

Cedar Planning

Email: info@cedarplanning.co.uk

Website: www.cedarplanning.co.uk

PLANNING STATEMENT

**107 KENTISH TOWN ROAD,
NW1 8PB**



Cedar Planning

Expert advice, affordable rates

1. Introduction

- 1.1. Cedar Planning has been instructed by Virtual Property Solutions to produce a Planning Statement to support a planning application for the change of use to residential on the upper floors of 107 Kentish Town Road, NW1 8PB ('the Property'), with an additional first floor extension and mansard roof loft extension.

Scheme overview:

- 1.2. The proposal consists of the following:
- Retaining the ground floor as commercial (Class E uses);
 - Change of use of upper floors from storage for the commercial premises to residential (Class C3) uses;
 - Mansard loft extension to provide an additional storey at the property;
 - A small-scale rear extension at first floor level;
 - Alterations to the shop front to provide a separate access to the upper floors, and provide a more attractive commercial frontage.
- 1.3. The site will make an important contribution to housing in the area, whilst meeting the Governments objective to use land in an effective manner and bring empty buildings back into use. In addition to this, the proposal will retain an important commercial space at ground floor level.
- 1.4. This Planning Statement demonstrates that the proposed development complies with the relevant guidance provided in the National Planning Policy Framework (NPPF) as well as the policies contained within the Camden Local Plan (2017) and the London Plan (2021).

2. Location, Site and Planning History

- 2.1. 107 Kentish Town Road is a mid-terrace property consisting of a vacant commercial unit on the ground floor and ancillary storage space on the first and second floor.
- 2.2. Neighbouring uses include a mix of commercial uses at ground floor level, with residential or storage spaces above. The majority of buildings in the wider area are between two and seven storeys in height. It is noted that the property on the corner of Farrier Street and Kentish Town Road has an existing mansard roof extension in place, and No. 111 – 119 Kentish Town Road have gable fronted elevations that provide additional height to the buildings.



Figure 1: Aerial Image of Site and its surroundings (Source: Google Maps)

- 2.3. The site has excellent accessibility, with a wide range of services, facilities and sustainable transport options are in close proximity to the site. This includes restaurants, shops, drinking establishments, offices and bus stops. Camden Road, Camden Town, Chalk Farm and Kentish Town West stations are all located within walking distance of the site. The excellent accessibility of the site is evidenced by its 6b PTAL Rating – the best possible rating.

- 2.4. In recent years, planning permission has been granted for residential uses in the upper floors of buildings in the area. This includes, *The Castle, 147 Kentish Town Road, London, NW1 8PB* where planning permission was granted via an appeal in July 2015 for part demolition and the erection of 8 residential units and first, second and third floors (Appeal Ref: APP/X5210/W/15/3004348).
- 2.5. A review of the Council's Planning Register has not identified a planning history for the site. However, it is understood that the Property has been in lawful use as a commercial premises for a number of years.
- 2.6. The location of the site within an Article 4 area which restricts the conversion of properties from commercial uses to residential uses is acknowledged by the applicant. By issuing an Article 4 Direction, we understand that the Council seeks to ensure that commercial premises are retained at ground floor level, in order to provide an active street frontage, which will benefit residents and businesses. The proposal has been designed with this objective in mind.

3. Planning Policy

- 3.1. Planning law requires that planning applications are determined in accordance with the policies of the Development Plan, unless material considerations indicate otherwise. The Development Plan for the area consists of the following documents:
- The London Plan (2021)
 - The Camden Local Plan (2017)
- 3.2. The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and acts as a material consideration in the determination of planning applications.
- 3.3. The Council's Planning Map confirms that the site is **not** located within a Conservation Area, nor is the Property listed, or locally listed. It also confirms that there are no Tree Preservation Orders within the site.

London Plan (2021)

- 3.4. The following policies of the London Plan (2021) are considered to be relevant to the determination of this application.
- 3.5. ***Policy D3 – Optimising site capacity through the design-led approach.*** This policy seeks to ensure that all development makes the best use of land. It also requires that development enhances the local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard being given to existing and emerging street hierarchy, building types, forms and proportions.
- 3.6. Furthermore, Policy D3 also requires that development is of high-quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use and flexibility.
- 3.7. ***Policy D5 – Inclusive Design.*** This policy requires that development provides the highest standard of accessible and inclusive design, which allows them to be used safely and easily and with dignity by all.
- 3.8. ***Policy D6 – Housing quality and standards.*** This policy states that housing development should be of high-quality design and provide

adequately-sized rooms with comfortable and functional layouts which meet the needs of Londoners and are fit for purpose.

