

**187 Kentish Town Road,
London, NW1 8PD**

PLANNING STATEMENT

**PREPARED ON BEHALF OF
REVIEW PROPERTIES LTD.**

December 2013

CONTENTS

1.0	INTRODUCTION	3
2.0	SITE AND SURROUNDING AREA	5
3.0	THE PROPOSED DEVELOPMENT	10
4.0	PLANNING POLICY FRAMEWORK	13
5.0	PLANNING POLICY ASSESSMENT	15
6.0	RESPONSE TO APPEAL DECISION	27
7.0	S106 / PLANNING CONDITION CONTROLS	29
8.0	CONCLUSION	30

APPENDIX 1: INSPECTOR'S DECISION

1.0 INTRODUCTION

1.1 This planning statement has been prepared in support of an application for full planning permission on behalf of Redview Properties Ltd at 187 Kentish Town Road, London, NW1 8PD situated within the London Borough (LB) of Camden.

1.2 This application follows a previous dismissal at appeal (Reference: APP/X5210/A/11/2155198) for a proposal for a mixed use scheme comprising retail (A1/A2/A3) at ground and 14 residential units above, by the same applicant. This application has sought to address the issues raised at appeal and within the Inspector's decision which is attached at Appendix 1.

1.3 The full planning application proposes the following:

Redevelopment of the existing building whilst retaining the existing façade to provide a four storey building comprising; retail (A1, A2, A3) use at ground floor, and 9 residential units (C3) above together with landscaping and associated enabling works.

1.4 The planning application comprises the following material, which should be read in conjunction with this Planning Statement:

- Cover letter prepared by DP9;
- Forms and certificates prepared by DP9;
- CIL information form prepared by DP9;
- Planning Application Drawings prepared by Allies and Morrison Architects;
- Design and Access Statement prepared by Allies and Morrison Architects;
- Townscape and Heritage Assessment prepared by Peter Stewart Consultancy;
- Sustainability and Energy Statement (including CfSH Pre-Assessment) prepared by Atelier Ten;
- Transport Statement prepared by TTP Consulting;

- Draft Construction Management Documentation prepared by Sheldon Construction;
- Daylight and Sunlight Assessment prepared by Shroeders Begg;
- Acoustic Assessment prepared by Mach Acoustics;
- Arboricultural Assessment prepared by Tree Works; and
- Statement of Community Involvement prepared by Allies and Morrison Urban Practitioners.

1.5 This proposal includes a single storey extension and the provision of a flexible retail unit at ground floor and 9 residential units above..

1.6 It should be noted however that a further planning application for a two storey roof extension with a cinema (D2) at ground floor and 12 residential units above is also being submitted in parallel with this application.

2.0 SITE AND SURROUNDING AREA

- 2.1 The site is located in north London at the junction of Kentish Town Road and Prince of Wales Road. This junction provides an important link between the main Kentish Town shopping street to the north and the smaller shops to the south towards Camden Town. Chalk Farm and Hampstead lie to the west of the site.
- 2.2 The site is irregular in shape and is currently occupied by a three storey building. The site is surrounded by a varied urban context of predominantly three/four storey Victorian terraces. There are however numerous larger post war buildings in the vicinity, particularly further north along Kentish Town Road.
- 2.3 The north and east boundaries of the site are the primary frontage onto the Prince of Wales Road and Kentish Town Road respectively.
- 2.4 Opposite the eastern boundary of the site is a long frontage of single storey shop fronts. These are set forward from the more structured three-four storey terracing behind.
- 2.5 Opposite the northern elevation of the site is a four storey rendered building with generous floor to floor heights. A degree of decoration such as central pediment and cornice is incorporated within this buildings elevation facing Prince of Wales Road, there are however few windows in this facade. A copper painted cupola is in place at the top of the building on the corner of Prince of Wales Road and Kentish Town Roads.
- 2.6 The southern boundary is formed of Church Avenue. This is a private gated road which provides access to the Kentish Town Congregational Church which lies nearby to the west of the site. The site also shares a party wall with a single storey substation building along this boundary.
- 2.7 The site is bordered to the west by a shared party wall to the neighbouring No .1 Prince of Wales apartment block. The adjacent building then steps back from the party wall line and up to four storeys in height. The upper storey to this main building is formed from two mansard roofs which follow the line of Prince of Wales Road and Church Avenue respectively

and return on the western elevation to meet a central gabled wall with large arched windows.

