

Application ref: 2019/6433/P
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Date: 2 June 2021

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
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London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

Maddox and Associates Ltd
68 Hanbury Street
London
E1 5JL

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

**197 Kentish Town Road
London
NW5 2JU**

Proposal:

Alterations, extensions and changes of use to property including erection of two storey roof extension to provide a Class A2 unit at ground and 1st floors, and 4 new residential flats at part 1st to 4th floors; alterations to the front and rear facades of the building including installation of a new shopfront and balconies; and provision of refuse and cycle storage

Drawing Nos: 2018-026-LP, 2018-026-02 Rev P, 2018-026-04 Rev Q, 2018-026-07, 2018-026-08, 2018-026-500, 2018-026-501 Rev A, 2018-026-502 Rev A, 2018-026-503 Rev A, 2018-026-504, 2018-026-505, 2018-026-506.

Draft Construction Management and Logistics Plan (CLPM) December 2019, Air Quality Assessment (Eight Associates) 03/01/2020, Sustainability/Energy Statement (Energy Lab), Noise Impact Assessment (ACA) 4th November 2019, Proposed Development Internal Daylight and Sunlight Study (CPMC) Nov 2019, Daylight and Sunlight Report (CPMC) Nov 2019, Planning Statement (Maddox) December 2019, Design and Access Statement Rev S (GBS).

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 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.

- 3 External fixtures

No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials or satellite dishes shall be fixed or installed on the external face of the buildings, without the prior approval in writing of the Council.

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 Refuse and recycling

Prior to first occupation of the residential units, the refuse and recycling storage areas shall be completed and made available for occupants.

The development shall not be implemented other than in accordance with such measures as approved. All such measures shall be in place prior to the first occupation of any residential units and shall be retained thereafter.

Reason: To safeguard the amenities of the future occupiers and adjoining neighbours in accordance with the requirements of policy CC5 of the London Borough of Camden Local Plan 2017.

- 5 Roof terraces

No flat roofs within the development shall be used as terraces unless marked as such on the approved plans, without the prior express approval in writing of the Local Planning Authority.

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

- 6 Water efficiency

The development hereby approved shall achieve a maximum internal water use of 105litres/person/day, allowing 5 litres/person/day for external water use. Prior to occupation of each Plot, evidence demonstrating that this has been achieved shall be submitted and approved by the Local Planning Authority.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policy CC3 of the London Borough of Camden Local Plan 2017.

7 Non-road mobile machinery

All non-Road mobile Machinery (any mobile machine, item of transportable industrial equipment, or vehicle (with or without bodywork) of net power between 37kW and 560kW used on the site for the entirety of the construction phase of the development hereby approved shall be required to meet Stage IIIA of EU Directive 97/68/EC. The site shall be registered on the NRMM register for the construction phase of the development.

Reason: To safeguard the amenities of the adjoining occupiers, the area generally and contribution of developments to the air quality of the borough in accordance with the requirements of policies A1 and CC4 of the London Borough of Camden Local Plan 2017.

8 Cycle parking

Prior to first occupation, 8 secure and covered bicycle parking spaces shall be provided in accordance with the approved drawings. All such facilities shall thereafter be retained.

Reason: To ensure that the scheme makes adequate provision for cycle users in accordance with policies T1 and T2 of the London Borough of Camden Local Plan 2017.

9 Part M4 (2b)

The new residential units shall all be designed and constructed in accordance with Building Regulations Part M4 (2).

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy C6 of the Camden Local Plan.

10 Noise levels

The development shall implemented in accordance with the acoustic performance recommendations set out in table 5 of the Noise Impact Assessment hereby approved, in order to ensure sound levels inside rooms of the new residential apartments do not exceed 35 dB LAeq 16 hrs daytime and 30 d B LAeq 8 hrs in bedrooms at night.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by noise and vibration in

accordance with policies A1 and A4 of the London Borough of Camden Local Plan 2017.