- 3.9. ***Policy H1 – Increasing housing supply.*** This policy requires LPAs to optimise the potential for housing delivery on all suitable and available brownfield sites, including in locations that are within PTAL Rating 3 – 6 and small sites.

The Camden Local Plan (2017)

- 3.10. The following policies of the Camden Local Plan (2017) are considered to be relevant to the determination of this application.
- 3.11. ***Policy G1 – Delivery and location of growth.*** This policy states that the Council will create the conditions for growth to deliver the homes, jobs, infrastructure and facilities to meet Camden's identified needs and harness the benefits for those who live and work in the borough.
- 3.12. The policy also states that the Council will promote the most efficient use of land and buildings by supporting development that makes best use of its site.
- 3.13. ***Policy H1 – Maximising housing supply.*** Policy H1 of the Local Plan seeks to secure a sufficient supply of homes to meet the needs of existing and future residents. This is to be achieved by expecting the maximum reasonable provision of housing that is compatible with any other uses needed on the site.
- 3.14. ***Policy H6 – Housing choice and mix.*** This policy aims to create mixed and sustainable communities by seeking highly accessible homes. This includes expecting all self-contained homes to meet the nationally described space standard.
- 3.15. ***Policy H7 – Large and small homes.*** This policy encourages the provision of a range of homes of different sizes that will contribute to mixed, inclusive and sustainable communities. This includes the provision of larger homes, defined as 4-bedrooms or more.
- 3.16. ***Policy C1 – Health and wellbeing.*** Policy C1 seeks to ensure that the Council will improve and promote strong, vibrant and healthy communities. This includes development positively contributing to creating high quality, active, safe and accessible places.

- 3.17. **Policy E1 – Economic development.** This policy states that the Council will maintain a stock of premises that are suitable for variety of business activities and safeguard existing employment sites and premises in the borough that meet the needs of employers.
- 3.18. **Policy E2 – Employment premises and sites.** Policy E2 of the Local Plan seeks to protect premises or sites that are suitable for continued business use.
- 3.19. **Policy A1 – Managing the impact of development.** The Council will seek to ensure that the amenity of occupiers and neighbours is protected. This includes consideration of visual privacy; sunlight, daylight and overshadowing; noise and vibration levels; and odour, fumes and dust.
- 3.20. **Policy D1 – Design.** Policy D1 sets out a number of criterion for development to comply with (where applicable). This includes development that respects local context and character and preserves or enhances the historic environment.
- 3.21. **Policy D3 – Shopfronts.** Through this policy the Council expect that new and altered shopfronts achieve a high standard of design. This includes consideration of the historical and architectural merit of the shopfront.
- 3.22. **Policy TC2 – Camden’s centres and other shopping areas.** Policy TC2 of the Camden Local Plan states that:
“In order to protect the retail and town centre function of our centres the Council will only permit conversion of retail and other town centre uses to residential use on the protected frontages where it does not harm the role and character of the centre, including maintaining the supply of shop premises in centres across the borough.”
- 3.23. Paragraph 9.20 of the Camden Local Plan supports Policy TC2 stating that the most significant way the Council can protect the function of its town centres is by ensuring that sufficient ground floor premises remain in retail or other town centre uses.
- 3.24. **Policy TC5 – Small and independent shops.** Policy TC5 of the Camden Local Plan states that the Council encourage the provision of smaller shop premises, defined as less than 100sqm of floorspace, unless local circumstances demands a higher level.

- 3.25. Policy T2 – Parking and car-free development.** The Council will require all new developments in the borough to be car free.

The emerging Camden Local Plan

- 3.26.** The Council have begun work on a replacement Local Plan which will shape development over the next 15 years. The emerging plan has only reached an early stage in the plan-making process, and as such it is not considered to be determinative to this application.

