

Planning Statement

Create REIT Ltd

309 Kentish Town Road
London
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Prepared by

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Contents

Section	Page
1 INTRODUCTION	4
2 SITE AND SURROUNDINGS	5
3 PLANNING HISTORY	6
4 APPLICATION PROPOSAL	7
5 PLANNING POLICY	9
6 PLANNING ASSESSMENT	12
7 SUMMARY AND CONCLUSION	17

List of Figures

FIGURE 1: AERIAL PHOTOGRAPH OF THE SITE	4
FIGURE 2: VIEW OF 309 KENTISH TOWN ROAD	5
FIGURE 3: PROPOSED FRONT ELEVATION	15

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DATE
14 May 2015

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Limitations

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1 INTRODUCTION

1.1 This Planning Statement has been prepared by GL Hearn on behalf of Create REIT Ltd in support of a planning application submitted at 309 Kentish Town Road, London.

1.2 The full planning application seeks planning permission for:

“Change of use of existing upper floors from B1(a) to C3 to comprise 2 x studio flat and 1 x 2 bedroom flats, erection of a mansard roof extension to accommodate 1 x studio flat and rear 4no. storey extension”

1.3 The site is located within the jurisdiction of the London Borough of Camden. The general context of the site is provided at **Figure 1** below.

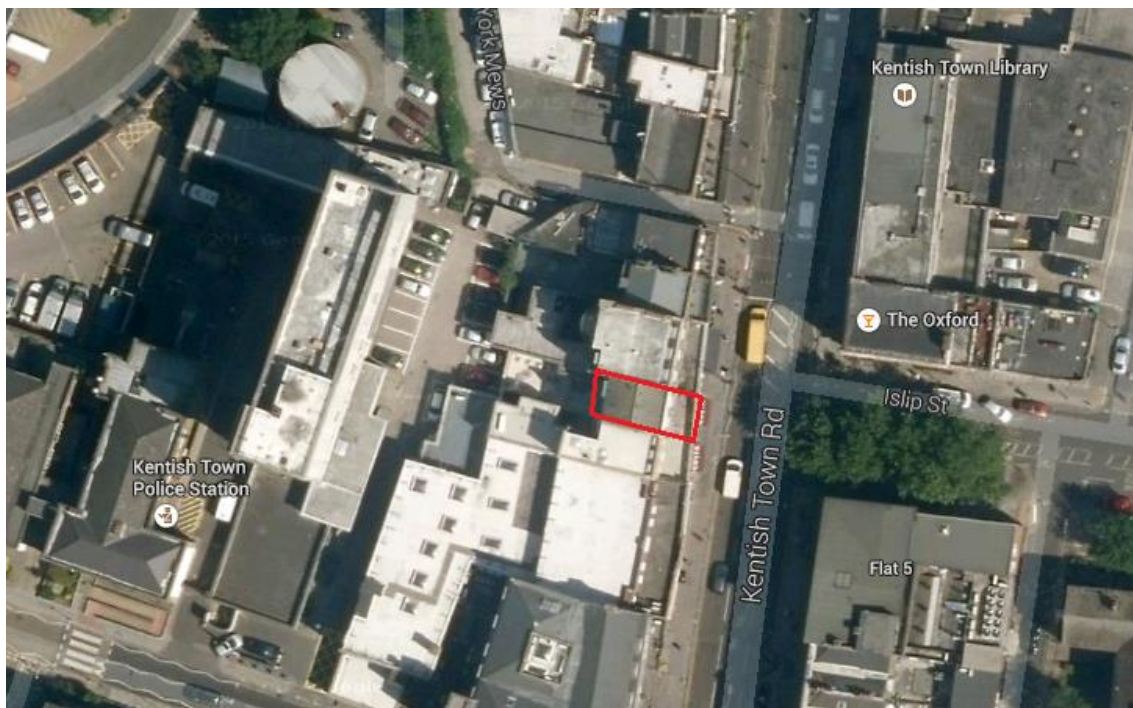


Figure 1: Aerial photograph of the site

1.4 This Planning Statement provides a planning assessment of the proposal considering the scheme against the relevant policies set out in the National Planning Policy Framework (2012), The London Plan (2011) and Camden Core Strategy (2010). The proposal also pays due regard to Camden Development Policies. A separate supporting Design and Access Statement prepared by Fresson and Tee is submitted within the application to deal with the matters of design and access.

1.5 In addition to the above, a full set of plans illustrating the proposals have been prepared by Fresson and Tee.

2 SITE AND SURROUNDINGS

- 2.1 The site is located on the western side of Kentish Town Road, within the Town Centre, in close proximity to Kentish Town Underground and Thameslink Station.
- 2.2 The surrounding area predominantly consists of commercial accommodation at ground floor with a variety of commercial and residential uses above.
- 2.3 The ground floor of the premises is currently occupied as a commercial space (Class A1). The upper floors are currently occupied as B1(a) office space, however Prior Approval was granted by London Borough of Camden on 31 March 2015 for the change of use from offices at mezzanine, 1st, 2nd and 3rd floor levels to residential use to provide 3no. self-contained units (1 x 2 bed and 2 x studios) which is due to be implemented.
- 2.4 The three storey building is of no particular architectural significance. The proposed units are currently composed of two 1no. bedroom self-contained flats and one studio. Access to the upper floors of the premises is from Kentish Town Road via a private access door located between the Costa Coffee Shop and the Greggs bakery.
- 2.5 There are no car parking spaces specifically serving the ground or upper floors.



Figure 2: View of 309 Kentish Town Road

3 PLANNING HISTORY

Application Site Planning History

3.1 After a review of LB Camden's planning search function on their website the following applications have been found to be most pertinent to the development proposal:

- **2010/0356/P** – Conversion of separate retail (Class A1) and financial and professional services (Class A2) units at ground floor level into one shop (Class A1) unit, installation of new shopfront and associated external alterations (GRANTED on 13 May 2010)
- **2015/0833/P** – Prior Approval for change of use from offices (Class B1) at mezzanine, 1st, 2nd and 3rd floor levels to residential use (Class C3) to provide 3 self-contained units (1 x 2 bed, 2 x studios) (Granted on 31 March 2015)

Surrounding Relevant Planning History

3.2 Further to planning history above research into neighbouring properties located on Kentish Town Road has been undertaken and the following relevant applications have been identified:

- **PE9900950 (311 Kentish Town Road)** – Redevelopment of the rear yard area by the erection of a three storey full width extension to provide accommodation at basement level within Class B1, a two bedroom flat at ground floor level and a two bedroom flat at first floor level (GRANTED on 28 March 2000)
- **2014/3286/P (385 Kentish Town Road)** – Mansard roof extension to add additional bedroom to existing first and second floor residential flat, change of use of rear section of ground floor takeaway (Class A5) and erection of a single storey rear extension to create 1 x studio flat (C3) at rear ground floor level with new access door on front elevation, installation of new shopfront and replacement of second floor front window with timber window (GRANTED on 12 February 2015)
- **2013/7807/P (127 Kentish Town Road)** – Erection of a single storey rear extension at ground floor level (Class A1) (GRANTED on 2 April 2014)

4 APPLICATION PROPOSAL

4.1 The submission by Create REIT Ltd seeks full application permission for:

“Change of use of existing upper floors from B1(a) to C3 to comprise 2 x studio flat and 1 x 2 bedroom flats, erection of a mansard roof extension to accommodate 1 x studio flat and rear 4no. storey extension”

4.2 As identified within the supporting documentation, the development seeks to change the use of the existing upper floors from B1(a) to C3 residential accommodation. In addition, this application proposes an additional residential unit at fourth floor and a rear 4no. storey extension to mezzanine, 1st, 2nd and 3 existing floor levels, please see Table 1 below for floorspace figures (existing and proposed in sqm).

Floor Level	Existing Floorspace (sqm)	Proposed Floorspace (sqm)
4 th Floor (new proposed level)	N/A	49.7sqm (studio flat)
3 rd Floor	39.3sqm	38.2sqm (studio flat)
2 nd Floor	38.9sqm	41.0sqm (studio flat)
1 st Floor	38.5sqm	23.9sqm (2no. bed flat)
Mezzanine	45.5sqm	48.1sqm (part of 1 st floor flat)
TOTAL	173.0sqm	211.7sqm

Table 1: Floorspace Schedule

4.3 In relation to the additional 4th floor level (5th storey) this will be in the form of a mansard extension and will provide accommodation for a studio flat.

4.4 The mansard roof has been proposed to match the existing mansard roof extension located at 311 Kentish Town Road. The materials will match those of the mansard roof at 311 Kentish Town Road and also the host building.