11 CCTV and light sensors

Prior to first occupation of the flats, the CCTV and light sensors shall be installed and be made operational at the Grafton Yard entrance in accordance with the approved documents.

All such measures shall thereafter be maintained in accordance with the manufacturers' recommendations.

Reason: To safeguard residents in accordance with policy A1 of the London Borough of Camden Local Plan 2017.

12 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, external doors and gates;
- b) Plan, elevation and section drawings, including fascia, cornice, pilasters and glazing panels of the new shopfronts at a scale of 1:10;
- c) Manufacturer's specification details of all facing materials including a brick sample board (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 of the London Borough of Camden Local Plan 2017.

13 Structural statement

A Structural Statement shall be submitted to and approved by the Council, demonstrating that the proposed retention and new build works would be structurally sound.

Reason: To ensure the stability of the proposed building in accordance with Camden Local Plan policy D1.

14 Ventilation and filtration

The development shall be implemented in accordance with the Ventilation and Filtration recommendations of the Air Quality Assessment hereby approved, in particular all mechanical ventilation systems should be designed in accordance with BS EN 16798:2017 'Energy Performance of Buildings - Ventilation for Buildings' and BS EN ISO

16890:2016 'Air Filters for General Ventilation, air intakes shall be located where the outdoor air is least polluted and a system of filtration and/or air cleaning shall be applied using Tables 16 and 17 of BS EN 16798:2017 (Part 3) as references.

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.

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 Reason for granting approval:

Design

The proposal seeks to retain and extend the existing building, taking a low intervention approach, which is in line with the Council's policies on sustainability (Local Plan policy CC1) and is supported in design terms. A condition is attached requiring a structural statement, to ensure that the retained parts of the building and the newbuild parts would be structurally sound.

Scale/massing

The existing building is of a lower scale than the neighbouring buildings in a terrace of otherwise consistent building heights. The scale of the proposed two storey extension responds to the adjacent building to the north, which will sit comfortably within the existing street scene.

The new roof form and gable will be visible in long views from the south looking north along Kentish Town Road. The mansard will be consistent in height with the building to the north and will not interfere with views of the copper dome of the corner building 189 Kentish Town Road, which is locally listed and forms an important marker on the High Street.

Frontage/access

As a high street building, this needs to present a strong ground floor appropriate for its use. The ground floor commercial unit remains and is accessed via a new glazed door. Large window openings provide an active interface with the high street and are appropriate to the use.

Elevation/materials

As shopfronts are seen at close quarters, the detailing, type and quality of materials, execution and finishes are very important. The shopfront design is generally acceptable. Annotation indicates brickwork to match existing. Given that the ground/first floors have a different architectural expression/function, a different brick may be suitable or another robust material that complements the

existing building.

The palette of materials proposed for the primary façade indicates the extension of brickwork to match the existing. The retention of the existing facade maintains the strong existing building line of the terrace, an approach that is supported. Existing openings are also retained, with new powder coated aluminium windows proposed to replace existing, and slate shingles to a new mansard roof.

The Council requires high quality design and materials, (Policy D1e, Local Plan). Materials and details are therefore conditioned and samples provided to ensure a building of the highest quality is delivered with a durable finish that weathers gracefully.

Proposed flats

Four flats are proposed, consisting of 1 x 1 bed and 3 x 2 bed market units, which is considered an acceptable mix. The internal residential accommodation is considered logical and acceptable given the confines of this tight site. All of the flats would meet nationally described space standards. All of the flats would have an acceptable outlook. A report submitted as part of this application demonstrates that all the units would have sufficient internal daylight. Four of the five flats would have external amenity space. It is accepted that the fifth flat would not have external amenity space, given that this is an existing building and a constrained site.

272.9sqm of residential floorspace is proposed, which requires a payment in lieu for affordable housing of £20,140.

