

Ali Mussani  
1109 Greenford Road  
Greenford  
Middlesex UB6 ODP

Application Ref: **2015/2605/P**  
Please ask for: **Kate Phillips**  
Telephone: 020 7974 **2521**

17 December 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:  
**325 Kentish Town Road**  
**London**  
**NW5 2TJ**

Proposal:

Rear extension to existing retail unit (Class A1), erection of mansard roof extension and three storey rear extension at 1st, 2nd and 3rd floor level of No. 325 Kentish Town Road and conversion of the 1 no. 3 bed self-contained flat to create 3 no. 1 bed self-contained flats at first, second and third floor level. Erection of three storey rear extension to infill space known as 10 York Mews to provide ground floor storage space and cycle store and 1 no. 3 bed maisonette on first and second floor. Provision of internal courtyard/terrace at first floor level with access from 10 York Mews and installation of green wall at first and second floor level of 10 York Mews (internal elevation).

Drawing Nos: OS Plan at 1:1250; Site plan at 1:200; 1; 2B; 3B; 4; 5; 5A; 6; 8

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

Condition(s) and Reason(s):

- 1 The works hereby permitted shall be begun not later than the end of three years from the date of this consent.



Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 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 noise level in rooms at the development hereby approved shall meet the 'Good' noise standard specified in BS8233:1999 for internal rooms and external amenity areas.

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise in accordance with policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 4 Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of an enhanced sound insulation value  $D_{nT,w}$  and  $L'_{nT,w}$  of at least 5dB above the Building Regulations value, for the floor/ceiling/wall structures separating different types of rooms/ uses in adjoining dwellings, namely eg. living room and kitchen above bedroom of separate dwelling. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise in accordance with policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 5 The cycle parking provision shown on the approved plans shall be retained in perpetuity, unless otherwise agreed in writing with the Local Planning Authority.

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.

- 6 Prior to the commencement of development, details of the proposed privacy screens shall be submitted to and approved in writing by the Local Planning Authority and the works shall then accord with the approved details. The privacy

screens shall be installed prior to the occupation of the new residential units and they shall be retained in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of protecting the privacy of future occupants and ensuring a satisfactory standard of living accommodation in accordance with policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 7 Prior to the commencement of development, full details of the construction, planting and maintenance in respect of the green wall at the rear of the new 3-bed unit shall be submitted to and approved in writing by the Local Planning Authority and the works shall then accord with the approved details. The green wall shall then be permanently retained and maintained thereafter, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity in accordance with policy CS13 of the London Borough of Camden Local Development Framework Core Strategy and policy DP22 of the London Borough of Camden Local Development Framework Development Policies.

- 8 The area of flat roof at the front of the building at first floor level and the terrace at third floor level shall not be used by occupiers of the residential units as outdoor amenity space.

Reason: To safeguard the appearance of the premises and the character of the immediate area and in order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies CS5 and CS14 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 9 The development hereby permitted shall be carried out in accordance with the following approved plans: OS Plan at 1:1250; Site plan at 1:200; 1; 2B; 3B; 4; 5; 5A; 6; 8.

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

Informative(s):

- 1 Reasons for granting permission

The proposed mansard roof extension on No. 325 Kentish Town Road would match the roof of No. 327 and the proposal would therefore serve to unite the pair of buildings and townscape. There would be a height difference between the host building and No. 323; however, these two buildings are not of the same type and they are not viewed as part of the same group and so this is considered to be

acceptable. Although the butterfly roof is a feature of architectural interest, the host building appears to be the only building in the row which has retained this feature. As such, the loss of the butterfly roof is considered to be acceptable in this instance.

The proposed rear extension to No. 325 would be subservient in scale to the main building and, whilst it would not be one full storey below the eaves level, it is considered to be appropriate given it is located at the rear and therefore not visible in public views. It is also noted that the rear elevations of the group of buildings is varied in character and the rear of 325 would be largely obscured from view by the new development at 10 York Mews.

The proposed works at 10 York Mews would match the height, depth and general form of the development at Nos. 6-8 York Mews. A similar proposal was previously approved in 2003, but for offices. The proposal would infill the existing unsightly gap in York Mews and complete the frontage and is considered to relate well to the existing properties in York Mews.

The green wall on the eastern elevation of the development at 10 York Mews would provide visual interest on this blank elevation whilst also promoting sustainability, in line with the aims of Policies CS13 and DP22.

The proposed alterations to the shopfront would respect the design and architectural features of the host building and the window display would remain the main visual element of the shopfront. There would be a large expanse of undivided glazing; however, other shopfronts in the same frontage have similar shopfronts.

The increase in size of the Class A1 unit is supported in line with the aims of Policies CS7 and DP12, especially because it may encourage occupation of the currently empty unit. This is subject to an informative to remind the applicant that the use of the ground floor is Class A1 retail and planning permission is required to use the premises for Class A3 purposes.

The provision of three additional flats is considered to be acceptable and complies with the Council's aim to contribute to the supply of additional housing to meet or exceed Camden's target of 5950 homes from 2007-2017 as outlined in Policy CS6.

The proposed new dwellings would provide a good standard of residential accommodation in terms of layout; space and room sizes; storage and utility spaces; daylight and sunlight; privacy and security; and noise and the proposal would also satisfactorily meet the lifetime homes standards, in accordance with Policies CS6, DP6 and DP26.

The proposal fails to meet the priorities set out in the Dwelling Size Priorities Table (Policy DP5) because it would not provide any 2-bed units, which are identified as a high priority. Instead, the proposal would provide 3 no. 1-bed units and a new 3-bed unit, which represents a net increase of 3 no. 1-bed units. Policy DP5 states that the Council will resist proposals which only provide 1-bed and studio flats. However, the constraints of the application site mean it is not practical to provide 2-bed units (due to access and stacking arrangements) and the development does

contain a mix of large and small homes overall and there would be no loss of medium or high priority homes, which is a benefit. Overall, in the interests of maximising the supply of housing in the district in line with the aims of Policies CS6 and DP2, the proposal is considered to be acceptable in this respect.

- 2 The proposed works would not cause an unacceptable loss of amenity to neighbouring or nearby properties with regard to sunlight, daylight, outlook, overshadowing, light pollution/spillage, privacy/overlooking, or a sense of enclosure, in accordance with Policies CS5 and DP26. Given the position of rear windows in 10 York Mews there would not be significant overlooking between flats. There may be some overlooking of the first floor courtyard. However, planting will increase privacy and it is considered this is acceptable. There is likely to be some loss of light to first and second floor flats at No. 325 Kentish Town Road; however, the windows that are likely to be affected serve bedrooms at the rear and the principal rooms are located at the front of the building. Overall, the loss of light would not be sufficient to justify a refusal of the application on this basis.

The application site has a Public Transport Accessibility Level (PTAL) of 6a and is within a Controlled Parking Zone (CA-M). Policy DP18 expects development to be car free in the Central London Area. This permission is therefore subject to a legal agreement to ensure the dwellings will be car free. The legal agreement will also secure the submission of an updated Construction Management Plan and a contribution towards repaving the footway adjacent to the site on Kentish Town Road. The submitted plans illustrate the provision of 4 no. cycle parking spaces, which is acceptable.

Neighbouring occupiers were consulted on the application. One objection has been received prior to making this decision which has been duly taken into account prior to making this decision. The application site's planning history and relevant appeal decisions were also taken into account when coming to this decision.

The proposed development is in general accordance with Policies CS1, CS3, CS5, CS6, CS7, CS11, CS13, CS14 and CS18 of the London Borough of Camden Local Development Framework Core Strategy, and Policies DP2, DP5, DP6, DP12, DP16, DP17, DP18, DP19, DP21, DP22, DP24, DP26, DP28 and DP29 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with Policies 2.15, 3.3, 3.4, 3.5, 4.7, 4.8, 5.1, 5.2, 6.9, 6.10, 6.13, 7.4 and 7.6 of the London Plan 2015; and the provisions of paragraphs 14, 17, 29-41, 47-55 and 56-66 of the National Planning Policy Framework 2012.

- 3 The applicant is advised that this decision does not give permission for a change of use of the ground floor unit from Class A1 (retail) to Class A3 (restaurants and cafes). Planning permission will be required to use the ground floor for Class A3 purposes and the implications of this would need to be fully assessed. The applicant is also advised that the application site is in a designated Core Frontage and the Council will generally resist proposals that would result in less than 75% of the premises in the frontage being in retail use.

- 4 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).
- 5 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.
- 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 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 CIL charge 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 refer to the information on the Camden website which may be accessed via the following link: [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 the 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)

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', written in a cursive style.

Ed Watson  
Director of Culture & Environment