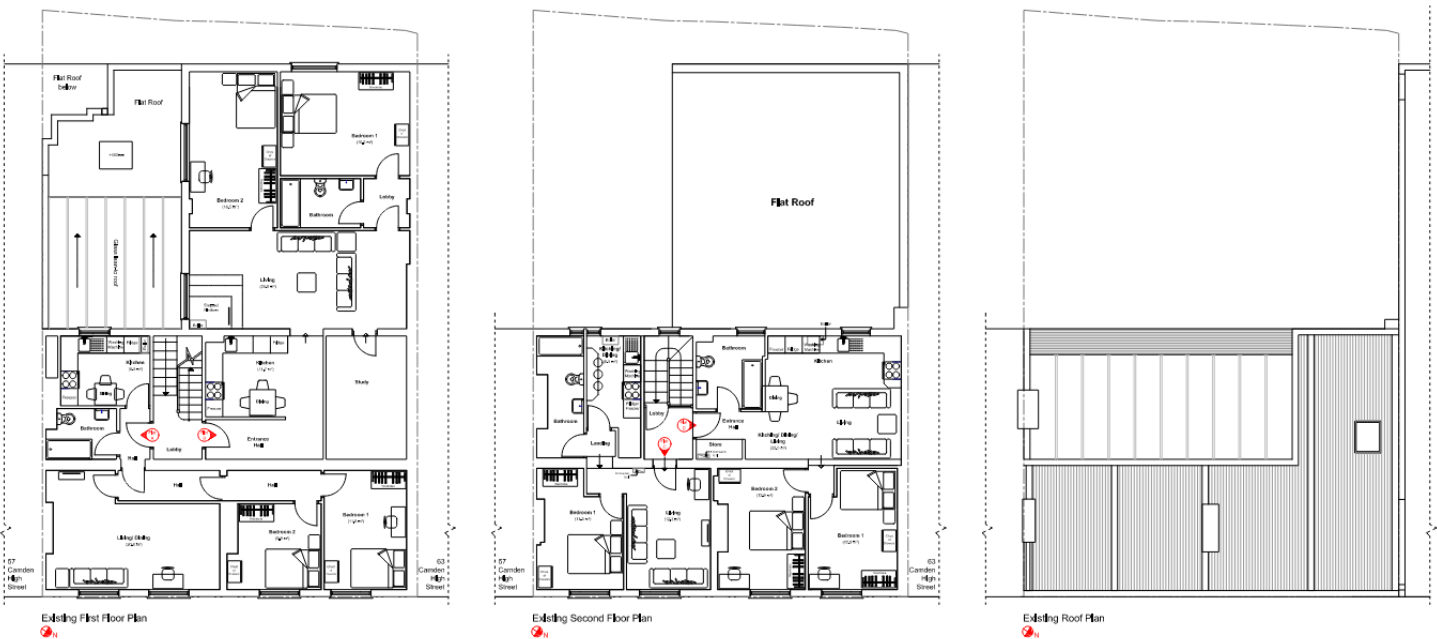
6. Proposed front elevation (left) and rear elevation (right)



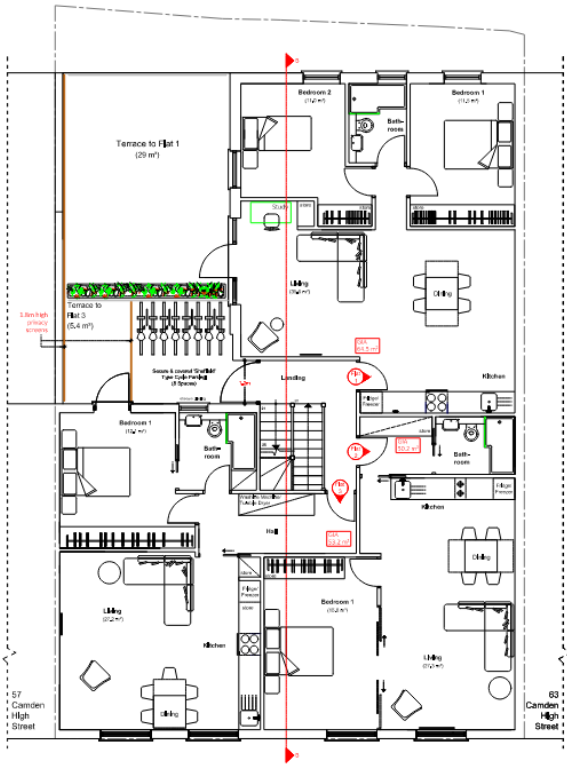
7. Existing side elevation (left) and proposed side elevation (right)