Existing Building

- 2.8 The building is not listed and dates from 1929. It was designed by Riley and Glanfield and is contemporary in period and style to the adjacent Prince of Wales apartment block. This was built to house the newly founded North Western London Polytechnic which opened on site in 1929.
- 2.9 It is important to note however that the existing building is included on the draft local list which is currently out for consultation until the 20th December and is likely to be published in early 2014. In addition it was concluded by the Inspector in the previous appeal that the existing building does make a positive contribution to the locality and should be considered a non-designated heritage asset.
- 2.10 The building is predominantly red brick with double height windows on both the Kentish Town Road and Prince of Wales Road elevations, with some smaller supplementary windows.
- 2.11 The building originally functioned as an assembly Hall for the Polytechnic, the entrance to which was defined by a chamfered corner, with an arched reveal and decorative stonework. This corner element was used to mark the entrance to the building in its incarnation as a restaurant on this prominent corner site.



Figure: 1 Site Location Plan



Figure: 2 Photo of Existing Building

2.12 The main building was converted into loft style apartments in 1999 following the sale of the building by London Metropolitan University. The present building at 187 Kentish Town Road was then passed onto a new owner, and later opened as a Pizza Express restaurant. The Pizza Express restaurant has since closed and vacated the premises at the end of May 2013.

2.13 None of the immediately adjoining buildings are listed.

2.14 The site is not located within a conservation area. It does however lie relatively near to the boundary of a number of conservation areas:

- Inkerman Conservation Area lies approximately 69m to the north and 85m to the north west;
- Bartholomew Estate Conservation Area lies approximately 75m to the east;
- Rochester Conservation Area lies approximately 75m to the south east; and
- Kelly Street Conservation Area lies approximately 45m to the south and 41m to the south west of the site.

Planning History

2.15 There are several applications for planning permission which are relevant to the application site:

- Change of use from educational use (Class D1) to use as a restaurant (Class A3).

Planning Application Reference 9500795 – Granted 22/02/1996.

- Redevelopment of site with part 3, part 5 storey building comprising 2no. restaurants/cafes (Use Class A3) at ground floor level and 14 flats above (Class C3).

Planning Application Reference 2006/3713/P – Withdrawn prior to a decision being made on 04/12/2006.

- Redevelopment of the site with a new 5 storey building comprising ground floor as retail (Class A1), financial and professional services (Class A2) and restaurant/café (Class A3), with the provision of 14 residential units on the upper floors (Class C3).

Planning Application Reference 2007/5009/P – Granted following completion of s106 Legal Agreement on 21/12/2007.

- Application for replacement permission with a new time limit for the redevelopment of the site with a new 5 storey building comprising ground floor as retail (Class A1), financial and professional services (Class A2) and restaurant/café (Class A3), with the provision of 14 residential units on the upper floors (Class C3). (This application was identical to Application Reference 2007/5009/P).

Planning Application Reference 2010/5052/P – Refused at Committee

- 2.16 It was this application which was then appealed in June 2011 (Appeal Reference APP/X5210/A/11/2155198). This appeal was subsequently dismissed by the Inspector (a copy of the decision is attached at Appendix 1).
- 2.17 The current application has been developed having regard to the Inspector's decision in addition to planning policy requirements and the advice of the LB Camden and local residents.

Pre-application consultation

- 2.18 As outlined within the Statement of Community Involvement submitted with this application, it is apparent that a significant amount of public consultation has taken place on the proposals.
- 2.19 The applicant has been involved in a pre-application process with LB Camden, meeting Officers on 6th June 2013 and 29th August 2013.
- 2.20 A public exhibition was held on Monday 15th July, and was very well attended. In addition the applicant's team has met with local stakeholders on a number of occasions to present the proposals and respond to any concerns / questions.
- 2.21 This has consequently helped to shape the proposed development in both design and use terms. A detailed summary of the design responses at each of these stages is set out within the Design and Access Statement and a full analysis of the comments made is contained within the Statement of Community Involvement.

3.0 THE PROPOSED DEVELOPMENT

- 3.1 The proposals will result in the retention of the façade whilst demolishing the existing accommodation behind, to provide a 4 storey building comprising a flexible retail (A1/A2/A3) use at ground floor level, and 9 residential (C3) units above.
- 3.2 This will provide 830sqm (GIA) of residential accommodation, in addition to associated amenity space in the form of a communal courtyard and private terraces and balconies. The entrance to the development will be via Prince of Wales Road.
- 3.3 The proposed retail unit will be accessed via the main existing building entrance from the splayed corner on Prince Wales Road and Kentish Town Road.

Floorspace by Land Use

- 3.4 A comparison of the existing and proposed floorspace is as follows:

Existing			
Land Use	Use Class	GIA (sqm)	GEA (sqm)
Restaurant	A3	650	858
Total		650	858
Proposed			
Land Use			
Retail	A1/A2/A3	208	257
Residential	C3	830	988
Total		1,038	1,245

Table 1: Existing and Proposed Floorspace by Land Use

- 3.5 The proposed unit mix for the residential element of the scheme is as follows:

Unit Size	Number
1 bed	2
2 bed	6
3 bed	1

- 3.6 Further information on the design of the façade amendments and proposed roof extension are discussed in detail in the Design and Access Statement submitted with this application.

Amenity

- 3.7 Private amenity space is proposed in the form of terraces, balconies and the communal courtyard at ground level. This results in the provision of 101sqm of private amenity space and 26sqm of communal amenity space in the form of a shared courtyard.

Accessibility

- 3.8 The site is well located in accessibility terms with Kentish Town underground station located approximately 480m north of the site, Kentish Town West overground station located approximately 320m west of the site in addition to numerous local bus services. This results in the site having a PTAL rating of 6b (excellent). A full assessment of the accessibility of the site is included within the Transport Statement submitted with this application.

Car and Cycle parking

- 3.9 No car parking spaces are proposed on site due to the high PTAL rating of the site.

- 3.10 Secure covered cycle parking for 20 cycles is proposed to serve both the residential and employees of the retail unit. This is located at ground floor level, accessed from Prince of Wales Road through the main site entrance.

Servicing and Waste Collection

- 3.11 Due to the location of the site being on the corner of Prince of Wales Road and Kentish Town Road, it is proposed that refuse collection will take place from Church Avenue and servicing from the street as per the existing situation. The refuse storage area is located at the southern end of the site at ground floor to enable refuse collection via Church Avenue. The proposed servicing and refuse collection strategy is outlined within the Transport Statement.

4.0 PLANNING POLICY FRAMEWORK

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that when making any determination under the Planning Acts, it should be done so in accordance with the Development Plan unless material considerations indicate otherwise. In this instance the Development Plan for the area consists of the London Plan (2011) and the London Borough of Camden Core Strategy and Development Policies Documents (DPD) both adopted in 2010.
- 4.2 LB Camden have also prepared a Camden Planning Guidance note on housing with specific guidance on residential space standards and lifetime homes which was adopted on 6th April 2011.
- 4.3 Further to this there are two additional Camden Planning Guidance notes on design and sustainability which were also adopted in April 2011.
- 4.4 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and supersedes previous national planning guidance setting out the Government's economic, environmental and social planning policies. The National Planning Policy Framework outlines a presumption in favour of sustainable development as being at the heart of the planning system.

Site Designations

- 4.5 The site is located within a Town Centre, an Archaeological Priority Area and within the designated view from Parliament Hill to St Pauls Cathedral. This site does not fall within a Conservation Area although there are a number of conservation areas nearby; Inkerman Conservation Area to the north, Kelly Street Conservation Area to the south and on the eastern side of Kentish Town Road, Bartholomew Estate Conservation Area and Rochester Conservation Area.

4.6 The existing building is not listed; however it is currently on the emerging local list. It is envisaged that the building will remain on this list when it is published early next year.

5.0 PLANNING POLICY ASSESSMENT

Principle of Façade Retention

- 5.1 The loss of the existing building was accepted by the Planning Committee for the previous scheme in 2007 on the basis that the existing building was neither within a conservation area, nor is it a listed building and thus the loss in principle of the structure was not objectionable. Although the renewal of this permission was subsequently refused in 2010, at appeal it was also acknowledged that the demolition of the existing building may be acceptable subject to the replacement design, as set out in the Inspector's decision (Appendix 1.)
- 5.2 The existing building was constructed around the turn of the 20th century and consists of a 3 storey building with a large pitched roof (equivalent to nearly two storeys in height). There is also a dormer structure, which does not contain a window, projecting south. The building is bookended on each side elevation with chimney stacks which project significantly above the pitch of the roof and are over 3 metres wide.
- 5.3 The building is not statutorily listed and falls outside a Conservation Area. It is noted however that the site is currently on the emerging draft local list and because of the contribution of the external appearance to the townscape is also recognised by the Inspector as a non-designated heritage asset.
- 5.4 An assessment of the proposed alterations to the non-designated heritage asset is included within the Townscape and Heritage Statement prepared by Peter Stewart Consultancy accompanying this application.
- 5.5 It is therefore proposed to retain the façade of the existing building whilst demolishing behind to introduce new uses and ensure its long term future.

Land Use

Ground Floor

- 5.6 The existing building was most recently in use as a restaurant by Pizza Express. Pizza Express however vacated the premises at the end of May 2013.
- 5.7 As the site is located within a designated town centre it is acknowledged that the proposed use at ground floor should retain the character, function, viability and vitality of the centre in accordance with Policy CS7, DP12 and CPG5. It is considered that the proposed flexible retail use (A1/A2/A3) at ground floor will adhere to these requirements by retaining the vitality of the town centre, and that this flexibility will allow these uses (A1/A2/A3) to be interchangeable within a 10 year period. This is proposed on a speculative basis at this point in time.

Residential

- 5.8 With regard to the proposed residential use at the upper floors it is demonstrated throughout national, regional and local policy that housing is a priority land use in this location.
- 5.9 The NPPF seeks to significantly boost the supply of housing. Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 50 supports the delivery of a wide choice of high quality homes, widening opportunities for home ownership and the creation of sustainable, inclusive and mixed communities.
- 5.10 In terms of planning policy, it has been identified at all levels that, particularly in the South East and Central London, the provision of housing must be a priority to overcome the current shortage of accommodation. London Plan Policy 3.3 identifies an underlying principle to encourage additional housing at appropriate locations. Table 3.1 contained in the London Plan sets an annual monitoring target for the provision of 665 houses in Camden over a ten year period.

5.11 Policy CS6 of the Core Strategy relates to housing and has the key aim to provide quality homes within Camden. Housing is regarded as a priority land use within the LDF, and the policy contains a number of key targets including;

- Seeking a diverse range of housing products in the market and affordable sectors to provide a range of homes accessible across the spectrum of household incomes;
- Seeking a range of self contained homes of different sizes to meet the Council's identified dwelling size priorities;
- Seeking a variety of housing types suitable for different groups; and
- Adjusting the type and mix of housing sought, having regard to the financial viability of development.

Affordable Housing

5.12 Policy DP3 of the DPD states that Camden will expect all residential developments with a capacity for 10 or more additional residential dwellings or 1,000sqm (gross) additional floorspace, to make a contribution to the supply of affordable housing. The proposed development comprises 9 residential units totalling 830sqm (GIA). Affordable provision is therefore not provided in this instance in accordance with this policy.

Unit Mix

5.13 Policy DP2 contained within the DPD seeks to maximise the supply of additional homes in Camden. Policy DP5 is in relation to homes of different sizes and the supporting text explains that the priority for 2-bed units is 'very high' and for 3-bed units it is 'medium'.

5.14 The proposed development will provide 9 high quality market flats, contributing to the Council's requirement for a diverse range of housing products for a variety of different groups. Furthermore, 67% (6 units) will be 2-bed and 11% (1 unit) will be 3-bed.

- 5.15 In summary, and taking these factors into account, it is considered that the redevelopment of the site to include residential use fully accords with planning policy objectives.

Accessibility

- 5.16 Policy DP6 of the DPD states that all new housing should be designed to ‘Lifetime Home Standards’ and that 10% of homes developed should either meet wheelchair housing standards, or be easily adapted to meet them.
- 5.17 The ‘Camden Planning Guidance Housing’ SPD reiterates this requirement and provides advice on how proposals can be designed in an inclusive manner and be accessible to all by incorporating ‘lifetime’ home standards and creating wheelchair accessible units.
- 5.18 The proposed residential accommodation will be designed to meet these policy requirements as set out within the Design and Access Statement prepared by Allies and Morrison accompanying this application.

Design and Materials

- 5.19 Paragraph 56 of the NPPF states that the Government attaches great importance to the design of the built environment and that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Paragraph 58 of the NPPF outlines that planning policies and decisions should aim to ensure that developments:
- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;

- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- are visually attractive as a result of good architecture and appropriate landscaping.

5.20 At a regional level, good design is a central objective to the London Plan (2011). Policy 3.5 sets out the general design principles expected for housing developments in London. The policy seeks to ensure that proposals for housing developments are of the highest quality internally, externally and in relation to their context and to the wider environment.

5.21 Policy CS14 (Core Strategy) states that the Council will ensure that Camden's places and buildings are attractive, safe and easy to use by requiring development of the highest standard of design that respects local context and character.

5.22 Policy DP22 and DP24 (DPD) emphasise that design should be of a high standard, should respect its setting, improve spaces between buildings and public areas, have easily adaptable floorspace to changing economic and social requirements, be sustainable, provide high quality landscaping and seek to improve the attractiveness of the area. Design should respect existing building lines and plot sizes, existing natural features, quality of materials, make provision for visually interesting frontages at street level and have consideration of the impact on views and skylines.

- 5.23 The proposed development has been designed to compliment and enhance the surrounding area in particular the neighbouring 1 Prince of Wales Road, the refurbishment of which was also undertaken by Allies and Morrison.
- 5.24 The proposed retention of the façade and the 1 storey extension at roof level will still result in the overall building height being lower than the neighbouring 1 Prince of Wales Road. The proposed design of the 1 storey extension has been designed to contrast yet compliment the retained façade. In addition the proposed amendments to the retained façade to enable the provision of residential units has resulted in the introduction of additional fenestration which has been carefully designed to ensure that the existing rhythm and pattern of the fenestration along 1 Prince of Wales Road and the existing building is retained and enhanced. A detailed design development analysis is included within the Design and Access Statement prepared by Allies and Morrison.
- 5.25 It is considered that the revised detailed design and in particular the massing and materials proposed at the top floor, compliment the retained façade in addition to the surrounding area and make a positive impact on the street scene. It is considered therefore that the proposed design accords with policies CS14, DP6, DP22 and DP24.

Heritage Assessment

- 5.26 As previously discussed it was the conclusion of the Inspector during the appeal on the previous scheme that the existing building is a non-designated heritage asset. Subsequently LBC are seeking to include the building on their local list, publication of which is expected in early 2014.
- 5.27 The NPPF at paragraph 131 states that in determining planning applications, local planning authorities should take account of:
- *The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*

- *The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- *The desirability of new development making a positive contribution to local character and distinctiveness.*

5.28 Paragraph 135 of the NPPF also states that:

‘the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgment will be required having regard to the scale of any harm or loss and the significance of the heritage asset.’

5.29 The London Plan comments at Policy 7.8 (Heritage Assets and Archaeology) that development affecting heritage assets and their settings should conserve their significance by being sympathetic to their form, scale, materials and architectural detail. At a local level, the Camden Core Strategy aims to preserve and enhance Camden’s rich and diverse heritage assets and their settings, including conservation areas (Policy CS14).

5.30 A Townscape and Heritage Assessment has been undertaken by Peter Stewart Consultancy and is submitted with this application. This states that the proposed development will enhance the townscape role of 187 Kentish Town Road as a marker at this busy junction with Prince of Wales Road. The proposed development will introduce more animated elevations improving the local environment.

5.31 It is considered that the proposed development is of a high standard both in terms of the bulk and massing of the proposed roof extension and in the materials selected. The façade retention is complemented by the new roof addition and is in keeping with the neighbouring 1 Prince of Wales Road.

- 5.32 It is concluded that the proposed development will make a positive contribution to local character and distinctiveness, and there will be no harm or loss of the significance of this non-designated heritage asset.

Provision of Amenity Space

- 5.33 Policy CS5 of the Core Strategy requires development to protect and enhance the amenity and quality of life of local communities. Policy DP26 contained within the DPD requires outdoor space for private or communal amenity space wherever practical. Paragraph 26.12 of the DPD states that the provision of outdoor amenity space, for example, balconies, roof gardens or communal gardens will be expected.
- 5.34 The ‘Camden Planning Guidance Housing’ SPD outlines that all new dwellings should provide access to some form of private outdoor amenity space for example balconies, roof terraces or communal gardens.
- 5.35 Due to the importance of the building in townscape and heritage terms and the retention of the existing facade; the opportunities for the provision of amenity space are constrained. The proposed provision as such falls below the policy requirements but has been maximised as far as possible within the constraints of the building and site.

Transport

- 5.36 The site is highly accessible with a PTAL rating of 6b (excellent). It is located within easy walking distance of Kentish Town underground and overground stations. There are several bus routes serving the locality which are accessible from Kentish Town Road and Prince of Wales Road which bound the site.
- 5.37 Paragraph 35 of the NPPF states that developments should be located and designed, where practical, to accommodate the efficient delivery of goods and

supplies, to give priority to pedestrian and cycle movements, and have access to high quality public transport facilities.

- 5.38 Policy 6.1 of the London Plan supports this, encouraging the development of high trip generation development at locations with good public transport accessibility and capacity.
- 5.39 Policy CS11, contained within the Core Strategy, seeks to minimise the provision of private parking in new developments through car free and car capped developments.
- 5.40 The proposed development does not include any car parking spaces on site in line with planning policy due to the site having a PTAL rating of 6b. 20 secure and covered cycle parking spaces are however proposed in accordance with policy DP17 of the Development Policies Document.
- 5.41 The Transport Statement prepared by TTP Consulting which accompanies this application demonstrates the policy compliance of the proposed development, and concludes that it would not have a significant impact on the local transport network and that no demonstrable harm of material importance will result.

Sustainability and Renewable Energy

- 5.42 The NPPF states that local planning authorities should approve planning applications if their impacts are (or can be made) acceptable in sustainability terms.
- 5.43 Policy 5.2 of the London Plan states that development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy; 1) Be lean: use less energy 2) Be clean: supply energy efficiently 3) Be green: use renewable energy. The policy also sets targets for carbon dioxide emissions reductions and requires detailed energy assessments for major development proposals to demonstrate how the

targets for carbon dioxide emissions reduction are to be met within the framework of the energy hierarchy.

- 5.44 Policy CS13 of the Core Strategy and Policy DP22 of the DPD encourages developments which conserve energy and resources through energy efficient designs; renewable energy use; the optimisation of their energy supply; and the use of recycled and renewable building materials.
- 5.45 An Energy Strategy has been submitted to accompany this application. This report outlines the measures that have been introduced to reduce the energy demands of the proposed buildings, the result of which indicates a 40% reduction in CO2 emissions when compared to Part L of the Building Regulations 2010 for the residential element.
- 5.46 A Code for Sustainable Homes pre-assessment has been undertaken for the proposed residential units. This demonstrates that level 4 can be reached in accordance with planning policies CS13 of the Core Strategy and Camden Policy Guide 3: Sustainability.
- 5.47 The measures outlined in the documents above are considered to accord with policy at the national, regional and local level.

Arboriculture

- 5.48 The site is adjacent to two trees, one within the Kentish Town Road pavement and one within the Prince of Wales Road pavement. As such an Arboricultural Impact Assessment has been undertaken for this application, and a Tree Protection Plan produced. The Arboricultural Impact Assessment concludes that the potential impact to the two trees during construction will be very minimal. Some precautionary above ground mitigation measures have however been proposed and are explained in detail within the Assessment.

Amenity of Surrounding Uses

- 5.49 Development Policy DP26 states that the Council will '*protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity.*' Key factors to consider include:
- visual privacy and overlooking;
 - sunlight, daylight and artificial light levels;
 - noise and vibration levels.

Visual Privacy and Overlooking

- 5.50 It is considered that the extent of overlooking has been limited through careful design and therefore will not cause harm to the amenity of the neighbouring residents or residents within the proposed scheme.
- 5.51 Details of the proposed mitigation measures within the scheme to ensure that overlooking across the internal courtyard is minimised has been included within the design proposals, and is explained in detail within the Design and Access Statement.

Daylight and Sunlight

- 5.52 A Daylight and Sunlight Report has been produced by Schroeders Begg and investigates both the impact of the development on surrounding residential properties and the quality of light experienced by the dwellings to be created.
- 5.53 The findings detailed in the report show that the proposals will have no significant adverse effects on any habitable rooms to the surrounding buildings. The proposed development will have good levels of daylight and sunlight.
- 5.54 The daylight and sunlight assessment concludes that the results of the assessment shows the amenities of daylight and sunlight will be maintained in accordance with Camden Planning Guide 6 and will meet the BRE criteria.

Noise

- 5.55 The London Plan Policy 7.15 aims to reduce noise from new development by utilizing distance, screening and layouts and also through the introduction of new technologies to reduce noise at source.
- 5.56 The proposals involve the provision of a retail use at ground floor level. The Acoustic Assessment accompanying this application sets out the key mitigation requirements which the proposal will meet to ensure that there no detrimental impact on amenity from this use.
- 5.57 In addition the location of the site on Kentish Town Road results in a degree of noise pollution from passing traffic. This has also been assessed within the Acoustic Assessment to ensure that the proposed residential accommodation will provide an appropriate environment for residents. The Assessment recommends that a sealed mechanical ventilation strategy or trickle ventilation be used.
- 5.58 The Acoustic Assessment concludes that on inclusion of the recommended mitigation measures that the residential units will be protected from commercial activity within the ground floor area and that due to the proposed ventilation strategy, disturbance from traffic noise will be minimised.
- 5.59 It is therefore considered that noise conditions at the site will be improved over the existing situation and will be within local authority defined tolerances thus according with policy DP28 and Camden Policy Guide 6: Amenity.

Artificial Light

- 5.60 The Proposed Development comprises additional glazing. It is considered that wording for a condition requiring details of proposed internal lighting could be agreed with LBC if necessary.

6.0 RESPONSE TO APPEAL DECISION

6.1 The Inspector's report from the appeal for the previous scheme at 187 Kentish Town Road has been addressed throughout the design of the proposals.

6.2 It is considered that the proposals respond to the Appeal Decision in the following ways:

- The proposals have been developed with regard to the design of the adjacent 1 Prince of Wales Road. Allies and Morrison were the architects for the redevelopment of 1 Prince of Wales Road between 1995 and 1998 and therefore have ensured that the proposals reflect the design features of the neighbouring building in addition to the internal arrangement, through the inclusion of a courtyard garden. In addition the smaller details such as the star pattern glazing bars have been incorporated within the proposed new glazing and within the roof extension detailing to reflect its use within the existing building and the adjacent 1 Prince of Wales Road.
- The existing building is a non-designated heritage asset whilst being a landmark within the local area. A Townscape and Heritage consultant has been involved throughout the evolution of the design to ensure that the proposals respect the quality of the existing building in addition to its heritage, the neighboring buildings and the surrounding townscape. It is concluded within the Townscape and Heritage Assessment submitted with this application that the proposals achieve this, and that the proposed alterations create an enhancement in this area.
- The façade is proposed to be retained, with minimal interventions into the existing fabric. It is proposed to use complimentary materials for the additions which can be secured via condition. It is intended that the design fulfills the buildings landmark status being located on a prominent corner whilst respecting the buildings heritage and the surrounding townscape.
- It is considered that the proposed development is of a high standard of design commensurate with the neighbouring 1 Prince of Wales Road and is sympathetic to the surrounding area.

- The roof level extension and the additional set backs at the southern end have been designed to ensure that adverse impacts on the smaller scale buildings to the south down Kentish Town Road are minimised.

7.0 S106 / PLANNING CONDITION CONTROLS

7.1 It is proposed that there will be a Section 106 agreement in addition to planning conditions to ensure a level of control over the details of the proposals. Suggested topic areas for such controls are outlined below:

Draft S106 obligations

- Public open space
- Education provision
- Community facilities
- Employment and training obligations;
- Sign up to the local procurement code.

Draft conditions

- Construction Management Plan to ensure that construction is adequately managed and monitored to minimise impacts and disturbance on the local area and its residents to be submitted for approval;
- Landscape strategy for roof planting to be submitted for approval to ensure that an adequate maintenance strategy is in place;
- Access to roof terrace between 1 Prince of Wales Road and rooftop extension will be for maintenance only;
- Details for roof top plant and appropriate screening and mitigation to be submitted for approval.
- Details and samples of external facing materials to be submitted for approval.

8.0 CONCLUSION

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires proposals to be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 8.2 This Planning Statement has assessed the Proposed Development against the Development Plan and other material considerations, including, relevant planning policy and guidance at national, regional and local policy level.
- 8.3 The Proposed Development has the opportunity to bring the existing building back into active use extending its life, in addition to enhancing the surrounding street scene through the activation of the ground floor frontage as well as improving the wider townscape.
- 8.4 The proposals will result in a sustainable and energy efficient building whilst retaining the existing façade and drawing on design elements from the neighbouring 1 Prince of Wales Building.
- 8.5 The Planning Statement has described the wide-ranging planning benefits of the Proposed Development and has demonstrated that it accords with both adopted and emerging planning policy and guidance.
- 8.6 The proposals will result in:
- The retention of the existing façade with only minor interventions into the existing fabric in order to facilitate the proposed uses;
 - The provision of 9 residential units which comply with Lifetime Homes standards and will achieve Level 4 of the Code for Sustainable Homes;
 - A new retail unit at ground level for use as A1/A2/A3 which will help to revitalise the building and maintain the vitality of the area;
 - The introduction of a high quality design to enhance this prominent corner of Kentish Town Road and Prince of Wales Road whilst respecting the heritage of the existing building and neighbouring townscape;

- The provision of an internal communal courtyard;
- The provision of private amenity space in the form of balconies and terraces;
- The delivery of a high quality sustainable design;
- The provision of a car free development.

8.7 The Proposals have been prepared having regard to the surrounding site context to ensure that it compliments the existing heritage, enlivens the street scene and enhances the surrounding townscape. This is evident particularly within the Townscape Heritage Assessment which concludes that the proposals will provide an improvement to the site, its character and surroundings.

8.8 Overall, the Proposed Development is an appropriate response to the principle of façade retention and redevelopment behind set out by the planning policy framework. The suite of documents supporting the Application demonstrates compliance with policy in further detail, and sets out the justification for and the benefits of the Proposals.