- 4.5 The development also seeks permission for the erection of a four storey rear extension. The rear extension is 26sq m in total and will provide an additional area of 6.5sq m to each floor level however this mainly comprises the relocation of a new larger staircase to provide access to each floor, to improve circulation space within the current existing building. In addition, the rear extensions will provide more habitable living space when the Prior Approval (ref: 2015/0833/P) has been implemented.
- 4.6 Access to the fourth storey will be through the existing access to the existing upper levels. This access is from a private door located on ground floor level at 311 Kentish Town Road.
- 4.7 Given the site's urban location and its high accessibility rating, the proposal forms a car free scheme.
- 4.8 Please refer to the supporting Design and Access Statement for further details on the scheme.

5 PLANNING POLICY

5.1 Section 38(b) of the Planning and Compulsory Purchase Act 2004 requires that:

“If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise”

5.2 The following section of the statement has been formulated with due regard to the policies as set out in the National Planning Policy Framework (2012), the London Plan (2011)

5.3 In this section we outline the planning policy framework against which the proposal has been developed and confirm that the scheme is in compliance with the policies of the development plan.

National Planning Policy Framework (March 2012)

5.4 The National Planning Policy Framework (NPPF) was published on 27th March 2012 and replaced all previous national planning guidance in Planning Policy Statements and Planning Policy Guidance documents. The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is material to consideration in planning decisions.

5.5 The NPPF confirms that the purposes of the planning system is to contribute to the achievement of sustainable development where sustainable means *‘ensuring better lives for ourselves don’t mean worse lives for future generations’* and where development means growth implying the need for housing of a *‘rising population, which is living longer and wants to make new choices’*.

5.6 There is a presumption in favour of sustainable development, in both decision making and plan-making. The NPPF encourages local authorities to approve development proposals that accord with up to date development plans unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against policies in the NPPF or specific policies in the NPPF indicate development should be restricted (Paragraph 14).

5.7 With regard to decision-taking, councils are advised to do this in a positive way to foster the delivery of sustainable development, and highlights local authorities should look for solutions rather than problems and that local authorities should work proactively with applicants to secure developments that improve economic, social and environmental conditions of the area. Proposals that can demonstrate an evolving design that takes into account of the views of the community should be looked on more favourable

5.8 The NPPF sets out 12 Core Planning Principles of which the most relevant to this proposal are considered to be:

- Proactively drive and support sustainable economic development to deliver the homes and business (...) that the country needs;
- Always seek high quality design and a good standard of amenities for all existing and future occupants (...) of the buildings
- Encouraging the effective use of land by reusing land that has been previously developed; and

5.9 Local authorities are encouraged to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. Specifically paragraph 49 of the NPPF states "*housing applications should be considered in the context of the presumption in favour of sustainable development...*" It also highlights that empty properties should be brought back into use.

5.10 The NPPF supports planning policies which promote competitive town centre environments and plan for the management and growth of centres over a plan period. Local authorities are advised to:

- Allocate a range of suitable sites to meet the scale and type of retail, leisure, commercial, office, tourism, cultural, community and residential development needed in town centres; and
- Recognise that residential development can play an important role in ensuring the vitality and viability of centres and set out policies to encourage residential development on appropriate sites.

5.11 The NPPF attaches great importance to good design of the built environment. The key design requirements in determining planning applications are set out within section 7 of the NPPF.

[The London Plan Consolidated with Alterations since 2011 \(March, 2015\)](#)

5.12 The London Plan sets out planning policy and guidance for Greater London. It sets an annual target for the provision of 32,210 net additional dwellings across London. It sets an annual target of 665 dwellings within Camden.

5.13 All housing should be of high quality internally and externally, whilst consideration of the local character, density, tenure should be given (**Policy 3.5**). In continuing this theme, **policy 3.8** provides for a genuine choice of homes in terms of affordability.

5.14 Minimum space standards for flats are set out within **Table 3.3** of the London Plan.

5.15 **Policy 3.14** requires the efficient use of the existing housing, whilst reducing the number of vacant buildings.

London Borough of Camden – Local Development Framework (November 2010)

5.16 The London Development Framework (LDF) comprises:

- Camden Core Strategy (2010)
- Camden Development Policies (2010)

Camden Core Strategy (November 2010)

5.17 **Policy 1.8** specifies that housing is considered to be the priority land use of the Core Strategy and the Council's other LDF documents. The Council aims at delivering 12,250 new homes between 2010/11 and 2024/25 including over 20% located within highly accessible areas.

