

Application ref: 2024/1310/P
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Date: 21 February 2025

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Newsteer Real Estate Advisers
C/O HubHub London
20 Farringdon Street
EC4A 4AB

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted Subject to a Section 106 Legal Agreement

Address:

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

Proposal:

Variation of condition 2 (approved plans) of planning permission 2017/4649/P dated 01.08.2018 for substantial demolition of three storey commercial building (retail (Class A1) and construction of a five storey building, including a mansard roof with three front dormers, Retain retail unit (A1) on the ground floor and the creation of 3 x self-contained residential units (C3) - 2 x studios and 1 x 2 bed duplex - above, 4 x cycle parking spaces and associated works. Namely, alterations to the front, rear and side façade/fenestration treatment.

Drawing Nos: Drawing Nos: Superseded: 22209-P01_RevC; 22209-P02_RevD; 22209-P07_RevF; 22209-P08_RevB; 22209-P12_RevB; 22209-P03_RevC; 22209-P04_RevC; 22209-P05_RevC; 22209-P06_RevB; 22209-P09_RevB; 22209-P10_RevB; 22209-P13_RevB and 22209-P15.

Drawing Nos: Revised: 1257-P004; 1257-P005; 1257-P006; 1257-P-001; 1257-P002; 1257-P003; 2409_00001_8; 2409_00001_9; 2409_00001_10; 2409_00001_11; 2409_00001_12; 2409_00001_14 and 2409_00001_15.

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 the original planning permission ref 2017/4649/P dated 01/08/2018.

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- 1257-P004; 1257-P005; 1257-P006; 1257-P-001; 1257-P002; 1257-P003; 2409_00001_8; 2409_00001_9; 2409_00001_10; 2409_00001_11; 2409_00001_12; 2409_00001_14; 2409_00001_15; 222209-00 (OS Extract); 22209-01; 22209-02; 22209-03; 22209-04; 22209-07; 22209-08; 22209-09; 22209-10; Planning Statement by Newsteer Real Estate and Design and Materials Statement by Mark Newton Associates Ltd; Lifetime Homes Assessment; Noise Assessment by Mayer Brown dated January 2016; Odour Assessment by Mayer Brown dated January 2016; Planning Statement by GL Hearn dated August 2017.

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

- 3 The development shall be carried out in full accordance with the detailed drawings and samples as approved by application ref. 2020/3318/P on 03/03/2021 and plans 2409_00001_14 and 2409_00001_15 as approved under this permission, or any subsequent submission in respect of the information below and approved in writing by the local planning authority before the relevant parts of the works are commenced:

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

b) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).

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 The sound insulation measures hereby approved shall be installed with value DnT,w and L'nT,w being enhanced by at least 10dB above Buildings Regulations value and include such mitigation measures as necessary in order to achieve the 'Good' criteria of BS8233:1999 within the dwellings.

The details as approved shall be implemented prior to first occupation of the residential units and thereafter be permanently retained.

Reason: In order to safeguard the amenities of the adjoining premises and the

area generally in accordance with the requirements of policies A4 and A4 of the London Borough of Camden Local Plan 2017.

- 5 No part of the rear outdoor area at first floor level shall be used as a terrace and any access out into this area shall be for maintenance purposes only.

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

- 6 The details of secure and covered cycle storage area for 6 cycles shall be installed in accordance with the details approved under application ref 2020/3318/P dated 03/03/2021 or any other such details provided to and approved in writing by the Local Planning Authority. The cycle storage shall 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.

- 7 The details of the location, design and method of waste storage and removal including recycled materials, shall be installed in accordance with the details approved under application ref 2020/3318/P dated 03/03/2021 or any other such details provided to and approved in writing by the Local Planning Authority. The cycle storageshall be provided prior to the first occupation of any of the new units and permanently retained thereafter.

Reason: To ensure that sufficient provision for the storage and collection of waste has been made in accordance with the requirements of policy CC5, A1 and A4 of the London Borough of Camden Local Plan 2017.

- 8 No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials, satellite dishes or rooftop 'mansafe' rails shall be fixed or installed on the external face of the buildings.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements policy D1 of the London Borough of Camden Local Plan 2017 and Kentish Town Neighbourhood Plan 2016.

- 9 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.

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 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 are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.
- 4 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.
- 5 Based on the information available, this will not require the approval of a BGP before development is begun because the planning permission was granted under section 73 of the Town and Country Planning Act 1990 and the original (parent) planning permission was made or granted before 12 February 2024.
- 6 Irreplaceable habitat:

If the onsite habitat includes Irreplaceable Habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements. In addition to information about minimising adverse impacts on the habitat, the BGP must include information on compensation for any impact on the biodiversity of the irreplaceable habitat.

The LPA can only approve a BGP if satisfied that the impact on the irreplaceable habitat is minimised and appropriate arrangements have been made for compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73(2D) of the Town and Country Planning Act 1990 If

planning permission is granted under section 73, and a BGP was approved in relation to the previous planning permission ("the earlier BGP"), the earlier BGP may be regarded as approved for the purpose of discharging the biodiversity gain condition on this permission. It will be regarded as approved if the conditions attached (and so the permission granted) do not affect the post-development value of the onsite habitat, or any arrangements made to compensate irreplaceable habitat, as specified in the earlier BGP.

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