

Mr Nigel Dexter
Savills
33 Margaret Street
London
W1G 0JD

Application Ref: **2014/0405/P**
Please ask for: **Jonathan Markwell**
Telephone: 020 7974 **2453**

1 May 2014

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) Order 2010
Town and Country Planning (Applications) Regulations 1988

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

Address:
**Portland House
Ryland Road
London
NW5 3EB**

Proposal:
Variation of condition 7 (approved plans) of planning permission 2012/6021/P dated 27/08/2013 (for change of use of showroom building (Class B1) to 1x3 bed residential unit (Class C3) and associated works), namely to allow minor external alterations to balconies, entrance doors, windows, creation of sedum roof and internal modifications to add an extra bedroom.

Drawing Nos:
Superseded plans: 1051.27 Rev C; 1051.28 Rev C; Lifetime Homes Standards dated 09/11/2012 Ref 1051/3.1/JM;

Proposed plans: 150 Rev P2; 210 Rev P2; 211 Rev P2; 350 Rev P2; Lifetime Homes Checklist by CSA



The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

1 REPLACEMENT CONDITION 7

The development hereby permitted shall be carried out in accordance with the following approved plans: 1051.25 Rev A; 1051.26 Rev A; 1051.29; 1051.30 Rev A; 150 Rev P2; 210 Rev P2; 211 Rev P2; 350 Rev P2; Lifetime Homes Checklist by CSA; Design and Access Statement dated 09/11/2012 Ref 1051/3.1/JM; Energy Statement by Energytest Ltd dated 01/11/2012; Report on the use and marketing activity of the showroom premises by Salter Rex dated 18/12/2012.

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

2 REPLACEMENT CONDITION 3:

Detailed drawings at scale 1:10, or samples of materials as appropriate, in respect of the aluminium privacy fins at second floor level, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies.

3 ADDITIONAL CONDITION 8:

Prior to the first occupation of the building for residential purposes a plan showing details of the sedum roof including species, planting density, substrate and a section at scale 1:20 showing that adequate depth is available in terms of the construction and long term viability of the sedum roof, and a programme for a scheme of maintenance shall be submitted to and approved in writing by the local planning authority. The sedum roof shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme of maintenance.

Reason: To ensure that the green roof is suitably designed and maintained in accordance with the requirements of policies CS13 (Tackling climate change through promoting higher environmental standards), CS14 (Promoting high quality places and conserving heritage / conservation areas), CS15 (Protecting and improving our parks and open spaces and encouraging) biodiversity) and CS16 (Improving Camden's health and well-being) of the London Borough of Camden Local Development Framework Core Strategy and policies DP22 (Promoting

sustainable design and construction), DP23 (Water), DP24 (Securing high quality design) and DP32 (Air quality and Camden's Clear Zone) of the London Borough of Camden Local Development Framework Development Policies.

4 ADDITIONAL CONDITION 9:

Only the area specifically shown on the plans hereby approved as an external balcony terrace shall be used for such purposes; and no other flat roofed areas (such as the specified sedum roof) shall be used as a roof terrace, and any access out onto these areas shall be for maintenance purposes only.

Reason: In order to prevent any detrimental impacts of overlooking and/or noise and disturbance of the neighbouring premises in accordance with the requirement of policy CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.

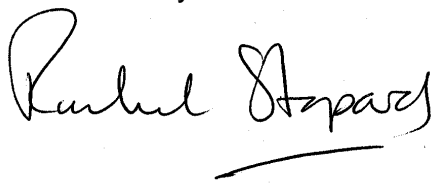
Informative(s):

- 1 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings, conditions and obligations where applicable as attached to the previous planning permission. This includes condition 1 providing for a 3 year time period for implementation which for the avoidance of doubt commences with the date of the original decision (and not this variation).
- 2 It is advised that, as a result of the proposed material changing, the wording of condition 3 has been updated accordingly.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Your attention is drawn to the notes attached to this notice which tell you about your Rights of Appeal and other information.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Rachel Stopard', with a horizontal line underneath.

Rachel Stopard
Director of Culture & Environment

It's easy to make, pay for, track and comment on planning applications on line. Just go to www.camden.gov.uk/planning.

It is important to us to find out what our customers think about the service we provide. To help us in this respect, we would be very grateful if you could take a few moments to complete our [online planning applicants' survey](#). We will use the information you give us to monitor and improve our services.

DATED

01 May

2014

(1) DELBANCO MEYER AND COMPANY LIMITED

-and-

**(2) THE MAYOR AND THE BURGESSES OF
THE LONDON BOROUGH OF CAMDEN**

DEED OF VARIATION

Relating to the Agreement dated 27 August 2013
Between the Mayor and the Burgesses of the
London Borough of Camden and
And Delbanco Meyer and Company Limited
under section 106 of the Town and
Country Planning Act 1990 (as amended)
Relating to development at premises known as
**PORTLAND HOUSE, RYLAND ROAD
LONDON NW5 3EB**

Andrew Maughan
Head of Legal Services
London Borough of Camden
Town Hall
Judd Street
London WC1H 9LP

Tel: 020 7974 1918
Fax: 020 7974 2962

THIS DEED is made on the 01 day of

may

2014

BETWEEN

1. **DELBANCO MEYER AND COMPANY LIMITED** (Co. Regn. No.00317934) whose registered office is at registered office is at Delbanco Meyer & Company Limited Ground and First Floor 25a Ryland Road London NW5 3EB (hereinafter called "the Owner") of the first part
2. **THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF CAMDEN** of Town Hall, Judd Street, London WC1H 9LP (hereinafter called "the Council") of the second part

WHEREAS:

- 1.1 The Council and the Owner entered into an Agreement dated 27 August 2013 pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended).
- 1.2 The Owner is registered at the Land Registry as the freehold proprietor with Title Absolute under title number 24726.
- 1.3 The Owner is the freehold owner of and is interested in the Property for the purposes of Section 106(9) of the Act.
- 1.4 The Council is the local planning authority for the purposes of the Act and considers it expedient in the interests of the proper planning of its area that the Development of the Property should be restricted or regulated in accordance with this Deed.
- 1.5 A new Planning Application in respect of the Property and to amend the Original Planning Permission was submitted to the Council by the Owner and validated on 12 February 2014 for which the Council resolved to grant permission conditionally under reference 2014/0405/P subject to the conclusion of this Deed.
- 1.6 This Deed of Variation is made by virtue of the Town and Country Planning Act 1990 Section 106A (as amended) and is a planning obligation for the purposes of that section.