The National Planning Policy Framework (NPPF)

- 3.27.** As previously stated, the NPPF is a material consideration in the determination of planning applications.
- 3.28.** Through paragraph 39 of the NPPF, Local Planning Authorities (LPAs) should approach decisions in a positive and creative manner, working proactively and collaboratively with applicants to secure developments that provide social, economic and environmental benefits.
- 3.29.** The NPPF encourages applicants to make use of pre-application engagement with Local Planning Authorities. At paragraph 40, the NPPF states that early engagement has significant potential to improve the efficiency and effectiveness of the planning system for all parties, and good quality pre-application discussions enables improved outcomes for all.
- 3.30.** Paragraph 48 of the NPPF confirms that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The applicant took the opportunity to engage in pre-application engagement with the Council, and has used this feedback to shape the proposal. The engagement also confirmed that the ground and first floor extensions are acceptable.
- 3.31.** Paragraph 61 of the NPPF reinforces the Government's objective to significantly boost the supply of homes, with the overall aim of meeting an area's identified housing need.
- 3.32.** Paragraph 124 of the NPPF requires planning decisions to promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. In a similar vein,

paragraph 125 of the NPPF requires that substantial weight is given to the value of using suitable brownfield land within settlements for homes, and proposals should be approved unless “substantial harm” would be caused, and that planning decisions should promote and support the development of under-utilised land and buildings.

- 3.33.** Making specific reference to mansard roofs, paragraph 124e) of the NPPF encourages their uptake by stating that planning decisions should:

“support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions – including mansard roofs – where the development would be consistent with the prevailing form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.”

- 3.34.** Annex 2 of the NPPF defines mansard roof's as:

“A type of roof that is characterised by two slopes, the lower steep and the upper shallow. It is generally regarded as a suitable type of roof extension for buildings which are part of a terrace of at least three buildings and at least two stories tall, with a parapet running the entire length of the front façade (reference: Create Streets, 2021, Living Tradition).”

- 3.35.** Section 12 of the NPPF seeks to achieve well-designed places through the planning system. Paragraph 134 of the NPPF states that high quality design is fundamental to good planning and is a fundamental element of sustainable development. Paragraph 135 of the NPPF requires development to:

- Add to the overall quality of the area over the lifetime of the development;
- Be visually attractive through good architecture, layout and effective landscaping;
- Be sympathetic to local character and history, including the surrounding built environment; and
- Establish a strong sense of place to create attractive, welcoming and distinctive places to live, work and visit.

4. Use, Amount, Scale and Layout

- 4.1. We understand that the lawful use of the Property, is Class E - commercial use. The proposal would retain a commercial use (Class E) at the ground floor level, and provide a Class C3 residential flat.
- 4.2. The proposal will provide a 4-bedroom residential flat over the first, second and (new) third floor at the Property. At 105sqm, the proposed residential flat exceeds the 103sqm required to meet the Government's minimum space standards for a 4-bedroom, 5 person dwelling set over three floors. Sufficient built-in storage space is also provided.
- 4.3. As previously stated, the application site consists of a mid-terraced property, with neighbouring properties in the area consisting of varying heights. The height of the proposed mansard roof extension complements other properties in the area, including 99 Kentish Town Road (which also features dormers), 99a Kentish Town Road, and 111 Kentish Town Road.
- 4.4. At ground floor level, the proposal includes alterations to the shopfront to provide a separate access for the residential flat. A new and improved shop front to the commercial unit will also be included.