5.18 **Policies CS1 and CS3** actively promote a range of land uses (including residential) that will promote the accessible location of Kentish Town.

5.19 **Policy CS6** goes onto highlight the importance of providing self-contained flats and ensuring that everyone has the opportunity to live in a decent home at a price they can afford in a community where they want to live.

5.20 **Policy CS14** promotes high quality places and the conservation of the heritage ensuring that developments are of the highest standards of design and access.

Camden Development Policies 2010-2025 (November 2010)

5.21 Policies in this sub-section relate to the same forms of housing as Core Strategy CS6 predominantly self-contained houses and flats (Use Class C3).

5.22 **Policy DP2** seeks to make full use of Camden's capacity for housing. It goes onto state that the Council will seek to maximise the supply of additional homes in the borough, especially homes for people unable to access market housing, by expecting the maximum appropriate contribution to supply of housing on sites that are underused or vacant, taking into account any other uses that are needed on the site.

5.23 In relation to the mix of dwellings, **Policy DP5** states that the Council will seek to ensure that all proposals bring forward a range of self-contained homes of different sizes.

6 PLANNING ASSESSMENT

6.1 This planning application proposes a fourth floor mansard extension and a rear extension at levels above ground floor. From preceding planning history and policy analysis the main planning considerations in this application are considered to be planning considerations:

- Principle of development;
- Principle of change of use (B1(a) to C3)
- Principle of extensions;
- Impact on surrounding amenities;
- Design;
- Amenity Space; and
- Parking.

Principle of development

6.2 The proposed scheme includes a fifth floor mansard extension to create a studio flat of 45.1sq m as well as a 26sq m rear extension to all floor levels (including the proposed fourth storey extension), within the confines of Kentish Town Centre wherein development of this kind is considered to be acceptable.

Principle of change of use (B1(a) to C3)

6.3 The proposal includes a change of use of the existing upper floors from B1(a) to C3 residential floorspace.

6.4 The site is located in an area consisting of predominantly ground floor commercial uses with residential and office accommodation located on upper floors. It is understood that adopted policy states that the loss of employment is not encouraged and that marketing is required to justify the loss of such a use.

6.5 However, it is important to note that Prior Approval (ref: 2015/0833/P) has been granted by LB Camden for the change of use of the existing upper floors from B1(a) to C3 residential accommodation to provide 1no. 2bed flats and 2no. studios. Due to the scale of the scheme the Prior Approval is a genuine fallback. Therefore it is prudent to assess this application with the assumption that the Prior Approval will be implemented, in any case.

6.6 In support of this approach, the fallback position was explored through the case of *Zurich Assurance v. North Lincolnshire Council* and it was determined that ‘... a fallback only has to have more than a merely theoretical prospect’ of being implemented.’ The applicant states therefore that the Prior Approval scheme can be, and will be implemented before the deadline of May 2016 and therefore provides a genuine fallback to this application proposal.

- 6.7 Therefore, the change of use from B1(a) to C3 for 1o. 2 bed unit and 2no. studio units should be found to acceptable in this location.
- 6.8 It is also important to note that there is no policy which states that upper floors in this location should be active and therefore this mixed use development is in-keeping with adopted policy as well as the character of the area. Furthermore, Policy DP2 states that the Council is seeking to maximise the supply of additional homes within the Borough. This proposal is therefore compliant with policy in this respect.
- 6.9 The change of use of the office space to residential accommodation is not only complimentary to the town centre location but also is in line with the identified housing need within the Borough.
- 6.10 The additional residential unit, to be located within the proposed mansard extension, has been formulated with due consideration to maximize the use of the premises within a key location. Therefore the provision of a studio flat is in line with the identified housing need within the borough, also in line with Policy DP2.

Principle of extensions

- 6.11 Kentish Town Road has an eclectic mix of architectural styles and heights. The proposed fifth floor mansard extension will be brought in line with the height of the adjacent property located at 311 Kentish Town Road. Further details of the design of the extension are included within the supporting Design and Access Statement.
- 6.12 The proposed mansard extension will further extend the approved residential accommodation, under the Prior Approval application (ref: 2015/0833/P), within 309 Kentish Town Road and is therefore a complimentary and appropriate use in this location.
- 6.13 The proposed development also includes a rear extension measuring 26sq m in floorspace. This spans the entire height of the building to the rear and therefore adds approximately 6.5sq m on to each floor, including the proposed mansard extension.
- 6.14 The rear extension primarily is to be used for a relocated enlarged staircase which will make for more attractive and better laid out residential units for prospective occupants.
- 6.15 The proposed rear extension will not add overwhelming bulk to the detriment of the existing building and the surroundings by being located far enough to ensure privacy and avoid overlooking.
- 6.16 Information surrounding the detailed design (and choice of materials) is identified within the supporting Design and Access Statement.