- 1.7 Without prejudice to the terms of the other covenants contained in the Existing Agreement the parties hereto have agreed to vary the terms of the Existing Agreement as hereinafter provided.

2. **INTERPRETATION**

- 2.1 All words and phrases defined in the Existing Agreement shall have the same meaning in this Deed save where the context otherwise dictates and for the avoidance of any doubt the Existing Agreement shall remain in full force and effect save as varied by this Deed.
- 2.2 All reference in this Deed to clauses in the Existing Agreement are to clauses within the Existing Agreement.
- 2.3 Where in this Deed reference is made to a clause schedule or recital such reference (unless the context otherwise requires) is a reference to a clause schedule or recital of this Agreement.
- 2.4 Headings are for ease of reference only and are not intended to be construed as part of this Deed and shall not be construed as part of this Agreement and shall not effect the construction of this Deed.
- 2.5 Unless the context otherwise requires references to the singular shall include the plural and vice versa.
- 2.6 It is hereby agreed between the Parties that save for the provisions of clauses 1, 2, 3, 5, and 6 hereof all of which shall come into effect on the date hereof the covenants undertakings and obligations contained within this Deed shall become binding upon the Owner upon the Implementation Date.
- 2.7 References in this Deed to the Owner and Mortgagee shall include their successors in title.
- 2.8 In this Deed the following expression shall unless the context otherwise states have the following meaning now allocated to it.

- 2.8.1 "Deed" this Deed of Variation made pursuant to Section 106A of the Act
- 2.8.2 "Existing Agreement" the Section 106 Agreement under the Town and Country Planning Act 1990 (as amended) dated 27 August 2013 made between the Council and Delbanco Meyer and Company Limited
- 2.8.3 "the Original Planning Permission" means the planning permission granted by the Council on 27 August 2013 referenced 2012/6021/P allowing the change of use of existing showroom building (Class B1) to 1x3 bed residential unit (Class C3) and associated works including alterations to windows and doors, provision of balcony at first floor level and metal fins at second floor level on east (front) elevation, provision of window at first floor and balcony with metal fins at as shown on drawing numbers 1051.25 Rev A; 1051.26 Rev A; 1051.27 Rev C; 1051.28 Rev C; 1051.29; 1051.30 Rev A; Design and Access Statement & Lifetime Homes Standards dated 09/11/2012 Ref 1051/3.1/JM; Energy Statement by Energytest Ltd dated 01/11/2012; Report on the use and marketing activity of the showroom premises by Salter Rex dated 18/12/2012

3. VARIATION TO THE EXISTING AGREEMENT

- 3.1 The following definitions contained in the Existing Agreement shall be varied as follows:
- 3.1.1 "Development" variation of planning permission dated 27 August 2013 (Ref. No 2012/6021/P) to variation of condition 7 (approved plans) of planning permission 2012/6021/P dated 27/08/2013 (for

change of use of showroom building (Class B1) to 1x3 bed residential unit (Class C3) and associated works), namely to allow minor external alterations to balconies, entrance doors, windows, creation of sedum roof and internal as shown on drawing numbers Superseded plans: 1051.27 Rev C; 1051.28 Rev C; Lifetime Homes Standards dated 09/11/2012 Ref 1051/3.1/JM; Proposed plans: 150 Rev P2; 210 Rev P2; 211 Rev P2; 350 Rev P2; Lifetime Homes Checklist by CSA

3.1.2 "Planning Permission" the planning permission for the Development under reference number 2014/0405/P granted by the Council in the form of the draft annexed hereto

3.1.3 "Planning Application" the application for Planning Permission in respect of the Property submitted on 12 February 2014 by the Owner and given reference number 2014/0405/P

3.1.4 "Education Contribution" the sum of £21,494 (twenty one thousand four hundred and ninety four pounds) to be paid by the Owner to the Council in accordance with the terms of this Agreement

3.1.5 "Parks and Open Space Contribution" the sum of £2,642 (two thousand six hundred and forty two pounds) to be paid by the Owner to the Council in accordance with the terms of this Agreement

3.2 All references in Clause 5 and Clause 6 of the Existing Agreement to "Planning Permission reference 2012/6021/P" shall be replaced with "Planning Permission reference 2014/0405/P".

- 3.3 In all other respects the Existing Agreement (as varied by this Deed) shall continue in full force and effect.

4. **COMMENCEMENT**

- 4.1 Without prejudice to the effect of Clause 3.5 in the Existing Agreement the provisions in this Deed shall take effect on the Implementation of the Planning Permission referenced 2014/0405/P.

5. **PAYMENT OF THE COUNCIL'S LEGAL COSTS**

- 5.1 The Owner agrees to pay the Council (on or prior to completion of this Deed) its reasonable legal costs incurred in preparing this Deed

6. **REGISTRATION AS LOCAL LAND CHARGE**

6.1 This Deed shall be registered as a Local Land Charge

IN WITNESS WHEREOF the Council and the Owner has caused their respective Common
Seals to be affixed and has caused this Deed to be executed as a Deed the day and year
first above written.

EXECUTED AS A DEED BY)
DELBANCO MEYER AND COMPANY LIMITED)
was hereunto affixed)
in the presence of:-)

.....
Director

.....
Director/Secretary

THE COMMON SEAL OF THE MAYOR)
AND BURGESSES OF THE LONDON)
BOROUGH OF CAMDEN)
was hereunto affixed by Order:-)

.....
Duly Authorised Officer





**Regeneration and Planning
Development Management**
London Borough of Camden
Town Hall
Judd Street
London
WC1H 8ND

Tel 020 7974 4444
Fax 020 7974 1930
Textlink 020 7974 6866

planning@camden.gov.uk
www.camden.gov.uk/planning

Savills
33 Margaret Street
London
W1G 0JD

Application Ref: **2014/0405/P**

31 March 2014

Dear Sir/Madam

DRAFT
FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION
Town and Country Planning Act 1990 (as amended)

DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Address:
Portland House
Ryland Road
London
NW5 3EB

Proposal:

DECISION
Variation of condition 7 (approved plans) of planning permission 2012/6021/P dated 27/08/2013 (for change of use of showroom building (Class B1) to 1x3 bed residential unit (Class C3) and associated works), namely to allow minor external alterations to balconies, entrance doors, windows, creation of sedum roof and internal modifications to add an extra bedroom.