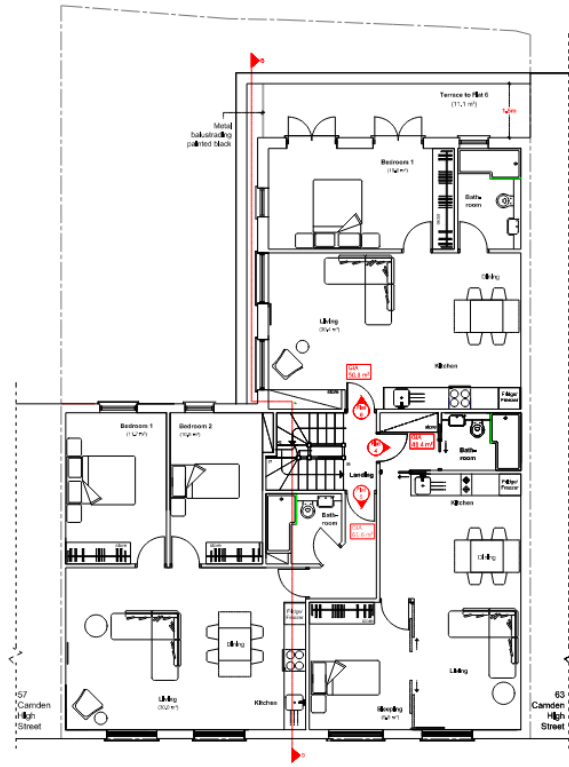
8. Existing first and second floor plans and roof plan




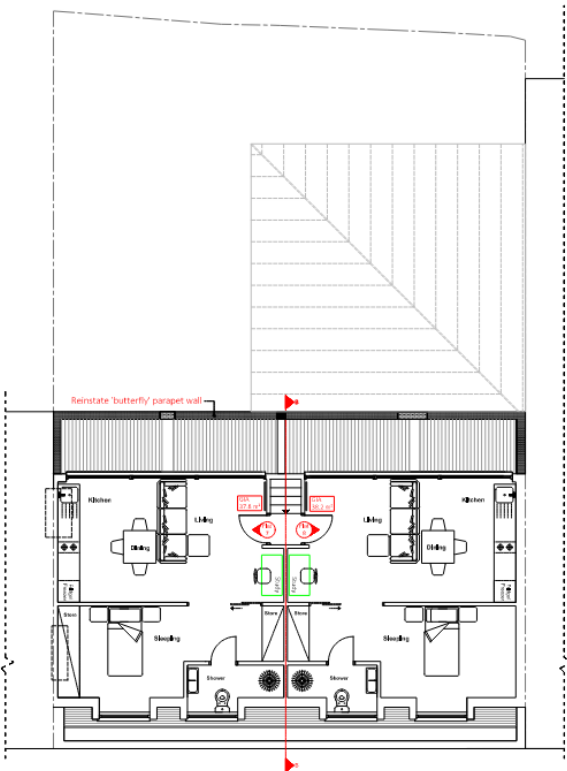
9. Proposed first, second, and third floor plans and roof plan



