

Application ref: 2023/0804/P
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Date: 27 March 2025

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

Phone: 020 7974 4444

planning@camden.gov.uk
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Redwoods Projects
Unit 4 Grosvenor Way
London
E5 9ND
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
141 - 143 Fortress Road
London
NW5 2HR

Proposal:
Erection of an additional storey to both properties including dormers at rear and roof lights at front, to create two one-bedroom two storey flats.

Drawing Nos: E00-E08; P00; P01-10 (all Rev. C).

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:

E00-E08; P00; P01-10 (all Rev. C).

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 of the London Borough of Camden Local Plan 2017.

- 4 Before the development commences, details of secure and covered cycle storage areas for 2 cycles (one for each dwelling) shall be submitted to and approved by the local planning authority. The approved facilities shall thereafter be provided in their 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.

- 5 Before the development commences, details of the location, design and method of waste storage and removal including recycled materials, shall be submitted to and approved by the local planning authority in writing. The facility as approved shall 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.

- 6 Prior to the commencement of any works on site, details demonstrating how trees on site shall be protected during construction work shall be submitted to and approved by the local planning authority in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

The proposal is for the erection of an additional storey to nos. 141 and 143

Fortress Road, including the provision of a rear dormer and front roof lights to create two one-bedroom flats over two levels (i.e. within the new level three and roof space).

The application site (which includes the two existing properties) currently comprises three-storey terrace buildings in mixed use (commercial use with residential accommodation above) which are situated on the western side of Fortress Road. The buildings are not listed nor are they located within a conservation area. The site is located within the Kentish Town Neighbourhood Plan Area.

Both nos. 141 and 143 were recently subject to separate individual prior approval applications for the erection of an additional storey to facilitate to a self-contained residential flat above a terrace mixed use building under the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 Schedule 2, Part 20, Class AB. Both applications (refs. 2021/0268/P and 2021/1071/P) were granted prior approval in June 2021. This application was submitted prior to the expiry of those applications, and both developments have been implemented. As such, they are considered extant planning permissions for the purposes of the assessment of this application.

Noting the above planning history, it is considered that the principle of extending each of the properties upwards to form an additional self-contained residential unit is acceptable and therefore the application is in accordance with Policy H1 of the Local Plan which identifies the provision of new self-contained residential units as the priority use of the Council's Local Plan. In terms of Policy H4, which requires a contribution towards affordable housing from all developments that provide one or more additional dwellings, the applicant has agreed to provide a payment in lieu (PIL) of £31,200 which is considered acceptable. This contribution will be secured through a s.106 legal agreement.

The proposals would appear different from the recent prior approval permissions by way of two roof lights provided to each property at front and dormers at rear. However, the additional dormer installations would be sensitively designed, being well stepped in from the ridge, eaves and both sides of each roof. Rear dormers are also a feature of the surrounding area. The proposed front roof lights would be small in scale and are also a common feature of the area. Materials would be required to match those on the existing property and this would be secured by condition.

Both flats would have internal spaces of at least 65sqm which is in excess of the internal space requirements of the nationally described space standards for two storey one-bedroom dwellings. The newly created flats would be dual aspect and all habitable rooms would be served by at least one window. It is therefore considered that the habitable rooms of the new dwellinghouses would receive adequate levels of natural light. Whilst there is no private amenity space directly accessible from the proposed flat the implemented prior approval permissions did not benefit from such amenity either and are considered to be a relevant fall-back position for this application. The rear garden area to each host property is sizeable (in excess of 130sqm) and could be provided as shared amenity space for all flats within each building, including those proposed. As such, it is considered that the proposed residential amenity of the

new units would be acceptable.

- 2 The proposed development would be of a sufficient distance from the neighbouring properties as to not result in a significant loss of light, outlook or privacy to neighbouring properties, noting also that the works would occur to the upper levels of the existing building where impact on neighbours would be lowest. The subject property, after development, would be of a similar height to other buildings on Fortress Road.

The development would be car free through restrictions on access to parking permits for residents that would be controlled by a s.106 legal agreement to ensure that local on-street parking availability is not reduced. Long-stay cycle parking would be secured by condition, as per the previous permissions at these sites. Details of bin storage will also be secured by condition.

Given the proximity of surrounding residential properties and noting the limited access available to the rear of the property a Construction Management Plan, associated Implementation Support Contribution of £4,194 and Impact Bond of £8,000 will be secured by a s.106 legal agreement. This ensures the development would be carried out without unduly affecting neighbouring amenity or the safe and efficient operation of the local highway network.

There are large trees site in the rear garden close to the location of the proposed development. These will need to be protected during construction. Protection measures can be secured by condition.

One letter was received from a nearby resident which objected on grounds of excessive height, negative impact on local character, loss of daylight, and exclusion of the third property in this row of properties, no. 139, from this development.

Regarding height and character, the prior approval permissions are a legitimate fall-back position and could be completed at any time without further planning permissions being required. This proposal adds a dormer at rear and small roof lights at front which will not significantly alter local character compared to those previous permissions. The Council must assess proposals as presented before it and cannot reject planning applications based on alternative scenarios and as such the non-inclusion of a neighbouring property as part of this development proposal would not be an appropriate reason to refuse this application. The siting of the proposed development at roof level means that the light within rooms of neighbouring properties would not be significantly affected by it.

The planning history of the site has been taken into account when coming to this decision. The Kentish Town Neighbourhood Forum did not comment on the application.

As such, the proposed development is in general accordance with policies A1, A4, D1, H1, H4, H6, CC5, T1, T2 and DM1 of the London Borough of Camden Local Plan 2017, and policy D3 of the Kentish Town Neighbourhood Plan. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2023.

- 3 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).
- 4 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.
- 5 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.

- 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 Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.

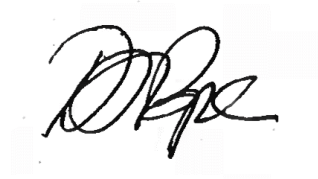
In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with the National Planning Policy Framework. The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the 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 positioned above the printed name and title.

Daniel Pope
Chief Planning Officer