Figure 2: Proposed elevations

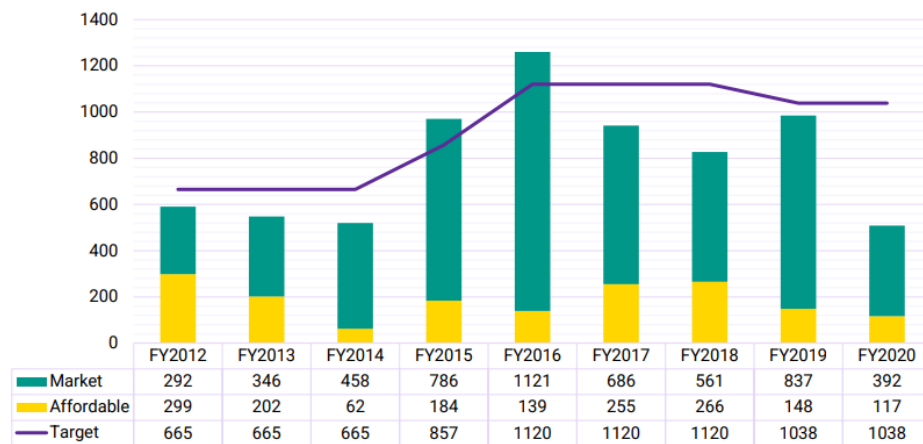
- 4.5. Internally, the proposal will provide a commercial unit on the ground floor. The size and layout of the commercial unit makes it an attractive unit for a number of commercial uses that would complement the surroundings.
- 4.6. The upper floors will consist of a 4-bedroom dwelling, with all habitable rooms being provided with ample natural light via existing windows (and proposed windows for the mansard roof). The first floor will provide a kitchen/lounge/dining area, and will utilise the existing windows at the front and rear of the property. A small extension is to be provided at this level, which replicates the building line of the ground floor of the property. Two bedrooms (a double and a single bedroom) will be provided on the first floor, with a further two single bedrooms provided on the proposed third floor.
- 4.7. The proposal does not include car parking, however in this highly sustainable location it is considered appropriate not to provide car parking.

5. Planning Assessment

- 5.1. The following section of this Statement provides an overview of the main planning considerations of the proposal.

Principle of development

- 5.2. The site is located in a highly sustainable location, as evidenced by its PTAL rating of 6b – the highest possible scoring. As such, residents are well placed to make best use of sustainable modes of transport, including the London Underground, Overground, bus services and walking to nearby services and facilities.
- 5.3. The Council have identified self-contained housing as a priority land use through the Camden Local Plan, with Policy H1 stating that the Council will make housing its top priority when considering the future of underused land and buildings. Similar support for new housing in sustainable locations is found within the London Plan, including Policies H1 and H2. However, in recent years, housing delivery has failed to meet this target, with the Government's Housing Delivery Test identifying that the Council have only delivered 69% of the required housing. In these circumstances, paragraph 11(d) of the NPPF is engaged, which requires development to be granted planning permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 5.4. As evidenced by the Camden Housing Delivery Test – Action Plan (2022), housing delivery in Camden has fallen below the required target for a number of years. Between 2012 and 2020, the Council only managed to deliver sufficient levels of housing in 2 years (2015 & 2016). In these circumstances, there is a pressing need for new housing in the area, and the provision of new housing through this proposal should be afforded significant weight.



This graph shows the total number (net) of self-contained dwellings completed between 2012/13 and 2020/21. This has then been broken down to show how many market and affordable units were delivered in each financial year. Figures for 2021/22 were not available at the time that the action plan was published.

Figure 3: London Borough of Camden – Housing Delivery Test Action Plan

- 5.5. The principle of delivering much needed high-quality housing in ‘above-shop’ locations such as this is recognised in both local and national planning policies, including Policy TC2 of the Camden Local Plan that specifically encourages the ‘above-shop’ homes.
- 5.6. The proposal will convert a vacant commercial premises into residential uses at first, second and (proposed) third floor level. As such, the site comprises of brownfield / previously developed land and would make best use of a vacant and underused building. Support for the proposal is specifically found in paragraph 125c) and 125d) which states that substantial weight should be given to using suitable brownfield land, with schemes only being refused if ‘substantial harm’ is caused. We consider that any associated harms with the proposal are minimal, and fall far short of ‘substantial harm’.
- 5.7. This proposal has been shaped by a need to deliver an active frontage on the ground floor level, and retaining commercial uses at this level. This will contribute to an active and thriving community and retail area. The existing commercial unit includes a large storage areas on the first and second floors, which would likely make it unviable for a number of businesses, as evidenced by the fact that the unit was vacant for a number of years. Similarly, the existing shopfront provides a large set back at the doorway, which results in lost floor space for potential occupants. Having regard to the above it is considered that the alterations to the property will

increase its attractiveness for commercial uses at the ground floor level.

- 5.8. Therefore, the proposal provides both social benefits through the delivery of new housing, but also economic benefits by retaining and improving the commercial unit on the ground floor.
- 5.9. Having regard to the above, and the history of poor housing delivery in the area, the provision of a new dwelling in this sustainable location should be afforded significant weight. As such, the principle of development is considered to be acceptable.