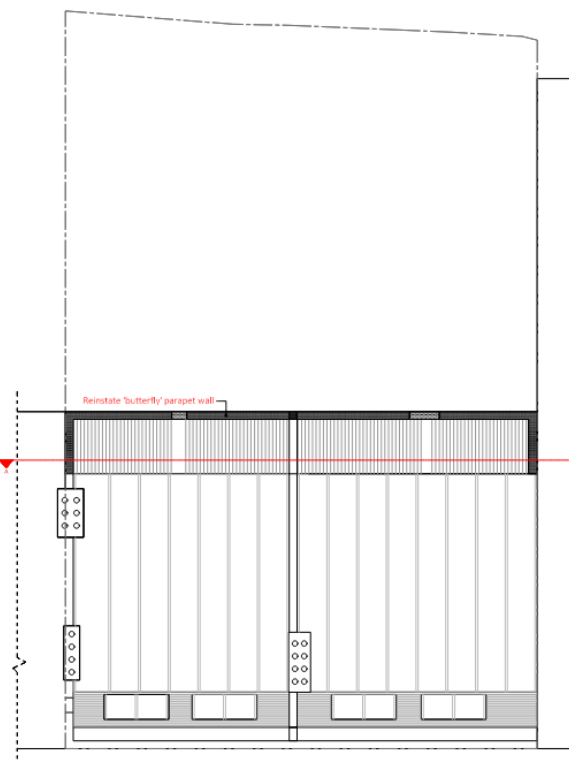
Proposed First Floor Plan

Proposed Second Floor Plan




Proposed Third Floor Plan

Proposed Roof Plan


Delegated Report		Analysis sheet	Expiry Date:	19/12/2023
(Members' Briefing)		N/A / attached	Consultation Expiry Date:	07/01/2024
Officer			Application Number(s)	
Sam FitzPatrick			2023/4561/P	
Application Address			Drawing Numbers	
59-61 Camden High Street London NW1 7JL			Please refer to decision notice.	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Conversion of property from 4 flats (3 x 2 bedroom flats and 1 x 1 bedroom flat) to 8 flats (2 x 2 bedroom flats, and 6 x 1 bedroom flats). Erection of front mansard roof extension above existing second floor and erection of second floor rear extension. Creation of roof terraces to rear first and second floors, along with associated external works.				
Recommendation(s):	Grant Conditional Planning Permission Subject to a Section 106 Agreement			
Application Type:	Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	03	No. of objections	03
Summary of consultation responses:	<p>Site notices were displayed from 08/12/2023 to 01/01/2024. A press notice was published from 14/12/2023, expiring on 07/01/2024.</p> <p>Three objections were received from members of the public, whose concerns can be summarised as follows:</p> <ul style="list-style-type: none"> • The proposal would overdevelop the site and lead to the loss of view towards Camden High Street from neighbouring properties; • The proposal is not architecturally in keeping with the rest of the buildings nearby; • The proposed terraces would result in the loss of privacy and noise nuisance to neighbouring occupiers; • The construction process would cause disruption including noise and mess to the area, and working on the weekend shouldn't be allowed; • The location plan includes the alleyway behind the site, which does not belong to the application; • No notification was sent relating to this application. <p><u>Officer Response:</u></p> <ul style="list-style-type: none"> • <i>Please refer to section 6 of this report for concerns relating to design and conservation;</i> • <i>Please refer to section 11 of this report for concerns relating to amenity;</i> • <i>The application is recommended for approval subject to a Section 106 legal agreement securing a Construction Management Plan that would alleviate many concerns surrounding disruption during construction. Additionally, all works should be conducted in accordance with the Camden Minimum Requirements.</i> • <i>The application is able to include land that is not under the ownership of the applicant, however they must complete the correct certificate to do so (Certificate B), which requires notice to be given to the relevant land interests. The applicant has now completed the correct certificate and notified the relevant interests.</i> 			

Site Description

The application site is a three-storey building located on the west side of Camden High Street, close to the junction with Miller Street. The ground floor of the building is in commercial use, while the floors above are residential. The site lies within the Camden Town Conservation Area and is identified as a positive contributor. It is also within the Camden Town 'Town Centre', as designated by the London Borough of Camden Local Plan 2017. The property is sited above the London Underground Northern Line tunnels.

Relevant History

2022/2149/P – Conversion of property from 4 flats (3 x 2 bedroom flats and 1 x 1 bedroom flat) to 7 flats (2 x 2 bedroom flats, and 5 x 1 bedroom flat). Erection of front mansard roof extension above existing second floor and creation of roof terraces to rear first floor level, along with associated external works. **Council resolved to grant subject to a section 106 legal agreement 13/06/2023.**

2020/2434/P - Conversion of property from 4 flats to 8 flats including erection of rear extension at second and third floor incorporating mansard roof and erection of front mansard roof extension above existing second floor including rear roof terraces at first floor level. **Refused 14/04/2021 and appeal dismissed 06/12/2021.**

Reasons for Refusal:

- 1) The development, by reason of its height, bulk, mass and detailed design, would be detrimental to the appearance of the host property, the streetscape and the Camden Town conservation area;
- 2) In the absence of an overshadowing assessment, the applicant has failed to demonstrate that the open space to the rear would receive sufficient sunlight;
- 3) In the absence of a detailed air quality assessment, the applicant has failed to demonstrate that future occupiers of the proposed flats would not be exposed to poor air quality;
- 4) The proposed development, in the absence of a legal agreement securing a Construction Management Plan, CMP implementation support contribution and Construction Impact Bond, would be likely to contribute unacceptably to traffic disruption, air pollution and be detrimental to general highway and pedestrian safety;
- 5) The proposed development, in the absence of a legal agreement to secure car-free housing, would be likely to promote the use of non-sustainable modes of transport and contribute to air pollution and congestion in the surrounding area;
- 6) The proposed development, in the absence of a legal agreement securing a contribution to affordable housing, would fail to meet the needs of households unable to access market housing.

