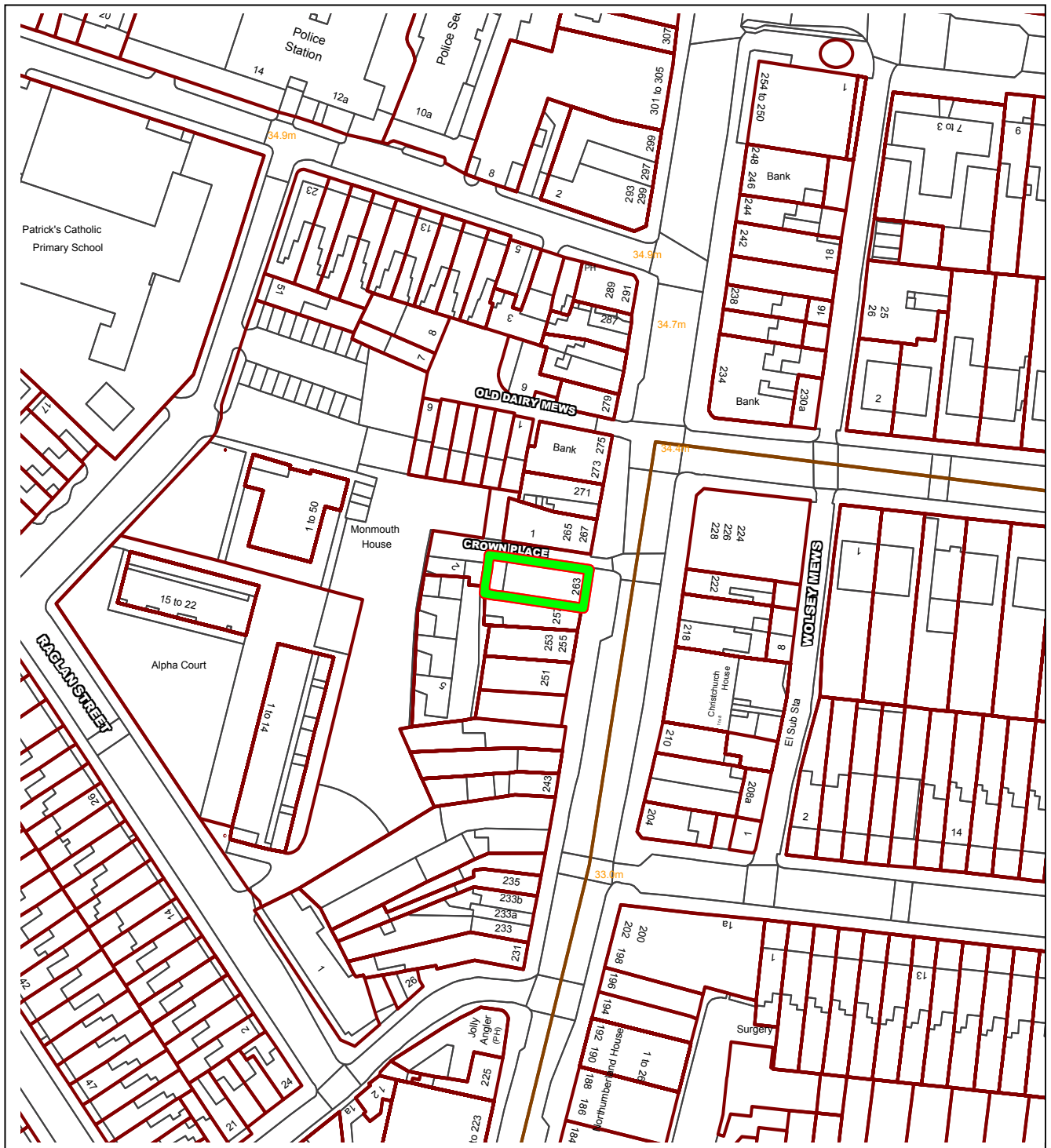


# 259-263 Kentish Town Road OS Extract



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## 259 – 263 Kentish Town Road



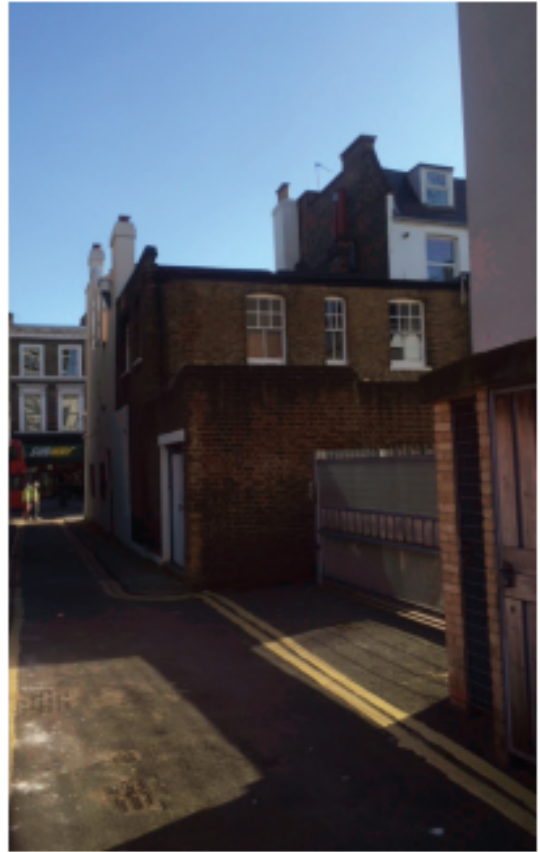
### 1 Existing front elevation



### 2 View of terrace looking south



## 259 – 263 Kentish Town Road



3 Existing view down Crown Place, rear of 259-67 Kentish Town Road



4 Existing neighbouring building to the north

|  |                            |   |                                     |                                  |                   |
|--|----------------------------|---|-------------------------------------|----------------------------------|-------------------|
| <b>Delegated Report</b><br><b>(Members Briefing)</b>   |                            | <b>Analysis sheet</b>                     |                                     | <b>Expiry Date:</b>              | <b>20/05/2015</b> |
|  |                            | N/A / attached                            |                                     | <b>Consultation Expiry Date:</b> | <b>15/04/2015</b> |
| <b>Officer</b>   |                            |   | <b>Application Number(s)</b>        |                                  |                   |
| Zenab Haji-Ismael  |                            |   | 2015/1286/P                         |                                  |                   |
| <b>Application Address</b>   |                            |   | <b>Drawing Numbers</b>              |                                  |                   |
| 259 - 263 Kentish Town Road<br>London<br>NW5 2JT   |                            |   | See decision notice                 |                                  |                   |
| <b>PO 3/4</b>  | <b>Area Team Signature</b> | <b>C&amp;UD</b>                           | <b>Authorised Officer Signature</b> |                                  |                   |
|  |                            |   |                                     |                                  |                   |
| <b>Proposal(s)</b>   |                            |   |                                     |                                  |                   |
| Erection of a mansard roof extension and change of use at first floor level to create 2x 2 bedroom maisonette and 3 x 1 bedroom flats. |                            |   |                                     |                                  |                   |
| <b>Recommendation(s):</b>  |                            | Grant Planning Permission subject to S106 |                                     |                                  |                   |
| <b>Application Type:</b>   |                            | Full Planning Permission                  |                                     |                                  |                   |