The primary residential entrance is located on Kentish Town Road, which is considered an appropriate and contextual approach - residential and commercial entrances side by side are commonly seen along the high street.

Secondary residential access is proposed through a yard space facing Grafton Yard, which also provides cycle storage and refuse store. This is an acceptable arrangement, provided that there are security measures in place for the rear entrance. A glazed door in this location will provide some natural surveillance. Light sensors and CCTV are proposed, which are conditioned.

Sufficient refuse storage is proposed, that would be located at Grafton Yard at the rear.

3 Reason for granting approval (part 2)

Land use

The site is within a Primary Frontage in the Town Centre of Kentish Town. Policy TC4 seeks to maintain the vitality and viability of Town Centres. Policy SW1 of the Kentish Town Neighbourhood Plan seeks to support small businesses. The re building was last used to provide is currently 346sqm of Class A2 use. Under the proposals, 169.4sqm of Class A2 use would be provided at ground and first floors. This is sufficient to provide a viable unit that would maintain an active frontage and support the town centre.

Amenity of neighbouring properties

A daylight/sunlight report was submitted as part of this application. Two transgressions of BRE guidelines would occur, however this is largely due to the very low levels of light that these rooms receive currently and any reduction would appear large when measuring VSC. Some of these windows receive poor levels of light due to the design of the building, which houses them. Furthermore, most of these windows serve rooms with more than one aspect. The impact on these windows is not considered unreasonable in an urban context.

Given the location, orientation and the position of the proposed windows, there would be no overlooking issues.

The Council's Environmental Health section officers has have no objections subject to a conditions on noise. Subject to these conditions there would be no material noise impact.

No objection shave been received to this application.

Transport

The proposed plans indicate that the rear bin storage doors would open outwards into Grafton Yard. This is considered acceptable in this instance given that the site is near the end of Grafton Yard which is a cul-de-sac, with few sites fronting on to it.

The development would be secured as car free in accordance with Policy T2, which includes limiting the availability of both off-street and on-street parking.

Cycle Parking

Secure and accessible cycle parking should be provided in accordance with Policy T1, cycle facilities section of CPG Transport, and the draft July 2019 London Plan, which require one space per 1-bed unit and two spaces per 2-bed unit, which calculates to 9 spaces. Only 8 spaces are proposed, but this is considered sufficient, especially given the constraints of the site. With regards the commercial unit, there is ample space inside for cycle parking.

Construction Management Plan (CMP)

There will be challenges in providing construction access due to the lack of parking on the site frontage. The Council's primary concern is public safety but we also need to ensure that construction traffic does not create (or add to existing) traffic congestion in the local area. The proposal is also likely to lead to a variety of amenity issues for local people (e.g. noise, vibration, air quality, etc.). To minimize the impact on the highway infrastructure and the neighbouring community, the Council would seek to secure a CMP and an implementation support contribution of £3,136 as well as a bond. The securing of this bond will allow the Council to monitor building works to ensure amenity issues are dealt with.

Highways Contribution

The footway directly adjacent to the site is likely to sustain damage because of the proposed demolition and construction works. The Council would need to undertake remedial works to repair any such damage following completion of the proposed development. A highways contribution would need to be secured

as a section 106 planning obligation if planning permission is granted. This would allow the Council to repave the footway directly adjacent to the site and repair any other damage to the public highway in the general vicinity of the site. The highway works would be implemented by the Council's highways contractor on completion of the development.

4 Reason for granting permission (part 3)

Conclusion

The proposals would provide housing and a Class A2 use at street level, which are welcome on land use policy terms. The proposed flats would provide an acceptable level of amenity to future occupants. There would be no material impact on the amenity of neighbours, subject to conditions. The proposed design is considered to be acceptable and fit in with the context. Given the above, the proposals comply with the policies of the Camden Local Plan, Kentish Town Neighbourhood Plan and the London Plan.

5 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.

6 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 London Borough of Camden 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.

7 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> 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.

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 2019.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer