

Ms Attila Howarth
Kipling Co Ltd
Basement Office
1 Princess Square
London
W2 4NP

Application Ref: **2015/1803/P**
Please ask for: **Gideon Whittingham**
Telephone: 020 7974 **5180**

15 June 2015

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
7 Birkenhead Street
London
WC1H

Proposal:
Erection of mansard to create a self contained residential flat (Class C3)
Drawing Nos: Planning and Heritage Statement, March 2015, Design and Access Statement, 19.03.15, Existing Plans (7-01), Existing Plans (7-02), Existing Section AA (7-03), Existing Elevations (7-04), Existing Elevations (7-05), Proposed Plans (7-06), Proposed Plans (7-07), Proposed Section AA Hipped Roof Detail (7-08), Proposed Elevations (7-09), Proposed Elevations (7-10).

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

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).



- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans [Planning and Heritage Statement, March 2015, Design and Access Statement, 19.03.15, Existing Plans (7-01), Existing Plans (7-02), Existing Section AA (7-03), Existing Elevations (7-04), Existing Elevations (7-05), Proposed Plans (7-06), Proposed Plans (7-07), Proposed Section AA Hipped Roof Detail (7-08), Proposed Elevations (7-09), Proposed Elevations (7-10)]

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

- 4 The lifetime homes features and facilities, as indicated on the drawings and documents hereby approved shall be provided in their entirety prior to the first occupation of the new residential unit.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Reasons for granting planning permission

There are existing mansard roof extensions to Nos. 1 - 4 with smaller roof extensions at Nos.5 & 6 Birkenhead Street. The proposed mansard roof would continue this roof pattern and complete the appearance of the terrace. The principle of a roof addition is therefore acceptable.

The form, design and materials of the roof are considered appropriate to the traditional terrace house of this period (both the mansard and dormer windows) and are consistent with the majority of existing mansard roof extensions along Birkenhead Street (akin to Nos.2-4), in addition to guidance within CPG1, with particular regard to the mansard's pitch and width. In this regard the proposed works would complement the building and enhance the setting of the listed terrace and thus the character and appearance Kings Cross Conservation Area.

The proposed roof extension, owing to its limited bulk, terminating height, width

and proximity to No.8 St Chad's Street would not materially harm neighbour amenity in terms of daylight, sunlight and outlook. The new dormers windows do not face any other residential properties, other than across a public highway, and therefore no harmful overlooking would take place as a result of the proposal.

The new residential unit provided would comply with CPG and London Plan standards in respect of minimum size requirements, as well as provide an appropriate level of residential amenity, particularly given that the unit would enjoy dual aspect accommodation.

It is considered that the applicant has sought to comply with the requirements of Lifetime Homes as far as practicable in the context of the site.

The new residential unit, to comply with CPG and London Plan standards would be made car-free, secured by a Section 106 planning obligation.

Given the arrangement of the building and constraints therein, a requirement for cycle parking would be waived in this instance.

The planning and appeal history of the site has been taken into account when coming to this decision. No objections were received prior to making this decision.

Special regard has been attached to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses, under s.66 and s72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposed development is in general accordance with policies CS1, CS2, CS5, CS6, CS14 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP2, DP5, DP6, DP16, DP17, DP18, DP19, DP20, DP24, DP25 and DP26 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with policies 3.3, 3.4, 3.5, 6.9, 6.13, 7.4, 7.6, 7.8 of the London Plan March 2015, consolidated with alterations since 2011; and paragraphs 14, 17, 50, 56-66, 126-141 of the National Planning Policy Framework.

- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 3 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council->

contacts/environment/contact-the-environmental-health-team.en or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

- 4 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 5 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 6 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ.
- 7 You are reminded of the need to provide adequate space for internal and external storage for waste and recyclables. For further information contact Council's Environment Services (Waste) on 020 7974 6914/5 or see the website <http://www.camden.gov.uk/ccm/content/environment/waste-and-recycling/twocolumn/new-recycling-rubbish-and-reuse-guide.en>.
- 8 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.
- 9 The London Borough of Camden introduced the Community Infrastructure Levy (CIL) on the 1st of April 2015 to help pay for local infrastructure. This is in addition to the Mayoral CIL which helps fund the Crossrail introduced on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay the CIL charge.

The proposed charge in CIL will be calculated in accordance with the regulations set out in Part 5 of the Community Infrastructure Levy Regulations 2010 (as amended). For further information on the Camden CIL or Mayoral CIL charge please follow the link provided: http://www.camden.gov.uk/ccm/cms-service/stream/asset/?asset_id=3298006

You are required to assume liability and notify the CIL team on commencement using the forms that can be downloaded from planning portal;
<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will issue an assumption of liability setting out the calculation and CIL demand

notice setting out the method of payment accordingly. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or queries to CIL@Camden.gov.uk

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.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink, appearing to read 'Ed Watson', with a stylized flourish at the end.

Ed Watson
Director of Culture & Environment