

PROJECT: Conversion of the existing first floor from use class E to C3
SITE: Former Kentish Town London Underground Station,
141-145 Kentish Town Road, London NW1 8PB
SUBJECT: Class G Compliance Statement
DATE: August 2024

MAJCHER
ARCHITECT

CLASS G COMPLIANCE STATEMENT

Majcher-Architect are instructed to submit an application for Prior Approval at the above site ("the application site"). The application relates to the use of the upper floors of former Kentish Town Tube Station as two residential flats above the ground floor retail unit in accordance with Schedule 2 Part 3 Class G of the Town and Country Planning (General Permitted Development) (England) Order 2015 [the GPDO].

This application is submitted online via the Planning Portal, and is comprised of:

- Drawings prepared by Majcher-Architects
- Class G compliance statement by Majcher-Architects
- BRE Study by T16
- Noise Report by ACA Acoustics Limited

The Site

The site is located on the west side of Kentish Town Road near the junction with Castle Road.

The site consists of four distinctive components:

1. The former South Kentish Town /Castle Place London Underground Tube Station facing Kentish Town Road
2. The rear warehouse building
3. A historic TFL emergency escape route and forced ventilation for London Underground Northern Line at the basement and ground floor levels
4. Castle Place Alleyway

The site does not fall within a Conservation Area

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The Proposal

The Prior Approval notification relates to the change of use and conversion of the upper floors of the existing building. The ground floor has a lawful use that falls within Class E of the Use Classes Order (As Amended). The upper floors are accessed via an existing set of stairs adjacent to no. 171 which lead to the first floor that was last in use as an office, also within Class E.

In total 2no. flats will be created above the ground floor unit. The layout shows compliance with the National Technical Housing Standards and the bedroom sizes meet the minimum size requirements for a single and double bedroom. Each habitable room has an outlook from an existing window providing a good standard of natural light, outlook and amenity.

A cycle store is shown at the side alongside a refuse/ recycling store which forms the extent of the 'other works proposed' by this application. There are no changes to the retail space on the ground floor.

Class G Compliance

Class G relates to "commercial, business and service or betting office or pay day loan shop to mixed use" and "permits development consisting of a change of use of a building:

- (a) "from a use within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order, to a mixed use for any purpose within that Class and as up to 2 flats".

Class G.1 Conditions

Part 3 Class G.1 sets out the conditions that development permitted by Class G is subject to. A response is prepared to each criteria below:

G.1 (a) some or all of the parts of the building used for a use for a use within, as the case may be, article 3(6)(n) (betting office) or 3(6)(o) (pay day loan shop) of, or Class E of Schedule 2 to, the Use Classes Order is situated on a floor below the lowest part of the building used as a flat

As Proposed Floor Plans confirm, Class E retail floorspace remain located on the ground floor and the two flats are located above on the first floor.

(b) where the development consists of a change of use of any building with a display window at ground floor level, the ground floor must not be used in whole or in part as a flat;

As shown on the submitted plans, the layout of the ground floor will remain unchanged, namely with the shop front and customer entrance located directly off the Kentish Town Road.

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Class G.1 Conditions (continued)

Access to the upper floor flats will be via the existing door to the western elevation.

(c) a flat must not be used otherwise than as a dwelling (whether or not as a sole or main residence)

(i) by a single person or by people living together as a family, or

(ii) by not more than 6 residents living together as a single household (including a household where care is provided for residents).

The proposed flats are laid out as a 2B3P and 3B6P and are therefore not capable of accommodating more than 6 residents. Each flat has its own separate, lockable front entrance door ensuring that they will be occupied by less than 6 people living together.

Before beginning development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

(i) contamination risks in relation to the building;

As the development is at upper floor level, it is difficult to understand how any ground contamination could affect the site. If there were any lingering concerns, this could be controlled by a suitably worded condition

(ii) flooding risks in relation to the building;

The site is in flood zone 1, at the lowest risk of flooding.

(iii) impacts of noise from commercial premises on the intended occupiers of the development;

The Applicant has instructed an acoustic study, which demonstrates that the only adverse noise impacts arise from road traffic, which BS4142 defines as not being a commercial noise source.

(iv) the provision of adequate natural light in all habitable rooms of the dwellinghouses;

Each habitable room will utilise the existing windows, and these have been assessed under the BRE Guidelines, which establishes that:

'The proposed conversion of the first floor at 141-145 Kentish Town Road, London, NW1 has been assessed for internal daylight levels using the Target Daylight Factor (DFT) test as prescribed by the BRE guidance and BS EN 17037:2018. The design team has endeavoured to ensure that the proposed habitable rooms have levels of natural light in excess of the minimum standards prescribed by the standards. This has been successfully achieved, as demonstrated by the positive results presented within this report. – see Internal Daylight Assessment by T16 July 2024.

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Class G.1 Conditions (continued)

The assessed rooms meet the recommendations using the DFT test. This means the future occupants will enjoy a well-lit

environment, with reduced reliance on artificial lighting. It is therefore the conclusion of this report that the proposals meet the guidance levels for daylight and are therefore acceptable in planning terms.

(v) arrangements required for the storage and management of domestic waste.

As the proposed Ground Floor Plan shows, a dedicated refuse/ recycling store is identified at the side, adjacent to a cycle store. The external store includes dedicated spaces for general refuse as well as recycling that can be collected in the same way that existing waste is.

Summary

In summary, the Development Proposal

- Seek conversion of the first floor of the existing building from E to C3 Permanent Residential.
- Comply with the Criteria provided at both Class G and paragraph W

This proposal is therefore permitted development under Class G of The Town and Country Planning Act (General Permitted Development) (England) Order 2015 and the Client and its advisors trust that the Borough will agree.

ENDS/