

Application ref: 2023/4762/P
Contact: Edward Hodgson
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Date: 19 June 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

Studio Evans Lane
71D Elwood Street
London
N5 1EB

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
20-21 Wolsey Mews
London
NW5 2DX

Proposal:
Change of Use from Office (Class E) to large HMO (Sui Generis), and new windows on front elevation, screening to existing rooftop plant and provision of roof terrace
Drawing Nos: Site Location Plan 2316-P-001, 2316-P-305, 2316-P-304, 2316-P-303, 2316-P-302, 2316-P-300, 2316-P-300, 2316-P-201, 2316-P-200, 2316-P-101, 2316-P-100, 2203-SK-652 rev B, 2203-SK-651 revB, Design and Access Statement

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:

Site Location Plan 2316-P-001, 2316-P-305, 2316-P-304, 2316-P-303, 2316-P-302, 2316-P-300, 2316-P-300, 2316-P-201, 2316-P-200, 2316-P-101, 2316-P-100, 2203-SK-652 rev B, 2203-SK-651 revB, Design and Access Statement

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 and D2 of the London Borough of Camden Local Plan 2017 and policy D3 of the Kentish Town Neighbourhood Plan 2018.

- 4 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.

- 5 A privacy screen, details of which shall have been submitted to and approved in writing by the local planning authority, shall be erected on the roof terrace hereby approved prior to commencement of use of the roof terrace and shall be permanently retained.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies A1 and D1 of the London Borough of Camden Local Plan 2017 and policy D3 of the Kentish Town Neighbourhood Plan 2018.

- 6 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) all metalwork including window shutters and plant screening.

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 and D2 of the London Borough of Camden Local Plan 2017 and policy D3 of the Kentish Town Neighbourhood Plan 2018.

- 7 Prior to first use of the air source heat pump hereby approved, the active cooling function shall be disabled on the factory setting and the air source heat pump shall be used for the purposes of heating only.

Reason: To ensure the proposal is energy efficient and sustainable in accordance with policy CC1 and CC2 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

This application follows on from a previous application submitted at this site in 2023 under ref. 2023/1599/P for the change of use from Class E to residential (Class C3), which has a resolution to grant subject to a Section 106 legal agreement. Under the previous application, the loss of Class E commercial space in this instance and location was acceptable due to the submission of marketing evidence that demonstrated that the premises had been marketed sufficiently since December 2021. This marketing met the criteria outlined in Camden Planning Guidance, in terms of advertised rent levels being consistent with the market rate, use of a reputable agent and the reach of marketing material (i.e. advertised on popular online databases). Since this time, the premises has remained on the market despite the applicant reducing the price and offering incentives such as rent-free periods and short-term leases. Feedback provided by prospective tenants pointed to the property's secondary location, no parking facilities, no outside amenity space, insufficient natural light and no lift. Furthermore, the agent points to many other similar premises on the market that the application site is in direct competition with. As such, the Council is satisfied that the loss of Class E in this instance is acceptable.

The proposed use as a large HMO for 10 occupants (Sui Generis) follows on from the proposed loss of another large existing HMO that is also owned by the applicant, namely at 15 Howitt Road. This is subject to planning application ref. 2023/2261/P. The proposed 'swap' is considered acceptable, as the new HMO would meet the requirements of Policy H10, namely it would not involve the loss of two or more self-contained homes; would not involve a site identified for self-contained housing through a current planning permission as the s106 for application 2023/1599/P has yet to be signed and so no formal decision has been issued; it would comply with relevant standards for HMOs; would contribute to a mixed and inclusive community due to the variety of property types and sizes in the Kentish Town area; would not create a harmful concentration of uses as there is no current oversaturation of HMOs in the Kentish Town area; would not lead to harmful amenity impacts; and would be secured as low cost housing as part of the section 106 agreement. As such, the proposals are acceptable in land use terms and 20-21 Wolsey Mews would provide adequate replacement facilities given the loss of an HMO elsewhere in the borough. This change of use is to be made available prior to the implementation of the permission 2023/2261/P.

The external changes are similar to those assessed under ref 2023/1599/P, which were deemed acceptable. The changes to the elevations would see the

white uPVC windows retained in the same locations but replaced with black framed powder coated sash windows.

The ground floor windows would be elongated and two new long windows installed on the central core. Decorative metal shutters that slide along on a track would be installed to provide shade, privacy and security. The metalwork would also feature at roof level to provide enclosure to the roof terrace and also screening for existing plant equipment associated with the retail uses that front Kentish Town Road. The external works would improve the character and appearance of the building and enhance its contribution to the Bartholomew Estate Conservation Area.

There is no increase to the massing of the building so there are no impacts on daylight/sunlight or outlook. The roof terrace would be cut back from the south to prevent overlooking to no.24 Wolsey Mews and screened to prevent views to the rear windows of 246-248 Kentish Town Road.

- 2 The HMO would be secured as a car-free under a section 106 legal agreement in accordance with policy T2. Although no cycle parking is to be provided on site, a financial contribution of £7,200 is secured via section 106 towards the installation of an on-street cycle hanger to promote sustainable means of transport in accordance with policy T1.

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.

The proposal is not considered to cause any adverse impacts on the amenity of adjoining residential occupiers.

An air source heat pump is proposed on the flat roof within the existing plant enclosure area. A condition is attached ensuring that this is only used for heating purposes and not for active cooling.

No objections have been received prior to making this decision. 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 A1, D1, D2, H10, E1, E2, T1, T2, CC1 and CC2 of the Camden Local Plan 2017 and policies D3, SW1 and SSP4 of the Kentish Town Neighbourhood Plan 2018. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2023

- 3 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.

- 4 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.

- 5 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.
- 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 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).

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-planning-decision>.

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully

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

Daniel Pope
Chief Planning Officer