2019/1225/P – Use of 1st and 2nd floors as 4 self-contained flats (Class C3) including a 2-bed flat and a 3-bed flat at first floor; and a 1-bed flat and a 2-bed flat at second floor. **Certificate of Lawfulness granted 08/04/2019.**

P9601171R1 - Change of use of the first floor from offices to one, one bedroom flat and one, two bedroom flat. **Granted 09/08/1996.**

34865R1 - Change of use of the southern half of the ground floor and the whole of the first and second floors from retail to offices. **Granted 08/11/1982.**

Relevant policies

National Planning Policy Framework (2023)

The London Plan (2021)

Camden Local Plan (2017)

- **G1** Delivery and location of growth
- **H1** Maximising housing supply
- **H3** Protecting existing homes
- **H4** Maximising the supply of affordable housing
- **H6** Housing choice and mix
- **H7** Large and small homes
- **C1** Health and wellbeing
- **C5** Safety and security
- **C6** Access for all
- **A1** Managing the impact of development
- **D1** Design

- **D2** Heritage
- **CC1** Climate change mitigation
- **CC2** Adapting to climate change
- **CC3** Water and flooding
- **CC4** Air quality
- **CC5** Waste
- **T1** Prioritising walking, cycling, and public transport
- **T2** Parking and car-free development
- **T4** Sustainable movement of goods and materials
- **DM1** Delivery and monitoring

Camden Planning Guidance

- CPG Access for all (Mar 2019)
- CPG Air Quality (Jan 2021)
- CPG Amenity (Jan 2021)
- CPG Design (Jan 2021)
- CPG Developer contributions (Mar 2019)
- CPG Energy efficiency and adaptation (Jan 2021)
- CPG Home Improvements (Jan 2021)
- CPG Housing (Jan 2021)
- CPG Transport (Jan 2021)
- CPG Water and Flooding (Mar 2019)

Camden Town Conservation Area Appraisal and Management Strategy (2007)

Draft Camden Local Plan

The Council has published a new Draft Camden Local Plan (incorporating Site Allocations) for consultation (DCLP). The DCLP is a material consideration and can be taken into account in the determination of planning applications but has limited weight at this stage. The weight that can be given to it will increase as it progresses towards adoption (anticipated 2026).

Assessment

1. The Proposal

- 1.1. Planning permission is sought for the erection of a front mansard roof extension above the existing second floor and a second floor rear extension to the flat roof of the existing rear return. The proposal would also involve the creation of roof terraces to the rear at first and second floor level. All the proposed works would support the conversion of the property from four existing flats to eight flats. The new flats would be made up of six one-bedroom flats and two two-bedroom flats. The proposal would involve a total increase in GIA of 129.2sqm, from 291.9sqm to 421.1sqm.

2. Revisions

- 2.1. During the process of the application, the proposal was amended following officer comments in order to reposition the roof terrace at the second floor level. This was because the original design featured the roof terrace to the side of the extension rather than the rear, which provided direct views into the windows of occupiers, including other flats within the host building as well as neighbouring buildings. The proposal has also been amended to add a privacy screen to the side of the larger roof terrace at first floor level that serves flat 1. The new position of the second floor terrace and new privacy screens would provide limited opportunities for overlooking and so are acceptable, as detailed in section 11 of this report.

3. Background

- 3.1. A previous application for a very similar scheme was considered by officers last

year, and given a resolution to grant subject to the successful completion of a Section 106 legal agreement on 13/06/2023, ref. 2022/2149/P. This application was very similar with the exception that the roof extension to the flat roof of the first floor rear return was not proposed as part of the previous application.

3.2. An application was submitted and refused on 14/04/2021, ref. 2020/2434/P. This proposal was larger in scale, with an additional storey and mansard roof extension to the rear extension, and was refused on the grounds that the extensions were harmful to the property and wider conservation area, and the application lacked an overshadowing assessment, a detailed air quality assessment, and a legal agreement to secure a Construction Management Plan, car-free development, and a contribution to affordable housing.

3.3. The aforementioned decision was dismissed at appeal on 06/12/2021, ref. APP/X5210/W/21/3280049. The Planning Inspectorate found that, while the overshadowing issue was overcome by the appellant submitting the relevant report, the proposed mansard would constitute a dominant addition that would harm the building and the conservation area. The appeal decision also showed that, in the absence of a legal agreement, there were still issues regarding the affordable housing contribution, car-free development, construction impacts, and air quality.

3.4. This new application is largely quite similar to the previously considered 2022 application, with the main difference being the new rear extension. As detailed later in this report, the rear extension is an acceptable addition.

4. Assessment

4.1. The principal considerations material to the determination of this application are as follows:

- Land use
- Design and conservation
- Affordable housing
- Housing mix
- Housing quality
- Access
- Amenity
- Energy and sustainability
- Air quality
- Transport
- Heads of Terms
- Community Infrastructure Levy

5. Land use

5.1. As stated in Camden Local Plan Policy H1, housing is the priority land use, and the provision of four additional flats would help to meet Camden's housing needs.

6. Design and conservation

6.1. Local Plan Policies D1 (Design) and D2 (Heritage) are aimed at achieving the highest standard of design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance, and character of the area, while Policy D2 states that the Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas. Camden's Local Plan is supported by guidance in CPG Design.

- 6.2. The site falls within the commercial sub-area of the Camden Town conservation area. Referring specifically to Camden High Street, the conservation area statement notes that *“the underlying character of the street is derived from the modest three-storey terraces on narrow plots, partly concealed behind later 19th century single-storey shops”*. Additionally, the statement goes on to provide guidance on roof alterations and extensions, writing *“fundamental changes to the roofline, insensitive alterations, poor materials, intrusive dormers, or inappropriate windows can harm the historic character of the roofscape and will not be acceptable”*.
- 6.3. Although the proposed front mansard roof differs from the existing roofscape, the roof form has already been altered and is not intact. Given that the design of the mansard is also a little set back from the front elevation and maintains the parapet line, as well as matching the height of neighbouring properties, the proposed front mansard is acceptable. Details of the mansard roof cladding in natural slate would be secured via a condition attached to this decision, as well as details of the windows and any balustrading.
- 6.4. The mass and scale of the front mansard is appropriate for the site and its context. The reinstatement of the butterfly parapet wall and roof profile in a historically accurate position is supported and will soften the impact of the increased mass from the front mansard, allowing it to integrate better with the roof form. This was a key reason that the appeal for the previous iteration of this development (APP/X5210/W/21/3280049) was dismissed, as the bulk and scale of the mansard to the rear would constitute a dominant addition to the building and result in the loss of the distinctive butterfly roof formation. The amended design is considered to be a modest and respectful addition that preserves the butterfly roof, and so can be said to preserve the local character, including the buildings and features that make a positive contribution to it.



Figure 1: Proposed Rear Extension

- 6.5. The proposed rear extension would have a more modern appearance, with a contemporary design clad in zinc. However, the extension would not conflict with or harm the existing roofline, and would remain subservient to the butterfly parapet wall and roof profile. This part of the building is also notably less prominent than the front (where the mansard is proposed), with public visibility mostly limited to Miller Street. Although some objections did point out that the proposal is not architecturally in keeping with the surrounding area, there is no clear pattern of development to the rear elevations of this row of houses, much less a historic or original pattern. Although the extension would be modern, it would still be subordinate to the host property and features such as the reinstated roofline, in line with Camden’s Planning Guidance.

6.6. It should be noted that the refusal in 2021 included a rear extension in this location, which was noted as being an inappropriate addition that would harm the conservation area. However, part of the reason for this was the bulk, height, and detailed design; the proposed rear extension was a mansard that was as tall as the main building's roof. Similarly, the application that the Council resolved to grant in 2023 originally included a rear extension (that was then removed following officer comments) that would have been unacceptable and also included a mansard roof. Unlike the previous iterations, this proposal would introduce an extension that sits significantly lower than the roofline of the main building, so reads as subservient and would not add substantial massing. Similarly, the contemporary design that clearly reads as a modern addition is more appropriate than a mansard that fails to either integrate with the existing building or differentiate itself as a separate addition. As such, the design now proposed would result in a suitable and acceptable addition to the existing building, albeit a clearly contrasting one. Therefore, the proposal would not be considered to cause harm to the host building, wider streetscape, or character and appearance of the Camden Town Conservation Area.

6.7. The materials for the proposal will complement the context of the existing site, with brickwork to be matching to existing, the mansard roof to be clad in natural slate, and the rear extension to be clad in zinc. The new windows to the main building and return will be painted timber sash that will respect the context of the site, replacing non-original windows. Full details of all external windows and doors would be secured through a condition. Therefore, these changes are considered to enhance the character and appearance of the building and wider conservation area.

6.8. 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 Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

6.9. As such, the proposal would be considered to preserve and enhance the character and appearance of the property and the wider conservation area, and therefore complies with Policies D1 and D2 of the London Borough of Camden Local Plan 2017.

7. Affordable housing

7.1. Policy H4 of the Camden Local Plan seeks to maximise the supply of affordable housing; it is expected that a contribution to affordable housing will be made for all developments that provide one or more additional homes and involve a total addition to residential floorspace of 100sqm GIA or more. For schemes of less than 25 additional homes, a sliding scale will be applied to calculate the expected provision as a percentage of the overall residential uplift, with a 2% contribution per additional home added to capacity. While the Council's preference would be for this contribution to be provided on site, for schemes with a capacity of fewer than 10 dwellings, a payment in lieu of affordable housing (PIL) is generally accepted.

7.2. As part of the proposal, four additional homes are proposed, and the total addition to residential floorspace would be 129.2sqm. The proposal would therefore be required to make an affordable housing contribution. The following formula calculates the affordable housing contribution:

Additional residential floorspace (GIA)	Capacity (rounded floorspace addition / 100sqm)	Additional housing % target	Affordable housing floorspace target	Payment in lieu required
129.2 sqm	1 additional home	2%	$2\% \times 129.2 = 2.584$	$2.584 \times \text{£}5,000 = \text{£}12,920$

7.3. Therefore, an affordable housing contribution of £12,920 is required for the development, which should be secured by Section 106 legal agreement.

8. Housing mix

8.1. The existing site has four flats that comprise of 1 x 1-bed flat and 3 x 2-bed flats. The proposed development would provide eight flats (four additional flats) that is comprised of 3 x 1B1P, 3 x 1B2P, and 2 x 2B3P. Therefore, the development would provide five additional 1-bed flats and involve the loss of one 2-bed flat. One bedroom flats are a lower priority in Camden, however the Council acknowledges that there is a need and/or demand for dwellings of every size identified in the Council's Dwelling Size Priorities Table. A higher percentage of two and three bedroom homes would have been preferred. Nevertheless, it is acknowledged that the proposed flats are limited by the constraints of the existing building and that overall the development would provide a mix of large and small homes, so would comply with Policy H7 of the Local Plan.

9. Housing quality

9.1. All of the flats meet or exceed the minimum floorspace requirements set out in the London Plan. Six of the eight flats would be dual aspect, and all would provide acceptable levels of daylight and therefore good quality of light, as demonstrated by the submitted daylight and sunlight report. Although the design of the rear extension in the daylight and sunlight report is an outdated version of the design (showing the mansard extension that was removed from the 2022 application), the scale of the extension now proposed is broadly similar, and the fenestration in approximately similar places. Therefore, the conclusions of the daylight and sunlight report can be considered relevant to this proposal.

9.2. Three of the flats would have access to a private terrace to the rear, and the absence of external amenity space for the other five flats is acceptable given the constraints of the site. Overall, the new units are considered to provide acceptable quality amenity for future occupiers. As the development is a conversion with an extension, it is accepted that the constraints of the site do not allow for a communal bin store. Future residents would therefore have to make use of kerbside collection.

10. Access

10.1. Part M cannot be applied to a dwelling where step-free access cannot be achieved.

11. Amenity

11.1. Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. This includes privacy, overlooking, outlook, and implications on daylight and sunlight. The Council's guidance contained within 'CPG Amenity' provides specific guidance with regards to these aspects.

11.2. A daylight and sunlight report has been submitted in supported of this application, which confirms that daylight and sunlight to neighbouring properties and the nursery playground to the rear would be retained to a level that would satisfy the BRE recommended values. Although, as previously mentioned, this report uses the previously proposed design of the rear extension that was removed from the 2022 application, the proposal now being considered only reduces the massing of the extension due to the flat roof design and the proposed extension not coming to the rear edge of the return, unlike the mansard-style extension. Although not considered as part of the daylight and sunlight report, the location, scale, and positioning of the proposed privacy screens are such that

these are not expected to have any significant impact on light availability or outlook. Therefore, the proposal as currently exists would not result in any increased impact on daylight and sunlight. The report has followed the BRE guidelines, which are not fixed standards but should be applied flexibly to take account of the specific circumstances of each case. The report shows that the proposals would not result in daylight and sunlight that would be below the BRE recommended values at relevant neighbouring properties, the playground to the rear, or to the proposed amenity areas of the host building.

11.3. There are no properties immediately to the rear of the site that would be affected by the additional windows on the rear boundary, only the nurse play space area, which is already overlooked by multiple properties on Camden High Street. There would be no harmful overlooking from the proposed mansard windows at the front of the site as the properties opposite are separated by a significant distance.

11.4. It is noted that there were a number of objections relating to the potential for overlooking from the new units and their associated roof terraces into neighbouring properties. It is considered that there could be overlooking of the neighbouring windows at 57 Camden High Street from the rear roof terraces, so privacy screens are proposed along the boundary in order to alleviate overlooking concerns. These would be located along the boundary between no.57 and no.59, as well as between the terraces for flat 3 and flat 1 and the bike storage area. This would also prevent overlooking between the two roof terraces. The details of the privacy screening would be secured by condition. An additional condition would also be included to ensure that the flat roof of the rear extension is not used as a terrace. The design of the rear extension was also revised so that the roof terrace associated with flat 6 was located to the rear of the return, rather than the side. If located at the side of the return, the terrace would have the potential to create opportunities for overlooking into neighbouring properties and units that are part of the main building, however when located to the rear there would be no such opportunities for overlooking created. As such, the revised design would now be acceptable.

12. Energy and sustainability

12.1. Policy CC1 of the Camden Local Plan requires all development to reduce carbon dioxide emissions through following the steps in the energy hierarchy and to optimise resource efficiency. All developments involving five or more dwellings are required to submit an energy statement demonstrating how the energy hierarchy has been applied to make the fullest contribution to CO2 reduction. All new build residential development will also be required to demonstrate a 19% CO2 reduction below Part L 2013 Building Regulations (in addition to any requirements for renewable energy). The Council will expect developments of five or more dwellings to achieve a 20% reduction in carbon dioxide emissions from on-site renewable energy generation, unless it can be demonstrated that such provision is not feasible.

12.2. An energy statement has not been submitted. The proposal has been reviewed by Camden's Sustainability Officer, who has advised that, given the minor nature of the development, the energy and sustainability requirements can be addressed by an energy statement provided prior to commencement of above-ground works, which would be secured by a condition.

12.3. It is noted that the works currently propose heating by electric boilers. It is recommended that the development could reduce carbon dioxide emissions by considering measures such as insulating the building and installing equipment such as Air Source Heat Pumps and solar photovoltaics, if feasible.

12.4. Residential developments of this scale are expected to meet the requirement of 105 litres per person per day (including 5 litres for external water use). This would be secured by condition.

13. Air Quality

- 13.1. The proposal has been reviewed by Camden's Air Quality Officer. The application site is located on a main road, however the latest LAEI 2019 maps indicate that the level of NO₂ at the site is below the National Air Quality objective level. In addition to this, the ground floor is used for commercial purposes and only the first floor and above is in residential use. Therefore, the site is suitable for residential use and no further mitigation is required.
- 13.2. The assessment for dust risk is low, so no real time dust monitoring is required for the site – though mitigation should be secured through the Construction Management Plan secured through a Section 106 legal agreement. An informative to any decision granting permission would remind the applicant of the mitigation measures that should be included within the Construction Management Plan.
- 13.3. Given that the site is heated by electric boilers, there is no combustion on site, and there is no parking provision, the site is considered air quality neutral for building and transport emissions.

14. Transport

- 14.1. In line with Policy T1 of the Camden Local Plan, it is expected that cycle parking at developments will be provided in accordance with the standards set out in the London Plan. The requirement is for one space per 1b1p unit, 1.5 spaces per 1b2p unit, and 2 spaces per 2+ bedroom unit. This would entail a requirement for 11.5 cycle parking spaces, however only 4 Sheffield stands (making up 8 spaces) have been shown on the submitted plans. These would be provided at first floor level in a covered courtyard area. Whilst the number of spaces being provided is less than that required by the standard, it is considered acceptable given the limited availability of space at the site. The provision of the 8 covered cycle parking spaces (4 Sheffield stands) and details of these would be secured by condition.
- 14.2. In accordance with Policy T2, all new development is expected to be car-free. No off-street parking is currently provided and none is proposed. All eight proposed units are affected by the proposal, so all should be secured as on-street Resident parking permit free by means of a Section 106 Agreement. This will prevent future occupants from adding to existing on-street parking pressures, traffic congestion, and air pollution, whilst encouraging the use of more sustainable modes of transport such as walking, cycling, and public transport.
- 14.3. The site is located on Camden High Street adjacent to a Pelican crossing, bus lane and bus stop. The nearest loading bays are located to the south of the site on Camden High Street. Given the limited accessibility of the site from the adjacent highway, it is considered that a Construction Management Plan and associated Implementation Support Contribution of £4,194 and Impact Bond of £8,000 should be secured by means of the Section 106 Agreement. This will help ensure that the impact of the development on the operation of the highway network and neighbouring amenity can be ameliorated in line with Policy A1 of the adopted Camden Local Plan.
- 14.4. Any scaffolding or site hoarding that is required in order to carry out the development will require a licence and associated bond from Transport for London. As such, it is considered that there is no requirement for a highways contribution for this development.
- 14.5. On the above basis, the proposals are considered acceptable on transport grounds.

15. Heads of Terms

15.1. If the proposal was considered to be acceptable it would be the subject of a Section 106 Legal Agreement. The obligations required have been discussed above and below is a summary of the heads of terms that would be sought if planning permission were granted:

- New residential units to be secured as car-free
- Affordable housing contribution of £12,920.00
- Construction Management Plan and Implementation Support Contribution of £4,194.00 and Construction Impact Bond of £8,000.00

16. Community Infrastructure Levy

16.1. If the proposal was deemed acceptable, it would be liable for both Mayoral and Camden CIL, given the addition of at least one additional residential unit. This would be based on Mayor's CIL2 (MCIL2) and Camden's latest CIL charging schedule from 2020.

16.2. Officers note that final payable contributions would be calculated (following any potential approval of the scheme) by the Council's CIL officers.

17. Conclusion

17.1. The proposed front mansard extension, rear extension, and rear roof terraces with associated additions, by way of their design and siting are considered to be acceptable additions in terms of design and impact on the character and appearance of the host building, neighbouring buildings, and wider conservation area. There would be no significant adverse impacts on the residential amenity of occupiers or neighbouring occupiers. The proposal would also result in public benefit through the delivery of additional housing and affordable housing contribution. As such, the development is deemed consistent with the objectives, guidance, and policies identified above.