Drawing Nos:

Superseded plans: 1051.27 Rev C; 1051.28 Rev C; Lifetime Homes Standards dated 09/11/2012 Ref 1051/3.1/JM;

Proposed plans: 150 Rev P2; 210 Rev P2; 211 Rev P2; 350 Rev P2; Lifetime Homes Checklist by CSA

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

Condition(s) and Reason(s):

1 REPLACEMENT CONDITION 7

The development hereby permitted shall be carried out in accordance with the following approved plans: 1051.25 Rev A; 1051.26 Rev A; 1051.29; 1051.30 Rev A; 150 Rev P2; 210 Rev P2; 211 Rev P2; 350 Rev P2; Lifetime Homes Checklist by CSA; Design and Access Statement dated 09/11/2012 Ref 1051/3.1/JM; Energy Statement by Energytest Ltd dated 01/11/2012; Report on the use and marketing activity of the showroom premises by Salter Rex dated 18/12/2012.

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

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Informative(s):

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- 2 It is advised that, as a result of the proposed material changing, the wording of condition 3 has been updated accordingly.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Yours faithfully

Culture and Environment Directorate

DATED

01 May

2014

(1) DELBANCO MEYER AND COMPANY LIMITED

-and-

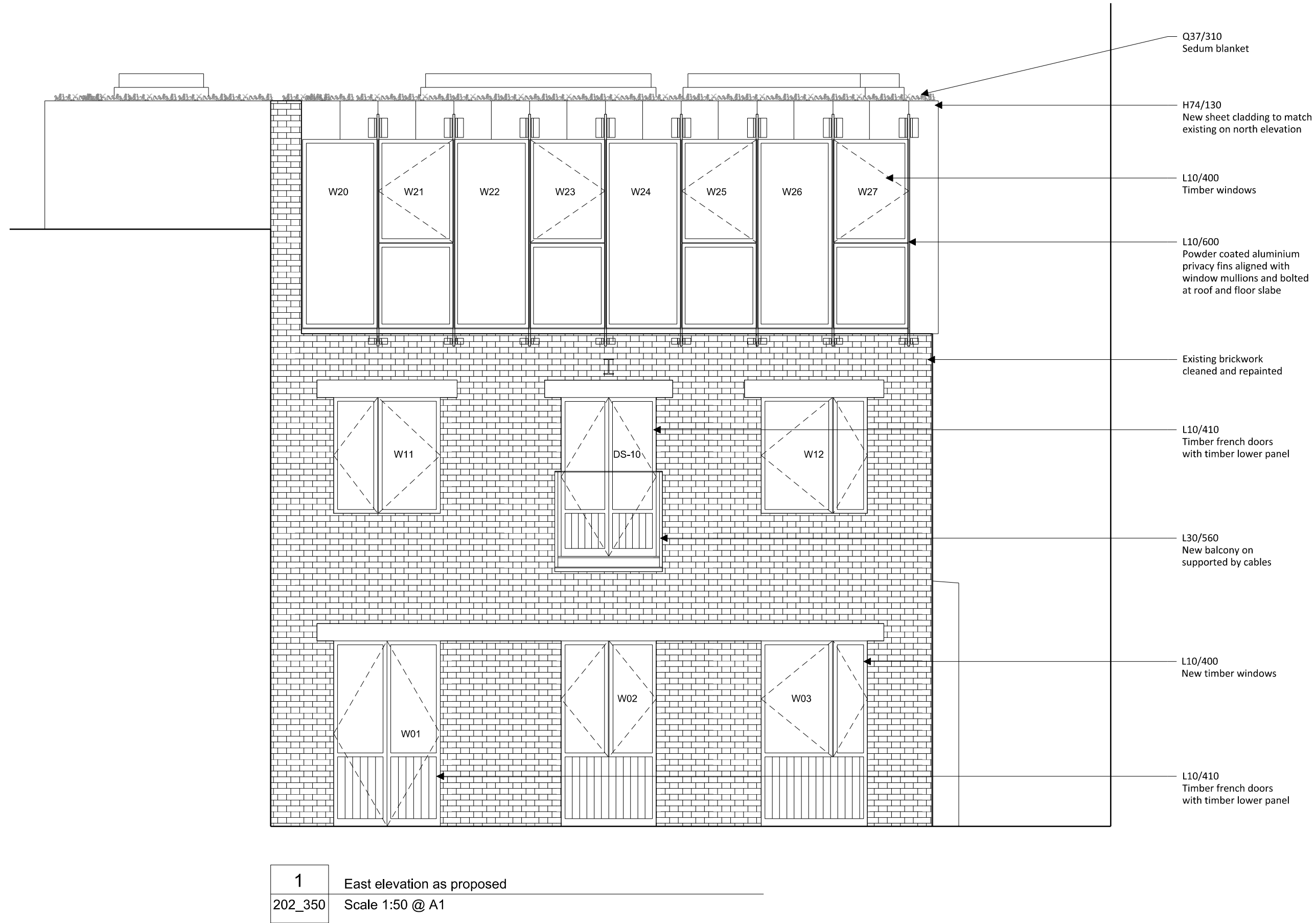
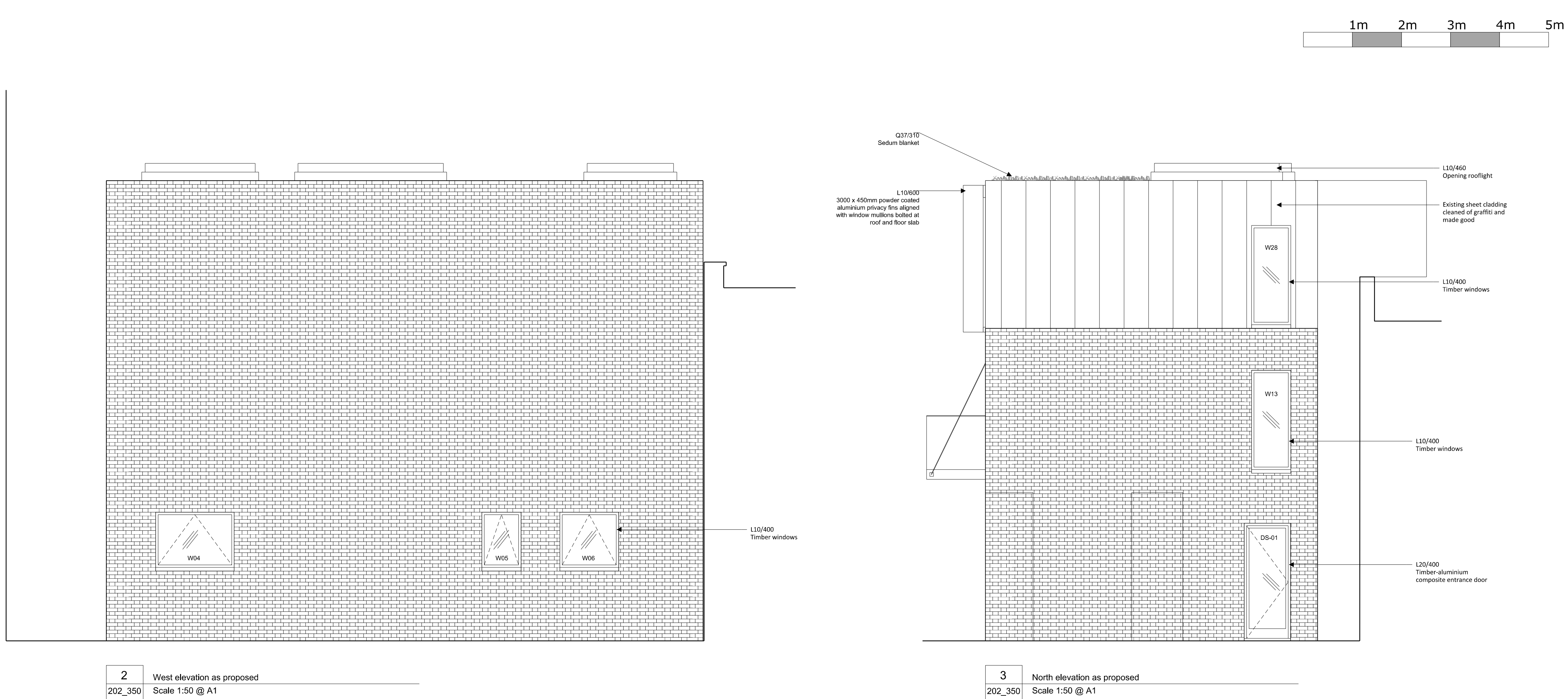
(2) THE MAYOR AND THE BURGESSES OF
THE LONDON BOROUGH OF CAMDEN

