

Application ref: 2024/2222/P
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Date: 30 October 2024

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

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planning@camden.gov.uk
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SM Planning
80-83 Long Lane
London
EC1A 9ET

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
128 Camden Road
London
Camden
NW1 9EE

Proposal:

Change of use of part ground and first floor from existing barber shop and ancillary storage space / living accommodation to create 1-bed flat (Class C3); alterations to shopfront to create separate residential access; and alterations to existing ground floor rear extension including installation of rooflight, rear window and door (RETROSPECTIVE).

Drawing Nos:

Site location plan dated 30-Jul-2024

Pre-existing drawings: 215-NW19EE-URB-ZZ-XX-DR-A-00022-R3; 215-NW19EE-URB-ZZ-XX-DR-A-000301-R3; 215-NW19EE-URB-ZZ-XX-DR-A-000302-R3; 215-NW19EE-URB-ZZ-XX-DR-A-000303-R3; 215-NW19EE-URB-ZZ-XX-DR-A-000401-R3; 215-NW19EE-URB-ZZ-XX-DR-A-000402-R3; 215-NW19EE-URB-ZZ-XX-DR-A-000501-R3; 215-NW19EE-URB-ZZ-XX-DR-A-000502-R3

Previously approved: 215-NW19EE-URB-ZZ-XX-DR-A-1011-R3; 215-NW19EE-URB-ZZ-00-DR-A-102103-R3; 215-NW19EE-URB-ZZ-01-DR-A-102104-R3; 215-NW19EE-URB-ZZ-02-DR-A-102105-R3; 215-NW19EE-URB-ZZ-XX-DR-A-102201-R3; 215-NW19EE-URB-ZZ-XX-DR-A-102202-R3; 215-NW19EE-URB-ZZ-XX-DR-A-102301-R3; 215-NW19EE-URB-ZZ-XX-DR-A-102302-R3

As built: 215-NW19EE-URB-ZZ-XX-DR-A-1011-R1; 215-NW19EE-URB-ZZ-00-DR-A-102103-R1; 215-NW19EE-URB-ZZ-01-DR-A-102104-R1; 215-NW19EE-URB-ZZ-02-DR-A-102105-R1; 215-NW19EE-URB-ZZ-XX-DR-A-102201-R1; 215-NW19EE-URB-ZZ-XX-DR-A-102202-R1; 215-NW19EE-URB-ZZ-XX-DR-A-102301-R1; 215-NW19EE-URB-ZZ-XX-DR-A-102302-R1

Supporting documents: Cover letter prepared by SM Planning dated 3rd June 2024

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 dated 30-Jul-2024

Pre-existing drawings: 215-NW19EE-URB-ZZ-XX-DR-A-00022-R3; 215-NW19EE-URB-ZZ-XX-DR-A-000301-R3; 215-NW19EE-URB-ZZ-XX-DR-A-000302-R3; 215-NW19EE-URB-ZZ-XX-DR-A-000303-R3; 215-NW19EE-URB-ZZ-XX-DR-A-000401-R3; 215-NW19EE-URB-ZZ-XX-DR-A-000402-R3; 215-NW19EE-URB-ZZ-XX-DR-A-000501-R3; 215-NW19EE-URB-ZZ-XX-DR-A-000502-R3

Previously approved: 215-NW19EE-URB-ZZ-XX-DR-A-1011-R3; 215-NW19EE-URB-ZZ-00-DR-A-102103-R3; 215-NW19EE-URB-ZZ-01-DR-A-102104-R3; 215-NW19EE-URB-ZZ-02-DR-A-102105-R3; 215-NW19EE-URB-ZZ-XX-DR-A-102201-R3; 215-NW19EE-URB-ZZ-XX-DR-A-102202-R3; 215-NW19EE-URB-ZZ-XX-DR-A-102301-R3; 215-NW19EE-URB-ZZ-XX-DR-A-102302-R3

As built: 215-NW19EE-URB-ZZ-XX-DR-A-1011-R1; 215-NW19EE-URB-ZZ-00-DR-A-102103-R1; 215-NW19EE-URB-ZZ-01-DR-A-102104-R1; 215-NW19EE-URB-ZZ-02-DR-A-102105-R1; 215-NW19EE-URB-ZZ-XX-DR-A-102201-R1; 215-NW19EE-URB-ZZ-XX-DR-A-102202-R1; 215-NW19EE-URB-ZZ-XX-DR-A-102301-R1; 215-NW19EE-URB-ZZ-XX-DR-A-102302-R1

Supporting documents: Cover letter prepared by SM Planning dated 3rd June 2024

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 The existing ground and first floor side windows shall be obscure glazed and non-openable below 1.7m and shall be permanently retained as such

thereafter.

Reason: In order to prevent any overlooking of the neighbouring occupiers in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

- 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 The enhanced sound insulation, approved under condition 4 of planning permission 2022/1948/P dated 18/01/2023, to achieve the criteria of BS8233:2014 within the dwelling, shall be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reason for granting permission

Planning permission was previously granted (subject to a legal agreement securing car free) for a near identical development (2022/1948/P). This permission has been implemented but not in accordance with the approved plans. The current application seeks to regularise the development and seeks retrospective approval for the development as built.

The main differences between the current application and the previous application are the design of the shopfront; a small increase in the size of the retail unit to allow for the provision of a WC, a minor enlargement of the single storey rear projection and installation of a skylight; relocation of the window and door at ground floor level on the rear elevation; and a reduction in the size of the external amenity space at the rear of the property. There are also minor changes to the internal layout of the approved 1-bed flat.

The alteration of the design of the shopfront is considered acceptable as the shopfront has a traditional appearance with vertical glazing bars dividing up the glazing (rather than large expanses of glass). Although not shown on the proposed drawing, the proposed stallriser is similar in height to that approved. The small increase in the size of the retail unit to accommodate a WC is considered acceptable as this improves the viability of the retail unit. The rear projection has been enlarged so that the floor area is 3.2sqm, whereas the approved floorspace was approximately 2sqm. The inclusion of a rooflight and the relocation of the door and window on the rear elevation are minor changes which are sympathetic to the host property. The external amenity area has been reduced from 5.8sqm to 3.9sqm. It is noted that the approved amenity

area included land which is not in the ownership of the applicant. In this context, the reduction in amenity space is considered acceptable.

The changes between the development as built and the approved development has little impact on neighbouring amenity in terms of daylight / sunlight, overlooking and outlook. The relocation of the cycle store to the patio is considered acceptable given the constraints of the site.

Conditions relating to water usage and requiring obscure glazing to the side windows at ground and first floor are recommended in line with the previous permission. As with the previous permission, the 1-bed flat would be secured car free by legal agreement.

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 permission is BNG exempt as the development is below the de minimis threshold.

The planning and appeal history of the site has been taken into account when coming to this decision. No objections were received prior to making this decision. One comment was received which raised concerns with the amended layout of the 1-bed flat. However, the layout of the flat is not significantly undermined by the changes and is still considered to provide high quality accommodation.

As such, the proposed development is in general accordance with policies H1, H6, H7, D1, D2, CC3, TC2, T1, T2 and A1 of the Camden Local Plan 2017. The development also accords with the NPPF and the London Plan 2021.

- 2 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).
- 3 Based on the information available this permission will not require the approval of a Biodiversity Gain Plan before development is begun because it is below the de minimis threshold, meaning it does not impact an onsite priority habitat and impacts less than 25sqm of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of linear habitat.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with the National Planning Policy Framework. The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the website for submitting applications and offers a pre-application advice service.

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 written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer