

Delegated Report		Analysis sheet		Expiry Date:		26/11/2010	
		N/A / attached		Consultation Expiry Date:		N/A	
Officer				Application Number(s)			
Hugh Miller				2010/4761/P			
Application Address				Drawing Numbers			
81 - 89 Fortess Road London NW5 1AG				site location plan:			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Details pursuant to condition 3 (sound insulation) and 4 (cycle storage) of planning permission 2008/2765/P granted 09/10/2009 for the change of use and works of conversion from educational use (Class D1) at part ground, first and second floors to residential use (Class C3) to provide 9 flats, including extension at the rear, lower ground, ground, 1st and 2nd floor levels and change of use of part retail use (Class A1) to office use (Class B1) at ground floor level							
Recommendation(s):		Grant					
Application Type:		Approval of Details					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	00	No. of responses	00	No. of objections	00
				No. electronic	00		
Summary of consultation responses:		N/A.					
CAAC/Local groups* comments: <small>*Please Specify</small>		N/A.					

Site Description

The application site comprises basement plus 3-storey semi-detached properties located on the west side of Fortess Road at the junction with Bellina Mews. The building is in mixed use with retail at ground floor/basement and community use (education) on the two upper floors. At the ground floor level, the middle unit provides the entrance hall and reception area to the community /educational use on the two upper floors. The application site lies within a non-designated retail parade and is due north of the Kentish Town Shopping Centre.

Relevant History

9th October 2009 – PP Granted - Change of use and works of conversion from educational use (Class D1) at part ground, first and second floors to residential use (Class C3) to provide 9 flats, including extension at the rear, lower ground, ground, 1st and 2nd floor levels and change of use of part retail use (Class A1) to office use (Class B1) at ground floor level; subject to conditions and S106 legal agreement; ref. 2008/2765/P.

Relevant policies

LDF Core Strategy and Development Policies

Core Strategy

- CS1 – Distribution of growth
- CS5 – Managing the impact of growth and development
- CS6 – Providing quality homes
- CS11 – Promoting sustainable and efficient travel

Development Policies

- DP17 – Walking, cycling and public transport
- DP25 – Conserving Camden's heritage
- DP26 – Managing the impact of development on occupiers and neighbours
- DP28 – Noise and vibration

Assessment

Background

The conditions sought to be discharged are as follows:

3] Before the use commences sound insulation shall be provided for the building in accordance with the scheme approved by the local planning authority. The use shall thereafter not be carried out other than in complete compliance with the approved scheme.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies SD6 and SD7b of the London Borough of Camden Replacement Unitary Development Plan 2006.

4] Before the development commences, details of the proposed cycle storage area for nine cycles shall be submitted to and approved by the Council. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and thereafter permanently maintained and retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T3 of the London Borough of Camden Replacement Unitary Development Plan 2006.

Condition 3 sound insulation

The rationale for this condition was to minimise the noise nuisance between the respective floors of the new residential units and with hindsight should have been more specific in its intent and indeed the need for it is now questioned. As the ground floor only has retail/office units under new flats, it is actually unlikely to result in any noise nuisance. In any event, any noise nuisance issues here would be dealt with under Building Regulations in compliance with their sound insulation standards.

Condition 4 cycle parking/storage

The applicant amended the cycle storage/ parking spaces details during the course of the assessment of the proposal which are considered satisfactory.

The condition required the provision of nine cycle storage /parking spaces although ten spaces are shown on the submitted drawing no.1299.BR.08 at lower ground floor level rear. It is considered that the numbers of cycle spaces shown are in compliance with the requirements of policy T3 & CPG guidelines in providing adequate cycle parking facilities for the proposed residential units with satisfactory accessibility.

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