DEED OF VARIATION

Relating to the Agreement dated 27 August 2013
Between the Mayor and the Burgesses of the
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And Delbanco Meyer and Company Limited
under section 106 of the Town and
Country Planning Act 1990 (as amended)
Relating to development at premises known as
**PORTLAND HOUSE, RYLAND ROAD
LONDON NW5 3EB**

Andrew Maughan
Head of Legal Services
London Borough of Camden
Town Hall
Judd Street
London WC1H 9LP

Tel: 020 7974 1918
Fax: 020 7974 2962



All drawings to be read in conjunction with structural engineer's and service engineer's

A1

P2	14.03.14	Removal of roof garden Timber panels to windows Balcony to 1st floor
Rev	Date	Note

Services

Synergy Consulting Engineers Ltd

Structures

Ellis + Moore

Client

Jonathon Rose
Portland House, Ryland Road, London, NW5 3EB

Project title

BRINSMEAD 2

Drawing Title

SHOWROOM ELEVATIONS
AS PROPOSED

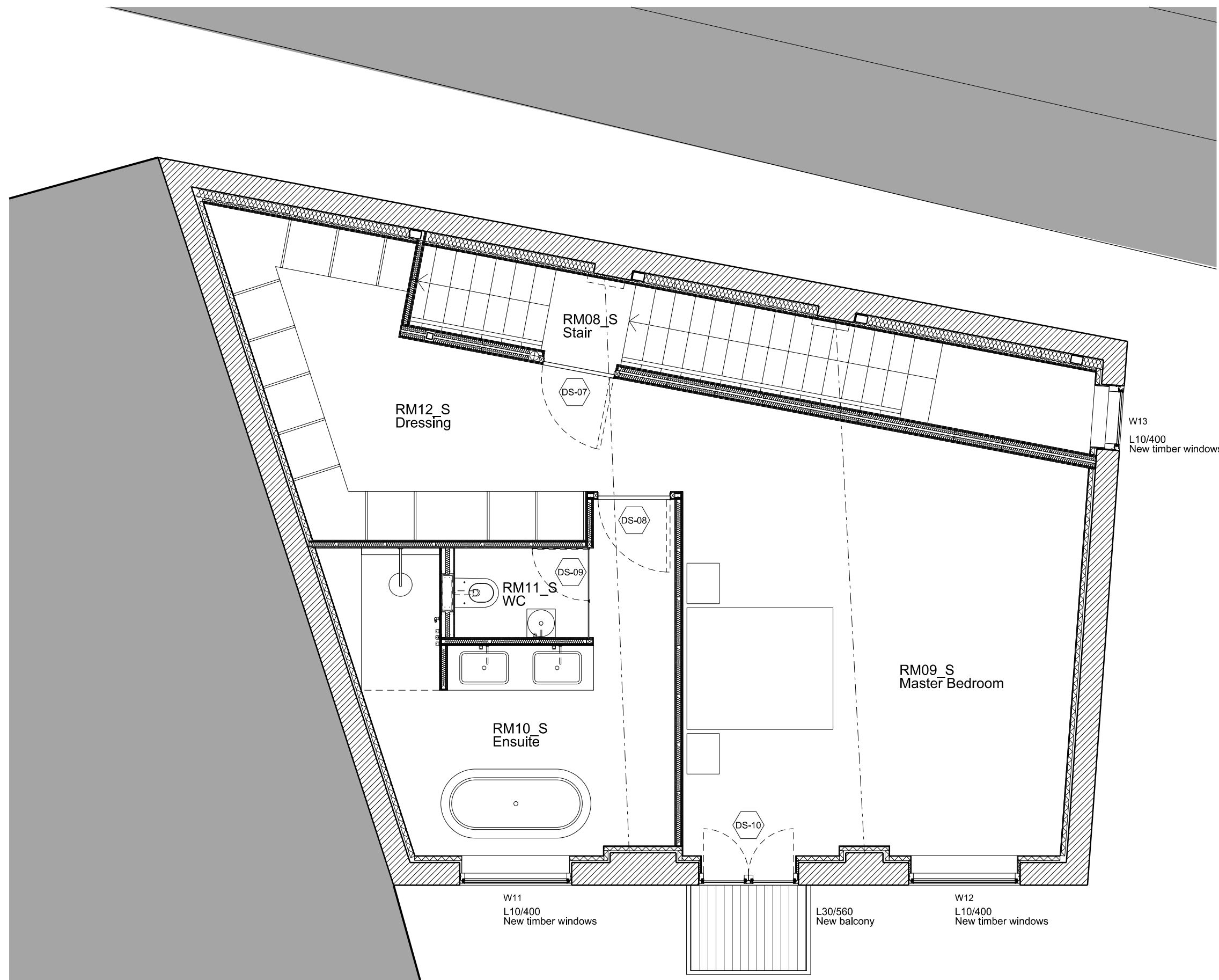
Scale @ A1

1:50 / 1:100@A3

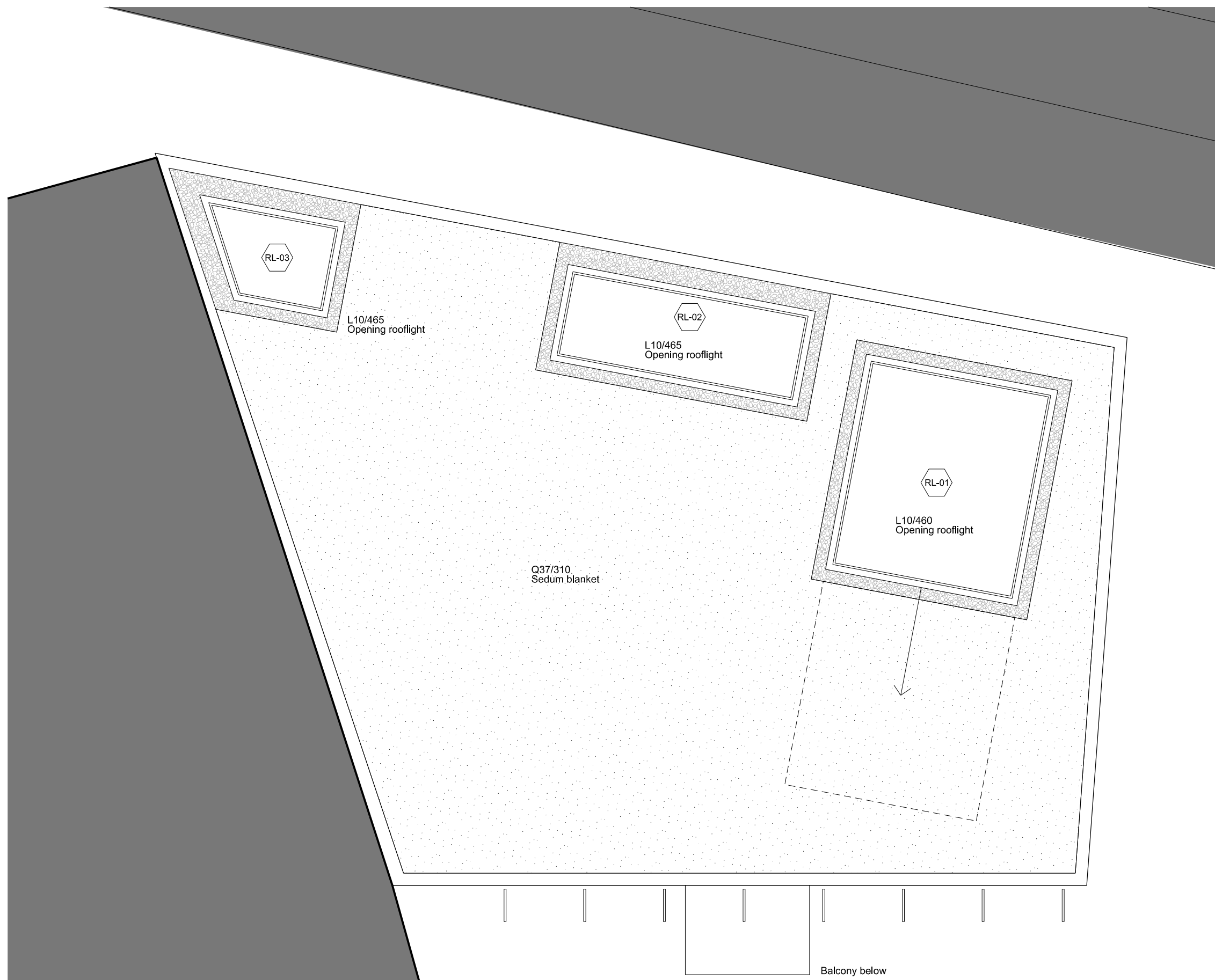
Project No.	Drawing no.	Revision
202	350	P2

Status	Date of Issue
PLANNING	MAR 2014

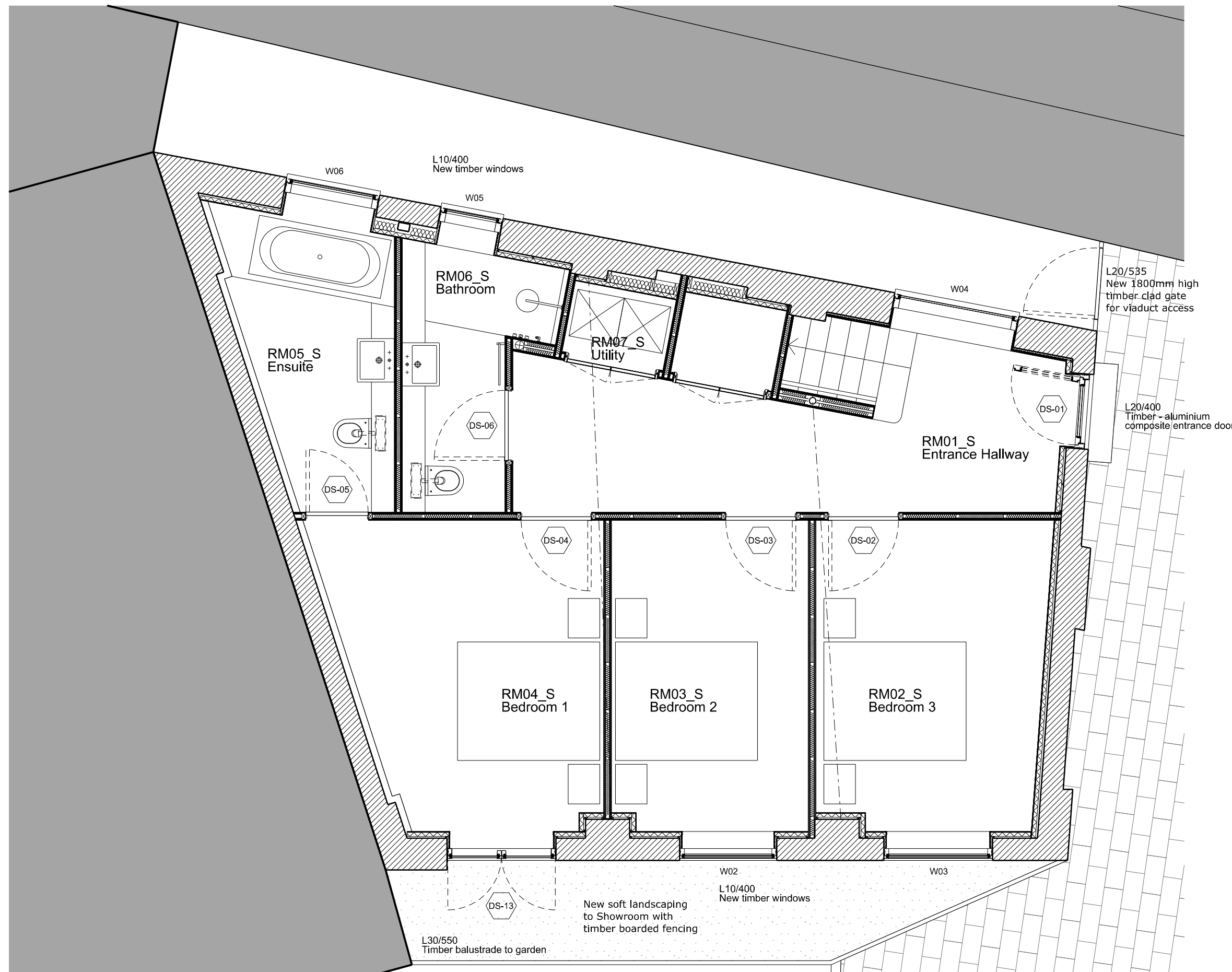
Clive Sall Architecture Ltd.
2 Providence Yard
Ezra Street
London E2 7RJ
Copyright CLIVE SALL ARCHITECTURE LTD



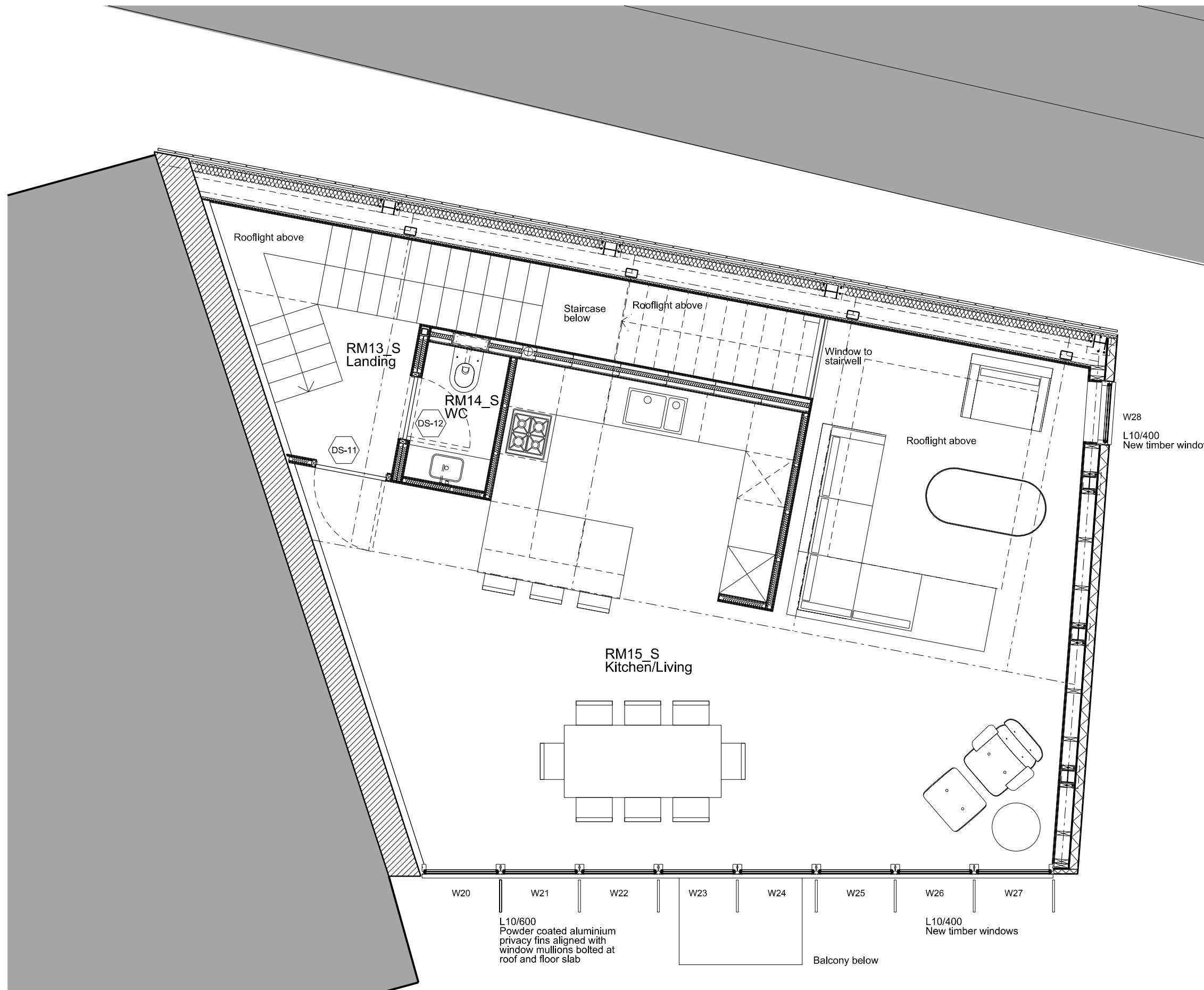
2 1st Floor Plan as Proposed
202_150 Scale 1:50 @ A1



4 Roof Plan as Proposed
202_150 Scale 1:50 @ A1



1 Ground Floor Plan as Proposed
202_150 Scale 1:50 @ A1



3 2nd Floor Plan as Proposed
202_150 Scale 1:50 @ A1

P2 14.03.14
Rev Date Note
Removal of roof garden
Removal of stairs to roof
Balcony to 1st floor

Services
Synergy Consulting Engineers Ltd

Structures
Ellis + Moore

Client
Jonathon Rose
Portland House, Ryland Road, London, NW5 3EB

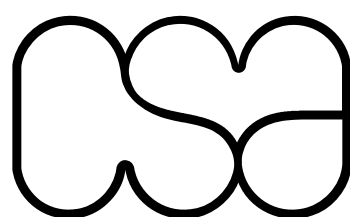
Project title
BRINSMEAD 2

Drawing Title
**SHOWROOM PLANS
AS PROPOSED**

Scale @ A1 **1:50**

Project No.	Drawing no.	Revision
202	150	P2

Status PLANNING	Date of Issue MAR 2014
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Clive Sall Architecture Ltd.