18. Recommendation

18.1. It is recommended to grant conditional planning permission subject to a Section 106 Legal Agreement.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 15th April 2024, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Application ref: 2023/4561/P
Contact: Sam Fitzpatrick
Tel: 020 7974 1343
Date: 9 April 2024

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

Henry Planning Ltd
163 Church Hill Road
East Barnet
Barnet
EN4 8PQ

Dear Sir/Madam

DRAFT
FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION
Town and Country Planning Act 1990 (as amended)

DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Address:

59-61 Camden High Street
London
NW1 7JL

Proposal:

DECISION
Conversion of property from 4 flats (3 x 2 bedroom flats and 1 x 1 bedroom flat) to 8 flats (2 x 2 bedroom flats, and 6 x 1 bedroom flats). Erection of front mansard roof extension above existing second floor and erection of second floor rear extension. Creation of roof terraces to rear first and second floors, along with associated external works.

Drawing Nos:

Drawings: Location Plan; CHR/23/P/01/A; CHR/23/P/02/A; CHR/23/P/03/C; CHR/23/P/04/B;
CHR/23/P/05/.

Supporting documents: Design and Access Statement (prepared by Henry Planning);
Daylight and Sunlight Report (prepared by BVP); Air Quality Assessment (prepared by
Redmore environmental).

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

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:

Location Plan; CHR/23/P/01/A; CHR/23/P/02/A; CHR/23/P/03/C; CHR/23/P/04/B; CHR/23/P/05/.

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, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:

a) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills, and external doors;

b) Typical plan, elevation, and section drawings of balustrading to proposed terraces;

c) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and sample panels of those materials (to be provided on site), including a sample of the natural slate proposed for the mansard roof.

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 Before the brickwork is commenced, a sample panel of the facing repair brickwork demonstrating the proposed colour, texture, face-bond, and pointing shall be provided on site and approved in writing by the local planning authority. The development shall be carried out in accordance with the approval given. The approved panel shall be retained on site until the work has been completed.

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.

- 6 1.8 metre high screens, details of which shall have been submitted to and approved in writing by the local planning authority, shall be erected between the proposed roof terraces and the cycle parking area, as well as between no.59 and no.57, as shown in drawing ref. CHR/23/P/03/C. These should be erected prior to commencement of use of any of the roof terraces and shall be permanently retained. Similarly, details of the screening and planting between the terraces of Flat 1 and Flat 3 shall be submitted to and approved in writing by the local planning authority prior to commencement of use of any roof terrace and shall be retained permanently thereafter.

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

- 7 Before the development commences, details of secure and covered cycle storage area for 8 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.

- 8 The flat roof of the rear extension at the second floor level shall not be used at any time as amenity space, and any access out onto this area shall be for maintenance purposes only.

Reason: To safeguard the amenities of the adjoining neighbours in accordance with the requirements of Policy A1 of the London Borough of Camden Local Plan 2017.

- 9 Prior to commencement of above-ground works the development hereby approved shall submit an energy statement demonstrating how the fullest contribution to carbon dioxide emissions reduction in line with the energy hierarchy has been achieved to the Local Planning Authority to be approved in writing. 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 London Borough of Camden Local Plan 2017.

- 10 The development hereby approved shall achieve a maximum internal water use of 105 litres/person/day, and 5 litres/person/day for external water use. 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, and CC3 of the London Borough of Camden Local Plan 2017 and Policy SI 5 of the London Plan 2021.

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 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 You are advised the developer and appointed / potential contractors should take the Council's guidance on Construction Management Plans (CMP) into consideration prior to finalising work programmes and must submit the plan using the Council's CMP pro-forma; this is available on the Council's website at <https://beta.camden.gov.uk/web/guest/construction-management-plans> or contact the Council's Planning Obligations Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444). No development works can start on site until the CMP obligation has been discharged by the Council and failure to supply the relevant information may mean the council cannot accept the submission as valid, causing delays to scheme implementation. Sufficient time should be afforded in work plans to allow for public liaison, revisions of CMPs and approval by the Council.
- 5 Mitigation measures to control construction-related air quality impacts should be secured within the Construction Management Plan as per the standard CMP Pro-Forma. The applicant will be required to complete the checklist and demonstrate that all mitigation measures relevant to the level of identified risk are being included.
- 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 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 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.
- 8 The correct street number or number and name must be displayed permanently on the premises in accordance with regulations made under Section 12 of the London Building (Amendments) Act 1939.
- 9 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>.

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)

Yours faithfully

Supporting Communities Directorate