Design

- 5.10. Policy D1 of the Local Plan requires development to be of the highest architectural and urban design quality which improves the function, appearance, and character of the area.
- 5.11. The proposed mansard roof extension has been designed to reflect the character of the area. As previously stated, neighbouring properties have varied roof forms, including No. 99 Kentish Town Road that has a mansard roof with dormers, in a similar design to that being proposed here. Furthermore, properties directly opposite the application site consist of much taller development of between 5 and 7 storeys in height. Therefore, it is considered that the proposal complies with the design and character of the area.
- 5.12. The use of materials will also complement the property and neighbouring uses, ensuring that the proposal responds to, and improves, the character of the area. In this regard, we also believe that the property being vacant, and liable to vandalism and theft, detracts from the function, appearance and character of the area. Instead of a vacant unit, the proposal seeks to provide a valuable mix of commercial space and residential use, with an active frontage at ground floor level.

Residential Amenity

- 5.13. Policy H6 of the Camden Local Plan and Policy D6 of the London Plan confirms that new residential development should conform to the Nationally Described Space Standards. As illustrated by the relevant planning drawings, the proposed residential flat complies with the Nationally Described Space Standards.

- 5.14. Policy D6 of the London Plan seeks to optimise the number of dual aspect homes. The proposed flat will be dual aspect and makes use of the existing windows at the property which provide ample natural light for future residents of the property. The applicant has commissioned a daylight/sunlight assessment, which will be provided to the Council as soon as practicable
- 5.15. The land to the rear of the application site is used for car parking for nearby residential flats. As such, there is a substantial distance between the mansard roof extension and properties to the rear of the application site. As such, it is not considered that the mansard roof would provide any negative impacts on the residential amenity of neighbouring dwellings. Similarly, the proposed first floor extension is minimal in scale, ensuring that there is no negative impact on neighbouring uses.
- 5.16. Whilst neighbouring properties are in commercial uses at ground floor level, it is not considered that they would cause any negative impacts to the residential amenity of future occupiers. By the granting of planning permission / prior approval for residential uses in the area, the Council have confirmed that the area is acceptable for residential purposes. This includes a recent prior approval application at 141 – 145 Kentish Town Road, whereby the Council confirmed that there were no negative impacts on residential amenity due to noise (LPA Ref: 2024/3404/P – granted October 2024).

Car Parking

- 5.17. Policy T1 of the Local Plan promotes sustainable transport by prioritising walking, cycling and public transport in the borough. Policy T2 seeks to limit the availability of car parking and requires all new developments in the borough to be car-free.
- 5.18. This proposal seeks to provide a car-free development, and as such accords with Policy T2 of the Local Plan. If considered necessary, the applicant would be willing to enter into a Section 106 agreement to restrict occupants access to residents car parking schemes.

6. Conclusion

- 6.1. This Planning Statement sets out that important design features have been utilised to minimise any harm to neighbouring dwellings or the character of the area.
- 6.2. The proposal has been driven by the need to retain commercial uses at ground floor level, to provide an active street frontage, whilst providing some much-needed housing at first, second and (proposed) third floor level. In order to make the best use of land, an additional storey is proposed that will provide additional living accommodation. Support for brownfield development such as this is found at both a local and national level.
- 6.3. Substantial benefits are provided by the proposal, which include the provision of much needed housing in a highly sustainable location. Owing to a lack of housing delivery locally, the delivery of housing should be afforded additional weight. Retaining and improving a commercial use at ground floor level will also provide economic benefits. As such, it is considered that the proposal complies with the development plan for the area.
- 6.4. Owing to the Council's lack of housing delivery, paragraph 11(d) of the NPPF is engaged whereby planning permission should be granted unless the impacts of doing so would significantly and demonstrably outweigh the benefits. In this case, the benefits are considered to be substantial, with minimal harm to the character and appearance of the area and residential amenity. Furthermore, harm to the local economy is avoided by retaining commercial uses at ground floor level. As such, it is considered that in accordance with paragraph 11(d) of the NPPF, planning permission should be granted.
- 6.5. Having regard to the above, it is respectfully requested that planning permission is granted for this proposal without delay.