2 Providence Yard
Ezra Street
London E2 7RJ

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Delegated Report		Analysis sheet		Expiry Date:		09/04/2014	
		N/A / attached		Consultation Expiry Date:		13/03/2014	
Officer				Application Number(s)			
Jonathan Markwell				2014/0405/P			
Application Address				Drawing Numbers			
Portland House Ryland Road London NW5 3EB				Please see decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Variation of condition 7 (approved plans) of planning permission 2012/6021/P dated 27/08/2013 (for change of use of showroom building (Class B1) to 1x3 bed residential unit (Class C3) and associated works), namely to allow minor external alterations to balconies, entrance doors, windows, creation of sedum roof and internal modifications to add an extra bedroom.							
Recommendation(s):		Grant variation of condition subject to deed of variation Section 106 Legal Agreement					
Application Type:		Variation or Removal of Condition(s)					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	45	No. of responses	00	No. of objections	00
				No. electronic	00		
Summary of consultation responses:		In addition, a site notice was erected on 19/02/2014 (expiring on 12/03/2014) and a press notice was published on 20/02/2014 (expiring on 13/03/2014). No responses have been received.					
CAAC/Local groups* comments: <small>*Please Specify</small>		Kentish Town CAAC and Inkerman Area Residents Association were both consulted. No responses have been received.					
Site Description							
This application site is located on the corner of Ryland Road and also fronts onto Wilkin Street, with the access to off-street parking area and the building solely accessed from Ryland Road. The building to which this application relates is a three storey 'showroom' structure, located in the south-west corner of the site. The showroom building is a traditional mews building, but has been heavily modified and contains a large fully glazed contemporary roof extension and modern timber casement windows (see relevant history).							

It is adjacent to the primary building on the site, a large late 19th Century six storey industrial building. This building was recently converted at second floor and above for residential use (see relevant history). Most recently two prior approval applications have been granted for the conversion of the ground and first floors to residential use (see relevant history). Both buildings are under the same ownership within the same application site, as reflected in the site location plan submitted with the application. The site is located within the Inkerman Conservation Area and is identified as making a positive contribution to the character and appearance of the conservation area. The building is not listed.

The site is located close to Kentish Town West Mainline Station and line (to the west), beyond which is Talacre Open Space and the associated sports centre, games court and playground. The site has most recently been occupied by a single business user who no longer requires the main building or the showroom building for the operation of their business.

The buildings surrounding the application site are predominately residential along Ryland Road and Grafton Road at this point, with some commercial spaces (such as Imperial Works to the south of the application site and Ryland House to the east of the application site) also in close proximity to the site.

Relevant History

2011/1484/P: Change of use and works of conversion from office use (Class B1) to 9x residential units (Class C3) on second to fourth floors and retention of office space at basement, ground and first floors with associated works to include replacement windows, addition of balconies and a new entrance with glazed canopy on Wilkin Street.

This application was considered at the Development Control Committee Meeting on 11/08/2011, where it was resolved by members that planning permission could be granted subject to conditions and a S106 Legal Agreement covering the following Heads of Terms:

- Car capped
- Education Contribution of £33,804
- Affordable housing in lieu of direct provision a financial contribution of £369,145
- Open Space Contribution of £13,527
- Sustainability Plan (Eco Homes 'very good')

The S106 was signed and full planning permission granted on 21/02/2012.

2011/5370/P - Erection of a roof extension to create one three bed residential dwelling (Class C3) at fifth floor level.

The application was considered at the Development Control Committee Meeting on 02/02/2012, where it was resolved by members that planning permission could be granted subject to conditions and a S106 Legal Agreement covering the following Heads of Terms:

- affordable housing contribution – £94,207;
- car-free housing for the one unit created;
- education contribution of £6,322;
- open space contribution of £2,317;
- code for sustainable homes design stage and post construction assessment;
- energy statement;
- Provision of additional affordable housing if Portland House is extended or converted above and beyond the 10 residential units created by this and application 2011/1484/P.

The S106 was signed and full planning permission granted on 30/03/2012.

2012/2386/P - Change of use from office (Class B1) to residential (Class C3) to provide 3 x two bedroom self contained flats at first floor level. Withdrawn 20/06/2012.

2012/6831/P - Details of conditions 2 (window details), 3 (green roof and plant species), 6 (noise attenuation) of planning permission dated 30/03/12 (ref.2011/5370/P) for the erection of a roof extension to create one three bed residential dwelling (Class C3) at fifth floor level. Granted 21/02/2013.

2012/6833/P - Details of conditions 3 (boundary wall brickwork), 5 (green roof), 8 (noise attenuation) of planning permission dated 21/02/12 (ref.2011/1484/P) for the change of use and works of conversion from office use (Class B1) to 9 x residential units (Class C3) on second to fourth floors and retention of office space at basement, ground and first floors with associated works to include replacement windows, addition of balconies and a new entrance with glazed canopy on Wilkin Street. Granted 21/02/2013.

2012/6021/P - Change of use of existing showroom building (Class B1) to 1x3 bed residential unit (Class C3) and associated works including alterations to windows and doors, provision of balcony at first floor level and metal fins at second floor level on east (front) elevation, provision of window at first floor and balcony with metal fins at second floor level on north (side) elevation and installation of five windows on west (rear) elevation.

The application was considered at the Development Control Committee Meeting on 17/01/2013, where it was resolved by members that planning permission could be granted subject to conditions and a S106 Legal Agreement covering the following Heads of Terms:

- affordable housing payment in lieu contribution of £206,144;
- provision of additional affordable housing if the application site is extended or converted above and beyond the 11 residential units created by this and applications 2011/1484/P & 2011/5370/P;
- car-free housing for the one unit created;
- education contribution of £6322;
- open space contribution of £2317.

The S106 was signed and full planning permission granted on 27/08/2013.

2013/4786/P - Change of use of first floor from office (Class B1a) to 3 x 2 bedroom residential units (Class C3). Prior approval granted following completion of S106 Legal Agreement (relating to car-free housing and cycle parking provision) 16/09/2013.

2013/6447/P - Change of use of ground floor from office (Class B1a) to 3 x 2 bedroom residential units (Class C3). Prior approval granted following completion of S106 Legal Agreement (relating to car-free housing and cycle parking provision) 29/11/2013.

2013/6961/P - Erection of two balconies and associated alterations to fenestration at first floor level of the west elevation. Granted 24/12/2013.