|                                    |   |    |                  |    |                   |    |
|------------------------------------|---|----|------------------|----|-------------------|----|
| Conditions or Reasons for Refusal: | Refer to Draft Decision Notice  |    |                  |    |                   |    |
| Informatives:                      |   |    |                  |    |                   |    |
| Consultations                      |   |    |                  |    |                   |    |
| Adjoining Occupiers:               | No. notified  | 20 | No. of responses | 03 | No. of objections | 03 |
|                                    |   |    | No. Electronic   | 00 |                   |    |
| Summary of consultation responses: | <p>3 x letters of objection were received from neighbouring residents on the following grounds:</p> <p><u>Amenity</u><br/>The increase in residents will result in an increase in noise and disturbance. The proposed extension will result in dust/noise and dirt and result in the loss of light to kitchen. Balconies will cause more noise.</p> <p><u>Officer response:</u><br/><i>The proposal is an appropriate density range related to its setting in terms of location and therefore in accordance with the London Plan. The small</i></p> <p><u>Bike Storage</u><br/>There have been instances where the proposed bike storage did not materialise and the entrance at Crown Place is always blocked. There is concern that during construction, the vehicles will block access making it difficult for pedestrians and other road users to come in and out.</p> <p><u>Officer response:</u><br/><i>Details of cycle parking have been submitted in the proposed floorplans and are considered to be adequate. The cycle parking spaces will be secured through a condition. With regards to the construction impact, a construction management plan will be secured by way of a S106 which will need to be signed off by the Council prior to any works commencing on site.</i></p> <p><u>Refuse storage</u><br/>No details provided, there is already a problem with littering and uncollected waste.</p> <p><u>Officer response</u><br/><i>A separate refuse storage area is indicated at rear ground floor level.</i></p> |    |                  |    |                   |    |
| CAAC/Local groups* comments:       | <p>Comments received from South Kentish Town CAAC</p> <p>Please note that although an objection from the CAAC has been received, the site is not listed nor does it lie in a conservation area.</p> <p><u>Design</u><br/>The building is of historical merit, it is locally listed and the current proposal is going to destroy the character of the 200 year old building. The proposal would be a disservice to this historic and significant building. This is a listed building which has been preserved because it was previously a pub and stands out from others neighbouring the street. The proposed design lack quality.</p>  |    |                  |    |                   |    |

Officer response:

*The original proposal to demolish and rebuild the property has been revised at the request of the officer. The proposal now seeks to retain and extend the original building. The proposed design is considered to be sympathetic to the original building.*

*The proposed roof extension is out of character with the period of the building and overwhelms the classical façade, front and back. Generally the proposal fails to respect the character of the existing building. (comment in relation to the amended scheme)*

*It is acknowledged that the front façade has a classical appearance but the back of the building does not resemble the front of the building and appears to be a later edition which is of little merit. The proposed mansard roof extension will bring the roof line of the existing building to be consistent with that of the neighbouring properties. Further assessment of the design is set out in paragraphs 5.1 and 5.2 of this report.*

Unit mix

The units fail to meet minimum dwelling sizes and there is an inappropriate mix with 1x3 bed and 3x1 bedrooms.

Officer response:

*The unit mix has now been revised at the request of the officer to provide 2 x 2 bed maisonettes and 3 x1 bedrooms. The mix is therefore considered appropriate.*

Lifetime Homes

The design and access statement does not demonstrate how the lifetime homes have been met.

Officer response:

*A lifetime homes assessment has been submitted and demonstrates how the proposal complies with the standards.*

Basement

The plans show removal of internal basement existing structures which is contrary to the integrity of the listed Regency building and may cause structural issues.

Officer response:

*The proposal in the lower ground floor is to create better quality floorspace to be used as a solicitor's office. The proposed development would come forward within the existing lower ground floor space. There is no excavation proposed as part of this application. Matters relating to the structure will be dealt with by building control.*

## Site Description

The site is a corner plot located on the junction between Kentish Town Road and Crown Place. The building has until recently been in use as a solicitors office (Class A2) at ground floor, first floor and basement levels and as a residential flat at second floor level. The building has been in use as a solicitor's office since 1982. Prior to this the building was in use as a public house. The site sits within the Kentish Town Centre. There is an enclosed courtyard which is accessed from Crown Place. The existing materials and building are brick and render.

## Relevant History

G11/7/5/34875 Granted - 6 December 1982 for the change of the ground floor and first floors to Solicitor's office with caretaker residential accommodation on the 2<sup>nd</sup> floor.

## Relevant policies

### National Planning Policy Framework 2012

### London Plan March 2015 consolidated with amendments since 2011

### LDF Core Strategy and Development Policies

CS1 - Distribution of growth

CS5 - Managing the impact of growth and development

CS14 - Promoting high quality places and conserving our heritage

CS11 - Promoting sustainable and efficient travel

DP17 – Walking, cycling and public transport

CS18 - Dealing with our waste and promoting recycling

DP1 - Mixed use development

DP2 - Making full use of Camden's capacity for housing

DP5 - Homes of different sizes

DP6 - Lifetime homes and wheelchair homes

DP12- Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses

DP20- Movement of goods and vehicles

DP24 - Securing high quality design

DP26 - Managing the impact of development on occupiers and neighbours

### Camden Planning Guidance (as amended 2013) (CPG1: Design; CPG6: Amenity) (CPG7: Transport)

## Assessment

### 1.0 Proposal

1.1 The original application sought the comprehensive redevelopment of the site. To accommodate A2 use and 3x 1 bedroom flats and 1 x 3 bedroom with cycle and bin storage.

### 2.0 Revisions

1.2 The proposal has been revised at the request of the planning officer over concerns of the loss of a locally listed building and the inappropriate mix of units. The proposal has since been revised and seeks planning permission for the change of use from a solicitor's office at first floor level and the erection of a mansard roof extension to accommodate three additional units. The overall unit mix will be 2 x 2 bedroom maisonettes and 3x 1 bedroom flats. The ground floor and lower ground floor levels will continue to be used as a solicitor's office following internal refurbishment.

### 3.0 Assessment

3.1 the material considerations this application are summarised as follows

- land use
- design
- neighbouring amenity
- transport

### 4.0 Land Use

4.1 The relocation and rationalisation of the office space from first floor level to ground floor and lower ground floor levels has been carefully assessed.

4.2 The existing lower ground floor measures 81 sqm and has to date been used as storage and the existing first floor level has been used to accommodate 6 small rooms that have been used ancillary to the main solicitor's office (class A2) since the mid 1980s. Over time, the nature of the working environment has changed and the applicant therefore seeks to rationalise the space to re-provide the solicitor's office from first floor level to lower ground and ground floor levels.

4.3 The proposal involves the loss of ancillary storage floorspace at lower ground floor level and the creation of better quality of A2 space. Policy DP12 (Supporting strong town centres) seeks to ensure developments do not cause harm to the character, the function and viability of a town centre. The frontage of the scheme sits within Kentish Town Centre and therefore the retention of the A2 use at ground floor level is important. Given the proposal retains A2 use at ground floor level, will result in 216sqm of better quality floorspace with a courtyard and provide adequate amenity space for employees, the proposal is therefore considered to be acceptable in land use terms.

4.5 The Council encourages the creation of additional residential accommodation provided that it meets acceptable standards. 2 x 2 bed maisonettes and 3x 1 beds are proposed. All flats would be accessed via a separate entrance off Crown Place. This door provides access to a staircase leading to all upper floor, cycle parking. Refuse storage is also proposed at ground floor level for the residential units. Each flat would be entirely self-contained, would have adequate natural light, outlook and ventilation and would exceed the floorspace standards set out in CPG2 - Housing. Each flat would be dual aspect. The flats will also have Juliet balconies at the rear.



4.6 Policy DP5 seeks to provide a range of unit sizes to meet demand across the Borough. In order to define what kind of mix should be provided within residential schemes Policy DP5 includes a Dwelling Size Priority Table and the expectation is that any housing scheme will meet the priorities outlined in the table and will provide at least 40% 2-bed units. In this regard the proposal meets the required mix of 2 bed units. It would be preferable to have a broader mix of unit sizes, however the constraint of the building make it difficult to provide an additional bedroom to any of the units. This is acceptable in the circumstances.

4.7 Policy DP6 requires all new dwellings be designed to meet Lifetime Homes standards. A lifetime homes assessment has been submitted with the application and the development meets all of the relevant criteria.

## **5.0 Design**

5.1 The existing building which is locally listed, whilst it has merit – has been somewhat neglected and is in need of some improvement to bring it up to modern standards. The original proposal sought to demolish and rebuild the existing building. The proposals have now been revised at the request of the officer to retain and improve the existing building. The proposal now seeks to erect a double storey roof extension to the rear and a single storey to the front of the building with modern dormer windows to the front and rear of the building.

5.2 The main design consideration is the proposed mansard roof addition. The proposed mansard meets the traditional 60-70 degree guideline set out in CPG1 and is therefore considered acceptable. The proposed material to be used for the mansard roof extension is of a fish scale type cladding, whilst the choice of material is considered to be of a modern form, its colour matches more traditionally slated roof forms. Officers consider the proposed material will provide a visually interesting roof form and therefore sit well with the existing building. The pattern of fenestration is in line with the existing windows. Overall, the proposal will provide a fitting termination to the building and create a visually interesting elevation. The use of high quality materials to the proposed extension is considered to enhance the appearance of the host building; the proposed design is therefore considered acceptable.

## **6.0 Amenity**

6.1 One neighbouring resident raised concerns about the loss of light to the neighbouring kitchen. The proposal will project out compared to what currently exists by approximately 5m at first and by approximately 3m at second floor, this will result in a degree of enclosure but in the context of this being a galley kitchen and not a habitable room it is not considered that this impact will cause harm enough to refuse the proposal.

6.2 The application site sits north of the neighbouring property and therefore unlikely to cause loss of sunlight. The proposed roof extension is not considered to raise any overlooking issues. Given the location of the work it is considered that there would be limited opportunities for overlooking or loss of privacy. The properties to the rear off Crown Place sit quite some distance away and have flanks walls with obscured glazed windows.

6.3 The flats would have small Juliet balconies at the rear which would not raise any amenity concerns. A small terrace is proposed at rear 1<sup>st</sup> floor level, but due to its location and the height of the boundary wall would not permit overlooking to neighbouring properties.

## **7.0 Transport Implications**

### **7.1 Car Free**

The site has an excellent Public Transport Accessibility Level (PTAL of 6a). The site is within walking distance of Kentish Town Road and there are numerous buses nearby the site. The site is considered to be suitable to be made car free through a section 106 agreement.

### 7.2 Cycle Parking

Policy DP17 and DP18 require development to sufficiently provide for the needs of cyclists, which includes cycle parking and states development must comply with Camden Parking standards which state that a minimum provision of 1 or 2 cycle space per residential unit is required. The details of cycle parking will be secured via a condition.

### 7.3 Construction Management

DP21 seeks to protect the safety and operation of the highway network. For some developments this may require control over how the development is implemented (including demolition and construction) through a Construction Management Plan (CMP) secured via S106. Due to the scale and kind of development and the likely method of construction a CMP is required. Any occupation of the highway, such as for hoarding, skips or storage of materials, will require a licence from Highways Management and this, along with the existing on-street waiting and loading controls, should be sufficient to ensure the work is carried out does not adversely affecting the safety or operation of the public highway.

## **8.0 Community Infrastructure Levy**

8.1 This proposal will be liable for the Mayor of London's and the London Borough of Camden's Community Infrastructure Levy (CIL) as the development creates new residential units. The charge for the Mayoral CIL is likely to be £16,500 and the Camden CIL is likely to be £165,000.

8.2 This will be collected by Camden after the scheme is implemented and could be subject to surcharges for failure to assume liability, submit a commencement notice and late payment, and subject to indexation in line with the construction costs index.

**Recommendation: Grant planning permission subject to s106 legal agreement**

### **DISCLAIMER**

**Decision route to be decided by nominated members on Monday 22<sup>nd</sup> June 2015. For further information please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'members briefing'**

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

Application Ref: **2015/1286/P**

18 June 2015

Dear Sir/Madam

**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:  
**259 - 263 Kentish Town Road**  
**London**  
**NW5 2JT**

Proposal:  
Erection of a mansard roof extension to create 2x 2 bedroom and 3 x 1 bedroom flats.  
Drawing Nos: location plan, 1502-0200-AP-002, 1502-0200-AP-003, 1502-0200-AP-004, 1502-0200-AP-005, 1502-0400-AP-001, 1502-0400-AP-003, 1502-0200-AP-006, 1502-0200-AP-007, 1502-0300-AP-001, 1502-0300-AP-001 and 1502-0400-AP-002.

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 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 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 location plan, 1502-0200-AP-002, 1502-0200-AP-003, 1502-0200-AP-004, 1502-0200-AP-005, 1502-0400-AP-001, 1502-0400-AP-003, 1502-0200-AP-006, 1502-0200-AP-007, 1502-0300-AP-001, 1502-0300-AP-001 and 1502-0400-AP-002.

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

- 4 Before the development commences, details of secure and covered cycle storage area for 8x cycles shall be submitted to and approved by the local planning authority. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 of the London Borough of Camden Local Development Framework Development Policies.

- 5 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 (Providing quality homes) of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 (Lifetime homes and wheelchair homes) of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

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).

- 2 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.
- 3 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](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](mailto:CIL@Camden.gov.uk) 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 correspondence to [CIL@Camden.gov.uk](mailto:CIL@Camden.gov.uk)

- 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 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.
- 6 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.
- 7 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.

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

**DECISION**

Culture and Environment Directorate