Impact on surrounding amenities

- 6.17 The site is considered to be relatively constraint free in terms of impact upon amenity. Notwithstanding this, the scheme has been design in order to protect the residential amenity of both the existing and the proposed residential occupiers.
- 6.18 With regard to the existing configuration of the site it is not considered that the proposed extensions would have a negative impact on surrounding amenities, primarily as the rear of 309 Kentish Town Road is facing west and preserves a distance which is found acceptable.

Design

Layout

- 6.19 The design of the proposed residential unit has been carefully considered to meet the increasing need for town centre housing. The compact but flexible internal layout of the new studios complies with policies encouraging the provision of sustainable housing suiting a wide range of demands.
- 6.20 The additional floor level seeks to provide well-arranged internal layout based on the same position as the existing first floor layout.

Internal Space Standards

- 6.21 The proposed new studio flat at mansard roof level has been designed in accordance with LB Camden's and London Plan's space standards and is therefore compliant with both sets of standards by providing 45.1sq m of internal space for the proposed studio flat.
- 6.22 In addition, the existing floor levels (mezzanine to 3rd floor level) also will meet LB Camden's residential internal space standards.

Scale

- 6.23 The new height sought will contribute towards creating a regular roof line that relates more appropriately to 311 Kentish Town Road. The proposed height does not appear incongruous as the variation of the existing roofline in this location is gradually stepping from 305 to 309 Kentish Town Road (4m height variation between 305-307 and 307-309), see **Figure 3**. This in turn respects the hierarchy of the built form.



Figure 3: Proposed Front Elevation

- 6.24 The elevation will seek to replicate the existing roofline located at 311 Kentish Town Road by providing a habitable mansard-style roof, the design seeks to pick up the features of the existing and the adjacent buildings to preserve the character of the existing street scene.
- 6.25 The existing building is of recent design and therefore proposed windows, gutters and downpipes will not have any visual impacts and will easily be added to the existing structure.

Amenity space

- 6.26 The rear extension enlarges existing flats and therefore increases the living conditions of current and future occupiers. In addition, the proposed alteration seeks to provide access to rear juliet balconies. There are a number of parks within the surroundings and the developer therefore does not consider necessary to provide additional amenity spaces.

Parking

- 6.27 No car parking space is provided as part of the part of the proposal due to the sustainable urban location of the site. The applicant is prepared to accept a planning condition that states the development must be car free.
- 6.28 The site falls under a highly accessible PTAL area of 6a. Buses and Underground (Kentish Town Underground station and Thameslink station) are within a walking distance from the site and the

applicant therefore proposed a sustainable approach to the redevelopment that will encourage the use of alternative modes.

7 SUMMARY AND CONCLUSION

7.1 The proposed development comprises alterations to the existing building at 309 Kentish Town Road to enlarge existing accommodation and provide an additional residential unit. The benefits of the scheme are identified below:

- The proposal provides 4no. self contained residential units (Use Class C3) within the existing floor levels (mezzanine to third floor level) and within the proposed the mansard roof extension.
- The proposal is in line with adopted policy by seeking to maximise the supply of additional homes in the borough.
- The development proposes an appropriate design and layout to maximise the potential use of the existing building in accordance with the surroundings and to safeguard the amenities of the surrounding properties.
- The residential development being based on 'car free' principles the development is not likely to result in increased traffic or congestion.
- The proposal will also result in a high quality development preserving and enhancing Kentish Town Centre.
- The proposal complies with national, regional and local policy, and meets the space standards set out in the London Plan.
- The proposal is in compliance with the NPPF which encourages the uses of accessible locations, bringing an underused site into full use, whilst also highlighting the aim to deliver high quality housing which the proposal will achieve.
- The proposal complies with national, regional and local policy, and meets the space standards set out in the London Plan.

7.2 The Council is therefore respectfully urged to grant planning permission.