Relevant policies

LDF Core Strategy and Development Policies

CS1 Distribution of growth
CS5 Managing the impact of growth and development
CS6 Providing quality homes
CS8 Promoting a successful and inclusive Camden economy
CS11 Promoting sustainable and efficient travel
CS13 Tackling climate change through promoting higher environmental standards
CS14 Promoting high quality places and conserving our heritage
CS15 Protecting and improving our parks and open spaces & encouraging biodiversity
CS16 Improving Camden's health and well-being
CS18 Dealing with our waste and encouraging recycling
CS19 Delivering and monitoring the Core Strategy
DP2 Making full use of Camden's capacity for housing
DP3 Contributions to the supply of affordable housing
DP5 Homes of different sizes
DP6 Lifetime homes and wheelchair homes
DP13 Employment sites and premises
DP16 The transport implications of development
DP17 Walking, cycling and public transport
DP18 Parking standards and the availability of car parking
DP19 Managing the impact of parking
DP20 Movement of goods and materials
DP21 Development connecting to the highway network
DP22 Promoting sustainable design and construction
DP24 Securing high quality design
DP25 Conserving Camden's heritage
DP26 Managing the impact of development on occupiers and neighbours
DP29 Improving access
DP31 Provision of, and improvements to public open space and outdoor sport and recreation facilities
Appendix 2 Parking standards

Camden Planning Guidance 2011/2013

Inkerman Conservation Area Statement (Adopted October 2001)

London Plan 2011

National Planning Policy Framework (Adopted 27/03/2012)

Assessment

Introduction

Planning permission was granted in August 2013 (following the completion of the S106 Legal Agreement) for various works including the change of use of the showroom building to 1x bed residential unit. The applicant is now seeking to make a number of amendments to the approved scheme, summarised as follows:

- Three separate rooflights rather than the one approved – those proposed will be openable.
- Balcony at first floor level replaced with a balcony supported by cables with the door remaining as existing width;
- The new front elevation windows would have timber spandrel panels
- Balcony with metal fins at second floor level on north (side) elevation omitted
- Change in material of the galvanised fin material on the front elevation at second floor level to aluminium
- 1st and 2nd floor windows on west (rear) elevation omitted
- Change in the window fenestration pattern, including additional windows on the north (side) elevation
- Various internal alterations to the layout of the residential unit, to facilitate the approved 3-bed unit becoming a 4-bed unit.

The applicant has submitted these changes as minor material amendments and is therefore seeking for condition 7 of planning permission 2012/6021/P to be varied to reflect the updated drawings now proposed.

Revisions

It was originally proposed to incorporate a number of other elements in addition to those denoted above. These are summarised as follows:

- Balcony at first floor level replaced with a 'Juliet' balcony and door reduced in width;
- Omission of the new front elevation ground floor doors with windows
- New setback roof garden / amenity space at roof level with green wall privacy screen.

These elements were omitted during the course of the application, following officer advice that these elements would not be considered appropriate from a design and/or amenity perspective. In particular, the proposed roof terrace, including green wall privacy screens, were considered to result in a loss of amenity for nearby occupiers and be harmful in design terms to the character and appearance of the host building and wider conservation area. The applicant decided to omit/revise (as appropriate) these elements in order for the proposals to be considered appropriate.

Design

The external changes approved as part of the original permission (which included: Ground floor – lowering the cills of the two windows to the floor and installation of fixed timber panel spandrels and replacement openable window above; First floor – Windows to be replaced with timber and the whinge door to be Replacing with timber door with timber lower panels. Existing escape door replaced with fixed window on the south flank elevation; Second floor- galvanised fins to be attached to each mullion to reduce overlooking from Portland House; Six new windows to west flank elevation), sought to enhance the historic character of the building and improve the relationship with the modern extension. This was to give greater cohesion to the compositions, whilst preserving and enhancing the character of the mews building.

Following revisions submitted during the course of the application, all elements of the proposals are considered satisfactory in design terms. Some elements are considered to be relatively minor in nature, not having a detrimental effect on the design of the building. Other elements, such as those made to the front windows and balcony at first floor level, have been amended to reinstate the character and appearance of the building. The change in material of the privacy fins at second floor level from a galvanised material to aluminium means that, as a result of this minor material amendment application, condition 3 of the original permission needs to be reworded accordingly.

Amenity

Since the original application was granted at the site, two prior approval applications for the change of use of the ground and first floors to residential have been granted. In addition, balconies have permission at first floor level of the main building (see relevant history above). Within the context of the original permission, it is considered that although some instances of overlooking between the buildings would occur, given the limited size of the balcony at the host site, such instances would not be of a nature which would warrant refusal of the application.

It is however also noted that the sedum roof area provides a potential large expanse for use as a terrace. Given the context of the originally proposed scheme, it is considered prudent to include a condition stating that only the area specifically shown on the plans hereby approved as an external balcony terrace shall be used for such purposes; and no other flat roofed areas (such as the specified sedum roof) shall be used as a roof terrace, and any access out onto these areas shall be for maintenance purposes only. This is in order to prevent any detrimental impacts of overlooking and/or noise and disturbance of the neighbouring premises.

Sustainability

The principle of introducing a sedum roof to the flat roof of the building is welcomed, aligning with CS13 and DP22 in particular. Only brief details have been included as part of the submission, so an additional condition is recommended to be added to any decision seeking full details. This is to ensure that the sedum roof is suitably designed for long term use.

Other s106 matters

Owing to a number of the proposed plans being updated to reflect the now sought changes to the approved scheme, a deed of variation to the S106 Legal Agreement is required to reflect the updated plans. The applicant has indicated a willingness to enter into this agreement.

In addition, internal modifications to the proposed layout detail that an additional bedroom is now proposed within the residential unit. In line with the original permission, it is therefore considered necessary for the financial contributions towards education and open space to be amended to reflect the updated number of bedrooms proposed within the unit. This results in the open space contribution increasing from £2,317 to £2,642 and the education contribution increasing from £6,322 to £21,494.

Other procedural matters

Owing to the change in material in the privacy fins at second floor level, the wording of condition 3 of the original permission needs to be updated accordingly. In addition, an informative will detail that this approval under Section 73 of the 1990 Act, effectively varying the relevant condition of the previous planning permission, is subject otherwise to the same terms, drawings, conditions and obligations where applicable as attached to the previous planning permission. This includes condition 1 providing for a 3 year time period for implementation, which for the avoidance of doubt commences with the

date of the original decision, that being 27/08/2013, and not this variation.

Recommendation: Grant variation of condition 7 subject to deed of variation S106 Legal Agreement seeking updated drawing numbers and revised education and open space financial contributions